

Resettlement Plan

January 2018
Project 49387-002

Lao People's Democratic Republic: Second Greater Mekong Subregion Tourism Infrastructure for Inclusive Growth Project

Vientiane Province, Lao PDR
Nam Ngum Reservoir Access Improvements
Western Loop Rural Access Roads and Bridge Improvements

Prepared by Ministry of Information, Culture and Tourism with Vientiane province for the Asian Development Bank. This is an updated version of the draft originally posted in March 2018 available on <https://www.adb.org/projects/documents/lao-49387-002-rp>.

CURRENCY EQUIVALENTS

(as of 31 December 2017)

\$1.00 = 8,325.77 LAK

ABBREVIATIONS

ADB	–	Asian Development Bank
AHs	–	Affected Households
APs	–	Affected Persons
ASEAN	–	Association of Southeast Asian Nations
CLV	–	Cambodia, Lao PDR, Viet Nam
CTG	–	Community Tourism Group
DBST	–	Double Bituminous Surface Treatment
DD	–	Detailed Design
DICT	–	Department of Information, Culture and Tourism
DMF	–	Design Measurement Framework
DMS	–	Detailed Measurement Survey
DOF	–	Department of Finance
DPWT	–	Department of Public Works and Transport
DPI	–	Department of Planning and Investment
DONRE	–	Department of Natural Resources and Environment
DRC	–	District Resettlement Committee
EA	–	Executing Agency
EMA	–	External Monitoring Agency
EM	–	Ethnic Minority
EMP	–	Environmental Management Plan
GAP	–	Gender Action Plan
HH	–	Households
HIV/AIDS	–	Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome
IPP	–	Indigenous Peoples Plan
IOL	–	Inventory of Losses
LAK	–	Lao Kip
Lao PDR	–	Lao Peoples Democratic Republic
LFNC	–	Lao Front for National Construction
LWU	–	Lao Women's Union
MICT	–	Ministry of Information, Culture and Tourism
MPI	–	Ministry of Planning and Investment
MONRE	–	Ministry of Natural Resources and Environment
MPWT	–	Ministry of Public Works and Transport
NPSC	–	National Project Steering Committee
NTP	–	Notice-to-Proceed
OICT	–	Office of Information, Culture and Tourism
O&M	–	Operation and Maintenance
OWPT	–	Office of Public Works and Transport
PCU	–	Project Coordination Unit
PIU	–	Project Implementation Unit
PIC	–	Project Implementation Consultant
PPMS	–	Project Performance Monitoring System

PPSC	–	Provincial Project Steering Committee
PPTA	–	Project Preparation Technical Assistance
PRC	–	Provincial Resettlement Committee
RCS	–	Replacement Cost Survey
RP	–	Resettlement Plan
SERD	–	Southeast Asian Regional Department
SES	–	Socioeconomic Survey
SPS	–	Safeguard Policy Statement
STI	–	Sexually-transmitted Infections
TDD	–	Tourism Development Department
UDAA	–	Urban Development Administration Agency
USD	–	United States Dollar
VRC	–	Village Resettlement Committee

WEIGHTS AND MEASURES

km	kilometer
kg	kilogram
ha	hectare
m ²	square meter

GLOSSARY

Affected Person (AP)	-	Means any person, household, firm or private institution who, on account of changes resulting from the project, or any of its phases or subprojects, will have its (i) standard of living adversely affected; (ii) right, title or interest in any house, land (including residential, commercial, agricultural, forest, salt mining and/or grazing land), water resources or any other moveable or fixed assets acquired, possessed, restricted or otherwise adversely affected, in full or in part, permanently or temporarily; and/or (iii) business, occupation, place of work or residence or habitat adversely affected, with or without displacement.
Detailed Measurement Survey (DMS)	-	With the aid of the approved detailed engineering design, this activity involves the finalization and/or validation of the results of the inventory of losses (IOL), severity of impacts, and list of APs earlier done during RP preparation. The final cost of resettlement can be determined following completion of the DMS.
Cut-off date	–	This refers to the date prior to which the occupation or use of land in the project area makes residents/users of the same eligible to be categorized as AP.
Entitlement	-	Refers to a range of measures comprising compensation, income restoration support, transfer assistance, income

substitution, relocation support, etc. which are due to the APs, depending on the type and severity of their losses, to restore their economic and social base.

- Host community - Means the community already in residence at a proposed resettlement or relocation site.
- Income Restoration - This is the re-establishment of sources of income and livelihood of the affected households.
- Inventory of Losses (IOL) - This is the process where all fixed assets (i.e., lands used for residence, commerce, agriculture, including ponds; dwelling units; stalls and shops; secondary structures, such as fences, tombs, wells; trees with commercial value; etc.) and sources of income and livelihood inside the project right-of-way (project area) are identified, measured, their owners identified, their exact location pinpointed, and their replacement costs calculated. Additionally, the severity of impact to the affected assets and the severity of impact to the livelihood and productive capacity of APs will be determined.
- Land Acquisition - Refers to the process whereby an individual, household, firm or private institution is compelled by a public agency to alienate all or part of the land it owns or possesses to the ownership and possession of that agency for public purposes in return for compensation at replacement costs.
- Rehabilitation - This refers to additional support provided to APs losing productive assets, incomes, employment or sources of living, to supplement payment of compensation for acquired assets, to achieve, at a minimum, full restoration of living standards and quality of life.
- Relocation - This is the physical relocation of an AP from her/his pre-project place of residence and/or business.
- Replacement Cost - The amount needed to replace an affected asset net of transaction costs such as administrative charges, taxes, registration and titling costs.
- Replacement Cost Study - This refers to the process involved in determining replacement costs of affected assets based on empirical data.
- Resettlement - This includes all measures taken to mitigate all adverse impacts of a projection AP property and/or livelihoods, including compensation, relocation (where relevant), and rehabilitation as needed.

- | | | | |
|------------------------|----------|---|---|
| Resettlement
(RP) | Plan | - | This is a time-bound action plan with budget setting out compensation and resettlement strategies, objectives, entitlement, actions, responsibilities, monitoring and evaluation. |
| Severely
households | Affected | - | This refers to affected households who will (i) lose 10% or more of their total productive land and/or assets, (ii) must relocate; and/or (iii) lose 10% or more of their total income sources due to the project. |
| Vulnerable Groups | | - | These are distinct groups of people who might suffer disproportionately or face the risk of being further marginalized by the effects of resettlement and specifically include: (i) female headed households with dependents, (ii) disabled household heads, (iii) households falling under the generally accepted indicator for poverty, (iv) children and the elderly households who are landless and with no other means of support, and (v) landless households, and (vi) indigenous people or ethnic minorities. |

NOTE

In this report, "\$" refers to US dollars

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EXECUTIVE SUMMARY

1. Background and Subproject Description

1. The proposed regional project will improve urban-rural transport infrastructure, urban environmental services, strengthen capacity to implement regional tourism standards, and strengthen tourism destination management in Cambodia, the Lao People's Democratic Republic (Lao PDR) and Viet Nam (CLV). It will help transform secondary towns in the Greater Mekong Subregion (GMS) economic corridors into green, inclusive and competitive international tourism nodes to boost trade in services and deepen market linkages between members of the GMS and Association of Southeast Asian Nations (ASEAN). The project will build on the ongoing GMS Tourism Infrastructure for Inclusive Growth Project, implemented in Cambodia, Lao PDR, and Viet Nam.

2. The expected **impact** is sustainable, inclusive, and more balanced tourism development, as envisaged in the *ASEAN Tourism Strategic Plan 2016–2025*. The expected outcome is to increase the tourism competitiveness of secondary towns in CLV. The project has three outputs: (i) urban-rural access infrastructure and urban environmental services improved; (ii) capacity to implement ASEAN tourism standards strengthened; and (iii) institutional arrangements for tourism destination management and infrastructure O&M strengthened. Project areas in Lao PDR include Champasak, Luang Prabang and Vientiane provinces, all located along the GMS Central Economic Corridor. A detailed description of the project outputs and subprojects is in the Project Administration Manual (PAM).

3. This resettlement plan (RP) has been prepared for 2 subprojects: (i) Nam Ngum Reservoir Access Improvements and, (ii) Western Loop Access Road and Bridge Improvement subprojects in Vientiane Province based on an assessment of the resettlement impacts during the feasibility study between July and October 2017. The resettlement impacts in these 2 subprojects are minor or ADB category B. ADB and the Government agreed projects with potential category A involuntary resettlement categorization are not eligible for project financing. The other 3 subprojects in Vang Vieng (Kaeng Yui Waterfall, Vang Vieng Solid Waste Management Improvements, and Vang Vieng Urban Renewal) do not need an RP at this stage as resettlement impacts are not foreseen at preliminary design. Due diligence has been done for these 3 subprojects. For further details on due diligence also see Annex 4, subproject descriptions in Annex 7 and the resettlement screening forms in Annex 11 to 13.

4. The purpose of this RP is to ensure that all affected people (APs) will be compensated at replacement cost at current market value for their losses, and provided with rehabilitation measures so they are at least as well off as they would have been in the absence of the project. The RP (i) identifies the legal and policy frameworks of the Lao Government and appropriate ADB guidelines; (ii) sets out procedures and policies on resettlement to guide mitigation of impacts during project implementation; (iii) identifies an IOL and (iv) includes an estimated budget for implementing the compensation plan. The RP must be approved by both the ADB and the responsible Government agency. The RP, including the budget, will be updated at the time of the detailed measurement survey (DMS) during detailed design.

2. Subproject Descriptions

2.1. Nam Ngum Reservoir Access Road Improvements

5. Nam Ngum Reservoir recreation area (7.5ha) is in Keo Oudom District, Vientiane

Province, 90 km north of Vientiane Capital. An existing road connects the site to national road 10. Visitor arrivals reached 51,701 in 2016, but this is far below capacity. The site is significantly underused and lacking safe, attractive public facilities, quality tourism services, parking, and proper waste management and sanitation.

6. The subproject will improve the situation by (i) improving the existing public marina to safely accommodate 50-60 local tour boats and launch small recreational vessels and ferries; (ii) construct a 5.9 km, 6m wide loop road linked to National Road 10 to DBST paving, and 1,200 m² parking area; (iii) redevelop unsanitary and poorly constructed market stalls into a new 3,200 m² public market that incorporates traditional Lao architectural design; (iv) install septic tanks in all public buildings and a wastewater pump-out station/holding tank at the marina; (v) replace abandoned, unsafe public buildings and piers with new public green space; and (vi) renovate the tourist information center. The subproject will supply 2-3 electric passenger vehicles for transfers from the parking area to the marina, to be operated under a private management contract. The subproject will benefit 1,600 people living in nearby Ban Sengsavang and is expected to catalyze significant tourism related investment at the site.

2.2. Western Loop Rural Access Road and Bridge Improvements

7. The subproject area is west of Vang Vieng Town and includes a 26-km scenic loop road with karst mountains, caves, rivers and natural springs, many of which are community managed. Tourist arrivals are rising, but only at two sites closest to town. In 2016 arrivals totaled about 80,000 and this could reach 130,000 in 2026. Growth is constrained by unsurfaced roads and insufficient bridge access.

8. The subproject will therefore (i) upgrade the 26 km “Western Loop Road” to DBST paving, with 6m carriageway and drainage in village areas; (ii) construct a new 2-lane 80m road bridge across the Xong River south of town, with 2 km concrete feeder road connecting it to the Western Loop Road and the town center; and (iii) provide bio-engineered river bank protection and improve the footpath/cycle track along the west bank of the Xong River. The subproject will benefit about 9,500 people living in 11 villages alongside the road and relieve urban congestion for 59,661 Vang Vieng residents. Part of the feeder road follows an existing unpaved road through Huay Yae village. An alternative alignment bypassing the village on its northwestern side that will route through traffic around the village reducing traffic disturbance (dotted line on map) will be explored during detailed design.

2.3. Kaeng Yui Waterfall Access Improvements

9. The Kaeng Yui Waterfall is 6 km east of Vang Vieng, one of Lao PDR’s major tourist attractions that received about 183,000 visitors in 2016. It is accessed via a dirt road linked to National Highway 13 and managed by Ban Naduang, which also operates homestay facilities. Visitor numbers rose from 23,940 in 2015 to 32,050 in 2016 and could reach 53,994 in 2026.

10. Key risks to growth are poor access and the lack of facilities at the waterfall. To overcome the constraints the subproject will (i) upgrade the 6-km waterfall access road to concrete pavement, with a 6m carriageway and drainage; (ii) level and pave the 875 m² parking area with gravel; (iii) improve surfacing and drainage in the waterfall market area; and (v) improve 300m footpaths, including rehabilitation of steps, small suspension bridges, and signage. The subproject will directly benefit 873 persons in Ban Naduang and additional 2,580 persons living along the improved access road.

2.4. Urban Renewal in Vang Vieng Town

11. The subproject area includes most streets and lanes in Vang Vieng's central and southern precincts. The area has the largest concentration of commercial space and tourists, which are expected to rise from 183,000 in 2016 to 312,565 in 2026. Currently, the area is congested, not pedestrian friendly, and lacks parking and adequate drainage. The subproject will address this situation by (i) rehabilitating 4.0 km of footpaths with suitable surfaces, street lighting, seating and soft landscaping; (ii) installing traffic calming measures in streets with high concentrations of tourists; (iii) improving traffic management, including one-way traffic flows and shared surface concepts (1.5 km); and (iv) resurfacing roads and improving drains in residential areas (0.98 km). The subproject will benefit 4,051 residents (Ban Savang, Ban Vieng Keo and Ban Mueang Xong), tourists, and 143 hotels/guest houses and 126 shops/restaurants. As the people in town are mostly from the main Lao ethnic group.

2.5. Vang Vieng Solid Waste Management Improvements

12. Forecasts suggest Vang Vieng visitor arrivals could increase to more than 230,000 in 2020, while the urban population is increasing by 4.5 % per year and could reach 31,000 the same year. The existing arrangements for solid waste management are unable to meet rising demand created by rapid urban growth and tourism. This leads to public health hazards for residents and visitors. The existing Vang Vieng dumpsite covers 4ha of 9ha of available flat/undulating land, and is largely unmanaged. The site is screened by mature vegetation and is 800m from National Road 13.

13. The subproject will address these constraints by developing a managed landfill site 10 km south of the town on public land already being used as an open dumpsite and expanding coverage of waste collection services to 80% (3,840 households). Subproject components include: (i) preparatory earthworks and installation of a perimeter runoff interceptor drainage system; (ii) construction of an impermeable liner, leachate collection/treatment system, and a landfill gas recovery system; (iii) construction of a small materials recovery facility for waste separation and recycling; (iv) construction of a medical waste treatment area; (v) construction of a septage treatment facility (0.5ha); and (vi) construction of site office, toilets, and fencing. The landfill access road (0.8 km) will be paved with concrete (6m carriageway and verges) to accommodate collection trucks and other vehicles. On-site equipment will include 3 new 10 cubic meter collection trucks, bulldozer, and two vacuum trucks to support septage collection. Sanitation and waste management awareness programs will be supported under output 3 capacity building programs. The subproject will benefit 59,661 residents in Vang Vieng District and 143 hotels and guesthouses.

3. Social Economic Profile of Project Area

14. Vientiane Province, where the 4 subprojects are located, is north of Vientiane Capital. Its total area is 15,927 square kilometers and its total population in 2015 was 419,090 people.¹

15. Keo Oudom, the District where Nam Ngum Reservoir is located, had a population of 17,786 people in 2015, with district authorities estimating the population at 20,069 (49.95% women) with 3,815 households (HH) in 2017. Vang Vieng where the Western Loop and Kaeng Yui Waterfall subprojects are located, had 36,764 people in 2015 but district authorities estimate the population has risen to 59,661 (49.45% women) with 12,411 households in 2017.

16. Sensavang village, located near the Nam Ngum reservoir improvements subproject, has

¹ Lao Expenditure and Consumption Survey 2012/13 (LECS 5). Vientiane.

303 HH with 1,592 people (women 52%). The 11 villages of the Western Loop have a combined 1,757 HH with 7,912 people (48.5% women). Ban Nadouang village, which is managing the Kaeng Yui waterfall has 183 HH with 879 people (women 51%). Vang Vieng's urban core, where urban renewal will be carried out, consists of 6 villages with 1,571 HH and 8,158 people (51% women). Phon Vieng village where Vang Vieng landfill waste pickers reside, has 240 HH with 1,113 people (49% women).

17. The latest poverty rate (2013) for Lao PDR is 24.8%² based on the Lao poverty threshold of 240,000 Lao kip per person, per month (LAK/pp/month) for urban areas and 180,000 LAK/pp/month for rural areas. The average is 192,000 LAK/pp/month.³

18. Vientiane Province's poverty rate is 16.5%, whereas the rate in Keo Oudom and Vang Vieng Districts was 9.5% and 16.8% respectively in 2015.⁴ However, in November 2017, the District Authorities of Keo Oudom report an overall poverty rate of 2% which is much lower than the 9.5% reported in national data (LECS 2015). Vang Vieng District Authorities report an overall poverty rate of 0% for the district in 2017 which is a vast improvement over 16.8% reported in national data (LECS 2015). This either indicates a rapid increase in income which might be possible because of the increase in tourism and construction industries, or inaccurate data, which is more likely as such a rapid poverty decline in two years is unlikely.

19. Ethnic groups of non-Tai-Kadai language groups make up 1.94% of all households in Keo Oudom district according to the District Authorities (November 2017). They are mainly Khmu with Hmong as the second largest non-Tai-Kadai group. The Tai Dam are classified within the main Tai-Kadai language group to which the most populous Lao ethnic group belongs. Vang Vieng District Authorities report non-Tai-Kadai ethnic groups make up 56.42% of all households (November 2017). They are mainly from Hmong background with the Khmu as the second largest non-Tai-Kadai group. There are also some Taliang who belong to the Austro-Asiatic ethnic language group, as do the Khmu. The Lao are the majority within the main Tai-Kadai ethnic language group.

4. Scope of Land Acquisition and Losses

20. Two subprojects will have resettlement impacts with a total of 54 AHs (estimated 247 APs). 40 AH (180 persons, 88 women) are at the Nam Ngum Reservoir (NNR) and 14 AHs (67 persons, 34 women) at the Western loop road. 19 AHs (79 APs) at Nam Ngum Reservoir are severely affected because they must relocate house and business (about 200-300 m from present location).

4.1. Nam Ngum Reservoir

21. For Nam Ngum Reservoir, improvements to the loop road and development of a new parking area will not incur land or other losses as works will be in the existing road alignment and the parking area is public land for which DICT has been given the right use.

22. Improving the existing public marina to safely accommodate 50-60 local tour boats and constructing multi-level foot paths: this will involve the dismantling of a total 3,860 m² of vendor stalls of 40 AHs. 19 AHs will also lose their house as they reside in make-shift houses in their

² Lao PDR 2015 Census-Based Poverty Map – June 2016, WB

³ <http://www.thepovertyline.net/laos/> and Poverty Decree 309/PMO, 2013, Lao PDR

⁴ *Lao Expenditure and Consumption Survey 2012/13 (LECS 5)*. Vientiane.

shops. The earliest of them arrived in 1981 and the last one at 2009 and they don't have another house to move to.

23. Replacement market stalls and shophouses will be constructed into a new 3,200 m² public market that incorporates traditional Lao architectural design: this will be in Zone I of Government Land that is designated for resettlement and is near to the boat landing for boats of the island. The DMS must determine the exact loss of space (shop and living quarters) of all affected households (19) so that the replacement shops and shop houses will be equivalent.

24. Business losses will be minor as the project will build new stalls and shops for all the AHs on a plot of land near (within 200-300 m) the current shop area before the dismantling of the current structures. DMS will investigate the average income and profit for each affected household so that the project would be able to determine possible income generating activities to increase income so that the economic situation of the affected households will not deteriorate due to higher rents for both replacement house and selling stall.

25. The cut-off date for Nam Ngum subproject is 13 July 2017.

4.2. Western Loop and Bridge

26. The Western Loop Rural Access Roads and Bridge Improvements subproject will develop approximately 340 m of access road on the East side of the Nam Xong River, including 100m section of an existing road and 240 m section of government shrub land. The land is owned by OPWT and reserved for the bridge access road in Vang Vieng Urban Master Plan. No compensation would be needed for this part as this land is unused.

27. On the West side of the river, the feeder road requires acquisition of 2,662m² comprising 712m² of private residential land and 1,950m² rice field (of 3 AHs). Estimated loss of rice crop would be approximately 605 kg. Also 3 AHs will lose 35 trees. On the residential land, 6 AH's will lose 133 m² brick and metal fences and 1 bamboo fence. At DMS the exact losses for land to be acquired, including land used for rice cultivation, will be determined based on the detailed design.

28. The cut-off date for the western loop subproject is 5 August 2017.

29. Compensation arrangements for the 2 subprojects above are discussed under section 9 below and in Chapter X. For the other three subprojects, the reasons that there are no resettlement impacts are briefly presented below.

4.3. Kaeng Yui Waterfall

30. Leveling and paving the 875 m² parking area with gravel: the planned parking lot is on community land. It is already designated as parking lot. There is no additional land required.

31. Paving the access road to the waterfall will be in the existing alignment of 6m for most of its length. From the main road to Nadouang, the access road will pass some businesses in Ban Phonpheng. As the shops and houses are well distanced from the road, no loss of business or structures is foreseen. During construction of the concrete road, the right and left lane will be laid separately so that traffic can continue in one lane. During DMS, the need for minor land acquisitions of agricultural and garden land will be assessed.

32. Improving surfacing and drainage in the waterfall market area will not require land acquisitions and as the vendor's cooking facilities are mobile and set up daily. They will simply set up in another area on days when surfacing and drainage work is done. As the vendors don't live there, there are no relocations necessary and no business losses are foreseen.

33. Improving 300m footpaths, including rehabilitation of steps, small suspension bridges, and signage: this is all on land used for the existing facilities at the waterfall area.

34. As there is no relocation of houses or businesses, no land acquisition envisaged, and no disruption of business is foreseen, there are no resettlement impacts in the Kaeng Yui Waterfall subproject. The screening form for resettlement is in Annex 11. The needs and preferences of the vendors and Nadouang community are further discussed in the IPP will not affect their income as they have the mobile set up as explained above.

4.4. Vang Vieng Urban Renewal

35. Footpaths will be improved and extended towards the road and no additional land is required. Resurfacing roads and improving drains in residential areas (0.98 km): improvements will be made within the existing road alignment.

36. As there are no land acquisitions required and there are no losses of structures or business income expected, there are no resettlement issues and due diligence is done. After the detailed design is done, DMS will determine if there are minor losses of business income although this is not foreseen. The screening form for resettlement is in Annex 12.

4.5. Vang Vieng Landfill

37. All civil works except for the access road will take place at the existing landfill for which no additional land is required. Paving of the access road will be in the existing road alignment within the landfill property.

38. There are no resettlement issues as the waste pickers all live in the nearby village and not on site. The needs, preferences for project activities and concerns of the waste pickers are presented in the IPP, as all waste pickers are from the Khmu ethnic group. The screening form for resettlement is in Annex 13.

5. Socioeconomic Information and Profile of Affected Households

39. The 54 affected households have a total of 247 persons: 40 AH (180 persons, 88 women) are at the Nam Ngum Reservoir and 14 AHs (67 persons, 34 women) at the Western Loop. The average household has 4.57 persons.

40. All AHs are from the Lao ethnic group except for 1 Lu Mien AH in the Nam Ngum Reservoir area and 1 Khmu at the Western Loop feeder road.

41. Among the 54 AHs are 13 vulnerable households, (2 non-Tai-Kadai ethnic and 12 female-headed HH (including 1 non-Tai-Kadai). 4 Female-headed and 1 Lu Mien ethnic group are severely affected in Nam Ngum Reservoir subproject. See Table 1 for an overview of vulnerable AHs.

6. Information Disclosure, Consultation and Participation

42. The first public consultations with affected persons were conducted in the three subprojects from 11-13 July 2017. Although it is not expected that there will be resettlement impacts in Kaeng Yui Waterfall subproject, a focus group discussion was held with the village headmen and 4 women of Nadouang village on 12 July 2017 and a subsequent consultation with another group at Nadouang village on 2 November 2017. This was followed by a consultation and focus group discussion at Nam Ngum Reservoir, at Kaeng Yui Waterfall on 13 and 14 Nov 2017 and with affected households at the Western Loop on 15 and 16 December 2017. (see Annex 3 for attendance lists Annex 4 for field reports). The Province's DICT, Vang Vieng's OICT, DPWT and UDAA and Keo Oudom OICT staffs were present to co-facilitate the activity jointly with the PPTA consultants and ADB staff. A total of 139 participants attended the meetings 27 (19.4%) from non-Tai-Kadai ethnic groups and including 39 (28%) women.

7. Grievance Redress Mechanism

43. A grievance redress mechanism is prepared and forms an integral part of this RP. The GRM is accessible, free of charge. It is aimed at providing a mechanism for all APs/AHs to articulate their complaints and grievances on any decisions or issues shared with them about such topics as compensation price/values of affected assets, relocation requirements, and delays in compensation payments amongst others. This is to ensure that agreements between parties as well as the planned activities are being efficiently implemented in an appropriate and timely manner, avoid and/or minimize adverse impacts of resettlement to APs/AHs through prompt deliberation and resolution of complaints to avoid delays in project implementation. The project's grievance redress procedure has several levels from village to Ministry, to the courts, and in the very last instance to ADB's Office of the Special Project Facilitator.

8. Legal and Policy Framework

44. This RP is guided by the legal framework of the Government of Lao PDR (GoL) and Asian Development Bank (ADB) relevant policies and guidelines. The latest being ADB's Safeguard Policy Statement (June 2009, approved by ADB' Board July 2009 and detailed in the OM Section F1/OP issued on 4 March 2010, updated 2012) and the Lao Government's Law on the Protection of the Environmental, 18 December 2012 (No. 29) and the Decree on Compensation and Resettlement Management in Development Projects, 5th of April 2016 (84/PM) and the precedents established on Lao government-approved RPs for other ADB projects in Lao PDR. Provisions and principles adopted in the current RP supplement the provisions of relevant decrees currently in force in Lao PDR. Wherever a gap exists between Government's laws/policies and ADB's policies, ADB policies will prevail.

45. In particular, the RP and entitlements have been built upon the laws of the Government of Lao PDR, principally the Constitution (1991 with endorsed amendments through 2003) and the Land Law⁵(1997, 2003), the Road Law (1999), Advise mandate No 20 by the Secretariat of the Lao Revolutionary Party Committee (dated May 29, 2009, updated 2012), Decree 192/PM on Compensation and Resettlement (July 2005) (now replaced by the Decree on Compensation and Resettlement Management in Development Projects, 5th of April 2016 (84/PM), the Regulations for Implementing Decree 192/PM issued by the Science Technology and

⁵ The Land Law provides the issuance of a Land Title, which attests provisional ownership rights to use agricultural as well as forestland (Articles 17-18 and 21-22). Land titling is gradually being undertaken in all towns of Lao PDR. If APs only have Land Use Rights Certificates (Form 01), Land Tax Payment Receipts and/or Residency Certificates. Form 01 are certificates of land use for taxation and are considered evidence of land use but not as full legal title.

Environment Agency and Technical Guidelines for Compensation and Resettlement of People Affected by Development Projects (November 2005). Asian Development Bank's (ADB) Safeguard Policy Statement (SPS), Policy on Gender and Development (updated in 2006), the Policy on Indigenous Peoples (ADB, 1998), the Public Communications Policy (updated in 2011) and the Accountability Mechanism (2012).

46. The overall aim of the above policies is to avoid or minimize the negative impacts on people, households, businesses and others affected by the land acquisition required by a project. Where resettlement is not avoidable, the overall goal is to compensate and assist affected people to restore their living standards to levels equal to, if not better than, that they had before the Project. The policy sets out principles for land acquisition, compensation and resettlement. The relevant Lao laws and decrees and ADB policy and guidelines are discussed in Annex 8.

9. Entitlements, Assistance and Benefits

47. The Entitlement Matrix (Table 5) provides the compensation and benefits to which affected persons will be entitled. This entitlement covers all the compensation required based on the Inventory of Losses based on preliminary design. During project implementation, the DMS will update the list of affected persons and assets.

