

Social Safeguards Compliance Audit Report Land Acquisition and Compensation Plan for Access Roads

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Nam Ngiep 1 Hydropower Project (Lao People's Democratic Republic)

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EXECUTIVE SUMMARY

The Nam Ngiep 1 Power Company (NN1PC) is developing the Nam Ngiep 1 Hydropower Project (NNP1: the Project) in Bolikhamxay province, Lao PDR. The Project needs to acquire land along existing roads, and to create new access roads, to facilitate access to the Project construction site, workers' camp sites and other works associated with construction of the dam. NN1PC has signed a Concession Agreement (CA) with the Government of Lao PDR (GoL), with the right to expropriate land on either side of existing roads for a Right of Way (ROW) as well as land for new roads. Under Lao law, the Safeguards Policy Statement (SPS) of the Asian Development Bank, and best international practice, safeguards policies are triggered for both involuntary resettlement and for ethnic minority concerns.

An ADB mission was undertaken in October 2013, which highlighted significant issues concerning the Project's capacity to achieve compliance with social safeguards requirements. In response to one of the recommendations made, the Project prepared a Land Acquisition and Compensation Plan - Access Roads (LACP-AR) dated January 2014 to guide the land acquisition and compensation process (LACP) for pre-construction works specifically on access roads.

To satisfy its SPS and Safeguards Requirements 4 covering Special Requirements for Different Finance Modalities (SPS, SR4, paragraph 12), the ADB commissioned a social audit of the Project's implementation of the LACP-AR. This was undertaken in March 2014. The audit's aim is to assess the adequacy of the Plan's implementation, to identify gaps between the Plan and what is actually happening in affected villages, and to determine whether implementation is consistent with ADB's SR2 (Involuntary Resettlement) and SR3 (Indigenous Peoples) principles and requirements. Any gaps between policy and practice would be addressed in a Corrective Action Plan (CAP), which sets out necessary steps to improve social safeguards compliance.

The audit is confined solely to social safeguards compliance on the Project's access roads and to its corresponding implementation Plan. Nonetheless, the extent of compliance on these initial road works will reflect the status of the Project's implementation approach and capacity, and whether they are sufficiently robust enough to address future safeguards demands elsewhere in the Project.

The audit found that the Project has made significant improvements since 2013 in its institutional structure, data management, consultation process and land acquisition procedures, greatly improving its compliance with both its own CA as well as with ADB's SPS requirements under SR2 and SR3. This report describes how past concerns have been addressed, the current status of progress, and identifies some key areas requiring further work to meet current concerns of Affected People (APs) as well as to tighten compliance with Lenders' requirements. The table below highlights priorities for remedial action, which are described more fully in this report as well as in the Corrective Action Plan.

No.	Issue	Priority	Recommended Action
1	Asset Registration Right Bank roads	High	i. Finalise asset registration for LACP on Right Bank roads
		Medium	ii. Update analysis of socioeconomic data and include in an updated LACP-AR
		High	iii. Work with DCC to manage influx of newcomers in construction area
2	Outstanding payments Compensation	High	iv. Validate land claims in Houaysoup
		High	i. Resolve disputes between neighbours/community on individual and community compensation
3	Re-register amended titles	Medium	ii. Finalise outstanding 13% of access roads payments
4	Access Restrictions	High	i. Sisavath and Nonsomboun re-registration of titles
5	Grievance Procedure	High	i. Restore irrigation and road access to fields before 2014 rainy season
		High	i. Implement GRM training with RMU, DCC and village committees
		High	ii. Invite Nam Theun 2 RMU to share its GRM experiences
6	Labor Management Plan	High	iii. Establish GRM database and issue application forms to village committees
		High	i. Implement the LMP as soon as possible
7	Local Employment Opportunities	Low	ii. Undertake training with Contractor and sub-contractors
		Low	iv. Address Hat Gniun/Thidadao domestic water supply shortage
		Low	v. Project to improve monitoring contractors' activities
8	Public Health Action Plan	Medium	i. Maintain record of local employment
		Medium	ii. Develop screening process for possibilities, establish focal point for those seeking work
		Medium	iii. Explore opportunities for local suppliers to contractors and construction workers
8	Public Health Action Plan	Medium	i. Implement the PHAP

High

ii. Prioritise health issues of camp followers and laborers

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LIST OF ACRONYMS AND ABBREVIATIONS

AP(s)	Affected Person/s
ARCT	Asset Registration and Compensation Team
BCS	Broad Community Support
CA	Concession Agreement
CAP	Corrective Action Plan
DCC	District Coordinating Committee
DMD	Deputy Managing Director
DONRE	District Office of Natural Resources and Environment
EdL	Electricite de Lao
EGATi	Electricity Generating Authority of Thailand International
EIA	Environmental Impact Assessment
E&S	Environment and Social
EMU	Environmental Management Unit
EMP	Environmental Management Plan
ESD	Environment and Social Division
ESMMP	Environmental and Social Management and Monitoring Plan
FC	Financial Close
GoL	Government of Lao PDR
GRM	Grievance Redress Mechanism
HIT	Household Interview Team
IEE	Initial Environmental Examination
IOL	Inventory of Loss
JICA	Japan International Cooperation Agency
LACP	Land Acquisition and Compensation Process
LACP-AR	Land Acquisition and Compensation Plan - Access Roads
LIT	Land Investigation Team
LMP	Labor Management Plan
MONRE	Ministry of Natural Resources and Environment
NN1PC	Nam Ngiep 1 Power Company
NNP1	Nam Ngiep 1 Project (the Project)
PA	Protected Area
PHAP	Public Health Action Plan
PMO	Prime Minister's Office
PONRE	Provincial Office of Natural Resources and Environment
PRLRC	Provincial Resettlement and Livelihood Restoration Committee
REDP	Resettlement and Ethnic Development Plan
RMU	Resettlement Management Unit
ROW	Right of Way
SDP	Social Development Plan
SIA	Social Impact Assessment
SMO	Social Management Office
SPS	Safeguards Policy Statement
SR	Safeguards Requirement
SR2	Safeguards Requirement 2: Involuntary Resettlement
SR3	Safeguards Requirement 3: Indigenous Peoples (Ethnic Groups)
SR4	Safeguards Requirement 4: Special Requirements for Different Finance Modalities
TLC	Temporary Labor Camp
TOR	Terms of Reference

I. INTRODUCTION

A. Background

1. The Nam Ngiep 1 Hydropower Project (NNP1, the Project) consists of a hydropower dam, a re-regulation dam, a power house, transmission lines, and supporting infrastructure including access roads, workers camps, quarries, spoil areas, etc. The Project construction site is located in Bolikhan district, Bolikhamxay province. Impacts from reservoir impoundment will be felt in Hom and Thathom districts, Xaysomboune province¹.

2. The owners of the Nam Ngiep 1 Power Co. Ltd. (NN1PC, the Client) are Kansai Electric Power Co. Inc. (Japan; 45%), EGAT International Co. Ltd. (Thailand; 30%), and Lao Holding State Enterprise (LHSE) on behalf of the Government of Lao PDR (GoL; 25%). EGAT is responsible for budget and implementation of environmental and social activities under the Project.

3. To facilitate construction activities in the main site, an existing dirt road from Ban Nonsomboun to the dam site requires upgrading, and several additional roads leading to the construction area will be built, with a total length of 58.42 km. (See Annex 1: Maps of Access Roads construction phases and compensation status). As pre-construction activities already took place earlier to facilitate access to the main construction site, this Social Safeguards Compliance Audit and Corrective Action Plan (CAP) for access roads was prepared to comply with the 2009 ADB Safeguards Policy Statement (SPS) Safeguards Requirements 4 covering Special Requirements for Different Finance Modalities (SPS, SR 4, paragraph 12).

4. A Draft Land Acquisition and Compensation Plan (LACP-Access Road [AR]) was prepared to facilitate conduct of essential work on access roads in coordination with local GoL agencies. From December 2013 onwards, additional road works were undertaken by NNP1 and are currently continuing. This includes improvement of JICA earth road, and new road construction of the T5 and T12 earth roads to provide access to Project before the monsoon season of 2014. However, construction on other roads requiring land acquisition did not commence before compensation was paid to affected people (APs). The project's Social Management Office (SMO) which is responsible for coordinating all land acquisition and compensation procedures, was required to re-plan schedules for compensation work, due both to new data emerging from updated asset registrations as well as to changes in priorities by the Technical Unit. Table 1 presents the scope and status of works as of end March 2014. Annex 1 and Table 3 provide an overview map of all roads as well as individual section maps, their locations and distances by construction phase.

¹ Until the end of 2013, Thathom was in Vientiane Province and Hom in Xieng Khouang Province. Xaysomboune province was re-formed in January 2014, requiring provincial boundary re-alignment.

Table 1: Project Roadworks - construction status as of end March 2014 (see Annex 1 for maps of section locations and distance)

Work	Dimensions	New/ Improve	Commenced	Completed Works	On-going Works
A¹ road	L = 21.2 km / Width = 5.7 m Ex. = 180,000 m ² Emb. = 151,600 m ² Sub-base course = 38,160 m ³ Pipe culvert = 99 locations Ditch = 24,500 m	Rehabilitate then improve	Feb-2013; Rehabilitation Jan-2014; Improvement w/o PPA Feb-2014; Improvement within PPA	Rehabilitation	Site clearing Excavation Embankment Sub-base course Pipe culvert Ditch
JICA road	L = 9.25 km / Width = 4.5 to 13.5 m Pipe culvert = 2 locations	Rehabilitate	Dec-2013	Rehabilitation works	To be rehabilitated depending on actual road condition
T12 road	L = 0.72 km / Width = 3.5 m Ex. = 6,000 m ² Emb. = 5,000 m ² Ditch = 720 m Drainage = 4 locations	New	Jan-2014	Site clearing Excavation Embankment Ditch Drainage	N/A
T5 road	L = 3.88 km / Width = 3.5 m Ex. = 32,000 m ² Emb. = 27,000 m ² Sub-base course = 3,200 m ³ Pipe culvert = 17 locations Ditch = 3,880 m	New	Jan-2014	Site clearing Excavation Embankment Pipe culvert	Sub-base course Ditch
P1 road	L = 9.32 km / Width = 5.7 m Ex. = 350,000 m ² Emb. = 310,000 m ² Sub-base course = 16,000 m ³ Pipe culvert = 26 locations Ditch = 9,890 m	New	Jan-2014	NA	Site clearing Excavation Embankment Sub-base course Pipe culvert Ditch
P2 road	L = 1.84 km / Width = 9.0 m Ex. = 155,700 m ³ Emb. = 33,600 m ² Sub-base course = 4,250 m ³ Pipe culvert = 7 locations Ditch = 1,840 m	New	Feb-2014	N/A	Site clearing Excavation Embankment
T1&T2 road	L = 1.58 km / Width = 9.0 m Ex. = 164,300 m ³ Emb. = 45,000 m ² Sub-base course = 3,800 m ³ Pipe culvert = 5 locations Ditch = 1,570 m	New	Feb-2014	N/A	Site clearing Excavation Embankment
T4 road	L = 1.94 km / Width = 3.5 m Ex. = 67,000 m ³ Emb. = 4,900 m ² Sub-base course = 1,560 m ³ Pipe culvert = 5 locations Ditch = 1,940 m	New	Feb-2014	N/A	Site clearing Excavation
Temporary bridge	L = 95.7 m / Width = 5.0 m Truss + Composite Plate Girder type Ex. = 1,000 m ³	New	Feb-2014	N/A	Site clearing Excavation
Quarry at STA 9.4 km	Area = 2.0 ha Capacity = 59,000 m ³ Ditch = 680 m Production of crush stone = 37,600 m ³	New	Mar-2014	Site clearing	Ditch Production of crush stone

Ex. – excavation;

Emb. – embankment.

1 – an estimated 8.8 km from STA 6.7 km to STA 15.5 km of Road A lies within Houay Ngua Provincial Protected Area (PPA).

B. Social Audit Objectives, Scope and Methodology

1. Objectives

5. The aim of the Audit is to assess whether the land acquisition and compensation activities carried out by NNP1PC is in line with the LACP-AR agreed with the ADB PSOC Project Team and the requirements of ADB's 2009 Safeguard Policy Statement and GoL requirements, and to identify any outstanding social risks associated with access road works conducted up to March 2014, thereby satisfying ADB's Safeguard Policy Statement (SPS, 2009) Safeguards Requirements 4 covering Special Requirements for Different Finance Modalities (SPS, SR 4, paragraph 12). The audit aims to (i) identify past or present concerns related to impacts on involuntary resettlement (physical or economic displacement) and ethnic groups/Indigenous Peoples; (ii) determine whether actions were in accordance with ADB's SR2 and SR3 principles and requirements; and (iii) prepare a CAP containing necessary remedial actions, the budget for such actions, and the time frame for resolution of non-compliance.

6. The focus of the Audit is (i) Road A (which has the largest number of APs and runs from Nonsomboun to Hat Gniun); (ii) T8 rehabilitation works undertaken in 2013 and associated sites and activities; and (iii) Roads P1 (Hatsaykham-Hat Gniun), Regulation Dam area, and T7, 9, 10 and 11 (right bank, riverbank gardens), T8, spoil area, and dyke towards regulation dam (right bank). A set of construction and compensation progress maps are included in Annex 1.

7. The 21.2 km Road A on the left bank of the Nam Ngiep river includes an estimated 11.2 km of road that crosses the Houay Ngua Protected Area (PA). Associated activities include quarrying at the quarry established by NNP1 at 16.4 km. The Contractor's (Obayashi) temporary labour camp (TLC) at Hat Gniun was also inspected, though it may not be used by the Contractor in future. NNP1's land acquisition and compensation process (LACP) and social management system and SMO capacity were also reviewed in relation to the past, current and future road works.

2. Applicable Social Standards

8. The standards that the rehabilitation and new road works were assessed against were:

- (i) NNP1's various Project social and land acquisition management plans – primarily the Sub-Plans contained in the Access Road Land Acquisition and Compensation Plan (LACP-AR) and the Social Development Plan (SDP);
- (ii) GoL requirements – including national standards;
- (iii) ADB's Safeguard Policy Statement (SPS)
- (iv) good international practice.

3. Audit Methodology

9. The Audit was undertaken through a combination of site inspections, interviews (Annex 2), and desktop review of the Project's Land Acquisition and Compensation Plan: Access Road from Ban Nonsomboun to the Dam Site, January 2014 and other material. The Audit involved:

- (i) review of Project Social Impact, Land Acquisition Management and Social Development Plans;
- (ii) review of compensation progress according to road construction phases;
- (iii) review of secondary data, including inventory of affected assets, consultation records, registration records of affected people, compensation payment records, land lease agreements;
- (iv) discussions with relevant senior NNP1 managers and SMO staff;

- (v) discussions with Obayashi contractor and on-site supervisor sub-contractor;
- (vi) discussions with relevant government authorities in Bolikhan district and Bolikhamxay province;
- (vii) discussions with residents and affected people of villages Sisavath, Nonsomboun, Thaheua, Hat Gniun and Hatsaykham;
- (viii) ad hoc discussions with camp followers owning a bar in Hat Gniun
- (ix) inspections of Roads A, T5 and P1 with NNP1, Obayashi management and SMO staff;
- (x) review of LACP-AR provisions and whether entitlements, registration procedures and compensation payments were made in accordance with SPS and GoL requirements;
- (xi) review of SDP provisions for public health, labor management and community development, as relevant to access roads construction.
- (xii) Identification of gaps and preparation of corrective action plan as remedial action including the budget for such actions, and the time frame for resolution of non-compliance.

10. The social audit was conducted by a senior social specialist engaged by ADB as an external expert to verify compliance with ADB's social safeguard requirements. A mission was fielded between 19 March to 24 March 2014 (see Mission Schedule in Annex 3). SMO staff from Vientiane and Pakxane participated in site visits and continuous discussion was held on matters arising from site visits.

11. The inventory of affected assets was reviewed in the SMO's Pakxane office, and onsite assessments of acquired lands, compensation processes, and consultation procedures conducted. The five main roadside villages experiencing the greatest impacts were visited and a 46% sample of all affected persons interviewed (see Annex 2 and Table 2).