9.1. Nam Ngum Reservoir Subproject

48. Before relocation of the businesses of 40 AHs including 19 AHs who also live in their shops at the Nam Ngum marina area, the project will build new shop houses for the 19 households losing their residence in close consultation with the households, and provide for new market stalls in a market building to be constructed at the current open public space before entering the harbor area, taking into account the need for 4 larger restaurants (10 to 30 seats) and 3 noodle shops that are amongst the AHs (all restaurants and 1 noodle shop are severely affected because they have to relocate their house). DMS must determine the exact loss of space (shop and living quarters) of all affected households (19) so that the replacement shops and houses will be the same or better than their current establishment.

49. Before construction of replacement shophouses will commence, the District authorities will agree with all households that must relocate their residence, that a replacement residence will be provided, with official documents that set out user's rights and entitlements, so long as they occupy the shophouse, and their children, but without the right to sell or sublet it.

50. Construction will be planned so the move to the new market and shophouses will be during the time there are the least visitors, to avoid potential business losses. The project will assist to move the shops' assets to the new stalls.

51. To address concerns that vendors might experience lower living standards, the following mitigative and income generating actions are proposed:

- agreement with the District Authorities to waive rent for shophouses and market stalls for the first year and reevaluate the ability to pay rent based on their income and basic expenditure. The rent may be waived for longer, depending on the outcome of the evaluation.
- to include all the vendors in the capacity building activities of the project
- to support the vendors to involve in handicraft production and selling to serve the

tourist market

- to involve vendors in homestay training and promotion, and support for small businesses. Some of the replacement housing might be designed with the concept for homestay in mind.

52. DMS will investigate the average income and profit for each affected household so that the project would be able to determine possible income generating activities to increase income so that the economic situation of the affected households will not deteriorate due to higher rents for both replacement shophouses and market stalls.

53. AHs classified as vulnerable, will be provided additional assistance so that the vulnerable group will not be further marginalized due to the project. This applies to the 4 female headed households and 1 lu Mien ethnic group household in the Nam Ngum marina area. This is further explained below under sections 10.3 and 10.4 on Relocation and Rehabilitation.

9.2. Western Loop and Bridge subproject

54. Permanent land acquisitions for both the bridge access road and Western Loop feeder road will be compensated at full replacement cost of land based on land classification including transaction costs and other relevant costs. (14 AH in the current IOL). The 6 AHs losing part of the fence to the feeder road will be compensated based on replacement costs and agreed upon unit costs per m². DMS will determine the exact land and structure loss for all AHs

55. Loss of rice crop will be compensated in cash based on off-farm rice price and average rice yield based on the highest value of the previous 3 years' yield (3 AHs in the current IOL). DMS will determine the exact loss of land that is used for rice cultivation. Loss of trees (3 AHs in the current IOL) will be compensated based on a lumpsum per lost tree.

56. The DMS for the 2 subprojects, completed immediately following detailed engineering design, will encompass (i) confirmation and updating of the IOL results; (ii) a due diligence on compensation as impacts and costs might have changed due to changes in design and material prices; (iii) confirmation of agreement on compensation to the AHs permanently losing income; and (iv) updating compensation rates according to replacement costs, per current prices.

57. Any unforeseen impacts that may arise during project implementation will be handled in accordance with the requirements of ADB's SPS and the Entitlement Matrix and Principles of this RP.

10. Resettlement Plan Updating and Implementation

58. The updated RP is subjected to review by both the MICT and ADB. When there are no further revisions, ADB will issue a "no objection" to the updated RP. A summary of the approved RP will be translated into Lao language and disclosed to the APs, the project implementers and local authorities. The updated RP will be uploaded to the project and the ADB websites. It will also be provided as a reference to the civil works bid documents and the civil works contracts.

11. Indicative Resettlement Budget

59. The indicative cost of resettlement impacts compensation for the 2 subprojects is \$300,513. Of this total, the government will finance \$122,516 for land acquisition, minor

business losses, allowances, and resettlement plan administration. ADB will finance \$177,997 to construct the new market and shophouses at Nam Ngum.

12. Institutional Arrangements

60. MICT is the project owner and the Executing Agency (EA) for the project. As EA, its responsibilities include: (i) overall management of the project; (ii) establishment of the National Project Steering Committee (NSPC) headed by the Minister and/or the Vice-Minister with representatives from MPI, MPWT, MONRE, LWU, MOF, LFNC; (iii) establishment of the project coordination unit (PCU) at the Tourism Development Department; (iv) recruitment of the project implementation consultant (PIC); (v) approval of the project's annual implementation plans and other related project plans and budget; and, (vi) reporting to ADB and the Government on project status.

61. As PCU, its responsibilities include: (i) day-to-day coordination and implementation of the project as well as coordinate RP updating, implementation and monitoring of the updated RP; (ii) secretariat to the NSPC by preparing reports to NSPC on status of project implementation and coordinates NSPCs meetings and the annual project review and planning; (iii) prepare project's progress reports on behalf of EA and submit these to ADB and the Government; (iv) coordinate with the PIU in Vientiane Province; and, (v) designate its safeguards focal point staff to implement and monitor the progress of the safeguards plans (RP, EMP, IPP).

62. Local authorities will assist the project in all activities concerning RP updating, its implementation and monitoring. In Vientiane Province, Resettlement Committees (PRC) will be established at province and district levels. Thus, there will be one PRC in Vientiane Province, one District Resettlement Committee (DRC) in Vang Vieng and Keo Oudom, respectively. The safeguards staff of the PIUs in Vang Vieng and Keo Odom will be members of their respective DRCs.

63. International and national social safeguards specialists will be contracted by MICT to provide technical support and advice to the PCU and PIU in matters concerning resettlement planning, updating, implementation and monitoring. Local support to PIUs from grassroots level will be tapped through the formation of community tourism groups (CTGs) to conduct information dissemination and consultation on resettlement and serve as the project's first point of contact.

13. Indicative Implementation Schedule

64. The project will be implemented over six years beginning in December 2018. The indicative implementation schedule for the resettlement plan is aligned with the key dates in the project implementation plan. The table below shows the indicative implementation schedule.

Indicative Implementation Schedule

Activities	Schedule
Establish PCU/PIUs	Q4 2018

Activities	Schedule
Orient PCU/PIUs and other implementing agencies on the RP	Q1 2019
Establish and train resettlement committees at all levels	Q1 2019
Approve detailed designs of 3 subprojects	Q3 2019
Update RP (DMS, RCS, Census of AHs/APs)	Q3-4 2019
Submit to ADB updated RP for issuance of “no objection”	Q4 2019
Translate ADB-approved RP to Lao and distribute to province, districts, villages and to the AHs/APs	Q1 2020
Upload approved RP to ADB website	Q1 2020
Actual payments of compensation to APs/AHs and temporary relocation of affected structures, and land acquisition.	Q1-2 2020
Site clearance	Q3 2020
Issuance of notice-to-proceed to civil works contractors	Q3 2020
Start of civil works/construction	Q4 2020
Internal monitoring	Continuous until 2023

Q = quarter

14. Monitoring and Reporting

65. Regular and timely monitoring and assessment of the progress of RP implementation will take place to ensure that the approved RP is implemented as planned and that mitigating measures designed to address adverse social impacts are adequate and effective. Likewise, through regular and focused monitoring of RP implementation, issues are immediately captured so that appropriate management decisions can be promptly taken and implemented to resolve the issues. Towards this end, internal resettlement monitoring will be carried out which is in line with a Category B project.

66. MICT as the project EA is primarily responsible for internal monitoring. Monitoring will be conducted by designated provincial and district safeguard focal point staffs with technical support from the International and social safeguards resettlement specialists. MICT will be responsible for overseeing the entire RP implementation and monitoring by establishing PCUs, PIUs and resettlement committees at provincial and district levels to internally monitor RP implementation. MICT will ensure that the designated staff will efficiently perform their authorized functions through training and capacity building, smooth coordination among implementing agencies and providing adequate and timely logistical support. The EA will prepare semi-annual safeguards monitoring reports for submission to ADB and the government, which will be uploaded to the ADB website.

I. BACKGROUND

1. The proposed project will improve urban-rural transport infrastructure, urban environmental services, strengthen capacity to implement regional tourism standards, and strengthen tourism destination management in Cambodia, the Lao People's Democratic Republic (Lao PDR) and Viet Nam (CLV). It will help transform secondary towns in the Greater Mekong Subregion (GMS) economic corridors into green, inclusive and competitive international tourism nodes to boost trade in services and deepen market linkages between members of the GMS and Association of Southeast Asian Nations (ASEAN). The project will build on the ongoing GMS Tourism Infrastructure for Inclusive Growth Project in CLV.

2. The expected impact is sustainable, inclusive, and more balanced tourism development, as envisaged in the *ASEAN Tourism Strategic Plan 2016–2025*. The expected outcome is to increase the tourism competitiveness of secondary towns in CLV. The project has three outputs: (i) urban-rural access infrastructure and urban environmental services improved; (ii) capacity to implement ASEAN tourism standards strengthened; and (iii) institutional arrangements for tourism destination management and infrastructure O&M strengthened. Project areas in Lao PDR include Champasak, Luang Prabang and Vientiane provinces, all located along the GMS Central Economic Corridor. A detailed description of the project outputs and subprojects is in the Project Administration Manual (PAM).

3. The Ministry of Information, Culture and Tourism (MICT) is the project owner and the Executing Agency (EA) for the project. MICT will establish a project coordination unit (PCU) within its Tourism Development Department to handle overall project coordination and management; and lead ASEAN Tourism Standards implementation (output 2). A project implementation unit (PIU) will be embedded within the Vientiane Province Department of Information, Culture and Tourism (DICT) and the Vang Vieng Urban Development Administration Authority (UDAA). PIUs will comprise of a supervisor, director, manager, administration staff, safeguards coordinator, and technical teams (infrastructure and tourism). The infrastructure technical teams will manage output 1 subprojects and the tourism teams will support tourism training, capacity building, and other activities under outputs 2 and 3.

4. This resettlement plan (RP) has been prepared for 2 subprojects: (i) Nam Ngum Reservoir Access Improvements and, (ii) Western Loop Access Road and Bridge Improvement subprojects in Vientiane Province based on an assessment of the resettlement impacts during the feasibility study between July and October 2017. The resettlement impacts are minor, or ADB category B. The other 3 subprojects in Vang Vieng (Kaeng Yui Waterfall, Vang Vieng Solid Waste Management Improvements, and Vang Vieng Urban Renewal) do not need an RP as resettlement impacts are not foreseen. Due diligence has been done for these 3 subprojects to verify there are no resettlement impacts (see Annex 4, Annex 7, and 11 - 3).

5. The purpose of this RP is to ensure that all affected people (APs) will be compensated at replacement cost at current market value for their losses, and provided with rehabilitation measures so they are at least as well off as they would have been in the absence of the project. The RP (i) identifies the legal and policy frameworks of the Government and appropriate ADB guidelines; (ii) sets out procedures and policies on resettlement to guide mitigation of impacts during project implementation; (iii) identifies an IOL and (iv) includes an estimated budget for implementing the compensation plan. The RP must be approved by both the ADB and the responsible Government authority. The RP, including the budget, will be updated at the time of the detailed measurement survey (DMS) during detailed design.

II. PROJECT DESCRIPTION

A. Nam Ngum Reservoir Access Improvements

6. Nam Ngum Reservoir recreation area (7.5ha) is in Keo Oudom District, Vientiane Province, 90 km north of Vientiane Capital. An existing road connects the site to national road 10. Visitor arrivals reached 51,701 in 2016, but this is far below capacity. The site is significantly underused and lacking safe, attractive public facilities, quality tourism services, parking, and proper waste management and sanitation.

7. The subproject will improve the situation by (i) improving the existing public marina to safely accommodate 50-60 local tour boats and small recreational vessels and ferries; (ii) construct a 5.9 km, 6m wide loop road linked to National Road 10 to bitumen (DBST) paving, and 1,200 m² parking area; (iii) redevelop unsanitary and poorly constructed market stalls into a new 3,200 m² public market that incorporates traditional Lao architectural design; (iv) install septic tanks in all public buildings and a wastewater pump-out station/holding tank at the marina; (v) replace abandoned, unsafe public buildings and piers with new public green space; and (vi) renovate the tourist information center. The subproject will supply 2-3 electric passenger vehicles for transfers from the parking area to the marina, to be operated under a private management contract. The subproject will benefit 1,600 people living in nearby Ban Sengsavang and is expected to catalyze significant tourism related investment at the site.

Figure 1: Proposed Plan, Nam Ngum Reservoir Access Improvements



Figure 2: Proposed Plan, Marina, Nam Ngum Reservoir Access Improvements



B. Western Loop Rural Access Road and Bridge Improvements

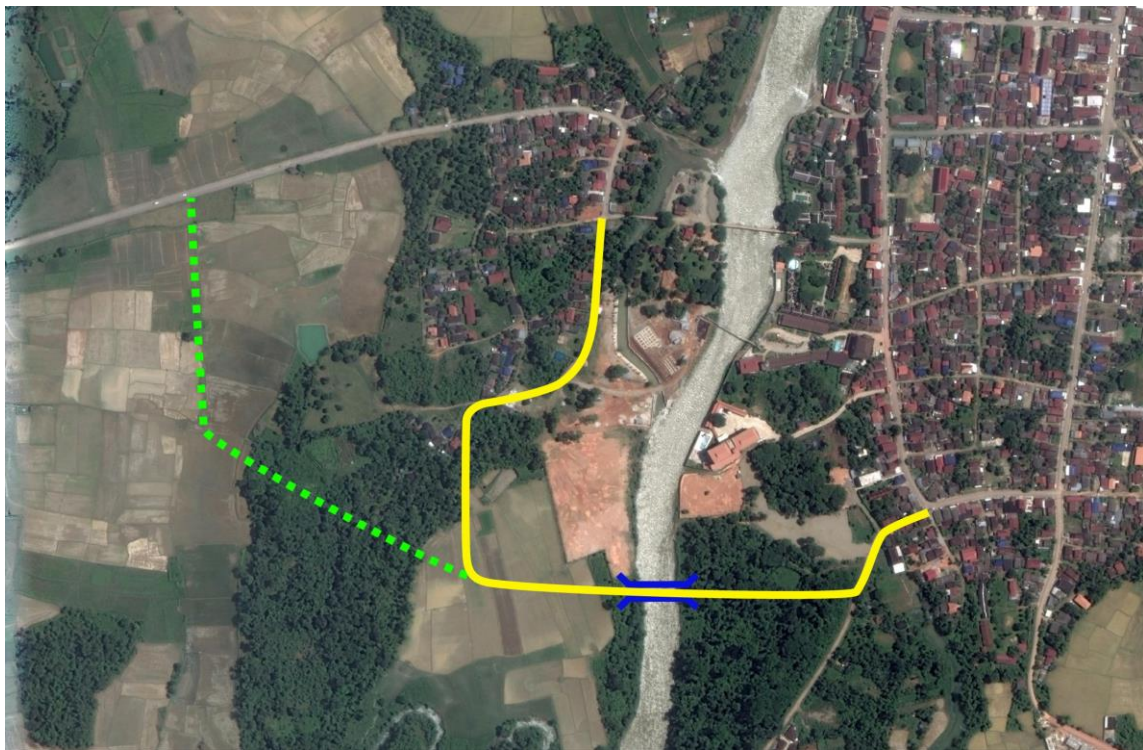
8. The subproject area is west of Vang Vieng Town and includes a 26-km scenic loop road with karst mountains, caves, rivers and natural springs, many of which are community managed. Tourist arrivals are rising, but only at two sites closest to town. In 2016 arrivals totaled about 80,000 and this could reach 130,000 in 2026. Growth is constrained by unsurfaced roads and insufficient bridge access.

9. The subproject will therefore (i) upgrade the 26 km “Western Loop Road” to DBST paving, with 6m carriageway and drainage in village areas; (ii) construct a new 2-lane 80m road bridge across the Xong River south of town, with 2 km concrete feeder road connecting it to the Western Loop Road and the town center; and (iii) provide bio-engineered river bank protection and improve the footpath/cycle track along the west bank of the Xong River. The subproject will benefit about 9,500 people living in 11 villages alongside the road and relieve urban congestion for 59,661 Vang Vieng residents. Part of the feeder road follows an existing unpaved road through Huay Yae village. An alternative alignment bypassing the village on its northwestern side that will route through traffic around the village reducing traffic disturbance (dotted line, Figure 4) will be explored during detailed design.

Figure 3: Site Location and Plan, Western Loop Rural Access Road



Figure 4: Proposed Bypass linking NR13 and Western Loop Rural Access Roads and Bridge Improvements



III. SCOPE OF LAND ACQUISITION AND RESETTLEMENT

A. Subproject Eligibility

10. The project policy is to consider only financing subprojects other than safeguards Category A.

11. The resettlement impacts in the two subprojects are minor as the number of households experiencing severe impacts is lower than 200 (only 19 AHs with 79 APs in Nam Ngum Reservoir). Therefore, all subprojects are judged to be eligible for inclusion in the Project. A Resettlement Plan (RP) has been prepared for Nam Ngum Reservoir and Western Loop. The Screening Forms for Resettlement are in Annex 9 and 10. They are based on data collected by the PPTA consultants during the inventory of losses (IOL).

B. Land Acquisition and Losses

12. The two subprojects will have resettlement impacts for a total of 54 AHs (247 APs). 40 AH (180 persons, 88 women) are at the Nam Ngum Reservoir (NNR) and 14 AHs (67 persons, 34 women) at the Western Loop. 19 AHs (79 APs) at Nam Ngum Reservoir are severely affected due to having to relocate house and business.

13. Amongst the 54 AHs are 13 vulnerable households, (2 non-Tai-Kadai ethnic and 12 female-headed (including 1 of Khmu ethnic). 4 Female-headed and 1 lu Mien ethnic group are severely affected in Nam Ngum Reservoir subproject. See Table 1 for an overview of vulnerable AHs.

Table 1: Overview of Vulnerable AHs

Subproject	Total AH	Female headed	Non-Tai-Kadai group	Poor	Disabled members
Nam Ngum	40	9	1 (lu Mien)	0	0
Western Loop	14	3	1 (Khmu)	0	0

Note: 1 female headed household is Khmu

Source: IOL PPTA

1. Nam Ngum Reservoir Access Road Improvements

14. The civil works at Nam Ngum Reservoir subproject consist of (i) constructing a 5.9 km, 6m wide loop road linked to National Road 10 to bitumen (DBST) paving; (ii) a 1,200 m² parking area; (iii) improving the existing public marina to safely accommodate 50-60 local tour boats and constructing easy multi-level foot paths; and, (iv) redeveloping unsanitary and poorly constructed market stalls into a new 3,200 m² public market that incorporates traditional Lao architectural design.

- constructing a 5.9 km, 6m wide loop road linked to National Road 10 to bitumen (DBST) paving: the road will follow the existing dirt road and will stay in the current alignment of 6 m. Therefore, no land acquisition is necessary.
- 1,200 m² parking area at the end of the loop road: this is land in the RoW of the power transmission line of Electricite du Lao (EDL). EDL gave the right to use this land to DICT under the condition that no buildings taller than 15 m would be built. Since the land will be used as a parking lot, it is not foreseen that any high

buildings will be constructed in that area.

- improving the existing public marina to safely accommodate 50-60 local tour boats and constructing easy multi-level foot paths: this will involve the dismantling of a total 3,860 m² of selling stalls of 40 AHs. Most of these stalls are made of wood and only 2 are made of brick/cement (110 m²) built after 2000. Another 6 AHs and 2 government agencies have shops and small restaurants that were built in cement prior to 2000 that will also be dismantled (679 m²). All the stalls are rented from the District Authorities for prices ranging from 320,000 Kip/year to 800,000 Kip/year depending on the size. The shops cater mostly to the local population from the islands. From the 40 AHs, 19 AHs will also lose their residence as they live in their shops. The earliest of them arrived in 1981 and the last one at 2009 and they don't have another house to move to. Some of the people who use the stalls for selling only, but not residences, started to rent as early as 1990. Table 2 provides details on structural losses. Annex 1 provides the names of AHs and costs for replacement.

15. There is concern that the vendors who now pay very cheap rents will have to pay higher rents for both living and renting their market stalls. This might result in a lower living standard for many of the current stall holders. This will have to be mitigated with the measures discussed under the compensation arrangements in chapter 10.

- redeveloping unsanitary and poorly constructed market stalls into a new 3,200 m² public market that incorporates traditional Lao architectural design, to be in Zone I of Government Land that is designated for resettlement, and is near (about 200 – 300 m) the existing boat landing.

16. Business losses will be minor as the project will build new market stalls and shop houses for all the AHs on a plot of land near the current shop area before dismantling the current structures.

Table 2: Affected Assets in Nam Ngum Reservoir Access Improvements

Description	Unit	Quantity
1. Land Acquisition: Government Land	1	Resettlement land zone I
2. Structures		
Timber structures	m2	3,071
Brick/cement structures (built post 2000)	m2	110
Brick/cement structures (built prior to 2000)	m2	679
Total for Structures		3,860 m²

Source: IOL, PPTA, 2017

2. Western Loop Rural Access Road and Bridge Improvements

17. The civil works at the Western Loop and Bridge consist of (i) upgrade the 26 km “Western Loop Road” to DBST paving, with 6m carriageway and drainage in village areas; (ii)

construct a new 2-lane 80m road bridge across the Xong River south of town, with 2 km concrete feeder road connecting it to the Western Loop Road and the town center; and (iii) provide bio-engineered river bank protection and improve the footpath/cycle track along the west bank of the Xong River.

- upgrade the 26 km “Western Loop Road” to DBST paving, with 6m carriageway and drainage in village areas: The Western Loop road will be upgraded within the existing 6 m alignment. Along the full length of the 26km road, there were only 10 to 15 teak trees that were planted near the RoW that may need to be harvested before road construction but this is very unlikely. The DMS will verify this.
- access road to the bridge: On the East side of Nam Xong River approximately 340 m of access road will be developed, including 100m section of an existing road and 240 m section of government shrub land. The land is owned by OPWT and reserved for the bridge access road in Vang Vieng Urban Master Plan. No compensation would be needed for this part.
- Bridge and feeder road section on the West side of the river: the road requires acquisition of 2,662m² land, comprising 712m² of private residential land and 1,950m² rice field (of 3 AHs). Estimated loss of rice crop would be approximately 605 kg. Also 3 AHs will lose 35 trees. On the residential land, 6 AH's will lose 133 m² brick and metal fences and 1 bamboo fence. At DMS the exact losses for land to be acquired, including land used for rice cultivation, will be determined based on the detailed design.
- Provide bio-engineered river bank protection and improve the footpath/cycle track between the new bridge and Huay Yae village: as the footpath is partly in front of a recently obtained private piece of property. DMS would have to determine if the works will be implemented on the full length of the track. The remaining part of the footpath is in the RoW of the Nam Xong river and is public land not requiring compensation.

18. Table 3 provides details on estimated losses. At DMS the exact losses for land to be acquired will be determined based on the detailed design.

Table 3: Affected Assets in Western Loop Rural Access Roads and Bridge Improvements

Description	Unit	Quantity
1. Land Acquisition	m ²	
Residential Land	m ²	712
Agricultural Land	m ²	1,950
Total for Lands to be Acquired		2,662
2. Crops: Rice production	Kg	605
Trees	number	35
3. Structures: Fences	m ²	133

Source: IOL, PPTA, 2017

19. Compensation arrangements for the 2 subprojects above are discussed under paragraph 10.1 Compensation Arrangements. Below, the other 3 subprojects are screened for possible losses due to civil works.

3. Kaeng Yui Waterfall Access Improvements

20. The Kaeng Yui Waterfall is managed by the Nadouang village community. The 21 vendors selling handicrafts and providing food and drink services in the covered market space rotate annually so that all in the community can benefit equally from the Waterfall. That means that the current 21 vendors, all but one is from the Khmu ethnic group, will make way for another 21 vendors from the Nadouang community and the new 21 vendors who will be there during project implementation have not yet been chosen. The community yearly re-builds wooden shelters (of 3x3m each) that are used for picnic and resting places for visitors.

21. The subproject's civil works consist of (i) upgrading the 6-km waterfall access road to concrete pavement, with a 6m carriageway and drainage; (ii) leveling and paving the 875 m² parking area with gravel; (iii) improving surfacing and drainage in the waterfall market area; and (iv) improving 300m footpaths, including rehabilitation of steps, small suspension bridges, and signage.

- upgrade the 6-km waterfall access road to concrete pavement, with a 6m carriageway and drainage: the access road will follow the existing alignment which is 6m for most of its length. From the main road to Nadouang, the access road will pass some businesses in Ban Phonpheng (4 soup shops, 1 mini-market, 1 guesthouse, 1 small shop, 1 tourist office) and at the junction with the main road, with Ban Phonpheng on one side and Ban Vang Vieng on the other side, there are some more businesses (2 soup shops, 3 small shops, 1 larger shop) and 15 houses. As the shops and houses are well distanced from the road, no loss of business or structures is foreseen. During construction of the concrete road, the right and left lane will be laid separately so that traffic can continue in one lane. During DMS, if the need for some minor land acquisitions of agricultural and garden land is found, it will be very minor, far less than 10% of productive land. As the whole community will benefit directly from this road that solely leads to the waterfall, on request of the owners of the land, it will be could be considered for voluntary contribution based on community driven demands and needs. Voluntary contributions will be confirmed and properly documented, adhering to the guidelines provided.
- level and pave the 875 m² parking area with gravel: the planned parking lot is on land of the community. It is already designated as parking lot. There is no additional land required.
- improve surfacing and drainage in the waterfall market area: it will not require land acquisitions and as the vendor's cooking facilities are mobile and set up at a daily basis they will simply set up in another area for the days that surfacing and drainage works take place. As the vendors don't live there, there are no relocations necessary and no business losses are foreseen.

22. Under the capacity building and small business support the vendors might choose to extend the current seating areas and make improvements to their kitchen area. However, this will not affect their income as they are mobile, as explained above.

- improve 300m footpaths, including rehabilitation of steps, small suspension bridges, and signage: this is all rehabilitation of existing facilities on public land at

the waterfall area.

23. As there is no relocation of houses or businesses, no land acquisition is required, and no disruption of business is foreseen, there are no resettlement impacts in the Kaeng Yui Waterfall subproject. The screening form for resettlement is in Annex 11. The needs and preferences of the vendors and Nadouang community are further discussed in the IPP.

4. Vang Vieng Urban Renewal

24. The civil works will consist of (i) rehabilitating 4.0 km of footpaths with suitable surfaces, street lighting, seating and soft landscaping and, (ii) resurfacing roads and improving drains in residential areas (0.98 km).

- rehabilitate 4.0 km of footpaths with suitable surfaces, street lighting, seating and soft landscaping: footpaths will be improved and extended towards the road and no additional land is required.
- resurface roads and improving drains in residential areas (0.98 km): improvements will be made within the existing road alignment. Losses of business income due to disturbances when widening footpaths or improving drainages within the existing road alignment are not expected. After the detailed design is done, DMS will determine if there are minor losses of business income although this is not foreseen.

25. As there is no land acquisition required, and there are no losses of structures or business income expected, there are no resettlement issues. The screening form for resettlement is in Annex 12.

5. Vang Vieng Landfill

26. The subproject's civil works consist of: (i) preparatory earthworks and installation of a perimeter runoff interceptor drainage system; (ii) construction of an impermeable liner, leachate collection/treatment system, and a landfill gas recovery system; (iii) construction of a small materials recovery facility for waste separation and recycling; (iv) construction of a medical waste treatment area; (v) construction of a septage treatment facility (0.5ha); and (vi) construction of site office, toilets, and fencing; and, (vi) the landfill access road (0.8 km) will be paved with concrete (4m carriageway and verges).

27. All civil works except for the access road will take place at the existing landfill. No additional land is required. Paving the access road will be in the existing road alignment within the existing landfill properly.

28. There are no resettlement issues as the waste pickers all live in the nearby village and not on site. The needs, preferences, and concerns of the waste pickers are presented in the IPP, as all waste pickers are from the Khmu ethnic group. The screening form for resettlement is in Annex 13.

IV. SOCIOECONOMIC PROFILE

A. Socioeconomic Profile

29. Lao PDR covers a surface of 236,800 square km (ADB Basic Statistics 2017). Lao

PDR's population was estimated at 6.8 million in 2016.⁵ Most people live in valleys of the Mekong River and its tributaries. Vientiane Province where the 5 subprojects are located is situated northwest of the country. Its total area is 15,927 square kilometers and its total population in 2015 was 419,090 people.⁶

30. Keo Oudom, the District where Nam Ngum Reservoir is located, had a population of 17,786 people in 2015, with district authorities estimating the population at 20,069 (49.95% women) with 3,815 households (HH) in 2017. Vang Vieng where the Western Loop and Kaeng Yui Waterfall subprojects are located, had 36,764 people in 2015 but district authorities estimate the population has risen to 59,661 (49.45% women) with 12,411 households in 2017.

31. Sensavang village, located near the Nam Ngum reservoir improvements subproject, has 303 HH with 1,592 people (women 52%). The 11 villages of the Western Loop have a combined 1,757 HH with 7,912 people (48.5% women). Ban Nadouang village, which is managing the Kaeng Yui waterfall has 183 HH with 879 people (women 51%). Vang Vieng's urban core, where urban renewal will be carried out, consists of 6 villages with 1,571 HH and 8,158 people (51% women). Phone Vieng village where Vang Vieng landfill waste pickers reside, has 240 HH with 1,113 people (49% women).⁷

32. The latest poverty rate (2013) for Lao PDR is 24.8%⁸ based on the Lao poverty threshold of 240,000 Lao kip per person, per month (LAK/pp/month) for urban areas and 180,000 LAK/pp/month for rural areas. The average is 192,000 LAK/pp/month.⁹

33. Vientiane Province's poverty rate is 16.5%, whereas the rate in Keo Oudom and Vang Vieng Districts was 9.5% and 16.8% respectively in 2015. However, in November 2017, the District Authorities of Keo Oudom report an overall poverty rate of 2% which is much lower than the 9.5% reported in national data (LECS 2015). Vang Vieng District Authorities report an overall poverty rate of 0% for the district in 2017 which is a vast improvement over 16.8% reported in national data (LECS 2015). This either indicates a rapid increase in income which might be possible because of the increase in tourism and construction industries, or inaccurate data, which is more likely as such a rapid poverty decline in two years is unlikely. Table 4 summarizes population, ethnicity and poverty rates.

⁵ United Nations. 2017. *World Population Prospects: The 2017 Revision*. New York.

⁶ *Lao Expenditure and Consumption Survey 2012/13 (LECS 5)*. Vientiane.

⁷ Village Authorities data November 2017

⁸ Lao PDR 2015 Census-Based Poverty Map – June 2016, WB

⁹ <http://www.thepovertyline.net/laos/> and Poverty Decree 309/PMO, 2013, Lao PDR

Table 4: Population and Ethnicity in Villages

Sub-projects	District	Village	Women	Men	Total	HH	Average	Total non-Tai-Kadai		Poverty
							per HH	HH	%	%
							Persons			
Nam Ngum Reservoir Access Improvement	Keo Oudom	Sengsavang	828	764	1,592	303	5.25	0	0.00	0.00
Kaeng Yui Waterfall	Vang Vieng	Nadouang	446	433	879	183	4.80	0	0.00	4.92
		Vang Vieng	596	518	1,114	238	4.68	0	0.00	0.00
Sub-Total			1,042	951	1,993	421	4.73	0	0.00	2.14
Western Loop Road and Bridge	Vang Vieng	Nathong	386	397	783	135	5.80	25	18.26	0.00
		Namouang	249	220	469	431	1.09	0	0.00	0.00
		Naxom	535	554	1,089	143	7.62	143	100.00	1.40
		Phonxay	396	375	771	165	4.67	85	51.49	4.85
		Nalongkouang	334	323	657	121	5.43	0	0.00	2.48
		Nakhoun	332	308	640	85	7.53	0	0.00	1.18
		Nampea	435	480	915	178	5.14	1	0.44	1.12
		Phoukham	498	540	1,038	135	7.69	91	67.05	1.48
		Naxay	101	292	393	137	2.87	25	18.07	3.65
		Phathong	328	311	639	69	9.26	0	0.00	0.00
		Phoungoun	242	276	518	158	3.28	158	100.00	1.27
Sub-Total			3,836	4,076	7,912	1,757	4.50	527	29.98	1.42
Urban Renewal	Vang Vieng	Savang	631	586	1,217	275	4.43	3	1.02	
		Vieng Keo	624	630	1,254	217	5.78	0	0.00	
		Meuang Xong	815	765	1,580	278	5.68	3	1.18	
		Vang Vieng	596	518	1,114	238	4.68	1	0.54	
		Houay Sangao	1,188	1,130	2,318	428	5.42	47	10.91	
		Houay Ngir	350	325	675	135	5.00	0	0.00	
Sub-Total			4,204	3,954	8,158	1,571	5.19	54	3.44	0.00
Solid Waste Land Fill	Vang Vieng	Phon Vieng	550	563	1113	240	4.64	9	3.77	3.00
Total Vang Vieng			9,632	9,544	19,176	3,989	4.81	695	17.42	2.03

Source: District and Village Authorities, November 2017

34. Socioeconomic profiles were prepared for the 5 subproject areas. A social survey was conducted during preparation of the feasibility study (FS) during June-July 2017 in Keo Oudom and Vang Vieng Districts. The survey had respectively 45 and 542 representatives of households, representing 14.85% and 15.88% of the combined number of households of the villages.

35. Ethnic groups of non-Tai-Kadai language groups make up 1.94% of all households in Keo Oudom district according to the District Authorities (November 2017). They are mainly from Khmu background with the Hmong as the second largest non-Tai-Kadai group. The Tai Dam

are within the main Tai-Kadai language group to which also the largest Lao ethnic group belongs.

36. Ethnic groups of non-Tai-Kadai language groups make up 56.42% of all households in Vang Vieng district according to the District Authorities (November 2017). They are mainly from Hmong background with the Khmu as the second largest non-Tai-Kadai group. There are also some Talian who belong to the Austro-Asiatic ethnic language group. The Lao are the majority within Tai-Kadai language group.

37. Most Lao households depend on agricultural land, rivers and forest as their sources of income and for food. Land is the main source for agricultural livelihoods and food security. Although tourism has grown rapidly in Vientiane province, it is still considered as rural where most people particularly non-Tai-Kadai ethnic groups still depend on agriculture for their livelihoods and have only recently adopted more commercial forms of production. The Vientiane Plain which covers Vientiane Province and Vientiane Municipality is one of the six major rice producing plains in Laos.

B. Socioeconomic Profile of Affected People

38. A SES of 51 potential AHs (242 APs) included data on key indicators related to land acquisition and resettlement impacts were surveyed during the fieldwork for preparation of the current RP (See Annex 5 and 6 for questionnaire and results in table form). This information is summarized below:

- The members of the 54 affected households have a total of 247 persons: 40 AH (180 persons, 88 women) are at the Nam Ngum Reservoir (NNR) and 14 AHs (67 persons, 34 women) at the Western Loop (WL). The average household has 4.57 persons (4.5 for NN and 4.8 for WL).
- All AHs are from the Lao ethnic group except for 1 Lu Mien AH in the Nam Ngum Reservoir area and 1 Khmu AH at the feeder road to the Western Loop. All but 1 (Lao) of current 21 vendors at the Kaeng Yui market place are from Khmu ethnicity but they are not from AHs. Also, all 15 waste pickers at the landfill are Khmu and they also will not have any resettlement impacts.
- Most of the AH respondents (45%) are engaged in business and trade (20 in NN, 3 in WL), 8 (16.3%) are employees deriving their income from salaries and wages (3 in NN, 5 in WL), 6 (12.2%) are construction/manual laborers (5 in NN, 1 in WL) and 3 (6.1%) are engaged in tourism services (all in NN) and 2 of them fish (NN). The absence of people working in agriculture is noted.
- From the responses on monthly income it was revealed that the majority of 33 (61%) out of 54 AHs (22 in NN and 11 in WL) belong to the middle-income households with monthly household income ranging from 1 to 5 million Lao Kip (\$120-\$600). 9 AHs (18.3%) belong to the highest monthly income earners at more than 10 million Lao Kip or \$1201 and are considered relatively well-off. Three more AHs (2 in NN and 1 in WL) have monthly income ranging from 5 to 10 million Lao Kip (\$600- \$1201) while 2 AHs (from NN) have the lowest monthly household income ranging from half to 1 million Lao Kip (\$60.15-\$120.15).
- Common household assets owned are motorbikes (15.5%), mobile phones (15.5%) and refrigerators (15.2%). These assets are necessities that each household must have because motorbikes are the most affordable and one of the fastest means of traveling in and out of the subproject areas. Likewise, mobile phones make communication easier, accessible, faster and affordable. A

refrigerator is an important household appliance for the household respondents because of food preservation. Other household assets that are indicators of a higher socioeconomic status within the subproject communities include washing machines, cable television, power generators and air-conditioners. Possessing these electrical appliances imply that the owners are relatively affluent households in the subproject communities. In summary, most of the AH respondents belong to middle and high-income earners.

C. Vulnerable Affected Person

39. Vulnerable APs¹⁰ may be at greater risk due to the impacts of land acquisition and resettlement. They are entitled to additional assistance to help them to restore living and Socioeconomic conditions if they are severely affected.

40. There are 12 female-headed households amongst the affected households (9 in NN, 3 in WL). They are all from the Lao ethnic group except for 1 in WL.

41. The AHs belong mainly to the Tai-Kadai language group. 1 is lu Mien in the NN subproject and 1 is Khmu in the Western Loop subproject.

42. None of the AHs are classified as poor. See an overview of vulnerable AHs in Table 1 above.

D. Severely Affected Persons

43. Severely affected persons are defined as those that (i) lose 10% or more of their productive land, income or other productive assets; (ii) must relocate and rebuild their residence and/or shop on new land; and/or, (iii) where assets are affected only partially but the remaining assets are rendered un-viable for continued use and relocation might necessary for that reason. They are entitled to additional assistance to restore incomes and/or relocate.

44. There are 19 AHs (79 APs) severely affected in the Nam Ngum Reservoir subprojects. 4 of them are female headed and 1 is from the lu Mien ethnic group.

V. INFORMATION DISCLOSURE, CONSULTATION AND PARTICIPATION

45. The first public consultations with affected persons were conducted from 11-13 July 2017. Although it is not expected that there will be resettlement impacts in Kaeng Yui Waterfall subproject, the consultants had a focus group discussion with the village leader and 4 women of Nadouang village on 12 July 2017 and a subsequent consultation with another group at Nadouang village on 2 November 2017. This was followed by a corroborative consultation and focus group discussion at Nam Ngum Reservoir, at Kaeng Yui Waterfall on 13 and 14 Nov 2017 and with affected households at the Western Loop on 15 and 16 Dec 2017. (see Annex 3 for attendance lists Annex 4 for field reports). The Province's DICT, Vang Vieng's OICT, DPWT and UDAA and Keo Oudom OICT staffs were present to co-facilitate the activity jointly with the PPTA consultants and ADB staff. A total of 139 participants attended the meetings (27 (19.4%) from non-Tai-Kadai ethnic groups) and including 39 (28%) women.

¹⁰ Vulnerable: female headed, ethnic group other than Tai-Kadai, poor, disabled

46. The public consultation meetings covered the following topics:
- Project description and proposed subproject components;
 - Nature of affected assets and impacts;
 - Legal Framework for Resettlement;
 - Eligibilities, entitlement and compensation;
 - Objectives of the IOL and Socioeconomic survey;
 - Cut-off date for eligibility and entitlement;
 - Grievance Redress Mechanism;
 - Implementation arrangements for resettlement;
 - Nature and extent of community participation in RP preparation and implementation active participation of the community; and
 - Need for cooperation and support to project and its resettlement activities.
47. During the consultations, the participants expressed their appreciation and confirmed cooperation during project preparation and implementation. They could well envision that their income will increase when subprojects are completed because of the increased number of visitors. For their comments and preferences, see par. 8.2 on preferences and needs.
48. In August 2017 an IOL and SES for the AHs was conducted. A total of 51 AHs were interviewed (34 in Nam Ngum Reservoir, 17 in the Western Loop).
49. The results of the SES on educational levels indicate that the information dissemination and consultation procedures will be relatively straightforward because it would be easy to impart knowledge and disclose information to local people due to their relatively high level of education.
50. Regular consultations with the AHs/APs, shop owners and landowners will be carried out during the entire project implementation cycle so that their emerging needs and preferences can be further included into the design and implementation arrangements. Affected households will also participate in the resettlement related activities such as Detailed Measurement Survey (DMS), Replacement Cost Survey (RCS), identification of sites, payment of compensation based on their entitlement, monitoring of impacts and benefits, and in the deliberation and resolution of complaints and grievances. During RP updating, another public consultation will be conducted where information on the following topics will be disclosed: (i) overview of the project features and its implementation schedule; (ii) scope of the resettlement impacts to affected physical and economic assets; (ii) DMS and RCS results, (iii) resettlement policy principles, eligibilities and entitlements and special provisions to affected vulnerable group; (iv) Grievance Redress Mechanism and the organizational levels of arbitration/mediation procedures, (v) schedule of compensation payments and relocation schedule, and (vi) institutional responsibilities.
51. A summary of the approved updated RP will be translated into Lao and distributed to the provincial and district authorities. The PIUs will be responsible for the disclosure of the RP to AHs/APs, shop/business owners and land owners. A Public Information Booklet (PIB) was prepared (Annex 2) and translated into Lao and distributed to the participants during the consultations. RP updating will be carried out after approval of the subproject detailed design

and will include above mentioned public consultations at the time of DMS, updated recovery cost survey and updating of the Socioeconomic profile of affected population, previously done during project preparation. After ADB's approval of the updated RP, a summary will be disclosed to the affected households and the updated RP will be posted on ADB's websites. It will also be provided as a reference to the civil works bid documents and the civil works contracts.

52. Updating and dissemination of the RP is an essential part of the project's Stakeholder Communication Strategy, discussed in detail in the Project Administration Manual (PAM). Key activities in the communication strategy that are designed to support review, updating and dissemination of the RP include: (i) establishment, and regular consultation with AHs/business/shop owners to be relocated to a new site in Nam Ngum including local authorities in the consultations; (ii) community meetings during detailed design phase so that comments of project beneficiaries are incorporated into the design; (iii) individual consultations with potential/affected persons; and (iv) joint meetings among officials, potential/affected persons, project staff and civil society/mass organizations on matters concerning resettlement planning, implementation, and monitoring.

VI. GRIEVANCE REDRESS MECHANISM

53. A grievance redress mechanism is prepared and forms an integral part of this RP. The GRM shall be provided free of charge. It is aimed at providing a mechanism for all APs/AHs to articulate their complaints and grievances on any decisions or issues shared with them about such topics as compensation price/values of affected assets, relocation requirements, and delays in compensation payments amongst others. This is to ensure that agreements between parties as well as the planned activities are being efficiently implemented in an appropriate and timely manner, avoid and/or minimize adverse impacts of resettlement to APs/AHs through prompt deliberation and resolution of complaints to avoid delays in project implementation. The project grievance redress procedure for this project has several levels from Village to Ministerial level, to Court, and in the very last instance to ADB's Office of the Special Project Facilitator.

54. **Level 1: Village Resettlement Committee (VRC).** The complainant AP will initially formally lodge his/her complaint to the village officials. The complaint is registered in the record book of the village. The Village Resettlement Committee will deliberate and resolve the complaint within 15 days and consultations with the complainant are done within this time frame in a transparent and non-coercive manner. If, and when the complaint is not acted upon within the set time frame or if complainant AP is dissatisfied with the decision of the village resettlement committee, he or she elevates the complaints to the District level resettlement committee. The decision reached on the complaint is documented and kept in the village files.

55. **Level 2: District Resettlement Committee (DRC).** Complainant APs formally elevate their complaints to the District Resettlement Committee in writing. If complainant cannot write, then any family member or concerned parties may prepare the written complaint on behalf of the APs. The District office formally receives and acknowledges receipt of the complaint and registers this in their record book. The District Resettlement Committee has 15 days to deliberate and resolve this in consultation with aggrieved parties. If within 15 days, this is not responded to and no decision reached or when the APs are dissatisfied with the decision, they can elevate the complaint to the province level through the provincial grievance committee. The District will maintain a record of the proceedings in addressing the complaint.

56. **Level 3: Provincial Resettlement Committee (PRC).** The complaint is formally lodged with the Provincial Resettlement Committee which has 15 days to deliberate and act on it to resolve the complaint. But if within 15 days, these remain not acted upon or if the complainants are dissatisfied with the decisions, then the complaints will be forwarded to the DICT for formal transmittal to the MICT for action and resolution.

57. **Level 4: MICT.** Again, the MICT must act within 15 days in response to the complaint aimed at its immediate resolution.

58. **Court of Law:** As a last resort, the complaint will be lodged with the appropriate Court of Law for litigation and its decision will be final. The project will comply with the verdict of the Court and if the complaint is about the compensation amount, then the amount set by the Court will be the basis for compensation payment to the aggrieved AP. All legal and administrative costs incurred by APs and their representatives are to be paid by MICT.

59. **ADB Accountability Mechanism.** If all efforts to resolve complaints or disputes remain futile following the project's grievance redress mechanism, the APs have the right to directly send their concerns or problems to ADB's Southeast Asia Department (SERD) through ADB's Lao PDR Resident Mission. If SERD's response to their complaints is still not accepted or are dissatisfied with it, then they can directly contact the ADB's Office of the Special Project Facilitator as outlined in the Information Guide to the Consultation Phase of the ADB Accountability Mechanism.

60. It is expected that at any levels of the grievance redress mechanism, the project staff particularly the focal point staff on resettlement will regularly monitor updates on the grievances issues. The Resettlement Committees (RCs) at district and province levels will gather data from the respective grievance committees at all levels and record these in the quarterly internal monitoring reports on grievances received which are provided to the DICT (PIA/PIU) and the MICT (PCU), including names and pertinent information about the APs, nature of complaint, dates the complaints are lodged, and resolutions. Grievances not resolved will also be recorded, detailing deliberations and proposals which could not be agreed upon, and the date in which these were acted and/or deliberated by the committees. MICT shall provide aggrieved household with assistance to lodge and resolve complaints free of charge.

VII. LEGAL AND POLICY FRAMEWORK

61. The RP is prepared based on legal laws, policies and regulations of the Lao PDR Government and ADB's policies and guidelines. Legal provisions and principles which guide the preparation and implementation of the RP aim to harmonize relevant decrees currently enforced in Lao PDR with ADB's policies if a gap or conflict exists between the Government's laws and ADB's policies.

62. This RP is guided by the legal framework of the Government of Lao PDR (GoL and ADB s) relevant policies and guidelines. The latest being ADB's new Safeguard Policy Statement (June 2009, approved by ADB' Board July 2009 and detailed in the OM Section F1/OP issued on 4 March 2010, updated 2012) and Lao Government's Law on the Protection of the Environment, 18 December 2012 (No. 29) and the Decree on Compensation and Resettlement Management in Development Projects, 5th of April 2016 (84/PM) and the precedents established on Lao government-approved RPs for other ADB projects in Lao PDR. Provisions and principles adopted in the current RP supplement the provisions of relevant decrees currently in force in Lao PDR wherever a gap exists.

63. The RP and entitlements have been built upon the laws of the Government of Lao PDR, principally the Constitution (1991 with endorsed amendments through 2003) and the Land Law¹¹ (1997, 2003), the Road Law (1999), Advise mandate No 20 by the Secretariat of the Lao Revolutionary Party Committee (dated May 29, 2009, updated 2012), Decree 192/PM on Compensation and Resettlement (July 2005) (now replaced by the Decree on Compensation and Resettlement Management in Development Projects, 5th of April 2016 (84/PM), the Regulations for Implementing Decree 192/PM issued by the Science Technology and Environment Agency and Technical Guidelines for Compensation and Resettlement of People Affected by Development Projects (November 2005). ADB Safeguard Policy Statement 2009 (updated 2012) is used together with their policy on Involuntary Resettlement (1995), the Policy on Gender and Development (ADB, 1998 (updated in 2006), the Policy on Indigenous Peoples (ADB, 1998), the Public Communications Policy (updated in 2011) and the Accountability Mechanism (2012).

64. The overall aim of the above policies is to avoid or minimize the impacts on people, households, businesses and others affected by the land acquisition required by a project. Where resettlement is not avoidable, the overall goal is to compensate and assist affected people to restore their living standards to levels equal to, if not better than, that they had before the project. The policy sets out principles for land acquisition, compensation and resettlement.

65. The Lao Government issued a Decree on Environmental Assessment, February 2010 (112/PM) which was followed by the Lao Government's Law on the Protection of the Environmental, 18 December 2012 (No. 29). This Decree stipulates that a social management and monitoring plan (SMMP) should be part of the Environmental Assessment. This SMMP should define the main social activities, measures on prevention, minimization and mitigation of social impacts, as well as measures on compensation, resettlement and restoration of living conditions of the people who are (will be) affected by the investment project. In March 2010, an update on Technical Guidelines for Compensation and Resettlement (from Nov 2005) was published. This update was prepared in accordance with the provisions of Decree 192, the Implementing Regulations, and the National Policy No. 561 CPI on Environmental and Social Sustainability of the Hydropower Sector in Lao PDR issued on 7 June 2005.

66. The material presented in these Guidelines is generally culled and assembled from several sources. Major among these include the *ADB's Handbook on Involuntary Resettlement*; *ADB's Gender and Resettlement Checklist*, February 2003; *World Bank's Source Book on Resettlement*; *Resettlement Guidelines* prepared under ADB TA 3133-LAO, "Strengthening Social and Environment Management in Lao PDR", July 2000; and *Resettlement Guidelines* prepared under the WB funded "Hydropower Development Strategy for the Lao PDR" in September 2000. Additionally, information presented in these Guidelines is also drawn heavily from several development projects in Lao PDR as well as in neighboring countries. Where relevant, international best practice examples are presented in the Guidelines with an objective of bringing these Guidelines to acceptable international standards, without losing focus on the country-specific context. The Guidelines explain in detail the processes and procedures necessary for collection of data, surveys and preparation of various documents in accordance with the provisions of Decree 192 on Resettlement and Compensation. These Guidelines are

¹¹ The Land Law provides the issuance of a Land Title, which attests provisional ownership rights to use agricultural as well as forestland (Articles 17-18 and 21-22). Land titling is gradually being undertaken in all towns of Lao PDR. If Land Titling has not been done yet, APs only have Land Use Rights Certificates (Form 01), Land Tax Payment Receipts and/or Residency Certificates. Form 01 are certificates of land use for taxation and are considered evidence of land use but not as full legal title.

still valid for the implementation of Decree 84 which is currently replacing Decree 192.

67. The recent legislative amendments to laws on compensation and resettlement in development projects resulted in positive changes in the lives of project beneficiaries affected by resettlement when their physical and economic assets are impacted due to the implementation of development projects. Lao Government's Decree 192 is consistent with, ADB's Policy on Involuntary Resettlement which requires that APs are compensated fairly and assisted to maintain and/or improve their pre-project living standards; and to ensure that their lives will not be worse without the project. Both Lao Law and ADB policies entitle APs who are legitimate owners of lands for compensation of affected land but APs who do not own the land will be compensated on non-land assets at full replacement cost as well as other forms of assistance so that their living conditions will not be worse because of the project.

68. However, there is a gap between the Lao law and ADB policies on the definition of severely- affected APs where ADB's policy defines severely-affected persons/households to be those that will lose 10% or more of their productive physical and economic assets. On the contrary, Article 8 of Decree 192/PM defines severely-affected APs to be those that will lose 20% of their total productive and/or income generating affected assets. However, ADB's definition on severely-affected APs will be adopted as the project's implementation policy. Decree 192/PM transcends beyond ADB's policy by providing compensation for land use rights at replacement cost to APs living in rural or remote areas and APs in urban areas who have no proof of land-use rights or land titles and do not lands owned in any other places within the country. This is in addition to compensation for other non-land assets and other forms of assistance. These APs are likely those who are classified as belonging to a vulnerable group.

69. Both Lao Decree 192 and ADB policy are congruent with each other in that their policies for APs that do not own a land title but will be permanently relocated to a new site as the project must be provided with replacement land at no cost to the Aps, or provide them cash which is sufficient to purchase replacement land. Projects supported by external agencies are governed by the resettlement policies of donors and relevant laws and government regulations not consistent with donor policies are waived. A detailed overview of differences in ADB and Lao PDR's regulations are in **Annex 8**.

VIII. PROJECT PRINCIPLES IN RESETTLEMENT PLAN IMPLEMENTATION

A. Main Principles

70. The main principles that guide the implementation of this Resettlement Plan are the following:

- Carry out meaningful consultations with affected persons, host communities, and concerned non-government organizations. Inform all displaced persons of their entitlements and resettlement options. Ensure their participation in planning, implementation, and monitoring and evaluation of resettlement programs. Pay 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.
- Establish a grievance redress mechanism to receive and facilitate resolution of the affected persons' concerns. Support the social and cultural institutions of displaced persons and their host population. Where involuntary resettlement impacts and

risks are highly complex and sensitive, compensation and resettlement decisions should be preceded by a social preparation phase.

- Improve, or at least restore, the livelihoods of all displaced persons through (i) 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, (ii) prompt replacement of assets with access to assets of equal or higher value, (iii) prompt compensation at full replacement cost for assets that cannot be restored, and (iv) additional revenues and services through benefit sharing schemes where possible.
- 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, social and economic integration of resettled persons into their host communities, and extension of project benefits to host communities; (ii) transitional support and development assistance, such as land development, credit facilities, training, or employment opportunities; and (iii) civic infrastructure and community services, as required.
- 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.
- 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 an equal or better income and livelihood status.
- 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 non-land assets.
- Prepare a resettlement plan elaborating displaced persons' entitlements, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time-bound implementation schedule.
- Disclose the 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.
- Conceive and execute involuntary resettlement as part of a development project program. Include the full costs of resettlement in the presentation of project's costs and benefits. For a project with significant involuntary resettlement impacts, consider implementing the involuntary resettlement component of the project as a stand-alone operation.
- Pay compensation and provide other resettlement entitlements before physical or economic displacement. Implement the resettlement plan under close supervision throughout project implementation.
- 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 considering the baseline conditions and the results of

resettlement monitoring. Disclose monitoring reports.

71. Mass organizations such as the Lao Women’s Union (LWU) and the Lao Front for National Construction (LFNC) and other community organizations that represent the interests of women, non-Tai-Kadai ethnic groups and poor households will participate as members of the District Resettlement Committee (DRC) and in the village resettlement committee (VRC) involved in the planning and implementation of resettlement activities. Specific methods will be employed to (i) ensure data collection and analysis disaggregated by gender and ethnicity, (ii) encourage the participation of women, ethnic groups and other vulnerable groups and (iii) provide appropriate rehabilitation measures for vulnerable APs as required.

B. Eligibility for Compensation and Other Assistance

72. All APs who are identified in the subproject-impacted areas on the cut-off date will be entitled to compensation for their affected assets, and rehabilitation measures sufficient to assist them to improve or at least maintain their pre-project living standards, income-earning capacity and production levels.

73. The cut-off date is the final day of the IOL for the FS in each subproject. In the subproject area this is 13 July 2017 for Nam Ngum and 5 August 2017 for Western Loop subprojects.

74. Those who encroach into the subproject area after the cut-off date will not be entitled to compensation or any other assistance, unless there has been a change in subproject design. However, they may still be eligible for entitlement if there will be changes in the subproject design during project implementation or were inadvertently missed out during the census during project preparation time. These APs will be confirmed as entitled for compensation of affected assets during the RP updating at the DMS and their compensation amount will be based on the Entitlement Matrix and updated Recovery Cost Survey.

IX. ENTITLEMENTS, ASSISTANCE AND BENEFITS

75. Table 5 provides the compensation and benefits to which affected persons will be entitled. This entitlement covers all the compensation required based on the Inventory of Losses based on preliminary design. During project implementation, a Detailed Measurement Survey will update the list of affected persons and assets.

Table 5: Entitlement Matrix

Types of Affected Asset	Entitled Persons	Entitlements	Implementation Issues
Agriculture Land	Owners with legal title (legal users are those with recognized land use rights such as registered title, land certificate, survey certificate, tax receipts and including unregistered users as per Land Law)	<ul style="list-style-type: none"> • With less than 10% loss productive land, cash compensation at replacement value for area of land acquired. • With more than 10% loss of productive land, but less than 50% cash compensation at replacement value for area of land acquired. 	