Table 2: Project-affected persons interviewed during the Social Audit

Village	Men	Women	Total Households participating	Total AP HHs participating
Nonsomboun	5	11	16	16
Sisavath	4	3	7	7
Thahuea	24	10	32	22
Hat Gniun	11	38	49	25
Hatsaykham	16	8	22	22
Total*	60	70	126	92 (46%)

*Total number of AP HHs is 201

C. The Access Road for NNP1

1. Progress in Access Road Construction

12. The initial Road A rehabilitation works were contracted to Road No.8 Construction Enterprise (R8CE) (who subsequently sub-contracted Phoukong Construction Company to implement the rehabilitation works) under NNP1's control, while Obayashi, the Project civil contractor, is undertaking the road works using three sub-contractors². Current status of all road works to date is summarized in Table 3. Construction phases are slightly altered from those presented in the LACP-AR due to both technical adjustments as well as progress of compensation procedures in different sections.

² These are TCM (Cambodian); MVDC, SECC (Lao). A fourth Lao sub-contractor, PKC, will work on the main construction site

Table 3: Proposed construction and rehabilitation phases of access roads

Phase	Location	Road Number	Description
1a	HSK	T5	Owner Camp
	HSK		Temporary Bridge Near Gorge
1b	HTG		Contractor areas next to re-regulation dam
	NSB	A	
	SSV	A	
2	HTG	A	
3	TH	A	
4	HTG/HSK	P1	
5	HSK		sub contractor camp
	HSK		concrete plant
6	HSK	T7, 9, 10, 11	right bank
	Houay Soup	T8	
7	Houay Soup		spoil area
	Houay Soup		around dyke towards regulation dam
	Houay Soup		early resettlement HSK
8	Houay Soup		early resettlement HSK
9	Additional areas		River bank garden
			Borrow areas (1-2)
			Excavation areas (1-11)
			Camp
			Quarry (1-3)
99	NSB, SSV, HSK		NSB, SSV Road A and HSK sub-contractor camp

HSK: Hatsaykham; HTG: Hat Gniun; NSB: Nonsomboun; SSV: Sisavath; TH: Thahuea

Table 4: Revised Project Construction Schedule (source: NN1PC Technical Department)

	2013	2014				2015				2016				2017				2018				2019					
	4Q	1Q	2Q	3Q	4Q	1Q	2Q	3Q	4Q	1Q	2Q	3Q	4Q	1Q	2Q	3Q	4Q	1Q	2Q	3Q	4Q	1Q					
Preparation Works	█																										
Road Works		Temporary Construction Road																									
		Permanent Road																									
Base Camp		Owner and Contractor																									
Diversion Works			Diversion tunnel and coffer dams																								
Main Dam			Excavation								RCC Placement								Spillway Gate Installation								
										Penstock/ Nigerian re-release conduit Installation								Intake Gate									
Grouting Works										Curtain Grouting																	
Powerstation Plant						Excavation								Plant Installation and Concrete Works													
Re-regulation Dam										Excavation		Concrete		Excavate Concrete													
Re-regulation Powerstation			Excavation		Concrete																						
														Plant Installation													
Construction Facilities		Plant Installation (RCC plant, Aggregate Crushing Plant)												Intake gate, re-regulation gate installation				removal									
Quarry										Quarry Site Development, Operation and Rehabilitation																	
230kV TL			Design		Procurement and installation																						

2. Electricité de Lao (EdL) and Other Works

13. Since Road A rehabilitation works were first inspected by the ADB in late September 2013, EdL has substantially advanced the construction of a new 22 kV distribution line from Ban Nomsomboun to Khum Hatsaykham as part of its local rural electrification program, which is unrelated to the Project. A 10-40 m wide easement has been cleared along close to the entire length of the alignment, with this activity completed by the end of February. This cleared easement runs alongside Road A at most locations, although sections move away from the road alignment to establish a straighter route at these points. Electricity has now been provided to all villages along the Project Road A.

14. Easement clearance and power pole erection has resulted in substantial vegetation clearance and soil disturbance adjacent to Road A. No LACP process was implemented by EdL, and no compensation paid to APs. During asset registration for Project-related areas, care was taken to identify those areas affected by EdL and those by the Project. NNP1 LACP was undertaken for Project-related impacts only, and this Audit covers only Project-related activities.

D. Social and Land Acquisition and Compensation Management Planning, Approvals, Implementation and Monitoring

1. Social Planning

15. NNP1's social planning commenced with various socio-economic baseline surveys conducted up to 2011. In locations affected by the access roads, little baseline information had been obtained, with the exception of Hatsaykham village as these households will be relocated to the Houay Soup resettlement area. An Environment and Social Monitoring and Mitigation Plan (ESMMP) was prepared in August 2013, when some preliminary baseline data were gathered for a first draft Initial Environmental Examination (IEE) Access Road. Three asset registrations had been conducted by external consultants. Data gaps and conflicting data entries were evident from these surveys, and an overhaul of the entire LACP system plus a comprehensive LACP-AR were needed to bridge identified gaps. There was additionally no agreement with GoL on entitlements or unit rates for assets eligible for compensation, nor was a cutoff date declared to prevent opportunistic claims. No standard compensation procedures were in place, and while the grievance redress mechanism (GRM) had been explained to APs, it was not functioning well. Data on forms were handwritten, opening the Project to potential for data mismanagement. Definitions and criteria of different land categories had not been achieved, causing confusion when labeling land types during asset registration. All these issues resulted in Project non-compliance with both its Concession Agreement (CA) commitments as well as with ADB's SPS.

16. The capacity of the Project to respond to these issues at the time of the October 2013 ADB Mission was inadequate. The SMO was seriously under staffed, LACP was devolved to external consultants and local government with no Project oversight or management function, and communications between engineers and the SMO were poor. The intention was to continue with road construction whether or not compensation had taken place. This was halted, though road improvements were started where it was confirmed there was no claimed private land (e.g. on the JICA road). Safeguards documents reflected a lack of direct Project responsibility for LACP activities.

17. Between October 2013 and March 2014, the situation substantially improved. The institutional structure was re-organized to better reflect the needs of the LACP process (see Annex 8), with SMO staff taking stronger leads in relations with district and provincial GoL. Staffing structures were overhauled by Project management to bring in personnel experienced in LACP and social surveys, and staff were permanently deployed to the Project's Pakxane office to be more

immediately accessible to GoL counterparts as well as to the Project's engineering units, and to APs. This enabled communication with GoL and engineers to function much more smoothly. NNP1's Environment and Social Division (ESD) staffing increased from 1 full-time and 3 part-time staff to 21 full-time and 8 part-time. Key LACP tasks were no longer delegated to external consultants, the database was overhauled and mistakes corrected, data entry was revised to ensure that only hand written signatures appeared on forms eliminating the possibility of written changes on forms after final signature, asset registrations were re-done under close supervision and with cross checks applied (thereby eliminating previous duplication of affected household registrations as well as discovering some additional APs), Terms of Reference (TOR) were provided for staff so that their day-to-day responsibilities and reporting structures were clarified, and staff trainings undertaken on several topics³.

18. The Project Environmental Impact Assessment (EIA) (2012) had assessed the environmental and social aspects of the entire NNP1 Hydroelectric Project, under which sat the *Access Road Initial Environmental Examination - updated version* (IEE, September 2013) and a Land Acquisition and Compensation Management Plan (LACMP, August 2013). The IEE was subsequently updated as an *Environmental Assessment* in January 2014, with the LACP-AR also being revised the same month. The LACP-AR will be further updated by the end of May 2014 to reflect final figures. All safeguards documents were adapted to reflect the Project taking a greater lead in the compensation process through collaboration with GoL's Resettlement Management Unit (RMU) and District Coordinating Committee (DCC). Other reports included:

- *Construction Planning Report on Road Rehabilitation Works of Rural Road Between B. Nomsomboun and B. Hat Gniun of Nam Ngiep 1 Hydropower Project*. February 2013;
- *Resettlement Technical Review*, ERM, April 2013
- *Environmental and Social Monitoring and Management Plan (ESMMP-CP) for Access Road Construction and Other Preliminary Works* (December 2013);
- *Site-Specific Environmental and Social Monitoring and Management Plans (SS-ESMMP) - for JICA, T5 and T12 roads – drafts* (December 2013).