Types of Affected Asset	Entitled Persons	Entitlements	Implementation Issues
Loss of structures, income and other assets	Owners with legal title (Legal users are those with recognized land use rights such as registered title, land certificate, survey certificate, tax receipts and including unregistered users as per Land Law) and displaced persons without legal titles (encroachers/squatters)	<ul style="list-style-type: none"> For 50% or more loss of productive land, priority is for replacement land at replacement value and equivalent productive value; if land is not available, cash compensation is paid. Cash compensation paid for structures and other assets based on prevailing market value; Provision of 6 months' notice to harvest crops; Cash compensation paid for houses to be permanently relocated and could not be restored or provided replacement housing; Replacement of income lost whether temporary or permanent 	The construction supervision consultant will ensure that the (i) location and alignment of the by-pass route to be proposed by the civil works will have the least adverse social impacts; (ii) that the landowner is adequately informed of his/her rights and entitlements as per the project resettlement policy; and (iii) agreement reached between the landowner and the civil works contractor are carried out.
Temporary Use of Land	Legal owner or occupant	<p>For land temporarily acquired by the project during construction</p> <ul style="list-style-type: none"> 60-day notice cash compensation paid at replacement cost for affected fixed assets (e.g., structures, trees, crops); and Restoration of the temporarily used land within 1 month after closure of the by-pass route or removal of equipment and materials from contractor's working space subject to the conditions agreed between the landowner or tenant and the civil works contractor 	The construction supervision consultant will ensure that the (i) location and alignment of the by-pass route to be proposed by the civil works will have the least adverse social impacts; (ii) that the landowner is adequately informed of his/her rights and entitlements as per the project resettlement policy; and (iii) agreement reached between the landowner and the civil works contractor are carried out.
Loss of crops	All APs that grow and lose crops regardless of land use rights	<p>Notice to harvest annual crops, if possible.</p> <ul style="list-style-type: none"> Provision of 6 months' notice to harvest crops; <p>For annual crops that cannot be harvested, cash compensation paid, equivalent to current market prices times the yield/crop calculated over the past three (3) years using the highest value of the three.</p>	To be reassessed during detailed design and updated for actual loss and actual income.

Types of Affected Asset	Entitled Persons	Entitlements	Implementation Issues
		<p>For fruit and nut trees, cash compensation paid at replacement cost equal to current market prices given the type, age and productive capacity at the time of compensation. If at full maturity, compensation of productivity (5-7 years) is to be provided.</p> <p>For timber trees, cash compensation paid at replacement cost equal to current market prices based on types, age and diameter at breast height of trees.</p> <p>In the case of sharecropping or concession arrangements, the compensation will be paid to each of the parties in accordance with previous agreements.</p>	
Temporary loss of business income	Business owners/lease holders/tenants/employees/agricultural workers/vendors	<p>Cash compensation paid for lost income, with rate based on 3 months average of actual income (as determined through interviews, consultations and tax declarations) or minimum wage rates.</p> <p>Participation in income restoration program as provided for in the subproject, including provision of skills training where requested, and priority to participate in Project employment opportunities.</p> <p>Additional assistance for vulnerable households as below.</p>	To be reassessed during detailed design and updated for actual loss and actual income.
Vulnerable APs who are severely affected	Vulnerable APs such as the poor households ¹² , ethnic group members or households headed by women, the elderly, or disabled, if severely affected.	<ul style="list-style-type: none"> • An additional allowance of 1-month wages (50,000/day) paid per factor of vulnerability per HH • Contractors required to make all reasonable efforts to employ vulnerable APs for construction. • Entitled to participate in income restoration program to improve their standards of living 	<p>The poorest will be those below the national poverty line.¹³</p> <p>Vulnerability factors are: female headed, non-Tai-Kadai ethnic group, disabled, poor, older than 65</p>

¹² 180,000 kip per person per month for people in rural areas and 240,000 kip per person per month for people in urban areas

¹³ 180,000 kip per person per month for people in rural areas and 240,000 kip per person per month for people in urban areas.

Types of Affected Asset	Entitled Persons	Entitlements	Implementation Issues
Transition Allowance	APs that relocate and rebuild shophouse and/or shop on residual or new land; APs that lose 10% or more of their productive land/business	<ul style="list-style-type: none"> Relocating APs with <u>no impact (or less than 10% loss) on business or main source of</u> income: a cash allowance and/or in-kind assistance equal to 16 kg of rice per household member for three (3) months. Relocating APs with <u>main income source affected</u> OR APs losing 10% or more of productive land: a cash allowance and/or in-kind assistance equal to 16 kg of rice per household member for six (6) months. 	
Transport Allowance	APs that relocate to new land to rebuild shophouse and/or shop	<ul style="list-style-type: none"> Assistance in cash or in-kind to move structures, salvaged materials, new building materials and personal possessions to new site. For small shops this would amount to 100,000 Lao Kip/business 	
Temporary loss of access	Temporary loss of access to land, structure, common property resources (Owners, tenants, squatters, etc.)	<ul style="list-style-type: none"> Provision of 60 days' notice Provision of temporary access Restoration of affected land area, structure, utilities and common property resources. 	

Source: PPTA consultations.

X. COMPENSATION, RELOCATION AND REHABILITATION ARRANGEMENTS

A. Compensation Arrangements

76. The following section outlines the compensation arrangements for the different type of losses due to civil works in the 2 subprojects with expected physical losses (of land or house or structure).

1. Nam Ngum Reservoir subproject

77. Before relocation of the businesses of 40 AHs, including 19 AHs who also live in their shops at the Nam Ngum marina area, the project will build new shop houses for the 19 households losing their residence in close consultation with the households, and provide for new market stalls in a market building to be constructed at the current open public space before entering the street into the harbor area (Zone 1) taking into account the need for 4 larger restaurants (from 10 to 30 seats) and 3 noodle shops that are amongst the AHs (all restaurants and 1 noodle shop are severely affected because they have to relocate their house). DMS must determine the exact loss of space (shop and living quarters) of all affected households (20) so

that the replacement shops and houses will be equivalent.

78. Before construction of replacement shophouses will commence, the District authorities will agree with all households that must relocate their residence, that a replacement residence will be provided, with official documents that set out user's rights and entitlements, so long as they occupy the shophouse, and their children, but without the right to sell or sublet it.

79. Construction will be planned so the move to the new market and shophouses will be during the time there are the least visitors, so no business losses are foreseen. The project will assist AP to move to the new shops/stalls.

80. To address concerns that vendors might experience lower living standards, the following mitigative and income generating actions are proposed:

- agreement with the District Authorities to waive rent for shophouses and market stalls for the first year
- to include all the vendors in the capacity building activities of the project
- to support the vendors to involve in handicraft production and selling to serve the tourist market
- to involve vendors in homestay training and promotion, and support for small businesses. Some of the replacement housing might be designed with the concept for homestay in mind.

81. DMS will investigate the average income and profit for each affected household so that the project would be able to determine possible income generating activities to increase income so that the economic situation of the affected households will not deteriorate due to higher rents for both replacement shophouses and market stalls.

82. AHs classified as vulnerable, if severely affected, will be provided additional assistance so that the vulnerable group will not be further marginalized due to the project. This applies to the 4 female headed households and 1 lu Mien ethnic group household in the Nam Ngum marina area.

2. Western Loop and Bridge subproject

83. Permanent land acquisitions for the feeder road to the Western Loop on the West side of the river will be compensated at full replacement cost of land based on land classification including transaction costs and other relevant costs (14 AH in the current IOL). The 6 AHs losing part of the fence to the feeder road will be compensated based on agreed upon unit costs per m². DMS will determine the exact land and structure loss for all AHs

84. Loss of rice crop will be compensated in cash based on off-farm rice price and average rice yield based on the previous 3 years' yield (3 AHs in the current IOL). DMS will determine the exact loss of land that is used for rice cultivation. Loss of trees (3 AHs in the current IOL) will be compensated based on a lumpsum per lost tree.

85. None of the AHs will be severely affected. Rehabilitation arrangements do not apply.

86. The DMS for the 2 subprojects, completed immediately following detailed engineering design, will encompass (i) confirmation and updating of the IOL results; (ii) a due diligence on compensation as impacts and costs might have changed due to changes in design and material

prices; (iii) confirmation of agreement on compensation to the AHs permanently losing income; and (iv) updating compensation rates according to replacement costs, per current prices.

B. AP Preferences and Concerns for Compensation and Resettlement

87. All affected households/persons were consulted about the impacts of resettlement during the project preparation phase in public consultations, IOL and SES. During the public consultations and IOL sessions, the PPTA consultants explained the proposed infrastructure improvements and the temporary and permanent resettlement impacts, the policies on entitlement and compensation, the objectives of the SES and IOL, and eligibility for compensation including the cut-off date for eligibility which is 13 July 2017, the last day for the IOL, for the Nam Ngum Reservoir area and 5 August, 2017 for the Western Loop and the other 3 subprojects (where none or only minor resettlement impacts are envisaged).

88. Affected persons' views were gathered and documented on the subprojects along with the perceived subprojects' benefits and negative impacts that will reduce AHs/APs' enjoyment of the benefits. Mitigating measures to avoid and/or minimize the perceived negative impacts were also generated from the consultations with AHs/APs. A full overview of those perceptions and measures is presented in the project's IPP. Below are the APs preferences and concerns with regards to resettlement and compensation.

1. Nam Ngum Reservoir Subproject

89. In Nam Ngum APs mentioned:

- Affected shop owners proposed that the project move them to a relocation site near the former site and near the landing site for the boats from the island population so that they can continue their regular business.
- They want to know how much a market stall at the new market will cost and if they will have to pay rent for a new house at the resettlement site
- They would like to ask the District to not allow others to come into the new market place (referring to the market place at the place of the fishery storage hall and to the location where their shops are now).
- In principle, they did not mind separate living and selling space, but they expressed their concern that it might become very expensive, prohibitively to living and working in that area. To have the new market for the local people in Zone 1, would be good for them as the boats of the people from the islands land nearby.
- The new site for the market stalls and shops provided by the Government must have basic amenities like potable domestic water supply, roads to and from Ban Thalath and electricity. The site must be easily accessible to schools and markets. It also must have solid waste collection and sanitary facilities.
- They want to be informed early and given enough time to prepare for dismantling and moving to the new site when it is completed.
- Boat owners and drivers suggest that the project builds a temporary mooring place and pier so that they can continue their boating and transport services to tourists.
- AHs proposed that there should be regular meetings so that they are constantly aware of the status of resettlement activities during project implementation.
- They expressed willingness to do unskilled work during construction so that they can earn extra income.

- All participants unanimously agree to actively participate in all project-related activities during implementation phase.

2. Western Loop Subproject

90. APs in Western Loop expressed the following concerns:

- The design of the project must ensure that only minor portions of their lands will be acquired if necessary so that they are still able to continue farming.
- Compensation amounts for lands acquired must be based on actual current market values of residential and agricultural land.
- Land tenants must also be involved during consultations so that they can give correct and adequate information to their land owners who are not residing in subproject areas.
- AHs must be notified early before construction starts so that they will not plant rice and other crops anymore.
- AHs must join the PIUs during the detailed measurement survey so that they will know and accept the correct measurements on affected portions of their land.
- If ever there will be complaints, project authorities must act and resolve these immediately so that there will be no delays in compensation.

91. In both subprojects where resettlement impacts are expected, the participants in the consultations mentioned that they are willing to work as unskilled workers and join Community Tourism Group. They hoped that project will start soon. They were informed about the project implementation schedule and likely start of activities in Q4 2018.

C. Relocation Strategies

92. In Nam Ngum Reservoir there are 19 households (79 APs) who must relocate their shophouse and 21 AHs who must relocate their shop but are not severely affected. All will receive a transportation allowance. All shops and small businesses (37 AHs of the 40 AHs because 3 AHs are either working with their boat or cooking at home for the boats and will not lose income) will receive a loss of income provision for 1 week depending on their average income based on income of the previous 3 months. The 19 AHs that must relocate their shophouse will also receive a transition allowance based on the entitlement matrix above. The project will provide appropriate new shophouses after extensive consultation about the design with the 19 AHs, at the resettlement site managed by the OICT. The project will also construct a market building at that area for all 40 AHs who have a shop or restaurant.

93. No other subprojects require relocation therefore no special relocation strategies are required. Nevertheless, the PIU and DCR will closely monitor the general resettlement process and the outcomes, addressing issues such as the extent to which AP needs and preferences are considered, their levels of participation in and satisfaction with decision-making on compensation for temporary losses.

D. Rehabilitation Allowances

94. Rehabilitation Allowances will be given to severely affected households in three categories, if applicable (i) transport allowance; (ii) subsistence transition allowance; (iii) vulnerability allowance.

95. Transport Allowance: The PIU will coordinate with district officials for the provision of one or more trucks and/or labor to assist APs move; or, the project will pay APs an appropriate amount of cash allowance to permit them to make their own transport arrangements. The amount is set at 100,000 kip/shop according to the Entitlement Matrix. This will apply to all 40 AHs in Nam Ngum Reservoir but is not required for the other subprojects.

96. Transition Subsistence Allowance: A transition subsistence allowance equal to 16 kg of rice per household member per month (roughly half kg/pp/day), for a period of three (3) months is given to severely affected households. This applies to the 19 AHs who must relocate house and shop at Nam Ngum Reservoir.

97. Support for vulnerable household is as below:

- Vulnerable household support is also provided, regardless if the household is severely affected or not.
- Vulnerability Allowance: An additional compensation of 1-month wages (50,000 kip/day) per household is given for every factor of vulnerability.¹⁴ In Nam Ngum Reservoir there are 4 female-headed and 1 lu Mien ethnic household.

E. Ethnic Group and Gender Arrangements

98. The total 54 AHs in the 2 subprojects belong mainly to the Tai-Kadai language group. Only 1 is lu Mien in the NN subproject and 1 is Khmu in the WL subproject.

99. Vulnerable households who are severely affected are entitled additional benefits under the Project Entitlement arrangements. Only the lu Mien household and 4 female headed households are severely affected in Nam Ngum Reservoir subproject and will receive additional allowance.

100. The project has prepared an IPP that recognizes the need to implement specific measures to ensure that the non-Tai-Kadai ethnic groups in the project area (Khmu, Hmong, lu Mien) but do not have any negative resettlement impacts, benefit to enhance their livelihoods and increase household incomes by engaging in tourism and non-tourism income-generating activities.

101. If during the DMS, there are changes in project design resulting in more severely affected vulnerable households they will be provided with additional cash compensation as per the entitlement matrix.

102. Female headed households, as classified vulnerable group, if they are severely affected, will be entitled for additional cash assistance as per government policy, the Project's entitlement arrangements as well as ADB's SPS. The 4 female-headed severely affected households at Nam Ngum Reservoir subproject will receive such entitlement.

103. All members of AP households regardless of ethnicity or gender are equally eligible to apply and, depending on their qualifications, be considered for employment by the contractor(s) for civil works for the Project. Women will be equally invited as unskilled workers during construction and will be targeted for capacity-building on tourism activities which they preferred

¹⁴ Vulnerable: female headed, ethnic group other than Tai-Kadai, poor, disabled.

and expressed during the public consultation process.

104. Additionally, women beneficiaries will be targeted for capacity-building in hospitality training, skills training on handicrafts, basketry, fish and traditional wine processing in all three subprojects.

105. Women will be invited for consultation meetings which will consider their availability and performance of their other gender roles like housework and income-generation. Women will have equal decision-making responsibility alongside men when giving their opinions and views concerning subproject design, and other project-related activities that will require their active involvement.

106. Women's participation during project implementation will be closely monitored through the design of the Project Performance Monitoring System (PPMS). All databases and monitoring indicators for land acquisition, compensation and resettlement activities will disaggregate data and other information by sex and ethnicity.

107. On an institutional level, the District Resettlement Committee (DRC) And PIU will ensure full involvement of and consultation with women and AHs from non-Tai-Kadai groups as follows:

- The DRC will include representatives of the district offices of the LWU and LFNC. The members of the DRC will also include the chief and/or deputy chief of the twelve core villages where assets are affected.
- The DRC will consult individually with the APs and their families to ensure that all understand the projects' policies, entitlements and procedures regarding land acquisition, compensation and resettlement; and, to identify the specific needs and concerns of male and female APs. Meeting individually with these AHs will also ensure that women in the households understand and feel comfortable to speak up.
- The DRC will consult individually with the affected AHs to ensure that they are satisfied with the compensation options for the lost income.
- The compensation payment forms will be signed by both spouses if the affected assets are conjugal property.
- All information to APs who are temporarily and/or permanently affected by the subproject will be distributed to men and women equally; and, the DRC and/or VRC will take appropriate steps, as necessary, to encourage women to participate in any public meetings about the subproject.
- The DRC will also determine whether there is need to communicate with APs in language(s) other than Lao, in public meetings, individual consultations and/or in written communications.
- The DRC will monitor the impacts on women and APs of all ethnic groups.

108. The PIU with support from the PCU will provide formal and on-the-job training for DRC to raise their awareness of gender and ethnicity issues and to ensure that they understand and comply with the project's policies and procedures for vulnerable APs.

F. Due Diligence During the DMS

109. The DMS to be conducted following detailed engineering design for the subproject will encompass (i) confirmation and updating of the IOL results; (ii) a due diligence on compensation

as impacts and costs might have changed due to changes in design and material prices; (iii) confirmation of agreement on compensation to the AHs permanently losing income; (iv) updating of compensation rates according to replacement costs according to current prices.

110. The objective of the due diligence is to confirm compliance with SPS and Government policies and resolve or remedy any outstanding issues including:

- Changes in the numbers of AHs and the types and extent of affected assets including cement slabs, trees and disrupted businesses.
- Details on the types and amounts of compensation and assistance (in cash and/or in kind); and evaluation of whether this assistance meets the Project's principles of replacement cost.
- The level of satisfaction and/or concerns and needs of AHs regarding resettlement procedures and compensation.

111. Any unforeseen impacts that may arise during project implementation will be responded to in accordance with the requirements of ADB's SPS and the Entitlement Matrix and Principles of this RP.

XI. RESETTLEMENT PLAN UPDATING AND IMPLEMENTATION

A. Updating

112. This Resettlement Plan will be updated once the subproject's detailed design is completed and approved. The updates will consider any change in the design that alters the resettlement impacts, including the identification of affected structures and affected persons, and will measure the extent of areas of land where structures are located, required compensation to affected assets and incomes to be temporarily impacted in more detail. The updating will involve the following steps:

- Undertake a DMS¹⁶ of all losses of APs. At the same time, re-inform all potential APs of the subproject, its likely impacts, and principles and entitlements as per the RP;
- Update the socioeconomic information gathered during project preparation to establish a baseline for APs as required;
- Identify and document the process for compensation;
- Determine the losses in accordance with the entitlement matrix and update the compensation rates for allowances. Verify and confirm rates in accordance with ADB's SPS 2009 (updated 2012) and Lao PDR's Decrees;
- Provide project and resettlement information to all persons affected in a form and language that are understandable to them, and closely consult them on compensation and resettlement options, including economic rehabilitation;
- Prepare the updated RP with a time-bound implementation schedule, procedures for grievance redress, monitoring and evaluation, and a budget;
- Finalize the subprojects RP;
- Disclose a summary the final RP to the affected villages and on the ADB website, in accordance with ADB's Public Communications Policy (2011).

¹⁶ Data will be sex and ethnic-disaggregated

113. Data required to update the RP are shown in Table 6.

Table 6: Data for Updating the Resettlement Plan

<p>Detailed Measurement Survey (DMS)</p>	<p>The DMS of lost assets will cover 100% of APs following detailed engineering design. The data collected during the DMS will constitute the formal basis for determining AP entitlements and levels of compensation. For each AP, the scope of the data will include:</p> <ul style="list-style-type: none"> (i) Total and affected areas of land, by classification of land assets; (ii) Total and affected areas of structures, by type of structure (main or secondary) and construction grade, salvageable or not; (iii) Legal status of affected land and structure assets, and duration of tenure and ownership; (iv) Quantity and types of affected crops and trees; (v) Quantity of other losses, e.g., business or other income, jobs or other productive assets; estimated daily net income from informal shops; (vi) Quantity/area of affected common property, community or public assets, by type; (vii) Summary data on AP households, by ethnicity, gender of household head, household size, primary and secondary source of household income viz-a-viz poverty line access to basic services and utilities, income level, and whether household is headed by vulnerable group e.g. elderly, disabled, poor or indigenous peoples; (viii) Identify whether affected land or source of income is primary source of income; and (ix) AP knowledge of the subproject and preferences for compensation and, as required, relocation sites and rehabilitation measures.
<p>Socioeconomic Survey</p>	<p>The SES will collect information from 100% of affected households/APs, disaggregated by gender and ethnicity. The purpose of the SES is to provide baseline data on APs to assess resettlement impacts, and to ensure that proposed entitlements are appropriate, and to use as reference during resettlement monitoring. The scope of data to be collected includes:</p> <ul style="list-style-type: none"> (i) Household head: name, sex, age, livelihood or occupation, income, education and ethnicity; (ii) Household members: number, livelihood or occupation, school age children and school attendance, and literacy, disaggregated by gender; (iii) Household income and expenditures patterns and household assets owned (iv) Living conditions: access to health, education, telecommunication, water, sanitation and energy for cooking and lighting; ownership of durable goods; and (v) Access to basic services and utilities.
<p>Replacement Cost Survey (RCS)</p>	<p>The PCU/PIU and DRC will support the Consultants to conduct the RCS in parallel with DMS and SES activities by collecting information from both secondary sources and primary sources (direct interviews with people in the affected area, material suppliers/hardware and house contractors). Agreement will be reached about compensation prices between AHs and District Authorities. The government rates will be adjusted, as necessary, based on the findings of a RCS. Compensation rates will be continuously updated to ensure that APs receive the correct compensation at full replacement cost at the time of compensation payment.</p>

B. Implementation

114. The updated RP is subjected to review by both the MICT and ADB. When there are no further revisions, ADB will issue a “no objection” to the updated RP. A summary of the approved RP will be translated into Lao language and disclosed to the APs, the project implementers and local authorities. The updated RP will be uploaded to the project and the ADB websites. This will

also be references in civil works bid documents and the civil works contracts. Once approved by ADB, the compensation payment procedure for affected structures, trees and other affected assets will commence and continue until completion of all compensation payments and until resolution of complaints has been completed. The notice-to-proceed issued to the winning civil works contractor will be done after all compensation and other assistance to APs are completed. Thereafter, the site clearance will start, and the contractor will mobilize workers, equipment and barracks. To ensure that construction will not incur delays, a construction strategy will be implemented in which initial civil works will commence in subprojects' components where there are no resettlement impacts or other physical encumbrances.

XII. INDICATIVE RESETTLEMENT BUDGET

115. Nam Ngum Reservoir Access Improvements subproject replacement costs for 3,860 m2 of wooden and brick selling stalls built after 2000 and shops and small restaurants built prior to 2000 (679 m2) amounts to an estimated 152,000,000 LAK (\$18,256) included in the project budget. These costs will not be compensated directly as the project will construct replacement shophouses and market stalls of better quality for all AHs in a new market area. The project will construct 19 replacement shophouses for a cost of 1,330,000,000 LAK (\$159,741) included in the project budget. Rehabilitation and vulnerability allowances will be an estimated 72,254,400 LAK (\$8,678). This will be financed by Government.

116. The Western Loop Rural Access Roads and Bridge Improvements subproject will acquire 2,662 m2 of land of which 712 m2 residential land and 1,950 m2 is agricultural land. Costs of the residential land are 441,440,000 LAK (\$53,019) and for the agricultural land 438,750,000 LAK (\$52,696) and will be given as compensation to the owners of the land. The cost of a loss of 604.5 kg rice on 1,950m2 of lost productive land is 1,511,250 LAK (\$182). The costs for the loss of 35 trees are 5,250,000 LAK (\$631). And the costs for structures (fences) amount to 60,860,000 LAK (\$7,310). These costs will be financed by Government.

117. The indicative cost of resettlement impacts compensation for the 2 subprojects is \$300,513. Of this total, the government will finance \$122,516 and ADB will finance \$177,997. Table 7 shows the costs related to resettlement impacts and compensation.

Table 7: Indicative Costs of Resettlement Impacts and Compensation

Sub-Project	Loss	Unit Cost in LAK	Costs in LAK	Costs in US\$****	Compensation in LAK	Compensation in US \$
Nam Ngum Reservoir Access	19 houses*	70,000,000	1,330,000,000	159,741	replacement	Project budget
	40 Market Stalls**	8,000,000	152,000,000	18,256	replacement	Project budget
	Subtotal		1,482,000,000	177,997		
	37 Lost Income**	900,000	33,300,000	4,000		4,000
	40 Transport	100,000	4,000,000	480		480
	19 Transition (16 kg/ps/mnth*3mnt)	1,497,600	28,454,400	3,418		3,418
	5 Vulnerability allowances***	1,300,000	6,500,000	781		781
	Sub-Total Allowances		72,254,400	8,678	72,254,400	8,678
Western Loop	Agricultural Land	225,000	438,750,000	52,696		174,303

Sub-Project	Loss	Unit Cost in LAK	Costs in LAK	Costs in US\$****	Compensation in LAK	Compensation in US \$
Rural Access	(1,950 m2)					
Feeder road of 2 km	Residential Land (712 m2)	620,000	441,440,000	53,019		18,000
	Rice loss (604.5 kg)	2,500	1,511,250	182		300
	Trees (35)	150,000	5,250,000	631		
	Structures (Fences 133m2)	457,594	60,860,000	7,310		
	Sub-Total WL		947,811,250	113,838	947,811,250	113,838
Total			2,502,065,650	300,512	1,020,065,650	122,516

* estimated costs based on data from village association; to be determined at DMS based on situation and needs of individual households; includes stall replacement

** indicative costs based on 112,000 for wooden and 235,000 LAK for brick house/m2; based on data from first IOL; to be verified by DMS; calculation for AHs with proper market stall (19)

*** 50,000 kip/pp/working day for 1 month

**** 1 US\$ = 8,326 LAK at 8 Nov 2017

XIII. INSTITUTIONAL ARRANGEMENTS

118. Planning and implementation of the resettlement plan requires the involvement of various government agencies at national, provincial and district levels that will be responsible to ensure that the RP will be prepared and updated according ADB's Safeguard Policy Statement (SPS, 2009, updated 2012). Involvement of local organizations like the village and district coordinators of the Lao Women's Union (LWU) and Lao Front for National Construction (LFNC) and the resettlement committees will also be required. The project will engage the services of a Project Implementation Consultant (PIC) to provide technical advice to project management and implementers on resettlement planning, implementation and monitoring. These agencies and actors are discussed below. Detailed implementation arrangements are in the project administration manual (PAM).

A. Ministry of Information, Culture and Tourism (MICT)

119. MICT is the Project Owner and the Executing Agency (EA) for the Project. As EA, its responsibilities include: (i) over-all management of the project; ii) establishment of the National Project Steering Committee (NSPC) headed by the Minister and/or the Vice-Minister with representatives from MPI, MPWT, MONRE, LWU, MOF, LFNC; iii) establishment of the PCU at the Tourism Development Department; iv) recruitment of the project implementation consultant; v) approval of the project's annual implementation plans and other related project plans and budget; and, vi) reporting to ADB and Lao Government on project status.

B. Tourism Development Department as PCU

120. As PCU, its responsibilities include: (i) day-to-day coordination and implementation of the project as well as coordinate RP updating, implementation and monitoring of updated RP; ii) acts as secretariat to the NSPC by preparing reports to NSPC on status of project implementation and coordinates NSPCs meetings and the annual project review and planning; iii) prepare project's progress reports on behalf of EA and submit these to ADB and Lao Government; iv) coordinate with the PIUs in Vientiane Province; and, v) designate its safeguards focal point staff to implement and monitor the progress of the safeguards plans (RP, EMP, IPP).