2. Project Approvals

19. The EIA and the Environmental Management Plan (EMP) for the Project were approved by the Ministry of Natural Resources and Environment (MONRE) in July 2012, which included all Project access roads as planned in the EIA. Separate approvals were also issued by MONRE for the IEEs for the 230 kV transmission line and 115 kV transmission line, and for the Social Impact Assessment (SIA), REDP and SDP in July 2012. The LACP-AR was completed, with ADB's comments integrated, in January 2014. This included a revised and updated Entitlement Matrix including unit rates of compensation, which were endorsed and approved by the Provincial Resettlement and Livelihood Restoration Committee (PRLRC) on 14th January 2014 (see Annexes 5 and 9). The cutoff date for eligibility and entitlement for compensation was declared by the PRLRC on the same day (LACP-AR Annexes 16 and 17). Final consultations with APs and actual compensation payments were initiated immediately thereafter.

20. Consultation by NNP1 on LACP was started by the SMO in late 2013, accompanied by Bolikhamxay Province and Bolikhan district officers, and continued in early 2014 prior to payment of compensation. This included obtaining Broad Community Support (BCS) in Hatsaykham village, with APs from the Hmong ethnic group, and in Hat Gniun and Thahuea, both with Lao Loum population but classed as host villages.

³ Including database management, fact and data entry checking, gender and ethnic issues. TORs are included in the Project's REDP

3. Social Safeguards Monitoring

21. MONRE is in charge of social monitoring of the Project on behalf of GoL, with a schedule to monitor the Project every six months during pre-construction. During construction the Provincial Office of Natural Resources and Environment (PONRE), with assistance from the District Office of Natural Resources and Environment (DONRE), undertakes environmental monitoring as agreed with MONRE, reporting to MONRE at set intervals. MONRE provides the budget for PONRE's monitoring from NNP1's contribution to GoL for this task. MONRE has established its project-specific Environmental Management Unit (EMU) to coordinate environmental monitoring. It is currently establishing a monitoring program and responsibilities with PONRE and DONRE. PONRE is in the process of preparing a workplan and assigning staff to undertake the field monitoring activities under MONRE's direction.

22. GoL originally established a PRLRC with the Chair held by the Provincial Governor of Bolikhamxay. However, under a national reorganisation, Xaysomboune province was created by amalgamating districts from Xieng Khouang and Vientiane, including the two districts of Thathom (formerly Vientiane) and Hom (formerly Xieng Khouang) which will experience the most significant impacts from impoundment of the NNP1 reservoir. Xaysomboune formally came into being on 1st January 2014. The Chair of the Project's PRLRC was subsequently transferred from Bolikhamxay to Xaysomboune, this approval being issued by the Prime Minister's Office (PMO) on 17th March 2014 (Annex 5).

23. PONRE undertook public consultation with NNP1 in early February 2013, before implementation of Road A rehabilitation works. Issues discussed included the overall hydroelectric project, Road A rehabilitation works program and the designs of key structures, environmental management measures, compensation for the rehabilitation works, and grievance redress mechanism. While the Province approved the works, no effective social monitoring of these works was undertaken.

24. NNP1 now undertakes internal monitoring of social performance with in-house staff based in their Pakxane office on a day-to-day basis as the works require, and use the independent services of social and database consultants working directly under the SMO to conduct daily and weekly reviews/audits of activities while the LACP is ongoing.

25. External monitoring is conducted by an International Advisory Panel (IAP), which has to date made two site visits in 2013, the next being scheduled for May 2014. ADB has undertaken several social and environmental monitoring visits, the most recent being in October 2013 (both social and environmental), February 2014 (environmental), and March 2014 (Social Audit).

4. Past Social Safeguards Concerns and Actions Taken by NNP1PC

26. During the October 2013 ADB Social Safeguards Mission, key concerns raised included: (i) inadequate staffing to cope with social and LACP tasks; (ii) poor understanding of LACP steps and requirements; and issues related to compensation procedures: (iii) no standard compensation procedure defined, no methodology of assessing unit rates, no clear entitlement matrix; (iv) problems with the three asset registrations conducted, with nicknames used, boundary disputes not clarified, route pegging resulting in housing being lost, hand drawings accepted as sufficient documentation, and total area of land to be acquired was uncertain as there had been no allowance for TLCs or storage facilities; (v) voluntary donations were expected by GoL; (vi) no cutoff date was declared and its function not understood in the Project; (vii) consultations with APs had been conducted but details of eligibility and entitlements had not been approved or discussed; (viii) no special provisions had been made for gender differences; (ix) for ethnic Hmong, translation into Hmong language was sometimes provided, but not routinely; (x) formal land tenure was considered the basis for eligibility with no recognition of customary land use rights; (xi) some early construction work (culverts in Thahuea) had already been undertaken in 2013 without prior assessment or

compensation; (xii) a socio-economic survey was only available for Hatsaykham hamlet, but not the other four road-affected villages; (xiii) grievance mechanisms had been explained to APs, but no functioning GRM was in place.

27. These concerns were monitored in March 2014, the focus being on the extent to which the Project had absorbed and acted on recommendations made during the October 2013 Mission, resulting in effective field measures, improved management and implementation capability, and satisfactory compensation progress.

28. Monitoring results and corrective actions taken listed below. Concerns outlined above are noted against the corrective action taken. The methods to address prior concerns are elaborated further in the text. Concern (xii) is addressed in section II, A3, while project response to Concern (xiii) is described in section II, A10:

(i) Inadequate staffing to cope with social and LACP tasks

29. NNP1 manages the environmental and social aspects of its activities through its ESD, which had previously employed 4 staff (including the Deputy Managing Director [DMD]) working part-time on the access road, with the bulk of social safeguards work being undertaken by sub-contracted consultants on fixed short-term contracts, working in collaboration with local GoL. The Project's intention was to increase staffing following Financial Close (FC) but it was clear that without an enhanced staffing structure with greater direct responsibility for LACP, the Project would continue to be significantly non-compliant with both its CA as well as with the ADB SPS.

30. **Concern (i):** Staffing has now been greatly enlarged, with the appointment of an SMO Senior Manager, four further senior staff to manage and supervise social and LACP-AR activities, with sixteen staff working full-time and eight staff working part-time on LACP (see Annex 8 for a breakdown of SMO staffing).

31. **Concern (ii):** Staff formerly working on social safeguards issues had no TORs and were frequently assigned different types of tasks on an ad hoc basis, nor were based full-time in Pakxane. This was changed through (a) preparation of TORs for better clear and better understanding of staff responsibilities and reporting structure; (b) assignment of full time relevant staff in the Pakxane office; (c) the E&S organisation of LACP activities was clarified and sub-teams established between November 2013 and January 2014 with clear tasks and objectives. These included formation of: (i) Household Interview Team [HIT]; (ii) Land Investigation Team [LIT]; (iii) Database and GIS Team; (iv) GRM team; (v) GoL Relations; (vi) Administration.

32. **Concern (ix):** Little attention had been paid to gender equity and ethnic diversity in the ESD, and this was redressed with recruitment of eleven female staff, nine staff with Hmong background and four from the Khmu ethnic group. Communication with Hmong villagers is now conducted in both Lao and Hmong languages. Eighteen staff received community development, gender and ethnicity training relevant to social and LACP issues. In Pakxane, the LACP team for Access Roads as of March 2014 consists of 24 persons⁴.

(ii) Poor understanding of LACP steps and requirements

33. **Concerns (iii), (iv), (v), (vi), (vii), (x), (xi):** Following re-organization, SMO staff tasks between November 2013 and March 2014 focused on: (i) review and cleaning of previous asset registrations to prevent duplication of households, identify any new APs, and inclusion of community land and riverbank garden users; (ii) re-alignment of all access roads in order to avoid

⁴ LACP Team consists of one Team Leader, 2 Administration, 8 Asset Registration, 7 Compensation Procedures, 2 GRM and GoL Liaison, 2 GIS, 2 data entry (one in Vientiane).

impacts on a cemetery and on housing; (iii) in line with CA requirements and SPS, clarify AP entitlements, methodology of unit rate assessment for affected assets, establish a cutoff date, and obtain PRLRC endorsement; (iv) establish a standard compensation procedure; (v) discuss and agree with the technical team, road construction phases and steps required before construction begins; (vi) update consultations with APs based on PRLRC-approved unit rates, cutoff date, payment procedures, unacceptability of voluntary donations, recognition of customary land rights and eligibility of community land and riverbank garden compensation, identify and resolve APs issues in relation to rates/entitlements; (vii) undertake family financial training for APs receiving large compensation amounts; (viii) obtain final BCS from Hatsaykham, Thaheua and Hat Gniun villages; (ix) open bank accounts in the joint names of husband and wife, transfer 100% of compensation to accounts, and document handover of bank books to APs.