C. Resettlement Committees (RCs)

121. Local authorities will assist the project in all activities concerning RP updating, its implementation and monitoring. In Vientiane province, Resettlement Committees will be established at province and district levels. Thus, there will be one Provincial Resettlement Committee (PRC) in Vientiane Province, one District Resettlement Committee (DRC) each for Vang Vieng and Keo Oudom respectively. The safeguards staffs of the PIUs in Vang Vieng and Keo Odom will be members of their respective DRCs.

122. The Provincial Resettlement Committee (PRC) will have the following functions: (i) facilitate consultation meetings with APs/AHs, (ii) prepare compensation plans based on RCS results as basis for compensation payments of affected assets and submit this to Provincial Department of Finance for budget allocation; (iii) review and confirmation of final DMS data; (iv) undertake negotiations and final agreement with APs on compensation; and (v) conduct actual compensation payments to APs and prepare disbursement report to be submitted to the Provincial Department of Finance (v) monitor and report on all RP implementation activities; (v) act as grievance officers to deliberate and resolve resettlement-related complaints of APs/AHs and recommend to the EA through its PCU the issuance of a notice-to-proceed (NTP) to civil works contractors when full compensation and relocation activities will have been completed as indicated in a monitoring report so that site clearance activities can be undertaken. The PRCs will be supported by the District (DRC) and Village Resettlement Committees (VRCs) which will assist in all local activities.

123. The District Resettlement Committees (DRCs) will comprise of local authorities headed by the deputy District Governor with members from the district LWU and LFNC and village elders/traditional leaders. The DRC will support the PRC in all the above-mentioned functions.

124. Likewise, Village Resettlement Committees will be composed of the Village Chief, the village coordinators of the LWU and LFNC and village elders/traditional leaders. To ensure that the DRCs and VRCs will efficiently perform their functions in resettlement, they will be afforded a training activity to be designed and implemented by the PIC with the support of the safeguards focal point staffs of the province and the districts.

D. DICT and UDAA as Project Implementing Units (PIUs)

125. DICT will coordinate the day-to-day project activities related to Output 2 and 3 of the Design Monitoring Framework (DMF) as well as the infrastructure works in Nam Ngum Reservoir Access Improvements with the technical support of the DPWT. As the PIU in Keo Oudom, it will designate a safeguards' focal person to implement and monitor the resettlement process and monitor the EMP and the IPP. It will also designate a gender focal person to implement and monitor the gender action targets in the GAP. DICT will prepare progress reports of project implementation and submit those to PCU for project-wide preparation of reports for submission to ADB and Lao Government. DICT will coordinate with the district level resettlement committees and Community Tourist Groups in Nam Ngum and Western Loop regarding activities related to resettlement updating, implementation and monitoring and acts as technical secretariat to the PPSC.

126. UDAA and OPWT will be the PIU for the infrastructure subprojects in Vang Vieng District and will coordinate with DPWT on technical aspects of infrastructure works and with DICT on activities related with Output 2 and 3 of the DMF. It will perform the same functions as that of DICT in Nam Ngum, Keo Oudom.

E. Village Resettlement Committee (VRC)

127. The VRC will assist the DRC in their resettlement tasks. Specifically, the VPC will be responsible for the following:

- Assign village officials to assist the DRC in the updating of the RP and implementation of resettlement activities;
- Cooperate with District level and with village level LWU and LFNC in the mobilization of people who will be tasked to implement the compensation, assistance and resettlement policy according to the approved RP;
- Assist the PIU and DRC in conducting public consultations, DMS and update the SES amongst AHs;
- Assist in conducting the participatory RCS in their commune;
- Mobilize AHs/APs to actively participate in the resettlement updating process;
- Identify replacement land for affected households in consultation with DICT (in Nam Ngum subproject);
- Sign the Agreement Compensation Forms along with the affected households;
- Attend to the resolution of grievances lodged at their level.

F. Lao Women's Union as member of the Community Tourism Group

128. The LWU will be responsible for the following primary tasks:

- Support to PIU and DRC in information dissemination and community consultation activities;
- Document information gathered during the consultations;
- On behalf of VPC, mobilize women and other vulnerable groups in project implementation;
- Participate in coordination meetings with PIU, DRC and VPC.

G. Community Tourism Group (CTG)

129. The project will organize and train a village level CTG headed by the deputy VRC Chairman and with representatives from the Lao Women's Union, LFNC and village leaders. They will be tasked to disseminate information and conduct consultations with project stakeholders as well as perform simple field monitoring of the status of civil works' implementation as well as the status of RP, EMP and GAP implementation. They will be trained to ensure that they efficiently perform their responsibilities. Likewise, they will assist the PIU in preparing monitoring progress reports as well as participate in coordination meetings with contractors, construction supervisor consultants and the PIU.

H. Project Implementation Consultants (PIC)

130. The project will engage consultants to support the PCU and PIUs in implementing the RP and other safeguards plans. The Consultants will comprise of an International Social Safeguards Specialist (6 months), International Gender Specialist (2 months), National Social Safeguards Specialist (12 months) and a National Gender Specialist (12 months).

131. The specific tasks of the international social safeguards include:

- Ensuring that due diligence is carried out in implementing the Resettlement Plans for all subprojects;
- As per provisions in the social safeguard plans, consultation and participation plan and the stakeholder communication strategy, assist in the preparation of materials and strategy for information campaigns, public consultation and community participation;
- Review the SES materials and method to complete the detailed measurement survey (DMS) after completion and approval of the detailed design and recommend improvements as required;
- Update the Resettlement Plan, and follow-up to ensure MICT and ADB's approval of the RP
- Brief officials at all levels on the content and procedures for implementing the RP improve, if necessary, procedures for the coordination of resettlement, compensation and implementation;
- Ensure that grievance redress mechanisms are promptly and timely addressed and efficiently functioning;
- Establish and implement procedures for ongoing internal monitoring of RP implementation;
- Design and conduct capacity development activities for all relevant agencies, as needed, in the areas of ADB resettlement, participation and communication, and grievance procedures;
- Train PCU and PIUs' assigned social safeguard focal staffs to carry out internal monitoring and reporting of social safeguards plans.

132. The specific tasks of the gender specialist include:

- Ensuring that due diligence is carried out in implementing the Gender Action Plan for all subprojects;
- assist in the preparation of materials and strategy for information campaigns, public consultation and community participation in relation to gender;
- Implement and monitor progress against the Gender Action Plan
-
- Design and conduct capacity development activities for all relevant agencies, as needed, in the areas of gender;
- Train PCU and PIUs' assigned social safeguard focal staffs to carry out internal monitoring and reporting of gender action plans.

133. The national social safeguards specialist will:

- Support the PIA's PMU in implementing the Resettlement Plans for all subprojects;
- Assist in the conduct of the information campaigns, public consultation and community participation on social safeguards;
- Coordinate the detailed measurement survey with district officials after approval of detailed design by MICT; and update the list of affected households/ persons;
- Assist the international social safeguards specialist in the update of the Resettlement Plan;
- Advise PCU and PIU and international social safeguards specialist on how to

improve procedures for the coordination of resettlement, compensation and implementation of actions based on local context in subproject areas;

- Verify the calculations of compensation made by the Provincial and District Resettlement Committee in relation to the provisions of the RP entitlement matrix, and advise the PCU and PIUs on any required measures to ensure compensation payments are made in accordance with the RP provisions;
- Monitor compensation payment and advise the PIU on actions to take to ensure compensation is paid in full and in a timely and transparent manner;
- Ensure that grievances are addressed promptly and properly and that the grievance redress mechanism is functioning well;
- Conduct periodic mentoring on grievance redress if needed;
- Establish and implement liaison mechanisms to ensure proper technical and logistics support to the PIU, local administrative authorities, resettlement committees and concerned government departments;
- Establish and implement procedures for ongoing internal monitoring of RP;
- Design and conduct capacity development activities on ADB social safeguard policies for all relevant agencies, as needed, including requirements for participation, communication and gender mainstreaming;
- Train PCU and PIUs' designated social safeguards focal person staffs to carry out internal monitoring and reporting on RP implementation;
- Monitor grievance process of affected households/persons who have lodged complaints with relevant levels of grievance redress.

XIV. MONITORING AND REPORTING

134. Regular and timely monitoring and assessment of the progress of RP implementation will take place to ensure that the approved RP is implemented as planned and that mitigating measures designed to address adverse social impacts are adequate and effective. Likewise, through regular and focused monitoring of RP implementation, issues are immediately captured so that appropriate management decisions can be promptly taken and implemented to resolve the issues. Towards this end, internal resettlement monitoring will be carried out which is in line with a Category B project.

135. MICT as the project EA is primarily responsible for internal monitoring. Monitoring will be conducted by designated provincial and district safeguard focal point staffs with technical support from the International and National Social Safeguards Resettlement Specialists. MICT will be responsible for overseeing the entire RP implementation and monitoring by establishing PCUs, PIUs and resettlement committees at provincial and district levels to internally monitor RP implementation. MICT will ensure that the designated staffs will efficiently perform their authorized functions through training and capacity building, smooth coordination among implementing agencies and providing adequate and timely logistical support.

136. The project implementation consultants will provide technical assistance and support to the PCU and PIUs. The RP monitors will prepare semi-annual safeguards monitoring reports that highlight i.) accomplishments in relation to targets; ii.) RP implementation issues and actions taken to resolve issues and/or policy issues for EA's action/decision. An ADB safeguards monitoring format will be used in report preparation. MICT will submit the semi-

annual monitoring report to ADB. All monitoring data will be disaggregated by sex and ethnicity. Resettlement monitoring reports will be shared to village leaders. The reports will also be posted in accessible public places and uploaded to the ADB website.

137. Table 8 indicates suggested monitoring indicators for this RP.

Table 8: Monitoring and Evaluation Indicators

Type	Indicator	Examples of Variables
Inputs Indicators	Staffing and Equipment	<ul style="list-style-type: none"> Number of PRC, DRC and VRC members established, job function clarified and delineated and mobilized Capacity-building and other training undertaken for PRCs, DRCs and VRCs Civil works contractor hired the agreed number of unskilled men and women laborers as per civil works contract; Budget and logistics support to resettlement committees allocated and disbursed as per RP budget; Number of local focal points at villages e.g. LWU and LFNC established and mobilized
Process Indicators	Consultation, Participation, and Grievance Resolution	<ul style="list-style-type: none"> Lao version of PIB distributed to all APs/AHs/ shop and business owners Lao version of summary of update RP available in all districts Translated materials in local dialects spoken by non-Tai-Kadai peoples in their villages prepared and distributed if they don't understand Lao language Number of consultations (meetings/individual) undertaken as per RP and stakeholder communication plan Number of Grievances by nature resolved and mediated and kept in files of resettlement committees; Number of locally based organizations involved in project implementation
Output Indicators	Land Acquisition	<ul style="list-style-type: none"> Area of agriculture and residential lands acquired
	Structures	<ul style="list-style-type: none"> Number and area of structures dismantled and rebuilt in temporary relocation sites;
	Crop	<ul style="list-style-type: none"> Area and kg of rice crop harvested
	Compensation and Rehabilitation	<ul style="list-style-type: none"> Number of Affected households/persons/business owners/operators (land, structures, crops and income/livelihood) Number of owners compensated by type of losses Amount compensated by type of affected asset and owner Number and amount of payment paid Compensation payments made on time Compensation payments according to agreed rates Number of structures demolished or partially dismantled Number of replacement structures built by APs on the same plot Number of replacement structures built by APs at other location Number of replacement houses built by APs on allocated plots in relocation sites Number of temporary replacement businesses constructed by APs Number of owners requesting additional assistance

Type	Indicator	Examples of Variables
	Re-establishment of Community Resources	<ul style="list-style-type: none"> Number of community buildings repaired or replaced

XV. IMPLEMENTATION SCHEDULE

138. The project will be implemented in six years beginning on the 4th quarter of 2018 until the 3rd quarter of 2024. The implementation schedule for the resettlement plan is aligned with the key dates in the project implementation plan. Table 9 lists the detailed activities with regards to resettlement.

Table 9: Implementation Schedule

Activities	Schedule
Establish PCU/PIUs	Q4 2018
Orient PCU/PIUs and other implementing agencies on the RP	Q1 2019
Establish and train Resettlement committees at all levels	Q1 2019
Completion and Approval of detailed designs of 2 subprojects	Q3 2019
Update RP (DMS, RCS, Census of AHs/APs)	Q3-4 2019
Submit to ADB updated RP for issuance of “no objection”	Q4 2019
Translate ADB-approved RP to Lao and distribute to province, districts and to the AHs/APs	Q1 2020
Upload approved RP to ADB website and distribute this to AHs/APs, village, district authorities and other project partners	Q1 2020
Actual payments of compensation to APs/AHs and temporary relocation of affected structures, land acquisition; resolve grievances of AHs/APs	Q1-2 2020
Site clearance	Q3 2020
Issuance of notice-to-proceed to civil works contractors	Q3 2020
Start of civil works/construction	Q4 2020
Internal monitoring	Continuous until 2024

Annex 1: IOL Tables and Land Prices

1. IOL Tables

a. IOL Nam Ngum Reservoir Access Improvements

No	Name	Type of Loss	m2	Cost per m2 LAK	Total Cost LAK*
1	Mr. Xieng, Mrs. Ling	Brick structure	25	235,000	587,5000
2	Mr. Keo, Mrs. Pheng	Wood structure	50	112,000	537,6000
3	Mr. Souhach Phimmason	Timber structure	48	112,000	627,2000
4	Mrs. Mo (Hangkham) Noravong	Timber structure	56	112,000	5,600,000
5	Mr. Bounieow	Timber structure	50	112,000	17,136,000
6	Mr. Houphanh Phommachack	Timber structure	153	112,000	3,584,000
7	Mrs. Deuane, Mr. Pe	Timber structure	32	112,000	2 nd IOL
8	Mr. Duangdy, Mrs. Nang	Timber structure	28	112,000	2 nd IOL
9	Mr. Taeng	Timber structure	50	112,000	2 nd IOL
10	Mr. Somchan	Timber structure	24	112,000	2 nd IOL
11	Mr. Ouy Manivong	Timber structure	56	112,000	2 nd IOL
12	Mr. Noun	Timber structure	48	112,000	5,376,000
13	Mr. Sounthone, Mr. Moun	Timber structure	60	112,000	6,720,000
14	Mr. Thonxien Xaypanya	Brick house + C-pac roof	85	900,000	2 nd IOL
15	Mr. Keo, Mrs. Ngai	Timber structure	60	112,000	2 nd IOL
16	Mr. Att, Mrs. Tang	Timber structure	60	112,000	6,720,000
17	Mrs. Thongchanh	Timber structure	16	112,000	1,792,000
18	Mr. Inpaeng, Mrs. Nalin	Timber structure	48	112,000	2 nd IOL
19	Mr. Somphone	Timber structure	48	112,000	5,376,000
20	Mr. Phouvieng	Timber structure	20	112,000	2,240,000
21	Mr. Kham, Mrs. Khoun	Timber structure	90	112,000	2 nd IOL
22	Mr. Soupha Chantavong	Timber structure	16	112,000	1,792,000
23	Mr. Noy, Mrs. Mai	Timber structure	252	112,000	2 nd IOL
24	Mrs. Sommaly	Timber structure	194	112,000	21,728,000
25	Mr. Noy, Mrs. Tick	Timber structure	180	112,000	20,160,000
26	Mrs. Bouavanh	Timber structure	56	112,000	6,272,000
27	Mrs. Dao	Timber structure	20	112,000	13,440,000

No	Name	Type of Loss	m2	Cost per m2 LAK	Total Cost LAK*
28	Mrs. Keo, Mr. Yong	Timber structure	80	112,000	8,960,000
29	Mr. Bouyong	Timber structure	15	112,000	1,680,000
30	Mr. Sompheng Chanthalangsy	Timber structure	60	112,000	6,720,000
31	Mr. Keo Insixiengmai, Mrs. Beng	Timber structure	594	112,000	66,528,000
32	Mr. Oon	Timber structure	28	112,000	3,136,000
33	Mr. Sithat	Timber structure	98	112,000	16,200,000
34	Mr. Noy Sothilath	Timber structure	86	112,000	5,600,000
35	Mrs. Lourn	Timber structure	42	112,000	4,704,000
36	Ms. Seng	Timber structure	60	112,000	6,720,000
37	Mr. Phon	Timber structure	60	112,000	6,720,000
38	Ms. Than	Timber structure	36	112,000	4,032,000
39	Mr. Neo-Phon	Bamboo structure	15	75,000	2nd IOL
40	Ms. Then	Bamboo structure	15	75,000	2nd IOL
	Government Shop	Brick structure	40	235,000	4,480,000
	Total		3,850		276,315,000

* average costs per HH: 7,675,417 LAK from first IOL only (the IOL in Nov '17 had 12 more AHs but the average was taken from first IOL) as it is rounded in total cost table to 8,000,000 LAK/HH

No	Name	Type of Business	Loss of Income 1 Week LAK	Transition (relocated house) LAK	Transport LAK	Vulnerability (if relocated house) 1 month is 26 working days	Compensation Total
			Depends on business*	16kg rice/pp** 3 months	100,000 LAK/HH	50,000 LAK/hh/ working day	Per HH
1	Mr. Xieng, Mrs. Ling	Shop	900,000	1,497,600	100,000		2,497,600
2	Mr. Keo, Mrs. Pheng	House only		1,497,600	100,000		1,597,600
3	Mr. Souvihack Phimmasone	Shop	900,000	1,497,600	100,000		2,497,600
4	Mrs. Mo (Hangkham) Noravong	Shop	900,000	1,497,600	100,000	1,300,000	3,797,600
5	Mr. Bounieow	Shop	900,000		100,000		1,000,000
6	Mr. Houmpanh Phommachack	Restaurant	900,000		100,000		2,497,600
7	Mrs. Deuane, Mr. Pe	Shop	900,000	1,497,600	100,000		1,000,000
8	Mr. Duangdy, Mrs. Nang	House only	900,000		100,000		2,497,600
9	Mr. Taeng	Boatman			100,000		100,000
10	Mr. Somchan	Shop	900,000		100,000		1,000,000
11	Mr. Ouy Manivong	Shop	900,000	1,497,600	100,000		1,000,000
12	Mr. Noun	Shop	900,000		100,000		2,497,600
13	Mr. Sounthone, Mr. Moun	Pharmacy	900,000		100,000		1,000,000
14	Mr. Thonxien Xaypanya	Shop	900,000		100,000		1,000,000
15	Mr. Keo, Mrs. Ngai	Noodle Shop	900,000	1,497,600	100,000		1,000,000
16	Mr. Att, Mrs. Tang	Shop	900,000		100,000		2497600
17	Mrs. Thongchanh	Shop	900,000		100,000		1,000,000
18	Mr. Inpaeng, Mrs. Nalin	Shop	900,000		100,000		1,000,000
19	Mr. Somphone	Shop	900,000		100,000		1,000,000
20	Mr. Phouvieng	Shop	900,000		100,000		1,000,000
21	Mr. Kham, Mrs. Khoun	Shop	900,000		100,000		1,000,000
22	Mr. Soupha Chantavong	Shop	900,000		100,000		1,000,000
23	Mr. Noy, Mrs. Mai	Shop	900,000	1,497,600	100,000		1,000,000
24	Mrs. Sommaly	Shop	900,000		100,000	1,300,000	3797600
25	Mr. Noy, Mrs. Tick	Shop	900,000		100,000		1,000,000
26	Mrs. Bouavanh	Trading Storage	900,000		100,000		1,000,000

No	Name	Type of Business	Loss of Income 1 Week LAK	Transition (relocated house) LAK	Transport LAK	Vulnerability (if relocated house) 1 month is 26 working days	Compensation Total
27	Mrs. Dao	Shop	900,000	1,497,600	100,000		1,000,000
28	Mrs. Keo, Mr. Yong	Noodle shop	900,000		100,000		2,497,600
29	Mr. Bouyong	Fish shop	900,000	1,497,600	100,000		1,000,000
30	Mr. Sompheng Chanthalangsy	Shop	900,000	1,497,600	100,000	1,300,000	3,797,600
31	Mr. Keo Insixiangmai, Mrs. Beng	Shop	900,000	1,497,600	100,000		2,497,600
32	Mr. Oon	Cooking	900,000	1,497,600	100,000		2,497,600
33	Mr. Sithat	Restaurant	900,000	1,497,600	100,000		2,497,600
34	Mr. Noy Sothilath	Shop	900,000	1,497,600	100,000		2,497,600
35	Mrs. Lourn	Shop	900,000	1,497,600	100,000		2,497,600
36	Ms. Seng	Restaurant	900,000	1,497,600	100,000	1,300,000	3,797,600
37	Mr. Phon	Restaurant	900,000	1,497,600	100,000		2,497,600
38	Ms. Than	Shop	900,000	1,497,600	100,000	1,300,000	3,797,600
39	Mr. Neo-Phon	Boatman			100,000		100,000
40	Ms. Then	Selling booth	900,000		100,000		1,000,000
	Government Shop				100,000		
	Total		33,300,000	28,454,400	4,000,000	6,500,000	72,254,400

* per day 150,000 LAK assumed income; to be verified at DMS

** rice 7,500 LAK/kg, to be calculated at DMS based on actual number of people within a household

b. Western Loop Rural Access Roads and Bridge Improvements

No	Name	Type of Land	Loss of Land	Unit costs/m2	Total Land Costs	Loss of Rice Production*	Costs of Rice Production**
			m2	LAK	LAK	Kg	LAK
1	Mr. Ham	agricultural	600	225,000	135,000,000	186	465,000
2	Mr. Khampheur	agricultural	350	225,000	78,750,000	108.5	271250
3	Ms. Bounlouay	agricultural	1,000	225,000	225,000,000	310	775,000
4	Ms. Bouavanh	residential	120	620,000	74,400,000		
5	Mr. Phon	residential	30	620,000	18,600,000		
6	Mr. Kong Anou	residential	23	620,000	14,260,000		
7	Ms. Keo	residential	18	620,000	11,160,000		
8	Mr. Khamlar	residential	98	620,000	60,760,000		
9	Ms. Douangdara	residential	68	620,000	42,160,000		
10	Mr. Ki	residential	40	620,000	24,800,000		
11	Mr. Keo	residential	120	620,000	74,400,000		
12	Mr. Chanpeng	residential	30	620,000	18,600,000		
13	Mr. Saysamon	residential	22	620,000	13,640,000		
14	Mr. Kong	residential	143	620,000	88,660,000		
	Total		2,662		880,190,000		1,511,250

* 0.31kg/m2

** off-farm price 2,500 LAK/kg

No	Name	Tree	Units	Unit cost	Yield	Cost of Yield	Total Costs Trees	
				LAK	Kg	LAK	LAK	LAK
1	Mr. Ham							
2	Mr. Khampheur	Teak	30	150,000			4,500,000	
3	Ms. Bounlouay	Tamarind	4	150,000			600,000	
4	Ms. Bouavanh	Orange	1	150,000			150,000	
5	Mr. Phon							
6	Mr. Kong Anou							
7	Ms. Keo							
8	Mr. Khamlar							
9	Ms. Douangdara							
10	Mr. Ki							
11	Mr. Keo							

No	Name	Tree	Units	Unit cost	Yield	Cost of Yield	Total Costs Trees	
12	Mr. Chanpeng							
13	Mr. Saysamon							
14	Mr. Kong							
	Total		35				5,250,000	

No	Name	Structure Type	Characteristic	Quantity	Unit Cost Est.	Total Structure Costs	Total Compensation
				m2	LAK	LAK	LAK
1	Mr. Ham						135465000
2	Mr. Khampheur						83,521,250
3	Ms. Bounlouay						226,375,000
4	Ms. Bouavanh	Fence	Brick	6	500,000	3,000,000	77,550,000
5	Mr. Phon	Fence	Metal wire	20	500,000	10,000,000	28,600,000
6	Mr. Kong Anou	Fence	Brick	20	500,000	10,000,000	24,260,000
7	Ms. Keo	Fence	Bamboo	12	30,000	360,000	11,520,000
8	Mr. Khamlar						60,760,000
9	Ms. Douangdara						42,160,000
10	Mr. Ki						24,800,000
11	Mr. Keo						74,400,000
12	Mr. Chanpeng						18,600,000
13	Mr. Saysamon	Fence	Brick and Metal	15	500,000	7,500,000	21,140,000
14	Mr. Kong	Fence	Brick and Metal	60	500,000	30,000,000	118,660,000
	Total			133		60,860,000	947,811,250

2. Land Prices and list of names for the IOL

a. Nam Ngum Reservoir Access Improvements

Cost Recovery Costs:	Price in Kip
1 m2 of residential land in center of town:	240,000/m2
1 m2 of residential land at edge of town:	100,000/m2
1 m2 of rice land:	100,000/m2
1 m2 of garden land:	100,000/m2

Source: District Authorities, October 2017

Names of Affected Households Nam Ngum Reservoir

No	Name	Vulnerable	Permanent Stay	Restaurant	Only house
1	Mr. Xieng, Mrs. Ling		x		
2	Mr. Keo, Mrs. Pheng		x		x
3	Mr. Souvihak Phimmasone		x		
4	Mrs. Mo (Hangkham) Noravong	x	x		
5	Mr. Bounieow				
6	Mr. Houmpanh Phommachack		x	x	
7	Mrs. Deuane, Mr. Pe				
8	Mr. Duangdy, Mrs. Nang		x		x
9	Mr. Taeng				
10	Mr. Somchan				
11	Mr. Ouy Manivong				
12	Mr. Noun		x		
13	Mr. Sounthone, Mr. Moun				
14	Mr. Thonxien Xaypanya				
15	Mr. Keo, Mrs. Ngai				
16	Mr. Att, Mrs. Tang		x		
17	Mrs. Thongchanh				
18	Mr. Inpaeng, Mrs. Nalin				
19	Mr. Somphone				
20	Mr. Phouvieng				
21	Mr. Kham, Mrs. Khoun				
22	Mr. Soupha Chantavong				
23	Mr. Noy, Mrs. Mai				
24	Mrs. Sommaly	x	x	x	

No	Name	Vulnerable	Permanent Stay	Restaurant	Only house
25	Mr. Noy, Mrs. Tick				
26	Mrs. Bouavanh	x			
27	Mrs. Dao	x			
28	Mrs. Keo, Mr. Yong	x	x	x	
29	Mr. Bouyong				
30	Mr. Sompheng Chanthalangsy	x	x		
31	Mr. Keo Insixiangmai, Mrs. Beng		x		
32	Mr. Oon		x		
33	Mr. Sithat		x	x	
34	Mr. Noy Sothilath		x		
35	Mrs. Lourn	x	x		
36	Ms. Seng	x	x		
37	Mr. Phon		x	x	
38	Ms. Than	x	x		
39	Mr. Neo-Phon				
40	Ms. Then	x			
	Total	10	19	5	2

Source: combined IOL May '17 and Lists of Head Boat Association in November '17

People with shop only, not staying overnight

No	Name	Restaurant
1	Ms. Dao	
2	Mr. Ouy	
3	Mr. Somchan	
4	Ms. Thong Nack	x
5	Mr. Neo, Mrs. Phon	
6	Ms. Then	
7	Mr. Soukan	
8	Mr. Thongmoun	
9	Mr. Noy, Mrs. Mai	
10	Mr. Tang	
11	Ms. Van, Mr. Phon	
12	Ms. Sim	
13	Ms. Koud	
14	Ms. Chan	

No	Name	Restaurant
15	Mr. Xien	
16	Mr. Tad	
17	Ms. Oud	
18	Mr. Keongai	x
19	Mr. Lai	
20	Mr. Kham	
21	Ms. Khetmany	
22	Mr. Boun	
	Total	2

Source: Head Boat Association, November 2017

People with businesses and staying overnight in Nam Ngum

No	Name	Restaurant
1	Mr. Xieng, Mrs. Ling	
2	Mr. Keo, Mrs. Pheng	
3	Mr. Souvihack Phimmasone	
4	Mrs. Mo (Hangkham) Noravong	
5	Mr. Houmpanh Phommachack	x
6	Mr. Duangdy, Mrs. Nang	
7	Mr. Noun	
8	Mr. Att, Mrs. Tang	
9	Mrs. Sommalay	x
10	Mrs. Keo, Mr. Yong	x
11	Mr. Sompheng Chanthalangsy	
12	Mr. Keo Insixiangmai, Mrs. Beng	
13	Mr. Oon	
14	Mr. Sithat	x
15	Mr. Noy Sothilath	
16	Mrs. Lourn	
17	Ms. Seng	
18	Mr. Phon	x
19	Ms. Than	
	Total	5

Source: Head Boat Association, November 2017

People who might be vendors but are not currently in the IOL*

No	Names	Restaurant
1	Mr. Soukan	
2	Mr. Tongmoun	
3	Ms. Van, Mr. Phon	
4	Ms. Sim	
5	Ms. Koud	
6	Ms. Chan	
7	Mr. Tad	
8	Ms. Oud	
9	Mr. Lai	
10	Ms. Ketmany	
11	Ms. Thongnack	x

Source: Head Boat Association, November 2017

* People on list of Head Boat Association but not in previous IOL and People who are on the previous IOL but not on the list of the Head of Boat Association: during project preparation it has to be clarified who is currently there as vendors come and go.

b. Western Loop Rural Access Roads and Bridge Improvements

Cost Recovery Costs:	Price in Kip
1 m2 of residential land in center of town:	720,000/m2
1 m2 of residential land at edge of town:	620,000/m2
1 m2 of residential land at riverside opposite center	830,000/m2 (100 \$)
1 m2 of rice land:	225,000/m2
1 m2 of garden land:	225,000/m2

Source: District Authorities, October 2017

Annex 2: Sample Project Implementation Booklet

Second GMS Tourism Infrastructure for Inclusive Growth Project Project Information Booklet (PIB)

1. What is the Project?

The proposed project will improve urban-rural transport infrastructure, urban environmental services, strengthen capacity to implement regional tourism standards, and strengthen tourism destination management in Cambodia, the Lao PDR and Viet Nam (CLV). The project will build on the ongoing GMS Tourism Infrastructure for Inclusive Growth Project, implemented in Cambodia, the Lao PDR, and Viet Nam (2014–2019).