34. NNP1 also takes responsibility for all remedial works along Road A that are not related to the road improvement works to be undertaken by Obayashi and has committed to implement these works.

(iii) Compensation Procedures

35. **Concerns (ii), (vii), (viii), (xi):** As stated, a major gap in the Project was the lack of a robust and understandable land acquisition and compensation procedure (LACP). The SMO paid particular attention to this and established the following mandatory LACP steps

- Undertake a household interview with APs in their homes
- Undertake land measurement of the affected land plot together with AP, DCC, RMU and village headman or elders (the latter when available)
- Open bank accounts in the names of both husband and wife; the bank is the Lao Development Bank in Bolikhan district centre
- Enter data into the Project database, prepare technical land drawings and maps of individual land plots
- Print form A including household data, asset registration, drawings and pictures/maps
- Screen at first level internal quality control by team, followed by second level by RMU
- Revise household agreement as appropriate, re-print. Automatic compensation calculation values, printing Forms F & G
- Make appointment with AP and field visit for signing Forms A, F and G
- Compensation transfers, approval by NN1PC, transfer of compensation amount via Finance Dept. to AP Bank Account
- Obtain signatures of NNP1, RMU and DCC on Forms F and G
- Update Bank Books in Bolikhan district and make appointment with AP for handover as well as for signing Acknowledgement Form G
- Update Road Section Status, inform Technical Unit for start of construction

II. AUDIT FINDINGS

A. Review of LACP-Access Roads Implementation

1. Scope of Land Acquisition and Involuntary Resettlement Impacts

36. The LACP-AR (January 2014) identified the scope of impacts for Access Roads as reflected in Table 5. The CA afforded the Project a maximum width of 25 metres Right of Way (ROW) on either side of the road.

37. To minimise impacts, the full ROW amount was not utilized with road width ranging from 10 (minimum) to 50 meters (maximum) in different road sections. The first step was to re-peg the road alignment in consultation with the technical unit, so as to avoid major impacts on housing and structures, given that the ROW had been altered under CA provisions from a village dry season track to an all-weather rural road with a maximum, non-exclusive right-of-way of 25m from the central line.

38. The final road design was adjusted to avoid cemetery, houses and shops, with the Project ROW reduced to a 10-metre width rural road plus necessary construction area at the side of the road under 25 metres from the central line (along the main road 7.5m buffer on every side; in the construction area road and buffer extend up to a total width of the allowed 50m). These efforts ensured that no-one lost their housing or shops, and were not required to relocate.

39. Table 5 below shows the land categories impacted per village as identified in the asset registration. Figures may be subject to amendment during actual construction, and revised data will be included in the updated LACP-AR, due for final submission by 1st June 2014.

Table 5. Type of land impacted by the road

Type of Land	Hat Gniun	Hatsaykham	Thahuea	Sisavath	Nonsomboun
Area (m2)					
Residential	-	46,079	11,579	36,138	-
Garden	8,016	16,699	9,174	120	5,572
Paddy	-	2,445	-	-	-
Fallow Paddy	82,293	1,091	-	-	-
Upland / Forest	29,447	69,806	115,343	33,860	76,171
Plantation	70,636	55,730	570	970	14,324
Plantation / Forest	9,053	38,187	40,356	12,835	44,650
Forest / Rice Field	36,308	-	27,903	-	-
Public Land	-	6,077	-	-	-
Other	-	6,179	1,769	-	-
Total (area)	235,753	242,293	206,694	83,923	140,717
Total (APs)	54	22	26	60	39
Initial Land Requirement:	909,380 m2				
Total APs	202 HHs				

40. A total of 909,380m2 land has been initially identified as required for road construction. Previous assessments, however, failed to take into account Right Bank land areas needed permanently and temporarily for workers' camps, storage facilities, quarries, spoil areas, etc. Due to re-alignment and reduction of the statutory ROW to actual requirements, and incorporating areas

omitted from previous surveys, the final land acquisition impacts as of 18th March 2014 amounted to an additional 283,916m². Table 6 indicates the revised land acquisition requirements for access roads (particularly Road A) for each affected village.

Table 6: Impact Comparison of Land Acquisition Requirements by Village, in square metres

	Hatsaykham	Hat Gniun	Thaheua	Nonsomboun	Sisavath	Totals
SSAFE measurement Dec. 2013	235,753	242,293	206,694	83,923	140,717	909,380
NNP1 updated Database March 2014	974,421	332,049	50,274	26,257	41,309	1,193,296

Source: NNP1 Project, SMO

41. After consultation with the technical unit, re-pegging was undertaken to re-align Road A and to avoid existing structures. Land identified as residential in Table 5 indicates only small sections of land from a housing plot but no housing structure will be impacted.

42. Other affected assets included productive and commercial trees, perennial plants and standing crops (See Annex 13).

43. Initial Inventory of Losses (IOL) conducted by the consultancy firm SSAFE in 2013, reflected 246 affected persons. However, a revised asset registration identified double entries, disputed claims by family members or neighbors, boundary disputes and some omitted APs. Based on the updated and amended asset registration, a final total of 201 households have been identified as impacted. The final number of APs by village of residence and by construction Phase are shown in Annex 4. Additional numbers will be identified for Road T8 and right bank spoil and dyke areas once the asset registration is completed, but these numbers are not anticipated to be significant. All final figures will be included in the updated LACP-AR.

44. Of the total 201 affected households identified to date, 16 are single female households (4 Hmong, 1 Khmu, 11 Lao), and 3 single male households (Lao). Twenty-seven APs consist of large households numbering more than 9 persons, of which 12 are in Hatsaykham hamlet. From the total number of households in affected villages (though not all are APs), there are 956 Lao persons, 220 Hmong, 10 Khmu and 6 others, totaling 1,192 persons affected by roads impacts.

The number of affected persons may increase, as the DCC had not given final approval for asset registration on right bank locations, including Road T8, Spoil Area and Dyke Area. At the time of Audit, the DCC had just approved asset registration for T8, as well as for spoil and dyke areas between the road and the river. However, as the Houay Soup site has not yet been formally endorsed by the PRLRC as the Project's designated resettlement site, this has also held up the Project's ability to obtain DCC approval for right bank asset registration.

2. Cut-off Date

45. The Project and local GoL initially had some difficulty in appreciating why a cutoff date was needed separately for Access Roads compensation, rather than waiting until all land in the Project impact area was registered. After some discussion where it was clarified that unit rates might be different in different parts of the country, depending on local market prices and district-level monthly statistics, and that the function of a cutoff date was to enable legitimate APs to be counted while blocking opportunistic claims, the RMU and PRLRC agreed that it was a necessary step for compensation to proceed. Accordingly a cutoff date was duly declared by the PRLRC for Access Roads on 22nd January 2014 (consistent with the cutoff date stated in the LACP-AR, para 96), and

the inventory of losses and AP census, followed by compensation, proceeded immediately thereafter. A separate cutoff date will be declared for other impact areas once the date of asset registration is determined.

3. Socio-economic and Ethnic Profile of Villages Traversed by Access Roads

46. The Project initially conducted a socioeconomic survey of Hatsaykham village only; to address this gap, Indo-China Research was engaged to undertake a full socioeconomic survey of Thaheua, Sisavath, Nonsomboun and Hat Gniun. This survey commenced on 20th March 2014 and analysis of data was ongoing at the time of the Mission. Survey data has been integrated into the LACP-AR update, attached to this report.

47. The 4 villages and 1 hamlet affected by construction of Access Roads have a population of 3,668 in 659 households. Hat Gniun is entirely Lao, while Thaheua, Sisavath and Nonsomboun are mostly Lao, with a few Khmu families in Thahuea and a few Hmong households in Nonsomboun and Sisavath. Hatsaykham is entirely ethnic Hmong.

48. Ban Nonsomboun lies about 19.9 km from Pakxane along the paved road to Bolikhan leading north to Xieng Khouang. Ban Sisavath lies some 3.5 km northeast from Ban Nonsomboun, along the paved road and just to the southwest of Bolikhan district town. Both are growing rapidly since the completion of the paved road through the communities. Both villages have experienced rapid growth in the past year, with a 25% population increase. The easy access to Pakxane and from there to elsewhere in the country has attracted many new settlers to these communities. The paved road also helps make many new construction materials available, with preference now to build homes using concrete and other materials more permanent than wood and bamboo. Land values for an 800m² housing plot have increased from ThBaht100,000 to THB2-250,000 in just one year. Utilities such as water, electricity supply and sewage, are in good condition, and the village feels it can absorb newcomers without too much restriction.

49. The easier access to markets has led to a diversification in agricultural production in Nonsomboun and Sisavath, with many households growing commercial crops, including commercial trees, as well as crops for their own consumption. The improved transportation together with electrification has contributed to increased diversification of the economies of these two villages. Though most people continue to depend mainly on agriculture for their livelihoods, there are a greater number and variety of other economic activities, including small restaurants, small groceries, and other stores and services, after the road was improved. NNP1 road improvements have already resulted in increased business turnover, with Sisavath shop owners reporting the need to re-stock every week rather than every 3 weeks as before.

50. Ban Thahuea lies about 18 kilometres from Ban Nonsomboun. Hat Gniun is only about 3 kilometres from Thahuea, and Hatsaykham less than 2 kilometres from Hat Gniun. These 3 communities are typical for rural Laos, with the houses mainly made of bamboo and wood and built in cluster settlements. Productive lands are distributed around the settlements. Hatsaykham is administratively consolidated with Hat Gniun, where the village headman is located, and is termed "Khum", or hamlet, in this report, rather than "Ban", which denotes the administrative unit of a village.

51. The governing structure of each village encompass a village headman, deputy village headman, and villagers who are members of the Lao National Front, the Lao Youth, the Lao Women Union, and of village forestry watch groups, village health volunteers, and other similar committees and groups. The villages, especially the Hmong community of Ban Hatsaykham, additionally have clan leaders and in some cases shamans, who are informal but still influential leaders.

52. These villages have moderate infrastructure, much of it still in need of improvement. The Access Road to all villages (except at the start at Ban Nonsomboun and Sisavath) are dirt roads only accessible during the dry season. This is already changing with the ongoing road upgrades.

53. As of January 2014, all villages are now connected to the electric grid through a rural electrification program, implemented by Electricite de Lao (EdL) and supported by the World Bank.

54. Sisavath and Nonsomboun are connected to district town water supply. The remaining villages use water from streams and springs for drinking and cooking. There are also a few wells in Hat Gniun and Thahuea. Water for washing, watering livestock, and other uses is from the river and streams. Thahuea experiences water restrictions, particularly in the dry season, and provision of an improved village water supply is already budgeted by the Project for this village. If these works can be brought forward, it would create considerable goodwill towards the Project. Water supply for Hat Gniun used to be sufficient for its 67 resident households. With the establishment of the TLC, camp followers and rental of village sites and individual housing, residents expressed concern about the water supply which is under strain to meet everyone's needs. These needs will increase as the Project moves from constructing access roads to main site construction, and requires immediate attention. At present, the Contractor brings in water from Pakxane by tanker every two or three days to supply the TLC, but camp followers, new businesses, and those renting properties in Hat Gniun, rely on the village supply or on local streams and rivers.

55. There are primary schools in all the villages, though the schools in Khum Hatsaykham and Ban Thahuea are for only the first 2 or 3 years of primary school. None have a secondary school, though Sisavath is able to use the district school, and children from Thahuea walk to Ban Hat Gniun for further schooling.

56. Ban Hat Gniun, Ban Thahuea, Ban Nonsomboun, and Ban Sisavath each have a Buddhist temple. Each village has its own cemetery. The cemetery at Hatsaykham would have been disturbed by road construction but this has been avoided by re-alignment. However, the entire cemetery will be affected by full project construction, and it will be re-sited as part of the remedial works for the village (described in the Project's Resettlement and Ethnic Development Plan [REDP]).

57. No village has a health centre: patients have to travel to the nearest district health centre at Boliikhan District, adjacent to Sisavath, 3 kilometres away from Nonsomboun, but about 20 kilometres distance for the others. There is a reported drug problem in Hat Gniun village, but no government programs are in place to address this. The village is said to have been a centre of dealing in methamphetamine (ice) for some years. Though this is not caused by, nor related to, Project activities, it is of serious concern as more workers arrive on site for construction purposes. Corrective Action recommendations are made in Section 10.

58. Villagers rely on subsistence agriculture for their living, with rice as main crop principally for household consumption, with some surplus being sold. Additionally maize, sugar cane, cassava, banana, and pineapple are cultivated for both sale and consumption. Housing plots have small vegetable gardens for consumption, and some seasonal vegetables are cultivated in riverbank gardens. All households raise chickens, ducks and swine that typically roam around the houses except for large ones that are kept in pens. Other large animals such as water buffaloes, cows and goats are usually left to roam or herded during the day before being brought back to stay near the house at night. Animals are an important asset and source of income for the families.

59. Houses are built from wood and bamboo from the forests and grasses from the fields. Food is cooked with firewood gathered from the forests. Mushrooms, bamboo shoots, vegetables, and herbs are gathered from the forests, and wildlife commonly hunted. The rivers are also an important source of nutrition, with almost every meal including some fish, either fresh or preserved.

60. Villagers plant fruit trees and other economic or commercial trees. Farmers have started recently planting commercial trees, such as teak (*Tectonagrandis*), auri (*Acacia auriculiformis*), eucalyptus (hybrid for pulp), and Agar wood (*Aquilaria* spp.). Villagers in Sisavath and Nonsomboun in particular have started planting these commercial trees more extensively, given the proximity of their lands to the all-weather paved road.

61. Farmers have also planted rubber trees in recent years, and there is evidence that more farmers will start to plant rubber, because earnings have been relatively good in recent years. However, as the supply has increased considerably throughout the country in recent years and demand from China has declined with the slowing of the economy, prices and profits for rubber are decreasing.

62. Fruit trees are mostly for domestic consumption. In local and nearby almost all local fruits sold are from the forests. Commercially grown fruits tended to be from China or Thailand. One of the few exceptions is pineapple, grown in fairly large numbers by some households for sale. The economies of Nonsomboun and Sisavath are diversifying with the improvement of the all-weather road. With the provision of electricity and new market of laborers on Project activities, this economic expansion is now reported in Hatsaykham, and while most households still depend primarily on agriculture, many are supplementing their livelihoods with secondary occupations such as small shops and food stalls.

63. Hatsaykham has a total population of 33 households with 218 persons, all of whom are of the Hmong ethnic group, mostly from the Xiong clan. The village is a *khum*, or sub-village under Ban Hat Gniun, which is entirely composed of Lao.

64. Hmong is a patrilineal and patriarchal culture, rendering women with less voice in decision making. The SMO reported this became evident in the village meetings as part of the public consultation process. Women had to be encouraged to speak up and mainly provided opinions and information during focus group meetings. In order to get the opinions of women in the villages, the study team had to actively seek out and talk with women separately.

65. Though women have dominant roles in the household economy, this is not reflected in their decision-making role or in the influence they have on overall household management. The traditional division of responsibilities in families in Laos gives men the greater voice in household affairs (at least publicly).

66. Men tend to represent the household at the village level and take part in decision-making bodies such as administrative, professional and political organizations at different levels. As Hatsaykham is a *khum* of Hat Gniun, the village head (*naibaan*) is the final authority, but the Hmong retain their system of elders and for day to day matters, the village is relatively autonomous.

67. Ethnic minorities in the Project's Access Roads area are no different from elsewhere in Laos in that they possess fewer formal land tenure proofs than Lao Loum. Table 7 illustrates the differences in dependency on customary land use as compared to statutory land title in different communities along the Access Roads.