The expected impact is sustainable, inclusive, and more balanced tourism development, as envisaged in the ASEAN Tourism Strategic Plan 2016–2025. The expected outcome is to increase the tourism competitiveness of secondary towns in Cambodia, Lao PDR and Viet Nam. Outputs include: (i) urban-rural access infrastructure and urban environmental services improved, (ii) capacity to implement ASEAN tourism standards strengthened, and (iii) institutional arrangements for tourism destination management and infrastructure operations and maintenance (O&M) is strengthened.

In Lao PDR, the project will work in Vang Vieng and Champasak Province. In Vang Vieng Province there will be 5 subprojects.

2. What are the features of the five (5) subprojects in Vang Vieng Province?

2.1 Nam Ngum Reservoir Access Improvements:

The subproject will work on (i) improving the existing public marina to safely accommodate 50-60 local tour boats and launch small recreational vessels, e.g. kayaks and sailboats; (ii) construct a 5.9 km, 6m wide loop road linked to National Road 10 to DBST paving, and 1,200 m² parking area; (iii) redevelop unsanitary and poorly constructed market stalls into a new 3,200 m² public market that incorporates traditional Lao architectural design; (iv) install septic tanks in all public buildings and a wastewater pump-out station/holding tank at the marina; (v) replace abandoned, unsafe public buildings and piers with new public green space; and (vi) renovate the tourist information center. The subproject will supply electric vehicles for transfers from the parking area to the marina, to be operated under a private management contract.

2.2 Kaeng Yui Waterfall Access Improvements

The subproject will (i) upgrade the 6-km waterfall access road to concrete pavement, with a 6m carriageway and drainage; (ii) level and pave the 875 m² parking area with gravel; (iii) improve surfacing and drainage in the waterfall market area; and (iv) improve 300m footpaths, including rehabilitation of steps, small suspension bridges, and signage.

2.3 Western Loop Rural Access Roads and Bridge Improvements

The subproject will (i) upgrade the 26 km “Western Loop Road” to DBST paving, with 6m carriageway and drainage in village areas; (ii) construct a new 2-lane 80m road bridge across the Xong River, with 2.9 km concrete feeder road connecting it to the Western Loop Road and

national road 13N; and (iii) provide bio-engineered river bank protection and improve the 1,100m footpath/cycle track between the new bridge and Huay Yae village.

2.4 Vang Vieng Urban Renewal

The subproject will work on (i) rehabilitating 4.0 km of footpaths with suitable surfaces, street lighting, seating and soft landscaping; (ii) installing traffic calming measures in streets with high concentrations of tourists; (iii) improving traffic management, including one-way traffic flows and shared surface concepts (1.5 km); and (iv) resurfacing roads and improving drains in residential areas (0.98 km).

2.5 Vang Vieng Solid Waste Management Improvements.

Subproject components include: (i) preparatory earthworks and installation of a perimeter runoff interceptor drainage system; (ii) construction of an impermeable liner, leachate collection/treatment system, and a landfill gas recovery system; (iii) construction of a small materials recovery facility for waste separation and recycling; (iv) construction of a medical waste treatment area; (v) construction of a septage treatment facility (0.5 ha); and (vi) construction of site office, toilets, and fencing. The landfill access road (0.8 km) will be paved with concrete (6m carriageway and verges) to accommodate collection trucks and other vehicles. On-site equipment will include 3 new 10 cubic meter collection trucks, bulldozer, and two vacuum trucks to support septage collection. Sanitation and waste management awareness programs will be supported under output 3 capacity building programs.

3. Who are eligible for entitlements?

All affected people, households, and institutions/organizations that have affected assets previously to the **cut-off date** are eligible to be compensated and assisted under the project. The cut-off date coincides with the completion of the period the census of affected persons (regardless of tenure status) and the inventory of losses (IOL). This is 13 July for Nam Ngum and 5 August for Western Loop subprojects. These are the only subprojects where resettlement impacts are expected. The information in the IOL and Census will be validated and updated later during the detailed measurement survey (DMS) at project implementation time when this Resettlement Plan (RP) will be updated. Persons not covered in the census are not eligible for compensation and other entitlements, unless they can show proof that (i) they have been inadvertently missed out during the census and the IOL; or (ii) they have been included among the affected due to changes in project design.

4. What legal documents will prove eligibility?

Eligibility is proven by legal documents such as land titles, business permits from district authorities, property tax and other taxes paid to government authorities amongst others.

5. How much should we be compensated for lost assets due to resettlement? What is the legal basis for entitlement for compensation of lost assets?

Compensation costs and payments are legally guided by the laws and decrees of the Government of the Lao People's Democratic Republic (PDR) and Asian Development Bank's (ADB's) policies. These policies include ADB's Safeguard Policy Statement (SPS) 2009 (updated 2012) and the Lao Government's laws and regulations related to land and resettlement, including Decree 192 with latest amendments to some articles of the law related to

compensation and the Technical Guidelines for Compensation and Resettlement issued in March 2010. Land compensation will be based on prevailing current market values per land type/classification based on results of replacement cost survey (RCS) done during RP updating among others.

6. When is the cut-off date for eligibility?

The cut-off date is the final day of the Inventory of Losses (IOL) in each subproject. In the subproject areas this is 13 July for Nam Ngum and 5 August for Western Loop subprojects. These are the only subprojects where resettlement impacts are expected. After cut-off date, all assets newly constructed, planted and acquired will not be eligible for compensation.

7. If we have complaints where and to whom should be send these?

A grievance redress mechanism will be in place that starts at village level through the village grievance committee where complaints are lodged and resolved. If not resolved, or when an Affected Household is still dissatisfied, the complaint will go to the District Grievance Committee which will act to resolve complaint; if not acted upon or when AH is not satisfied with the decision, then the complaint is lodged with the Provincial Grievance Committee for resolution. If not acted upon by the province or if AH is still dissatisfied, the complaint will be litigated at the proper local court that will act on the complaint. If the court rules in favor of the AH, then the executing agency (EA) which is MICT or its PMU, DICT, will pay the compensation amount set by the court, but if court rules in favor of the EA/PMU, then the approved amount set by EA will be paid to complainant. In any case, the EA is responsible for paying the legal fees in this process.

8. Institutional Arrangements

The Ministry of Information, Culture and Tourism is the project Owner and Executing Agency (EA). The Tourism Development Department is the EA's Project Coordination Unit (PCU); and secretariat to the NSPC: The National Project Steering Committee (NPSC) will be established and chaired by the Minister or the Vice-Minister and its members will include representatives from the Ministry of Planning and Investment (MPI), MONRE, Lao Women's Union and Vice-Governors of the project participating provinces. The NSPC is the policy-making body of the project.

The MICT's Tourism Development Department (TDD) will be the Project Coordination Unit that will act as NPSC's secretariat and will be tasked with over-all coordination of the project-wide day-to-day implementation as well as liaisons with ADB and other project partners. A Provincial Project Steering Committee (PPSC) will be established and shall be chaired by a Vice-Governor. The PIU will be the secretariat to the PPSC.

The Project Implementing Units (PIUs) in Vientiane Province will be the District Information, Culture and Tourist Office (DICT) and District Public Works and Transport (DPWT). So, there will be two PIUs in Vientiane Province: one PIU embedded in DICT to oversee Nam Ngum Reservoir Access Improvements with the support from Vientiane DPWT as needed while the other PIU will be embedded in Vang Vieng's Urban Development Administration Agency which will be responsible for implementing the infrastructure works in Vang Vieng on all 4 subprojects with members from Vang Vieng Office of Public Works and Transport and Office of Information, Culture and Tourism.

If you want any information, contact the PIU in the DICT or DPWT.

Annex 3: Sex and Ethnic Disaggregated Participants' Attendance to the Public Consultation Meetings

Name of Subproject: Nam Ngum Reservoir Access Improvements

Commune: Sengsavang District: Keo Oudom

Province: Vientiane Province

Date and Time of Conduct: 12 July 15: 30 - 5:00 pm

Name of Participant	Gender		Ethnicity		Signature
	Male	Female	Ethnic Group	Non- Tai-Kadai Group	
Mr. Somphou	M		Taidam		1
Mrs. Took		F	Taidam		2
Mr. Khamxay	M		Khmu	Khmu	3
Mr. Sompeng	M		Iu Mien	Iu Mien	4
Mr. Xieng	M		Khmu		5
Mr. Xou	M		Khmu		6
Mr. Yod	M		Taidam		7
Mr. Peng	M		Taidam		8
Mr. Pang	M		Taidam		9
Mr. Tong	M		Taidam		10
Mr. Larkhoun	M		Taidam		11
Mr. Anoukon	M		Lao		12
Mr. Keoln Sysiengmai	M		Lao		13

Khmu: 3 HH (5, 3 and 4 ps); Iu Mien have 1 HH. (4 Ps) Tai Dam have 7 HH:

1. Mr. Sompou: 9 Ps; 2. Mr. Peng: 5 Ps; 3. Mrs. Took: 2 Ps; 4. Mr. Yod: 4 Ps;

5. Mr. Larkoun = 6 Ps; 6. Mr. Tong: 5 Ps 7. Mr. Pang: 5 Ps

Name of Subproject: Nam Ngum Reservoir Access Improvements

Village: Sengsavang District: Keo Oudom

Province: Vientiane Province

Date and Time of Meeting: 13 July 8:30 - 12:00 am

Place of Meeting: Tourism Information Center Hall

Name of Participant	Gender		Ethnicity		Phone
	M	F	Ethnic Group	Other than Tai-Kadai Group	
Mr. Bounyong	M		Lao		020 58672575
Mr. Souvanna Pagoxay	M		Lao		020 29983575
Mr. Bounma	M		Lao		030 5689072
Mr. Souvannavong	M		Lao		020 54685944
Mr. Vilack	M		Lao		030 54074773
Mr. Noytick	M		Lao		020 55037444
Mr. Khoean	M		Lao		020 55040883
Mrs. Touk (Lao seafood)		F	Lao		020 55777262
Mr. On	M		Lao		020 55121670
Mr. Ouymanivong	M		Lao		030 5312249
Mr. Yod Vannasith	M		Lao		030 9903963
Mrs. Viengnai		F	Lao		020 55662836

Name of Participant	Gender		Ethnicity		Phone
	M	F	Ethnic Group	Other than Tai-Kadai Group	
(Noymai)					
Mrs. Nangde		F	Lao		020 55419471
Mrs. Ketmany (Moui)		F	Lao		020 22254896
Mr. Houmpeng	M		Lao		96214781
Mr. Touxieng	M		Lao		030 5242123
Mr. Houmpan Pommajack	M		Lao		020 55518012
Mr. Hongtong Singhakam	M		Lao		
Mr. Keongai	M		Lao		
Mr. Tadtong	M		Lao		
Mr. Thong (Daunedao)	M		Lao		
Mr. Xieng	M		Lao		
Mr. Keo Insixiangmai	M		Lao		020 55624753
Mr. Keo Pomlamchit	M		Lao		020 58090781
Mrs. Simmaly		F	Lao		
Mrs. Thang		F	Lao		
Mrs. Lamnguen		F	Lao		
Mrs. Lare		F	Lao		
Mrs. Pinkham		F	Lao		
Mr. Linthong	M		Lao		
Mrs. Mo		F	Lao		
Mr. Souli	M		Lao		
Mr. Phouvieng	M		Lao		
Mrs. Tongchanh		F	Lao		
Mr. Larkhoun	M		Tai Dam		
Mr. Anoukon	M		Lao		
Mrs. Thane		F	Lao		
Mrs. Pape		F	Lao		
Mrs. Boun		F	Lao		
Mrs. Tang		F	Lao		
Mrs. Mo (B)		F	Lao		
Mr. Vanh		F	Lao		
Mr. Taeng	M		Lao		
Mr. Kamxay	M		Lao		
Mrs. Manivanh		F	Lao		
Mrs. Tounoy		F	Lao		
Mrs. Nalin		F	Lao		
Mrs. Song		F	Lao		
Mrs. Thongmon		F	Lao		
Mrs. Noy		F	Khmu	Khmu	

Name of Participant	Gender		Ethnicity		Phone
	M	F	Ethnic Group	Other than Tai-Kadai Group	
Mrs. Soy		F	Khmu	Khmu	
Mrs. Seng		F	Khmu	Khmu	
Mrs. Kham		F	Khmu	Khmu	
Mrs. Pang		F	Lao		
Mr. Bounpon	M		Lao		
Mr. Khammon	M		Lao		
Mrs. Doangmany		F	Lao		
Mr. Sompeth	M		Lao		
Mr. Thongkam	M		Lao		
Mrs. Nad		F	Lao		
Mr. Somchanh	M		Lao		
Mrs. Lai		F	Lao		

Name of Subproject: Kaeng Yui Waterfall Access Improvements
Village: Nadouang District: Vang Vieng
Province: Vientiane Province
Date and Time of Meeting: 10 July 9:30 - 12 pm
Place of Meeting: Nadouang Village hall

Name of Participant	Gender		Ethnicity	
	Male	Female	Ethnic Group	Other than Tai-Kadai Group
Mr. Seng Dao Vongphachan	M		Lao	
Mrs. Singthong Pommabath		F	Lao	
Mrs. Noydavanh Kounpasith		F	Lao	
Mrs. Thongmy		F	Lao	
Mrs. Viengkam Manivong		F	Lao	
Mr. Bounmy Pommavongsa	M		Lao	
Mr. Boualy Lattapeng	M		Lao	
Mr. Khammy Puttavong			Lao	
Mr. Xaypiasong	M		Khmu	Khmu
Mr. Paolor	M		Khmu	Khmu
Mr. Suely	M		Khmu	Khmu
Mr. Tenglor	M		Khmu	Khmu

Name of Subproject: Western Loop Rural Access and bridge Improvements

Village: Houay Sangoa

District: Vang Vieng

Province: Vientiane Province

Date and Time of Meeting: 10 July 9:30 - 12 pm

Place of Meeting: Houay Sangoa Village hall

Name of Participant	Gender		Ethnicity		Phone
	Male	Female	Ethnic Group	Other than Tai-Kadai Group	
Mr. Khamnam Phimmason	M		Lao		020 55623348
Mr. Linthong Bolom	M		Lao		020 55291855
Mr. Syphan Phommajack	M		Lao		020 56665761
Mr. Chantavixay Louanxay	M		Lao		02098403030
Mrs. Khamphaiy		F			020 55141508
Mrs. Chanpeng Udom		F	Lao		02097710170
Mrs. Khambang		F	Lao		0205909396
Mr. Phouvong	M		Lao		02054333243
Mr. Thongmy	M		Lao		03056750900
Mr. Ki	M		Lao		02058693358
Mrs. Ngern		F	Lao		02098098880
Mr. Somboun	M		Lao		02091314414
Mr. Khamkieng Onvongsa	M		Lao		
Mr. Kensouk Kounpakdy	M		Lao		
Mrs. Kambang		F	Lao		020 55929396
Mrs. Kamkieng		F	Lao		020 56539333
Mr. Syphan	M		Lao		
Mr. Xaypon	M		Lao		020 54566199
Mr. Puthason			Lao		99898887
Mr. Hadsady Khounsy		F	La		020 55605119
Mr. Sisompou Pimmoung	M		Lao		020 22408431
Mr. Bounmy Pommavongsa	M		Lao		020 55326510
Mr. Boualy Milattanapeng	M		Lao		

Name of Subproject: Western Loop Rural Access and bridge Improvements

Village: Houay Sangoa

District: Vang Vieng

Province: Vientiane Province

Date and Time of Meeting: 10 July 9: 30 - 12 pm

Place of Meeting: Nadouang Village hall

Name of AP	Type of Land	Gender		Ethnic Group	Village
		Male	Female		
Mrs. Peng	Garden		F	Lao	Phonpeng

Name of AP	Type of Land	Gender		Ethnic Group	Village
		Male	Female		
Mrs. Mon	Agricultural		F	Lao	Vang Vieng
Mr. Intong	Agricultural	M		Lao	VangVieng
Mr. Kensouk	Agricultural	M		Lao	Savang
Mr. Xiengbouasy	Agricultural	M		Lao	VangVieng
Mr. Kamnam	Agricultural	M		Lao	Savang
Mr. Peng Oudom	Agricultural	M		Lao	Savang
Mr. Intong	Agricultural	M		Lao	Vang Vieng
Mr. Ki	Agricultural	M		Lao	Viengkeo
Mrs.Kambang (Xiengpo)	Agricultural		F	Lao	Houay Sangoa
Mrs. Kammong	Agricultural		F	Lao	Savang
Mrs. Nguen	Agricultural		F	Lao	Savang
Mr. Xiengthongmy	Agricultural	M		Lao	Savang
Mr. Bouathong	Agricultural	M		Lao	Savang
Mr. Somphanh	Agricultural	M		Lao	Savang
Mr. Pouvong	Agricultural	M		Lao	Vang Vieng
Mr. Onoudom	Agricultural	M		Lao	Moung Xong
Mrs. Tuptim			F	Lao	Vientiane Capital
Mrs. Vanchith			F	Lao	Vientiane Capital
Mr. Tone		M		Lao	Vientiane Capital

List of people met in Vang Vieng Bridge and Access Road 15/12/ 2017

No	Name	Sex	Ethnic	Position	Organization
1	Mr. Sysomphou Phimmouang	Male	Lao	Chief OPWT	OPWT
2	Mr. Olar Soummalavanh	Male	Lao	Dep Vil Chief	Mouang Xong village
3	Mr. Bounpaseth Chantalangsy	Male	Lao	Dep Office Cabinet	Vang Vieng District Office
4	Mr. Phouvieng Sykaison	Male	Lao	Dep OICT	OICT
5	Mr. Mon Khounphom	Male	Lao	Chief Village	Huay Yae Village
6	Mr. Somboun Senghongchanthon	Male	Lao	Technical Staff	OPWT

Public consultation meeting with AP at B. Houay Yae on 16/12/2017

No	Name	Sex	Ethnic	Position	Village
1	Mr. Mon Khounphom	Male	Lao	Chief Village	Huay Yae
2	Mr. Saysamon Souvannasy	Male	Lao	Deputy Village	Huay Yae
3	Mr. Kong Anou	Male	Lao	Villager	Huay Yae
4	Mr. Khamlar Phommavongsa	Male	Lao	Villager	Huay Yae
5	Mr. Keo	Male	Khmu	Villager	Huay Yae
6	Mr. Ham	Male	Lao	Villager	Mouang Xong
7	Mr. Phon Invongxay	Male	Lao	Villager	Huay Yae
8	Ms. Bouavanh Phousy	Female	Lao	Villager	Huay Yae
9	Mr. Khamphou	Male	Lao	Villager	Vang Vieng
10	Ms. Bounlouay	Female	Lao	Villager	Vang Vieng

Name of Subproject: Kaeng Yui Waterfall Access Improvements

Village: Nadouang

District: Vang Vieng

Province: Vientiane Province

Date and Time of Meeting: 2 November Afternoon

Place of Meeting: Nadouang Village hall

No	Name of participants	Village	Position	Gender	Ethnicity
1	Mr. Sengdao Vongphachan	B. Nadouang	Head	M	Lao
1	Mr. Sengdao Vongphachan	B. Nadouang	Head	M	Lao
2	Mr. Phaiy Philavong	B. Nadouang	Elder	M	Lao
3	Mr. Noukeo Vongsakham	B. Nadouang	Villager	M	Khmu
4	Mr. Thavon Vilaykham		Deputy	M	Khmu
5	Mr. Noukai		Villager	M	Lao
6	Mr. Khamchan		Villager	M	Taidam
7	Mrs. Kongpang Phatabouth		Villager	F	Lao
8	Mr. Aloun		Villager	M	Lao
9	Mrs. Singthong		Deputy	F	Lao
10	Mr. Bounlum Khamvilay		Pension	M	Kmu
11	Mr. Bounnam Keothonglay		Elder	M	Kmu
12	Mr. Sithon Oulounthong		Elder	M	Kmu
13	Mr. Boun Khanbouakeo		Villager	M	Kmu
14	Mr. Phom		Villager	M	Kmu
15	Mr. Pai Chanthanam		Villager	M	Kmu
16	Mr. Phoueng		Villager	M	Taidam
17	Mr. Khamlar		Villager	M	Taidam
18	Mr. Touydeng		Villager	M	Taidam
19	Mr. Noutiar		Villager	M	Taidam
20	Mr. Mr. PangTou		Villager	M	Taidam
21	Mrs. Sien		Villager	F	Kmu
22	Mrs. Deng		Villager	F	Kmu
23	Mr. Phao		Villager	M	Kmu
24	Mrs. Chanh		Villager	F	Taidam
25	Mr. Pangkou		Villager	M	Taidam

Name of Subproject: Western Loop Rural Access and bridge Improvements
 Village: Nathong District: Vang Vieng
 Province: Vientiane Province
 Date and Time of Meeting: 2 November Morning
 Place of Meeting: Nathong Village hall

No	Name of participants	Village	Position	Gender	Ethnicity
1	Mr. Thongdam Phimmason	B. Nathong	Deputy	M	Lao
2	Mr. Sith Bounkham	B. Namouang	Head	M	Lao
3	Mr. Vangly Souycher	B. Nasom	Head	M	Hmong
4	Mr. Vanphon Vilaphan	B. Phonxay	Head	M	Lao
5	Mr. Khan Taiyavong	B. Nalongkouang	Head	M	Lao
6	Mr. Bounseng	B. Nakhoun	Deputy	M	Lao
7	Mr. Phon Outhai	B. Nampair	Deputy	M	Lao
8	Mr. Khotamy Syborliban	ICT	Technical	M	Lao
9	Mrs. Sengthong Keobounmy	B. Phonkham	Deputy	F	Lao
10	Mr. Somsanith	B. Naxai	Head	M	Lao
11	Mr. Chanti	B. Phathong	Deputy	M	Lao
12	Mr. Yonglyli	B. Phonnguen	Head	M	Hmong

PPTA Fact Finding 13-14 November 2017

Sub-Project	Women	Men	Total	Ethnic
Nam Ngum	13	11	24	Lao; 1 lo Mien woman
Kaeng Yui Waterfall vendors	4	0	4	Khmu
Nadouang (Waterfall management)	9	8	17	Lao
Solid Waste Land Fill	11	2	13	Khmu

Annex 4: Minutes of Public Consultations (3 Subprojects)

Public Consultations were conducted in Nam Ngum Reservoir Access Improvements, Tad Kaeng Yui Waterfall Access Improvements and Western Loop Rural Access Roads and Bridge Improvements Subprojects on 10, 11 and 13 July 2017. The activities gathered together and total number of 94 participants whose assets will be affected due to the foreseen infrastructure improvements. In terms of gender, 52 were men and 42 women and as to ethnicity, 89 were Lao and 5 were Ethnic Minority comprised of 4 Khmu and 1 Tai Dam. The public consultations aimed to inform affected households and persons on the following:

- Project Descriptions and detailed discussions on the subprojects' features;
- Legal and Policy Framework on Land Acquisition and Resettlement of the Lao Government and ADB's Safeguards Policies;
- Eligibility and Entitlements including Compensation;
- Discussion on the IOL process and Socioeconomic surveys of AHs/APs
- Grievance Redress Mechanism;
- Cut-off Date for eligibility and entitlement;
- Institutional Arrangements

Highlights of Public Consultation

The PPTA team facilitated the public consultation meetings in 3 subprojects where initially, they presented the objectives and outputs of the public consultation and discussed all the topics mentioned above. After the presentation and discussions of all the topics, an open forum took place where AHs expressed some of their issues and concerns to be clarified. The following are those issues they raised and proposals to address issues as follows:

Nam Ngum Reservoir:

- The AHs whose houses along the proposed walkway to the marina will be permanently dismantled expressed their concern over the features of the relocation site which they suggest that these should have basic features like access roads to district center and to Ban Thalath, power and water supply; also, solid waste and sanitation facilities. In response, the issue on relocation is not a concern of the project but the DPC of Keo Oudom since only shops along the proposed walkway will be temporarily relocated to a nearby site during construction and shop owners who participated in the SES will be prioritized to occupy the shops to be built at the site of old fisheries building that will be demolished to give way for the new tourist shops.
- Furthermore, they suggest that compensation for structures to be dismantled and temporary income losses will be paid earlier so that they will have cash when during the actual dismantling and temporary relocation. Also, inform the AHs early so that they can have enough time to prepare for the demolition and temporary relocation.
- Affected shop owners proposed that the project will move them to a temporary relocation site near the former site so that they can continue their tourism business.
- For boat owners and drivers, they suggest that the project will put up a temporary

mooring place and pier so that they can continue their boating and transport services to tourists.

- AHs proposed that there should be regular meetings so that they are constantly aware of the status of resettlement activities during project implementation.
- They signified their willingness to do unskilled work during construction so that they can earn extra income.
- All participants unanimously agree to actively participate in all project-related activities during implementation phase.

Kaeng Yui Waterfall

The concerns raised are the following:

- 21 women sellers request that the location of the temporary relocation site of their stalls must be near the old site where construction will be implemented so that they can continue doing food selling to tourists;
- They also request that they will be prioritized for occupancy of the new stalls built;
- They request the project give them enough time to prepare for the temporary relocation;
- They request that construction will be implemented during low season when few tourists visit the waterfall (May-September);
- Construction works must not contribute to environmental degradation of the waterfall site, such as dirty water flowing from the falls to the downstream areas where the subproject site is located;
- Contractors to put safety signages so that tourists and other people visiting the area will not be injured due to the construction activities.

When asked about their participation during project implementation, they agreed to attend all consultation meetings during design and construction stage. Also some are willing to work as unskilled workers and to be members of the Community Tourism Group. They hoped that the project will soon start. They were informed about the project implementation cycle phases and the likely start of the project in last quarter of 2018.

Western Loop Rural Access Roads and Bridge Improvements

The 15 AHs who participated in the public consultation raised the following concerns and recommendations on subproject design and resettlement.

The AHs who participated in the public consultation raised the following concerns and recommendations on subproject design and resettlement.

- Project design must ensure that small portions of lands will be acquired so that they are still able to continue farming;
- Compensation amounts for lands acquired must be based on actual current market values of residential and agricultural lands so that it will be good for us and government as well;
- Land tenants must also be involved during consultations so that they can give correct and adequate information to their land owners who are not residing in subproject areas;

- AHs must be notified early when construction starts so that they will not plant rice and other crops;
- AHs must join the PIUs during the detailed measurement survey so that they will know and accept the correct measurements on affected portions of their land;
- Compensation payment must be paid in a timely manner and all transactions between AHs and project staff must be documented;
- If there are complaints, project authorities must act and resolve these immediately so that there will be no delays in compensation.

At the end of the public consultation, all AHs expressed their willingness to participate and cooperate with the project because they believe that when rural roads are built and the bridge will be constructed, the travel time to Vang Vieng town center will be shorter, their local products will not be sold to middlemen anymore, but directly to the market where they can command a good price; women and children will have good access to the market, schools and other leisure facilities at Vang Vieng town center but more importantly, they can put up tourist shops along the newly-built road and the 26 km road to be rehabilitated. Tourism will increase and result in increased household income.

All consultation meetings lasted about 2 hours. After the public consultations the socioeconomic survey was administered by the National Social Development Specialist and IOL was conducted by the National Resettlement Specialist, assisted by the DICT staffs and the village LFNC coordinator.

Prepared by:

Phongsith Davading

National Tourism Planner/Institutional Development Specialist

Kanda Keosopha

National Resettlement Specialist

Focus Group Discussion with Ethnic Groups at Kaeng Yui Waterfall, 2 November 2017
Perception of Participants:

Q1. How will the project benefit you?

Answers

- Mr. Sangdao/ Villager. After road finish construction it is mean good road, and will have more tourist coming, and would be selling things more and people get more income.
- Mr. Noukeo, Villagers from Nadouang very happy and for the advantage from road it is can go very comfortable for people and student go to school.
- Mr. Bounnam, villager. After road finish construction very get advantage for people, they are can go easy to other village or easy to go between village to village and to the rice field. students and governments staffs easy to go to school and to work. and after project finish in Tad Kaeng Yui area have more shop selling food and widen parking lot, comfortable for tourist to come visit water fall.

Q2. What kind of disadvantages do you expect?

Answer: None.

Q3. What would you need from the project?

Answer:

- Need project help training about road maintenance along the road from village to Water fall.
- Need garbage truck to carry out rubbish from Ban. Nadouang and Water fall area to landfill

Q4. How would you like to be involved in the project activities?

Answer:

- Village Authorities and villagers will facilitate implementation construction and will advise people to understand about temporally impact on income or some assets will be lost.

-will be involved to solve any problem during implementation construction project.

Q5. For the land of the newly proposed parking lot:

a. do they know where it is

Answer: Yes, in front of the water fall area, the total area of the land about 1 ha

b. who does that land belong to?

Answer: Village land or Public village land

c. what is it being used for currently,

Answer: Parking lot, Public toilet and selling ticket.

d. are crops/trees being grown on it?

Answer: No, trees are natural.

Field Trip Findings 13-14 Nov '17

Purpose: Resettlement Due Diligence

Mission participants:

Melody Ovenden
Rik Ponne
Kanda Keosopha
Hermien Rodenburg

Dates:

13-14 Nov '17

Meetings (Brief and De-brief):

Head of Provincial Tourism
Head of OPW Vang Vieng
Head of OPW Vang Vieng
Head of UDAA
Dep Head of UDAA
Head of Vendor Group Nam Ngum

Consultations:

Sub-Project	Women	Men	Total	Ethnic
Nam Ngum	13	11	24	Lao; 1 lo Mien woman
Kaeng Yui Waterfall vendors	4	0	4	Khmu
Nadouang (Waterfall management)	9	8	17	Lao
Solid Waste Land Fill	11	2	13	Khmu

Findings:

Nam Ngum subproject

1. The new access road did not present any issues in terms of resettlement.
2. The parking lot can be in an area that can be expanded as needed under the new electricity power line.
3. The access road to Keo Oudom landfill will not be part of the project as it is in a protected area.
4. The FG discussion about plans for the river front had 7 non-vendors participating, the rest of the 24 persons (17) were vendors. When asked who also lived in their shop, 20 ps raised their hand but when observing and interviewing some of the shop keepers, it seems more like there are 8 to 12 HH living on site from whom most of them have no other house. Most of them come from other areas and the islands and found a good place to stay here some more than 10 years ago. Although it is all government land, they were permitted to rent the space on the riverfront for very low fees reflecting the dilapidated state of the buildings and facilities. Therefore, the monthly fees for house rent are only between 320,000 Lao kip/per year to 800,000 Lao kip/year (for the larger places such as restaurants). If moved to the resettlement site in Ban Sompakeo, a village in

Zone 1, a zone of 34,790m² that currently has 30 HH. There would be enough place for 8 to 15 houses and a new market for sellers to local people. These vendors cater to the local population from the islands, not to the tourists. They said that if there were no big restaurants, there would not be so many tourists.

The participants mentioned:

- That they want to know how much a market stall at the new market will cost and how much they will have to pay for a new house at the resettlement site
- They would like to ask the District to not allow others to come into the new market place (referring to the market place at the place of the fishery storage hall and to the location where their shops are now).
- In principle, they did not mind separate living and selling space, but they expressed their concern that it might become very expensive, prohibitively to living and working in that area. To have the new market for the local people in Zone 1, would be good for them as the boats of the people from the islands land nearby.

The District explained that:

1. After the whole riverfront has been upgraded, the District must re-classify the zones and the rents will depend on that. It may not be the same as current because the whole area will be upgraded. Currently, the Office of Tourism is waiting for the Provincial Government to give the right to the Office of Tourism to set the rents in the Zones. After the permission they can identify who needs what and who can stay where.
2. Zone 3 and 4 might be good for Homestay. Currently, there are no houses there.

Solid Waste Management Improvements, Vang Vieng

1. No resettlement issues as the waste pickers all live in the nearby village and not on site. The participants in the FDG mentioned that they could earn an average of about 10,000 Lao kip/day. They would work 6 days/week and take Sunday off. Their children would come to help on Saturday. Their husbands work in the nearby cement factory.
2. It seems to be more and more difficult to make money in recycling as a lot of it is done by the personnel of the big hotels and businesses already so that recycling items don't make it to the waste site.
3. Currently, the waste pickers wear gloves, masks and rubber boots but their children do not.

Kaeng Yui Waterfall subproject, Vang Vieng

The 15 vendors who run the eateries and sale of small tourist goods work on rotation. Every group of vendors gets to manage the site and sell their goods for one year. Around half out of the 183 families in Nadouang participate in this, so every 6 years they get their turn.

The waterfall has water for around 5 months a year, from July through December. The vendors can make around 1 million kip/month up to 6.5 million kip/month, depending on the type of food they sell and the goods they bring. The current group consists of 15 Khmu women and 1 Lao. They have a very simple selection of food and are just starting to realize the opportunities. The village chief said it was their first time and that the years before there was a more varied offering of food and goods resulting in higher incomes.

The women mentioned their preferences for the following improvements:

- drainage system of the kitchen area
- permanent structures to replace the wooden structures that are erected newly

- every year
- the kitchen structure could be improved and made more beautiful
- electricity (this could be either solar or a short extension from the main power grid)
- the parking lot near the recreation area should be improved
- the stairs to the waterfall are too high and need amendment
- if possible, they would like to see that the waterfall has water year around
- they would like to make it more beautiful, for example by planting flowers
- they also would like to have a swimming area

As there is no relocation of houses or businesses and there will hardly be any disruption of business (because cooking and food preparation is mobile and can be set up anywhere outside the area where improvements are being made), there are no resettlement impacts in the waterfall area.

The planned parking lot is on community land. It is already designated as parking lot and a previous project already built a ticket booth and a toilet. There is no additional land required.

The 6m wide access road will follow the existing alignment. From the village Nadouang to the Waterfall, there might be some minor land acquisitions if any at all. During DMS this will be further determined. From Nadouang to the main route, the road will pass some businesses in Ban Phonpheng (4 soup shops, 1 mini-market, 1 guesthouse, 1 small shop, 1 tourist office) and at the junction with the main road, with Ban Phonpheng on one side and Ban Vang Vieng on the other side, there are some other businesses (2 soup shops, 3 small shops, 1 larger shop) and 15 houses. The road will be concrete, and the right and left lane will be laid separately so the traffic can continue in one lane. As the shops and houses are quite well distanced from the road, no loss of business is foreseen.

Western Loop and Bridge subproject

Option 1: North of VV town, resettlement impacts:

- Access road to bridge has 2 affected HH:
 - One from the newly built massage hall on the corner of the road that will have to remove 3.50 m of the front part of the building to allow for safe travel at the corner. The hall was built by a Korean man on the name of a Lao person (Suthida). It is clearly built onto the RoW (20 m from center of road). The owner of the land is Mr. Mai. There will be no compensation costs as the hall is in RoW and built after the cut-off date.
 - One household who owns large plot of land near the river that is already cleared and ready for construction of a building (probably a hotel). It will be expensive with a price of \$400/m². However, the OPWT staff said that the owner would be willing to donate the land (although this is not allowed under ADB policy and the DMS must determine how much land is at stake)
- There are 12 land owners on the other side of the river whose land would be needed. 4 of them own rice land, the others garden land. There might be a few others who rent the land for rice production. Some of the rice growers might be Hmong as there are many Hmong living on the road to the Western Loop.
- With land costs for rice and garden land at around \$25/m², and a road of 2.3 km x 6 m wide, the costs would be around \$375,000 for land (not including loss of income, transition and vulnerability allowances). If only the land of the rice

producers would be at stake, it would be around \$85,000.

Option 2: South of VV town, resettlement impacts:

Land on town side of the new bridge is land designated for OPWT following the Master Plan for Vang Vieng that proposes the road and bridge to the Western Loop here.

Lengths of road: 2 km (including 340 on town side of river with 100m going through an existing road and 240 m going through shrub land handed over to OPWT). Land on the other side of the river includes 200m is going through rice fields. With a price of \$25/m², the costs for the land on this side would be only \$110,250 if all land is privately owned and if not crossing construction land. If it would cross the cleared land on the other side of the river, that land would have to be bought for around \$100/m². It belongs to Mr. Sant from Vientiane. Before it was a rice field. It would be at most 75 m with a cost of \$120,000 (total would then be \$230,250). This is still a lot less than the total costs for Option 1.

The road through the Western Loop that will be upgraded will remain within the existing 6 m alignment. Along the full length of the 26km road, there were only 10 to 15 teak trees that were planted in the RoW that would be at risk and might have to be harvested before road construction.

Urban renewal subproject

The widening of footpaths will create better conditions for walking around the town. The expansion will be done towards the road side, so it will not acquire land. There might be minor disturbances to business during construction. It is apparent that there should be better management of the use of the footpaths as it is blocked by garbage, construction materials, cars and mobile vendors. The project could support the UDAA to find solutions in consultation with the owners of restaurants, hotels, shops and vendors on how to keep the footpaths open and clean. It would also help if the project could support the UDAA in finding solutions for the cars in which tourists are picked up in the morning to go on a tour as they are currently parking on the curve of the roads throughout town. Spaces where these cars could park and where tourists could gather and wait before leaving, could be found and designed.

To be addressed in RP and IPP:

Nam Ngum Subproject

1. Parking lot:

There should be proof of an agreement with EDL Lao that the land under the power transmission line can be used as parking lot by the Tourist Office and this should include a statement of the height that buildings can be at that site (normally a building under a power line should not be higher than 15 meter)

2. Waterfront:

- There is concern that the vendors who now pay very cheap rents will have to pay higher rents for both living and renting their market stalls.
- DMS must determine the exact loss of space (shop and living quarters) of all affected households (20) so that the replacement shops and houses will be equivalent.
- The project will make suggestions for replacement houses based on the current

situation considering the possibility to develop homestays and in close consultation with all affected households.

- DMS will also investigate the average income and profit for each affected household so that the project would be able to determine possible income generating activities so that the economic situation of the affected households will not deteriorate because they will have to pay higher rents for both replacement house and rent.
- During the detailed design phase the project will be in close consultation with the affected household about their preferences and needs for their replacement house and market shop.
- There should be mitigative and income generating actions at implementation of the subproject. This includes agreement with the District Authorities to waive rent for house and market stall for the first year; include all the vendors in the capacity building activities of the project; and, support the vendors to involve in handicraft production and selling to serve the tourist market.
- To provide all households that must relocate their house with certificates of the District Authorities that they can use the house at the resettlement site if they live there, and pass it to their children, but without the right to sell it
- Vendors could be involved in homestay and support for small businesses. In fact, some of the replacement housing might be constructed there with space for homestays in mind.

Solid Waste Land Fill subproject

No issues for RP. But in IPP:

- Within the capacity building component, the project should pay attention to safety and health measures, especially for children. Protective gear should be included.
- The site should be developed with appropriate safety measures.
- With dwindling income from the waste site, the project should involve the waste pickers and their families in the training and income generating activities of the project.
- The project should oblige the contractor of the waste site to include the waste pickers as laborers.
- UDAA should give priority to the current waste pickers to help in the new recycling facility. Although it is not envisaged that UDAA could employ more than a few of them, at least a few could have permanent employment in the new facility.

Kaeng Yui Waterfall subproject

As there is no relocation of houses or businesses and there will hardly be any disruption of business (because cooking and food preparation is mobile and can be set up anywhere outside the area where improvements are being made), there are no resettlement impacts.

The planned parking lot is on land of the community. It is already designated as parking lot and a previous project already built a ticket booth and a toilet. There is no additional land required. During the DMS, the need for some minor land acquisitions of agricultural and garden land might be revealed. As it will be very minor, far less than 10% of productive land, and as the whole community will benefit directly from this road that solely leads to the waterfall, it will be regarded as voluntary contribution in a national project based on community driven demands and needs.

IPP:

- There should be continuous consultations with all stakeholders (the current vendors and the vendors in the Nadouang village who had their turn or will get a new turn in 5 or 6 years) about improvements to be made to the cooking and selling site near the waterfall. The project could help with drain and ground improvements in that area.
- Attention should be paid to safety of the recreation area including the small shelters for the visitors who come to eat.
- Under the capacity building and small business development component, the vendors could be helped in formulating their needs and preferences for the beautifying of the area and the construction of more appealing structures.

Western Loop and Bridge subproject

- DMS must determine losses of 3 owners on around 1,200 m² of rice land (which would cost around 30,000 LAK m²) plus the costs of rice production of around 372 kg (\$112) and possible loss of garden land (\$25 /m²).
- DMS will have to determine if some teak trees will have to be harvested before road construction as they are planted in the RoW.

Urban renewal subproject

- DMS must determine if there are minor losses of business income due to disturbances when constructing road drainages in the center of town although this is not foreseen.

Photo Documentation of the Public Consultations and IOL



Existing road connect to Western Loop 12/07/17



Public consultation with Hmong minorities ethnic group at Ban Naxom 10/07/17



Public consultation for Western Loop at Ban Vang Vieng 11/07/17



Public consultation with lu Mien Minorities ethnic group at Nam Ngum Reservoir 12/07/17



Public consultation with APs in Nam Ngum Reservoir 13/07/17



Survey and data collection in Nam Ngum Reservoir 13/07/17



AP in front of his house in Nam Ngum Reservoir
13/07/17



Vendor at Nam Ngum Reservoir 13/07/17

Annex 5: Survey Forms

1	Household Composition								
1.1	Head of Household (HH)								
	Sex	Female		Male					
	Age	<6 5		>65					
	Widowed	Yes		No					
	EM								
	FHH								
	Poor HH								
	Disabled	Yes		No					
	Owner of Land	Yes		No					
	Occupation								
	Monthly Income								
	1.2	Location of Affected Area							
		Name							
		Village							
	Commune								
	District								
	Province								
1.3	Number of Household Members								
No	Name of Household Member	Age	Sex	Relationship to H/H head	School Grade Reached	Illiteracy	Major Occupation	Other Occupation	

1								
2								
3								
4								
5								
6								
7								
8								
9								
10								
Total Number of Household Members					Number of members living in household			
1.6	Households income source (s)							
		Income Source	VND/Riel/Kip /Year			Income Source	VND/Riel/Kip Year	
		Farming				Fishing		
		Manual labor				Business/trade		
		Agricultural products				Salary/Wages		
		Non-timber forest products				Livestock		
		Handicraft				Other/Specify		
		Household Monthly Income in VND/Riel/Kip						

2.1. Source of Domestic Water	Yes	No
Creek		
Pond		
Open/Dug Well		
Public Faucet		
Water Utility Company		

Power/Electricity Source	Yes	No

Kerosene Lamp		
Generator Set		
Public Utility/Grid		
Private Utility/Power grid		
Others, specify		

Source (s)	Yes	No
Mobile phone		
Landline Phone		
Cable Television		
Local authorities		
Others, please specify		

Type of Toilet facility	Yes	No
Pour plush		
Sanitary toilet with septic tank		
Pit toilet		
No toilet		
Other, please		

Type of Health Facility	Distance from House		
	Less than 1 kilometer	1-1.5 Kilometer	More than 1.5 kilometers
Village/Commune Health Center/Clinic			
District Public Hospital/Clinic			
District Private Hospital Clinic			
Others, specify			

Type of Educational Facility	Distance from House		
	Less than 1 kilometer	1-1.5 Kilometer	More than 1.5 kilometers
Nursery/Kindergarten			

Primary School			
Secondary School			
High School			
College/University			
Vocational School			

Household Assets (please check more than 1 asset)	Yes, I own	No, I don't
Motorbike		
Bicycle		
Power generator		
Air-condition		
Refrigerator		
Computer		
Washing Machine		
Mobile phone/telephone		
Cable/Television/Video		
Savings account booklet		
Others please specify		

Affected Area	Total area affected in m ²	Land Ownership Status		
		LURC/Title	Pending LURC/Title Claim	Illegally occupied
Residential land				
Commercial/Business land				
Agricultural land				
Orchard land				
Garden land				
Forest land				

Type of Materials	Nature of Impact		Area affected		
	Temporary	Permanent	Whole	Portions	Area (sq. m ²)
Concrete house					

Brick house with tiles and metal roofing					
Stilt house or traditional house with tiles and metal roof					
Stilt house or house with asbestos-cement roof					
House made of bamboo and earth wall					
No house					

Type of Materials	Nature of Impact		Area affected		
	Temporary	Permanent	Whole	Portions	Area (sq. m ²)
Concrete with tiles/metal roofing					
Semi concrete with tiles/metal roofing					
Wood and with galvanized iron roofing					
Bamboo walls and galvanized iron roofing					
Others please specify					

Name of Structure	
Fence	
Electric pole	
Improved well	
Concrete post	
Gate of house/driveway	
Others, please specify	

Annex 6: Survey Results, Affected Households

Table A6.1: Household Respondents' Gender

Gender	Total	%
Male	20	39
Female	31	61
Total 34	51	100

Source: SES of AHs, PPTA, 2017

Table A6.2: Vulnerable Group

Vulnerable Group	Freq.	%
Widow	9	39
FHHs	7	30
Invalid	2	9
Ethnic Minority	1	5
Poor	4	17
Total	23	100

Source: SES of AHs, PPTA, 2017

Table A6.3: Age Brackets of Household Respondents

Age	Freq.	%
30 Yrs. and Below	0	0
31 Yrs. - 40 Yrs.	8	20
41Yrs - 50Yrs	27	54
51Yrs - 60Yrs	15	30
Total	50	100

Source: SES of AHs, PPTA, 2017

Table A6.4: Occupation of Household Respondents

Occupation/Source of Income	Freq.	%
Farming	2	4.08
Business/trade	23	46.9
Selling/vendors in marker	1	2.24
Tuk-tuk driver	0	
Construction/Manual Labor	6	12.2
Salaries/Wages	8	16.3
Livestock	0	0
Agricultural products	0	0
Non-timber forest product	0	0
Exercise profession	0	0
Handicraft	0	0
Fishing	2	4.08
Tourism services	3	6.1
Remittance from abroad	0	0
others	4	8.1
Total	49	100

Source: SES of AHs, PPTA, 2017

Table A6.5: Location of Household Respondents in Subproject Area

Location	Frequency	Percent
Village	50	100
Commune/Kumban	0	0
Total respondents	33	

Source: SES of AHs, PPTA, 2017

Table A6.6: Total Household Membership

No. of H.H member	Frequency	Percent
<5	23	46
5-10	27	54
≥11	0	0
Total respondents	50	100

Source: SES of AHs, PPTA, 2017

Table A6.7: Age Brackets of Household Members

Age Bracket	Frequency	%
Below 20 years old	69	37
20-40 years old	79	42
41-60 years old	29	16
61 years old and above	9	5
Total HH members	186	100
HH respondents who gave answers	46	

Source: SES of AHs, PPTA, 2017

Table A6.8: HH Member's Gender

Sex	Frequency	Percent
Male	99	53
Female	87	47
total	186	100
Total HH resp.	46	

Source: SES of AHs, PPTA, 2017

Table A6.9: Educational Levels of HH Members

Educational Level	Frequency	%
Illiterate	0	0
Not yet in school/ studying	73	32.8
Primary	32	14.4
Lower secondary	14	6.3
Upper secondary	74	33.3
College	22	9.9
Vocational	2	1.1
University	5	2.2
total	222	100
Total respondents	46	

Source: SES of AHs, PPTA, 2017

Table A6.10: Occupation of Household Members

Occupation	Frequency	%
Farming/agriculture	4	6.5
Business/trade	35	57.3
Selling (vendors in markets)	1	1.8
Tuk-Tuk driver	0	0
Construction/manual labor	6	9.8
Salaries/ wages	10	16.3
Livestock	1	1.8
Agricultural products	0	0
Non-timber forest products	0	0
Exercise of profession	0	0
Handicraft	0	0
Fishing	2	3.2
Tourism services	2	3.2
Remittance from abroad of HH member	0	0
Others	0	0
Total	61	100

Source: SES of AHs, PPTA, 2017

Table A6. 11: Access to Domestic Water Supply

Source of Domestic Water	Frequency	%
Creek	2	3.7
Pond/reservoir	24	42.8
Open/Dug well	5	8.9
Public faucet	5	8.9
Water Utility/ bottled water	20	35.7
Total responses	56	100

Source: SES of AHs, PPTA, 2017

Table A6.12: Access to Toilet and Sanitation Facilities

Toilet facility	Frequency	%
Pour flush	29	
Sanitary toilet with septic tank	22	
Pit toilet	8	
No toilet	0	0
Others	0	0
Total respondents	42	100

Source: SES of AHs, PPTA, 2017

Table A6.13: Access to Power/Electricity Facilities

Source of Power/Electricity	Frequency	%
Kerosene lamp	0	1.9
Generator set	1	1
Public utility/grid	47	82.4
Private utility/ power grid	9	15.7
Others	0	
Total responses	57	100

Source: SES of AHs, PPTA, 2017

Table A6.14: Access to Communication / Telecommunication Facilities

Source of Communication	Frequency	%
Mobile phone	33	27
Landline phone	14	12
Cable television	24	20
Local authorities	23	19
Others	27	22
Total responses	121	100

Source: SES of AHs, PPTA, 2017

Table A6.15: Access to Health Facilities

Health Facility	Distance from House						Total	
	< 1 Km		1-1.5 km.		> 1.5 km.		Freq.	%
	Freq.	%	Freq.	%	Freq.	%		
Village Health Center	12	52	1	1	10	43	23	100
Dist. Public Hospital	14	37	2	6	21	57	37	100
Private Hospital	12	54.54	0		10	45.45	22	100
Others	0		0		0		0	0

Table A6.1: Access to Educational Facilities

Educational Facility	Distance from House						Total	
	< 1 Km		1-1.5 km.		> 1.5 km.		Freq.	%
	Freq.	%	Freq.	%	Freq.	%		
Nursery/ Kindergarten	22	52.4	0	0	20	47.6	42	100
Primary	29	55.7	1	2	22	42.3	52	100
Lower Secondary	22	46.8	3	6.4	22	46.8	47	100
Upper Secondary	18	43.9	4	9.8	19	46.3	41	100
College/University	16	50	3	9.4	13	40.6	32	100
Vocational School	18	54.5	1	3.1	14	42.4	33	100

Annex 7: Description of Subprojects Without Resettlement Impacts

1. Tad Kaeng Yui Waterfall Access Improvements

1. The Kaeng Yui Waterfall is 6 km east of Vang Vieng, one of Lao PDR's major tourist attractions that received about 183,000 visitors in 2016. It is accessed via a dirt road linked to National Highway 13 and managed by Ban Nadouang, which also operates homestay facilities. Visitor numbers rose from 23,940 in 2015 to 32,050 in 2016 and could reach 53,994 in 2026.

2. Key risks to growth are poor access and the lack of facilities at the waterfall. To overcome the constraints the subproject will (i) upgrade the 6-km waterfall access road to concrete pavement, with a 6m carriageway and drainage; (ii) level and pave the 875 m² parking area with gravel; (iii) improve surfacing and drainage in the waterfall market area; and (v) improve 300m footpaths, including rehabilitation of steps, small suspension bridges, and signage. The subproject will directly benefit 873 persons in Ban Naduang and additional 2,580 persons living along the improved access road.

Figure A7.1: Proposed Plan, Tad Kaeng Yui Waterfall Access Improvements

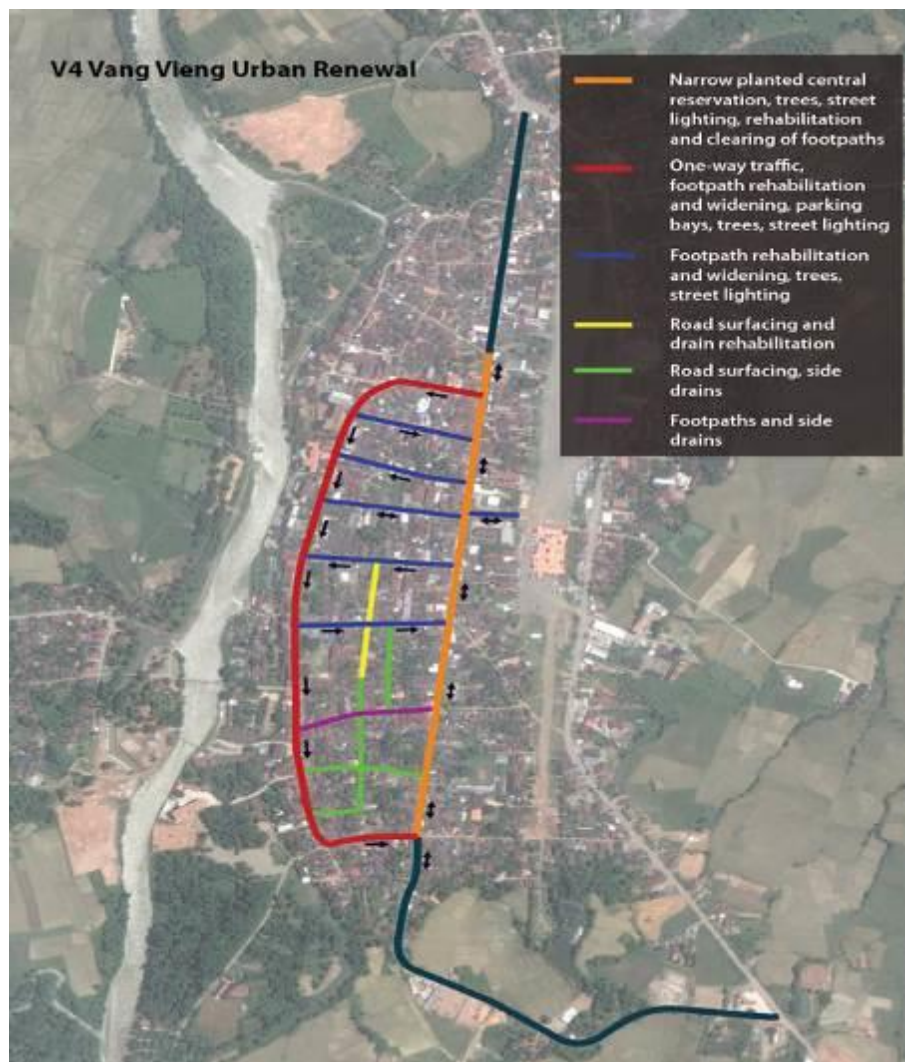


2. Vang Vieng Urban Renewal

3. The subproject area includes most streets and lanes in Vang Vieng' central and southern precincts. The area has the largest concentration of commercial space and tourists, which are expected to rise from 183,000 in 2016 to 312,565 in 2026. Currently, the area is congested, not pedestrian friendly, and lacks parking and adequate drainage. The subproject will address this situation by (i) rehabilitating 4.0 km of footpaths with suitable surfaces, street

lighting, seating and soft landscaping; (ii) installing traffic calming measures in streets with high concentrations of tourists; (iii) improving traffic management, including one-way traffic flows and shared surface concepts (1.5 km); and (iv) resurfacing roads and improving drains in residential areas (0.98 km). The subproject will benefit 4,051 residents (Ban Savang, Ban Vieng Keo and Ban Mueang Xong), tourists, and 143 hotels/guest houses and 126 shops/restaurants.