Table 7: Land Tenure Status of Access Roads Land Parcels, by Ethnicity

Tenure Documents	Ethnicity of AP			Total
	Hmong	Khmu	Lao Loum	
District Level Approved	7	1	149	157
No Formal Title	74	1	53	128
Province Level Approved	0	0	7	7
Village Level Approved	1	0	8	9
Total	82	2	217	301

Source: NN1PC, 19th March 2014

Table 8. Profile of Affected People from the Construction of the Access road (Sources: Field Survey 2011 and Bolikhan District Office 2013*)

Village	Total No. of HHs	No. of maximum impacted HH	No. of Population		Lao Loum		Hmong* Khmu**	
			Total	Female	Total	Female	Total	Female
Hat Gniun (main village)	67	55	371	157	371	157	-	-
Hatsaykham (sub village)	33	22 (22 Hmong)	218	108	-	-	218	108
Thahuea	50	26 (1 Khmu)	265	122	232	110	33**	12
Nonsomboun	169	60 (1 Hmong)	956	472	939	464	17*	8
<i>Subtotal</i>	<i>319</i>	<i>163 (23 Hmong, 1 Khmu)</i>	<i>1,810</i>	<i>859</i>	<i>1,542</i>	<i>731</i>	<i>268</i>	<i>128</i>
Sisavath	340	39 (1 Hmong)	1,867	946	1,858	941	9	5
Total	659	202	3,677	1,805	3,400	1,672	277	133

*updated figures show number of impacted HHs slightly altered

4. Significant and non-Significantly Affected APs

68. Thirty three (33) APs were deemed significantly affected (with 31 HHs of Hatsaykham being significantly impacted) and had the option of obtaining replacement land. However, all APs opted for cash compensation for the impacts due to Access Road Construction (note that APs from Hatsaykham will receive replacement land in the resettlement site of a size as large or larger as their not yet compensated impact but at least of a size of the basic level outlined in the Detailed Entitlement Matrix Zone 3).

5. Compensation Unit Rates and Entitlements and Status

69. The compensation value was at replacement rate, plus any fees, transaction costs, re-registration, etc. In Nonsomboun, some housing plots were slightly affected and the cost of re-registering AP land titles will be covered by the Project. It was clarified to APs in Nonsomboun that the Project would pay for re-registering the original plot less the amount of land acquired, but would not be responsible for enlarging the plot to the maximum statutory 800m² allowed for housing, as (i) this would encroach on neighbors' land (ii) the AP had already received their compensation for the acquired land.

70. The method of calculating unit rates for compensation applied statutory GoL principles which were discussed and agreed first with the RMU and PRLRC, and subsequently with APs as part of the stakeholder engagement and community consultation process. The methodology and unit rates for individual assets affected (e.g. rice field, upland agricultural plot, different types of trees and standing crops, etc.) were finalised in December 2013, and PRLRC endorsement published on 10th January 2014. Final unit rate values and the methodology to arrive at them are consistent with ADB's requirement under SPS SR2 para 10.

71. Final land values were agreed after consultation between APs, RMU, PRLRC and the Project. The total estimated compensation value is Lao Kip1,680,606,825 (US\$210,075.85), with a total amount transferred as of 19th March 2014 of Lao Kip1,467,419,975 (US\$183,427.50), approximately 87.31% of the total compensation value.

72. Cash compensation unit prices/rates at replacement value were assessed by the PRLRC through comparing, reviewing, and confirming the following four sources:

- Compensation rates paid by other investment projects operating under similar conditions; adapted for inflation
- Current market price study conducted by an independent consultant or research institution or NGO

- GoL statistical information on market prices, updated monthly
- GoL observations of prices in the affected villages

73. Following consultations between GoL, APs, and NNP1PC the PRLRC confirmed final compensation unit prices/rates to be applied by the project. Because compensation unit prices/rates need to reflect current replacement values, these compensation unit prices/rates will apply for the year in which the compensation payment will be made; an annual update will be required until all compensation payments (including grievances) have been completed (see Annexes 8 and 9).

Table 9: Unit Rates for Compensation Approved by PRLRC

Items	Unit	Unit rate	Potentially affected Units	20% of potentially affected Units	Total Amount in LAK	Total Amount in USD
Eucalyptus	Tree	50,000	9210	1842	92,100,000	12,280
Agar Tree	Tree	70,000	4790	958	67,060,000	8,941
Teak	Tree	80,000	2294	458.8	36,704,000	4,894
Rubber Tree	Tree	110,000	1866	373.2	41,052,000	5,474
Yang Bong tree	Tree	70,000	1544	308.8	21,616,000	2,882
Jack Fruit Tree	Tree	375,000	3	0.6	225,000	30
Mango tree	Tree	300,000	22	4.4	1,320,000	176
Lemon Tree	Tree	350,000	2	0.4	140,000	19
Mai Bark Tree	Tree	50,000	20	4	200,000	27
Mai Ka Young	Tree	150,000	5	1	150,000	20
Mak Kean Tree	Tree	32,000	150	30	960,000	128
Mak Kor Tree	Tree	42,000	4	0.8	33,600	4
Banana	Stem	60,000	393	78.6	4,716,000	629
Pineapple	Plant	10,000	30133	6026.6	60,266,000	8,035
Cassava	Bush	25,000	117313	23462.6	586,565,000	78,209
Rice field hut	Hut	300,000	1	0.2	60,000	8
Shop	Shop	300,000	2	0.4	120,000	16
Residential land	sqm	10,000	93796	18759.2	187,592,000	25,012
Paddy land	sqm	5,000	66725	13345	66,725,000	8,897
Fallow paddy land	sqm	3,000	84217	16843.4	50,530,200	6,737
Plantation	sqm	800	180508	36101.6	28,881,280	3,851
Garden	sqm	1,500	173325	34665	51,997,500	6,933
Primary forest / Plantation	sqm	300	150693	30138.6	9,041,580	1,206
Fallow and forest land	sqm	150	341057	68211.4	10,231,710	1,364
Cemetery	Tomb	500,000	22	4.4	2,200,000	293
<i>Subtotal</i>					1,320,486,870	176,065
Contingency					132,048,687	17,606
Grand Total					1,452,535,557	193,671

Note 1: Exchange rate at 7500 LAK per USD.

Note 2: Average rates used; Effective rates are more detailed as outlined above, based on asset category

Source: LACMP, NNP1, January 2014, Table 19: Estimated Resettlement Cost

6. Status of Compensation

74. As of March 2014, 87% of registered APs had received compensation. Bank deposit accounts in the joint names of husband and wife were opened and all compensation has been transferred into the account for all APs. Bank books have been handed over to the APs where LACP has been completed. The Mission cross-checked amounts in bank books against Project payment records, which checked out in every case.

75. While the majority of APs have been compensated as of 31 March 2014, some outstanding payments remain to be made. Reasons for non-payment include: (i) family dispute as to land ownership; (ii) disagreement by 5 Hatsaykham APs over the unit rate of fallow rice fields and of land categories; (iii) disputed ownership of community land by individuals; (iv) absence of owner on notified payment date; (v) absence of either husband or wife on notified payment date; (vi) ownership claims of large land tracts on the Right Bank and disputed land category.

76. To resolve these issues, the SMO has taken the following steps: (i) initiated dispute resolution procedures together with the village GRM committee, RMU and DCC representatives, to determine which family member is entitled to the compensation; (ii) RMU further discussed in Hatsaykham village the unit rates, village elders agreed they are fair, and the 5 disputants have now accepted the rate; (iii) individuals have dropped their application for land as the amount is very small, and accepted compensation as a community asset, payable to the community as a whole; (iv) follow up the absent owners to finalise payment; (v) clarified again to APs that both husband and wife must be present at time of payment to validate acceptance; (vi) as the Project had not undertaken asset registration earlier on the Right Bank, nor previously obtained satellite imagery, validation of land ownership claims have proved difficult. However, good faith negotiations are under way in conjunction with the RMU and DCC, with reference to the Land Law, which restricts the total number of hectares a family can own, and which also requires land to revert to the state if left uncultivated for more than 3 years. The asset registration team has also been re-activated to re-measure the land.