Figure A7.2: Proposed Plan, Vang Vieng Urban Renewal



3. Vang Vieng Solid Waste Management Improvements

4. Vang Vieng’s urban and peri-urban population is increasing by 4.5% per year and could reach 31,000 by 2020. Forecasts suggest that Vang Vieng’s visitor arrivals could increase to more than 230,000 the same year. The existing arrangements for solid waste management are unable to meet rising demand created by rapid urban growth and tourism. Consequently, only about 28% of Vang Vieng’s 4,800 urban and peri-urban households have access to reliable waste collection services. This leads to public health hazards for residents and visitors. The subproject will address these problems by developing a managed landfill site 10 km south of the town on public land already being used as an open dumpsite and expanding coverage of waste

collection services to 80% (3,840 households). Subproject components include: (i) preparatory earthworks and installation of a perimeter runoff interceptor drainage system; (ii) construction of an impermeable liner, leachate collection/treatment system, and a landfill gas recovery system; (iii) construction of a small materials recovery facility for waste separation and recycling; (iv) construction of a medical waste treatment area; (v) construction of a septage treatment facility (0.5ha); and (vi) construction of site office, toilets, and fencing. The landfill access road (0.8 km) will be paved with concrete (4m carriageway and verges) to accommodate collection trucks and other vehicles. On-site equipment will include 3 new 10 cubic meter collection trucks, bulldozer, and two vacuum trucks to support septage collection. Sanitation and waste management awareness programs will be supported under output 3 capacity building programs. The subproject will benefit 59,661 residents in Vang Vieng District and 143 hotels and guesthouses.

Annex 8: Legal Framework for Resettlement

A. Lao PDR Laws and Regulations

1. The Constitution (1991 with endorsed amendments through 2003)) provides the following relevant articles:

Article 14. The State protects and promotes all forms of state, collective, and individual ownership.

Article 15. Land in Lao PDR is owned by the national community. The State ensures the right to use, transfer, and inherit it in accordance with the law.

Article 8. Establishes the right of all ethnic groups to protect, preserve and promote their customs and heritage. All acts of division and discrimination among ethnic groups are prohibited.

2. The 1997 Land Law (No. 01/97) is the principal legislation by which the State exercises its constitutional responsibility for the management, preservation, and use of land. In relation to project resettlement, this law allows for expropriation of land by the state when this is in the public interest. Importantly, the Land Law requires the land user to be compensated, and this compensation is determined by an inter-agency committee. The articles of importance to resettlement are summarized below:

- Article 5 - provides for protection of the rights of efficient, regular and long-term land users.
- Article 43 – rights to use of land can be achieved through delegation by the state, inheritance or through transfer of rights.
- Article 54 – termination of land use rights can be affected by voluntary liberation of rights by possessor, or through expropriation by the state for use of the land in the interests of the public.
- Article 61 – when land is required to be expropriated by the government for use in the public interest, the relevant authorities are required to compensate the land use possessor for their losses.
- Article 62 – determination of assessed losses should be undertaken by a committee comprising representatives of all concerned agencies.

3. The Land Law (No. 04/NA) of 21 October 2003, supersedes the previous Land Law (1997), which outlines land definitions, land titles and the responsible authorities that vary for each category of land use or administration. The Law makes some reference to the compensation entitlement for land in Article 67-70 but not to structures. The Land Law provides the issuance of a Land Title, which attests provisional ownership rights to use agricultural as well as forestland (Articles 17-18 and 21-22). Land titling is being undertaken under the AusAid/World Bank project in many towns. Under this project Land Titles and Land Survey Certificates are issued. In places where Land Titling has not been done yet, most APs will only have Land Use Rights Certificates (Form 01), Land Tax Payment Receipts and/or Residency Certificates. Form 01 are certificates of land use for taxation and are considered evidence of land use but not as legal title. For agricultural and forest land the District Agricultural and Forestry Extension Office (DAFEO) issues Temporary Use Certificates. People without proof of ownership and/or certificates are considered “unregistered” users. These users differ from “illegal” users. In case of acquisition, APs who hold the above documents but also those who

are granted customary land use rights¹⁷ or are considered unregistered users since before the cut-off date, receive compensation under the Land Law.

4. The Road Law (1999) requires “reasonable” compensation to the owner whose land will be acquired for the right-of-way (ROW), relocation and replacement structures and loss of trees and crops (Article 19). In the Decree and ADB regulations it is stated that privately owned land or land under permitted land use within the agreed ROW used for road construction will be expropriated, and the owner will receive reasonable compensation. However, in Laos it often is the case that structures and even part of housing are constructed within the ROW after the ROW has been announced. In this case in the project compensation will be restricted for loss of materials of structures, repair costs and loss of trees.

5. While both the Land Law and the Road Law ensure compensation for legal owners of properties under acquisition, they do not guarantee either replacement value of the acquired properties or restoration of income, or indeed provide for compensation to nonlegal (but not illegal) users.

6. The Decree 192/PM on Compensation and Resettlement (July 2005) rectifies key areas of the Land and Road Laws which would prevent informal land users from any eligibility, and sets a clear definition of the “reasonable compensation” mentioned in the Land and Road Laws and determines these as replacement cost. It supplements the Land and Road Laws in that it provides processes and mechanisms for acquiring and removal of structures and not just land and for determining entitlement, with community participation. Along with the decree’s Regulation on Implementation (November 2005) and Technical Guidelines (November 2005), it provides a comprehensive framework on resettlement planning in Lao PDR. The Decree recognizes the rights of vulnerable groups (i.e. households headed by women, disabled, elderly or very poor) and ethnic groups.

7. In March 2010, an update on the Technical Guidelines for Compensation and Resettlement issued in November 2005 was published. The update was prepared in accordance with the provisions of Decree 192, its Implementing Regulations, and National Policy No. 561 CPI on Environmental and Social Sustainability of the Hydropower Sector in Lao PDR issued on 7 June 2005. The Guidelines explain in detail the processes and procedures to be necessarily adopted in data collection, conduct of surveys and in the preparation of various documents in accordance with the provisions of Decree 192 on Resettlement and Compensation.

8. The Lao Government issued a Decree on Environmental Assessment (112/PM 2010) in February 2010 which stipulates that a social management and monitoring plan (SMMP) shall be a part of Environmental Assessment. The SMMP defines the main social activities, measures to avoid, minimize and mitigate the adverse social impacts. It also highlights measures on compensation, resettlement and restoration of living conditions of the people who are and/or will be affected by an investment project.

9. The above Decrees and regulations are improved upon by the Lao Government’s Law on the Protection of the Environmental, 18 December 2012 (No. 29) and Decree on Compensation and Resettlement Management in Development Projects, 5th of April 2016 (84/PM) confirm the above Decree in more detail and emphasize the responsibility by development project owners for compliance with LAR procedures.

¹⁷ These certificates are issued at the District level.

B. ADB Policy on Involuntary Resettlement

10. The objectives of ADB's *Policy on Involuntary Resettlement* (1995) and its Safeguard Policy Statement (SPS, June 2009, updated 2012) and detailed in the OM Section F1/OP issued on 4 March 2010 are to avoid and/ or minimize impacts to people particularly the poor and the vulnerable group, their property and businesses affected by land acquisition and other impacts of the project, including impacts to livelihood and income that arise during project implementation. The policy stipulates three important elements in involuntary resettlement: (i) compensation for lost assets and loss of livelihood and income, (ii) assistance in relocation including provision of relocation sites with appropriate facilities and services, and (iii) assistance with rehabilitation to achieve at least the same level of well-being with the project as before. The policy further specifies that the absence of legal title (Form 01) to land cannot be considered an obstacle to compensation and rehabilitation privileges. All persons affected by the project, especially the poor, landless, vulnerable, and disadvantaged households should be included in the compensation, transition allowance, and rehabilitation package. Where involuntary resettlement is unavoidable, it must be minimized either by exploring project alternatives, or by providing specific mitigation measures to enhance and/ or at least restore the living standards of the affected people to their pre-project levels. ADB's SPS 2009 (updated 2012) stresses that the living standards of people affected by resettlement should be improved.

11. ADB's Policy on Gender and Development (2006) is an appropriate guiding document to ensure that their needs and concerns are addressed and that gender issues in resettlement are mitigated. This policy adopts gender mainstreaming as a key strategy for promoting gender equity, and for ensuring that women participate and that their needs are explicitly addressed in the decision-making process. For projects that have the potential to cause substantial gender impacts, a gender action plan (GAP) is prepared to identify strategies to address gender concerns and the involvement of women in the design, implementation and monitoring of the project. The category for gender in this project is effective gender mainstreaming.

12. ADB's Policy on Indigenous Peoples (1998) states that the borrower/client will ensure (i) that affected Indigenous Peoples receive culturally appropriate social and economic benefits; and (ii) that when potential adverse impacts on Indigenous Peoples are identified, these will be avoided to the maximum extent possible. Where this avoidance is proven to be impossible, based on meaningful consultation with indigenous communities, the Indigenous Peoples Plan (IPP) will outline measures to minimize, mitigate, and compensate for the adverse impacts¹⁵.

13. Other policies of the ADB which are relevant to resettlement planning and implementation are: (i) Public Communications Policy (2011); and (ii) Accountability Mechanism (2012). As per these policies, Project Coordination Units (PCUs) and PIUs are required to proactively share and disclose project information with stakeholders and the public at large. Affected people should have easy access to the project information. A grievance redress mechanism, therefore, must be included in the resettlement plans and disclosed to the affected people. The RP must be uploaded in the ADB website after its approval by ADB and disclosure to project beneficiaries.

14. Table 10 illustrates the gaps between the Lao Government Policies and ADB resettlement policies

¹⁵ An Indigenous People's Plan has been prepared for this subproject that sets out actions to address how ethnic minority groups will benefit from this subproject and negative impacts will be avoided/mitigated.

Table 10: Gaps Between Lao PDR and ADB Resettlement Policies

Decree 192 Requirements	ADB SPS Requirements	Project measures
Severely affected APs defined under Article 8 are those that will lose 20% or more of their affected productive and/or income generating assets.	Severely- affected APs are those that will lose 10% or more of their affected productive assets	ADB's definition will be adopted and applied in the project's entitlement matrix.
Requires consultation with AHs and stakeholders during RP preparation.	Requires consultation with AHs and stakeholders during RP preparation and ongoing during implementation and monitoring.	Project's Community Participation and Communication Strategy will ensure that adequate and meaningful consultations with project stakeholders will continue throughout the entire project implementation cycle.
Vulnerable groups: (i) divorced, separated, single or widowed female headed households with dependents and have low income; (ii) households with disabled or invalid persons; (iii) poor or landless households; (iv) elderly households with no means of support.	Vulnerable groups: those who are below the poverty line, the landless, the elderly, women and children, and Indigenous Peoples (ethnic minority), and those without legal title to land.	Vulnerable groups: (i) Female- headed households with dependents; (ii) disabled household heads; (iii) poor households; (iv) children and the elderly households who are landless and with no other means of support; (v) landless households; (vi) Indigenous people.
Voluntary contributions: Only if marginal impacts (less than 20% of productive assets) and do not result in displacement. APs aware of entitlements.	ADB SPS is limited to involuntary resettlement. However, the sourcebook does inform that voluntary contributions are only allowed for specific types of projects with direct community benefits - generally applies where land is used for community social services (e.g. Health post, primary school). By and large ADB does not allow voluntary conditions. However, there are exceptional cases where in this is allowed following these conditions: (i) voluntary donations do not severely affect the living standards of affected people; (ii) voluntary donations are linked directly to benefits for the affected people; (iii) there is an adequate grievance process; (iv) no affected household will be displaced from housing and severely affected; and (v) no affected household is vulnerable.	No voluntary contributions will be allowed.

Source: PPTA Consultants

Annex 9: Nam Ngum Reservoir Access Improvements Screening Form

Second Greater Mekong Subregion Tourism Infrastructure for Inclusive Growth Project

LAND ACQUISITION AND RESETTLEMENT CATEGORIZATION

A. Introduction

Each subproject of the Second Greater Mekong Subregion Tourism Infrastructure for Inclusive Growth Projects assigned an involuntary resettlement category depending on the significance of the probable involuntary resettlement impacts.

B. Information on Nam Ngum Reservoir Access Improvements' subproject

subproject town / district	Nam Ngum Riverfront at Sengsavang village in Keo Oudom district
Province	Vientiane Province
Scope of subproject (description of the nature and scope of works)	
a) Construction and Renovation	The subproject will have the following components: (i) improving the existing public marina to safely accommodate 50-60 local tour boats and launch small recreational vessels, e.g. kayaks and sailboats; (ii) construct a 5.9 km, 6m wide loop road linked to National Road 10 to DBST paving, and 1,200 m ² parking area; (iii) redevelop unsanitary and poorly constructed market stalls into a new 3,200 m ² public market that incorporates traditional Lao architectural design; (iv) install septic tanks in all public buildings and a wastewater pump-out station/holding tank at the marina; (v) replace abandoned, unsafe public buildings and piers with new public green space; and (vi) renovate the tourist information center. The subproject will supply 2-3 electric passenger vehicles for transfers from the parking area to the marina, to be operated under a private management contract. The subproject will benefit 1,600 people living in nearby Ban Sengsavang and is expected to catalyze significant tourism related investment at the site.
b) Other	N/A

C. Screening Questions for Resettlement Categorization

Initial screening for involuntary resettlement is to be conducted during preparation of the Projects' Feasibility Study for the subproject.

Involuntary Resettlement Effects	Yes	No	Extent of Impacts And Other Remarks
Does the subproject include upgrading or rehabilitation of existing physical facilities?	x		improving the existing public marina to safely accommodate 50-60 local tour boats
Does the subproject include the construction of new physical facilities?	x		Parking lot, access road, market stalls/building, houses
Will it require permanent land acquisition?	x		3,860 m ² of land of the current market stalls will be acquired
Is the ownership status and current usage of the land known?	x		All AHs pay annual rent for their market stalls/houses to the District Authorities

Involuntary Resettlement Effects	Yes	No	Extent of Impacts And Other Remarks
Are there any non-titled people who live or earn their livelihood on affected land?	x		All land is rented
Will there be loss of housing?	x		19 AHs (79 ps) will lose their housing
Will there be loss of agricultural plots?		x	
Will there be losses of crops, trees and fixed assets?	x		The structures where the AHs currently sell their wares will be permanently destroyed. 40 AHs will have to relocate their stalls
Will there be loss of businesses or enterprises?		x	
Will there be loss of incomes and livelihoods?		x	There might be some disruption when moving the goods to the new market stalls
Will people lose access to facilities, services, or natural resources?		x	
Will any social or economic activities be affected by land use-related changes?	x		The AHs might have to pay a higher rent for the new market stall and house; this might result in a lower living standard if the income remains the same.

D. Involuntary Resettlement Category

After reviewing the answers above, the PIU and DICT agree subject to confirmation, that the subproject is a:

[X]	Category B , Land Acquisition and Compensation Plan is required.
	RP to be submitted to ADB in December 2017
	Less than 200 people (approximately 40 households) will experience major impacts that are defined as (i) being physically displaced from housing and/or shops or (ii) losing 10% or more of productive land or other income-generating assets.

If Category B, please provide information on affected people (APs):

Affected Persons	Yes	No	Description (Numbers of APs, current situation)
Any estimate of the likely number of households that will be affected by the subproject?	x		40 AHs (180 ps including 88 women) including 19 (79 APs) severely affected households
Are any of them designated poor households?		x	
Are any of them households that belong to ethnic groups other than Tai-Kadai?	x		1 AH belongs to lu Mien ethnic group
Are any of them households headed by women, elderly or disabled persons?	x		9 female headed households

Annex 10: Western Loop Rural Access Road and Bridge Improvements Screening Form

Second Greater Mekong Subregion Tourism Infrastructure for Inclusive Growth Project

LAND ACQUISITION AND RESETTLEMENT CATEGORIZATION

A. Introduction

Each subproject of the Second Greater Mekong Subregion Tourism Infrastructure for Inclusive Growth Projects assigned an involuntary resettlement category depending on the significance of the probable involuntary resettlement impacts.

B. Information on Western Loop Rural Access Road and Bridge Improvements' subproject

Subproject town / district	Western Loop Rural Access Road and Bridge Improvements, Vang Vieng District
Province	Vientiane Province
Scope of subproject (description of the nature and scope of works)	
a) Construction and Renovation	The subproject will (i) upgrade the 26 km "Western Loop Road" to DBST paving, with 6m carriageway and drainage in village areas; (ii) construct a new 2-lane 80m road bridge across the Xong River south of town, with 2 km concrete feeder road connecting it to the Western Loop Road and the town center; and (iii) provide bio-engineered river bank protection and improve the footpath/cycle track along the west bank of the Xong River. The subproject will benefit about 9,500 people living in 11 villages alongside the road and relieve urban congestion for 59,661 Vang Vieng residents. Part of the feeder road follows an existing unpaved road through Huay Yae village. An alternative alignment bypassing the village on its northwestern will be explored during detailed design.
b) Other	N/A

C. Screening Questions for Resettlement Categorization

Initial screening for involuntary resettlement is to be conducted during preparation of the Projects' Feasibility Study for the subproject.

Involuntary Resettlement Effects	Yes	No	Extent of Impacts And Other Remarks
Does the subproject include upgrading or rehabilitation of existing physical facilities?	x		Upgrading and improvement of existing access road to the proposed bridge; upgrading of Western Loop road
Does the subproject include the construction of new physical facilities?	x		Bridge, 2km feeder road to Western Loop
Will it require permanent land acquisition?	x		2,662m ² of land will be needed (712m ² residential and 1,950m ² agricultural land)
Is the ownership status and current usage of the land known?	x		14 AHs were interviewed for IOL; DMS will have to determine some details of usage and land tenure more exact
Are there any non-titled people who live or earn their livelihood on affected land?		x	
Will there be loss of housing?		x	
Will there be loss of agricultural plots?	x		1,950 m ²

Involuntary Resettlement Effects	Yes	No	Extent of Impacts And Other Remarks
Will there be losses of crops, trees and fixed assets?	x		605 kg of rice might have to be compensated; this must be determined more exact during DMS. 35 Trees will be lost for 3 AHs. In the Western Loop there might be 10 to 15 teak trees that might have to be harvested as they are in the RoW
Will there be loss of businesses or enterprises?		x	
Will there be loss of incomes and livelihoods?		x	
Will people lose access to facilities, services, or natural resources?		x	
Will any social or economic activities be affected by land use-related changes?	x		The improvements will have positive impacts for tourism related businesses.

D. Involuntary Resettlement Category

After reviewing the answers above, the PIU and DICT agree subject to confirmation, that the subproject is a:

[X]	Category B , not significant* land acquisition and resettlement impacts: A Land Acquisition and Compensation Plan (LACP) is required.
	RP to be submitted to ADB in December 2017
	* Not significant: Less than 200 people will experience major impacts that are defined as (i) being physically displaced from housing and/or shops or (ii) losing 10% or more of productive land or other income-generating assets.

If Category B, please provide information on affected people (APs):

Affected Persons	Yes	No	Description (Numbers of APs, current situation)
Any estimate of the likely number of households that will be affected by the subproject?	X		14 AHs (67 ps incl est. 34 women)
Are any of them designated poor households?		x	
Are any of them households that belong to ethnic groups other than Tai-Kadai?	X		1 AH is Khmu
Are any of them households headed by women, elderly or disabled persons?	X		3 AHs are female headed (1 of them is Khmu)

Annex 11: Kaeng Yui Waterfall Reservoir Screening Form

Second Greater Mekong Subregion Tourism Infrastructure for Inclusive Growth Project

LAND ACQUISITION AND RESETTLEMENT CATEGORIZATION

A. Introduction

Each subproject of the Second Greater Mekong Subregion Tourism Infrastructure for Inclusive Growth Projects assigned an involuntary resettlement category depending on the significance of the probable involuntary resettlement impacts.

B. Information on Kaeng Yui Waterfall subproject

Subproject town/ district	Kaeng Yui Waterfall at Nadouang village, Vang Vieng District
Province	Vientiane Province
Scope of subproject (description of the nature and scope of works)	
a) Construction and Renovation	The subproject will (i) upgrade the 6-km waterfall access road to concrete pavement, with a 6m carriageway and drainage; (ii) level and pave the 875 m ² parking area with gravel; (iii) improve surfacing and drainage in the waterfall market area; and (v) improve 300m footpaths, including rehabilitation of steps, small suspension bridges, and signage. The subproject will directly benefit 873 persons in Ban Nadouang and additional 2,580 persons living along the improved access road.
b) Other	N/A

C. Screening Questions for Resettlement Categorization

Initial screening for involuntary resettlement is to be conducted during preparation of the Projects' Feasibility Study for the subproject.

Involuntary Resettlement Effects	Yes	No	Extent of Impacts And Other Remarks
Does the subproject include upgrading or rehabilitation of existing physical facilities?	x		(i) improve surfacing and drainage in the waterfall market area; (ii) improve 300m footpaths, including rehabilitation of steps, small suspension bridges, and signage, (iii) access road paving
Does the subproject include the construction of new physical facilities?	x		Level and paved parking area
Will it require permanent land acquisition?		x	All land belongs to the community. Some areas within the access road may require land acquisition, but in small amounts. Households have stated that they wish to donate these small strips. Confirmation will be conducted during DED and DMS and any land acquisition that occurs in which a household isn't eligible for donation or doesn't wish to donate the land shall be compensated according to the entitlement matrix.

Involuntary Resettlement Effects	Yes	No	Extent of Impacts And Other Remarks
Is the ownership status and current usage of the land known?	x		All community land
Are there any non-titled people who live or earn their livelihood on affected land?		x	
Will there be loss of housing?		x	
Will there be loss of agricultural plots?		x	
Will there be losses of crops, trees and fixed assets?		x	
Will there be loss of businesses or enterprises?		x	
Will there be loss of incomes and livelihoods?		x	
Will people lose access to facilities, services, or natural resources?		x	
Will any social or economic activities be affected by land use-related changes?	x		The access road and other improvements will have positive impacts for tourism related business activities of the community.

D. Involuntary Resettlement Category

After reviewing the answers above, the PIU and DICT agree subject to confirmation, that the subproject is a:

[X]	Category C , No land acquisition and resettlement impacts. Due Diligence has been done.
	Due Diligence to be submitted to ADB in December 2017

Annex 12: Vang Vieng Urban Renewal Screening Form

Second Greater Mekong Subregion Tourism Infrastructure for Inclusive Growth Project

LAND ACQUISITION AND RESETTLEMENT CATEGORIZATION

A. Introduction

Each subproject of the Second Greater Mekong Subregion Tourism Infrastructure for Inclusive Growth Projects assigned an involuntary resettlement category depending on the significance of the probable involuntary resettlement impacts.

B. Information on Vang Vieng Urban Renewal subproject

Subproject town / district	Vang Vieng Urban Renewal, Vang Vieng District
Province	Vientiane Province
Scope of subproject (description of the nature and scope of works)	
a) Construction and Renovation	The subproject will have the following components (i) rehabilitating 4.0 km of footpaths with suitable surfaces, street lighting, seating and soft landscaping; (ii) installing traffic calming measures in streets with high concentrations of tourists; (iii) improving traffic management, including one-way traffic flows and shared surface concepts (1.5 km); and (iv) resurfacing roads and improving drains in residential areas (0.98 km). The subproject will benefit 4,051 residents (Ban Savang, Ban Vieng Keo and Ban Mueang Xong), tourists, and 143 hotels/guest houses and 126 shops/restaurants.
b) Other	N/A

C. Screening Questions for Resettlement Categorization

Initial screening for involuntary resettlement is to be conducted during preparation of the Projects' Feasibility Study for the subproject.

Involuntary Resettlement Effects	Yes	No	Extent of Impacts And Other Remarks
Does the subproject include upgrading or rehabilitation of existing physical facilities?	x		All proposed works are improving existing roads and footpaths
Does the subproject include the construction of new physical facilities?		x	
Will it require permanent land acquisition?		x	
Is the ownership status and current usage of the land known?	x		Most land of the houses and shops alongside the road are privately owned. But the proposed works are in RoW of the road.
Are there any non-titled people who live or earn their livelihood on affected land?		x	
Will there be loss of housing?		x	
Will there be loss of agricultural plots?		x	
Will there be losses of crops, trees and fixed assets?		x	

Involuntary Resettlement Effects	Yes	No	Extent of Impacts And Other Remarks
Will there be loss of businesses or enterprises?		x	
Will there be loss of incomes and livelihoods?		x	
Will people lose access to facilities, services, or natural resources?		x	
Will any social or economic activities be affected by land use-related changes?	x		The improvements will be beneficial for all shops and residents in town as the purpose is to develop a better environment for an increased number of tourists.

D. Involuntary Resettlement Category

After reviewing the answers above, the PIU and DICT agree subject to confirmation, that the subproject is a:

[X]	Category C , No land acquisition and resettlement impacts. Due Diligence has been done.
	Due Diligence to be submitted to ADB in December 2017

Annex 13: Vang Vieng Solid Waste Management Improvements Screening Form

Second Greater Mekong Subregion Tourism Infrastructure for Inclusive Growth Project

LAND ACQUISITION AND RESETTLEMENT CATEGORIZATION

A. Introduction

Each subproject of the Second Greater Mekong Subregion Tourism Infrastructure for Inclusive Growth Projects assigned an involuntary resettlement category depending on the significance of the probable involuntary resettlement impacts.

B. Information on Vang Vieng Solid Waste Management Improvements subproject

Subproject town/ district	Vang Vieng Solid Waste Management Improvements, Vang Vieng District
Province	Vientiane Province
Scope of subproject (description of the nature and scope of works)	
a) Construction and Renovation	The subproject will have the following components: (i) preparatory earthworks and installation of a perimeter runoff interceptor drainage system; (ii) construction of an impermeable liner, leachate collection/treatment system, and a landfill gas recovery system; (iii) construction of a small materials recovery facility for waste separation and recycling; (iv) construction of a medical waste treatment area; (v) construction of a septage treatment facility (0.5ha); and (vi) construction of site office, toilets, and fencing. The landfill access road (0.8 km) will be paved with concrete (6m carriageway and verges) to accommodate collection trucks and other vehicles. On-site equipment will include 3 new 10 cubic meter collection trucks, bulldozer, and two vacuum trucks to support septage collection. Sanitation and waste management awareness programs will be supported under output 3 capacity building programs. The subproject will benefit 59,661 residents in Vang Vieng District and 143 hotels and guesthouses.
b) Other	N/A

C. Screening Questions for Resettlement Categorization

Initial screening for involuntary resettlement is to be conducted during preparation of the Projects' Feasibility Study for the subproject.

Involuntary Resettlement Effects	Yes	No	Extent of Impacts And Other Remarks
Does the subproject include upgrading or rehabilitation of existing physical facilities?	x		All works except for the access road are at the existing Land Fill site. Improvements of the access road are within the current alignment.
Does the subproject include the construction of new physical facilities?	x		The facilities will be constructed at the Land Fill site.
Will it require permanent land acquisition?		x	
Is the ownership status and current usage of the land known?	x		The Land Fill belongs to the government. The owners alongside the access road are known.

Involuntary Resettlement Effects	Yes	No	Extent of Impacts And Other Remarks
Are there any non-titled people who live or earn their livelihood on affected land?		x	
Will there be loss of housing?		x	
Will there be loss of agricultural plots?		x	
Will there be losses of crops, trees and fixed assets?		x	
Will there be loss of businesses or enterprises?		x	
Will there be loss of incomes and livelihoods?		x	
Will people lose access to facilities, services, or natural resources?		x	
Will any social or economic activities be affected by land use-related changes?	x		There will positive impacts: better sanitation and solid waste management.

D. Involuntary Resettlement Category

After reviewing the answers above, the PIU and DICT agree subject to confirmation, that the subproject is a:

[X]	Category C , No land acquisition and resettlement impacts. Due Diligence has been done.
	Due Diligence to be submitted to ADB in December 2017