77. Any issues that cannot be resolved by these means will be subject to the full GRM. Until resolution on compensation payments is final, the cash to which APs are deemed entitled will be placed in an escrow account, to be made available immediately upon resolution.

78. As of end March, ten currently suspended cases are estimated to be resolved by the middle of June. The SMO has set a target of final compensation completion by the end of July 2014, with updated information included in the revised LACP-AR by 1st June 2014. This target is dependent on the RMU and DCC being available for negotiations and able to arrive at final settlement. The CAP includes targets for final decisions on compensation and resolution on competing ownership claims.

7. Compensation for Community Land

79. Formerly community land was deemed state land and ineligible for compensation. After discussion with the Project in October 2013, community land was included in the entitlement matrix and accepted as eligible for compensation. The form of compensation is arrived at in consultation with individual communities, and may be different from village to village, depending on community preferences. In Thahuea where preliminary works were made to install culverts and construct a bridge, and land is rented for contractors' equipment by the Nam Sao river, the Project agreed to improve the village temple and school.

80. In Nonsomboun a section of the village meeting hall site has been acquired, but a final decision on compensation has not been reached as there is a competing claim for ownership from a private household. Village authorities have requested a new boundary fence between the school

and the road. In Hat Gniun a section of the primary school's land has been acquired. The village has requested replacement fencing plus connection to an electricity supply for the school.

81. The Project is renting community land from the landowner of Thidadao Resort in Hat Gniun village via cash payment. Additionally, the village head (*naibaan*) has privately sold community land adjacent to the road to outsiders to construct guesthouses and restaurants. Copies of rental agreements with the Thidadao owner and Thaheua village are included in Annex 6.

8. Unforeseen Impact During Road Construction

82. As mentioned in the Environmental Audit of February 2014, watercourses have been disturbed, which at most sites is unavoidable, and some soil was deposited in or on the banks of watercourses during rehabilitation earthworks, leading to difficulties for farmers to access their fields with *tak taks* and wet season irrigation blockage. One AP in Hatsaykham complained the watercourse to her rice field is no longer viable.

9. Feedback from Affected People on Compensation

83. During Mission visits to affected villages, APs expressed satisfaction at the unit rates, with the exception of five households in Hatsaykham who wanted a higher rate for fallow paddy land. However, other APs in the same meeting considered these families were being greedy, and the general consensus was that both the method of working out unit rates and final figures, were both fair and generous.

84. Although very few APs had the experience of opening and managing a bank account beforehand, all APs, both male and female, highly appreciated that it was opened in joint names, explaining this prevents household arguments over how the money is spent. In Nonsomboun, women APs approved of the greater security of a bank account as opposed to large amounts of cash being held in the house. Hatsaykham APs also felt neither spouse could deceive the other as to the money's use, and local GoL could not mis-represent the amount of money promised and received. Some concern was expressed by a few APs about using their account for fear the bank manager would laugh at them for having small amounts on deposit. The RMU undertook to ensure this would not occur and if it did, to report it so that it could take it up with the bank. The RMU also suggested it could arrange for the bank manager to visit the village and explain procedures further to APs.

85. The Mission asked APs in all affected villages, whether they had spent their compensation money yet or not. Answers varied from village to village, and from household to household. For some, the amount received was very small and was already spent on religious rituals, children's school costs and daily expenses. Others had re-invested funds by purchasing large livestock and in Sisavath and Hatsaykham, re-stocking shops, purchasing pickup trucks, and some for daily expenditure. One woman in Nonsomboun had transferred the compensation to a higher interest rate fixed deposit account. In Hatsaykham, some villagers are busy constructing new houses with their compensation with the intention of receiving greater compensation for their loss when they have to relocate to Houaysoup, even though APs have already been advised that relocation compensation will be in the form of replacement housing rather than cash. A large proportion of all APs in all villages had not yet decided how to use their compensation, and were becoming used to the lump sum accruing monthly interest.

10. Grievance Redress Mechanism (GRM)

86. The GRM was presented and explained to APs during the consultation and disclosure process in compliance with SPS SR2. However, it was learned that the RMU had not really operationalised the GRM, preferring instead to take a more direct action approach to directly

address any complaints while avoiding any formal procedure. The RMU also stated it did not have the budget to implement a GRM.

87. While the Bolikhamxay GRM is in place, APs have been informed, district institutions established and a senior grievance officer appointed by NN1PC, further work is needed to make the GRM fully functional.

88. As the GRM is a mandatory procedure which must be available to all APs, with complaints lodged and tracked through a Project database, the RMU was informed that the Project will be responsible in bearing the cost related to GRM activities. It was emphasised to GoL that a robust GRM is not a sign of failure, but indicates a confident Project able to address both anticipated and unforeseen issues as and when they arise, and is a useful mechanism to assist the Project distinguish genuine cases of grievance as opposed to cases of opportunistic claims. Furthermore, if the GRM is bypassed and the RMU tries to deal with complaints directly, then in future this raises the risk of the RMU being bypassed. While the RMU is primarily responsible as second point of contact after the village grievance process, NN1PC recently employed a GRM Manager (see Annex 2) to liaise more closely with the RMU, to assist GoL in establishing documentation and database procedures for AP grievances, and to link national procedures more closely with Project procedures.

89. The RMU agreed on the institutionalization of GRM, that an assessment of villagers' knowledge about GRM should be undertaken, and training prepared for the RMU, DCC and affected villages, will be implemented after the Lao New Year (Phimai) holidays which is in mid-April (see Section 10 for inclusion in CAP). It was also suggested that the RMU from Nam Theun 2 Project be invited to share its GRM experiences with NNP1.

90. During village visits, interview with APs were conducted and generally there was satisfaction with the LACP, disclosure and methodology. In Hatsaykham, however, there were 2 villagers who remained dissatisfied with the compensation amount for fallow rice fields. Other APs expressed disagreement with these 2 APs and considered the process and compensation amount fair and generous. Hatsaykham villagers also expressed satisfaction with receiving the entire compensation amount in their bank accounts that had been negotiated and agreed, with no fees or charges payable. In addition to the actual compensation amounts, the Project has covered the cost of LaoKip30,000 account opening fee.

11. Vulnerable Households

91. Both GoL and ADB safeguards policies recognise the special needs of vulnerable households⁵. According to the LACP, five potentially vulnerable households affected by roads construction were identified in Hatsaykham⁶, and two in Thaheua⁷. Consultations have now been undertaken on a case by case basis with these households to clearly explain the LACP process and their entitlements.

92. Support measures included additional household consultation meetings, inclusion of additional family members into the family consultation where there are single headed households, and special times to organize household consultation meetings to meet the time availability of the household. The households also received financial training prior to receiving compensation, and additional explanation of using a bank book.

⁵ See LACP, Sections 2.1 -2.2

⁶ Of these, 2 include female-headed households, 1 with a physically disabled family member, 1 with a mentally disabled family member, and 1 household of different ethnicity from the majority village ethnicity

⁷ 1 female-headed household, 1 single person household

12. Stakeholder Engagement

a. Stakeholder Identification

93. The Project has defined⁸ three categories of stakeholder:

- Primary stakeholders, who are people directly affected by the project, those who are indirectly affected, village organizations, and implementing agencies at district levels;
- Secondary stakeholders are the developers, workers and other project staff, lenders, the GOL via various line ministries, GOL authorities at provincial and district level;
- External stakeholders are NGOs, press and other media, and any other concerned parties who may have a legitimate interest in the project.

94. Primary stakeholders, particularly APs along Access Roads, have experienced a high level of Project engagement, as outlined in the previous section. Village authorities and ethnic minority elders have been integrated into procedural structures, including organising consultation meetings, establishing first-stage grievance mechanisms, endorsing individual AP compensation forms, and signing off for completion of compensation payment in the various construction phases.

95. While the Project has overall responsibility to ensure it complies with national and international social safeguards standards, it must work closely with implementing agencies at district and provincial levels through the DCC and RMU. To this end it has conducted several district-level trainings on how to use various Project forms and documentation processes, involved district authorities and the RMU personnel in asset registration and compensation sign-off, and in the GRM. It is also recommended that a visit to Khammouane province is arranged for the RMU and DCC, to meet with the RMU and District authorities responsible for implementing the Nam Theun 2 and Theun Hinboun projects.

96. Secondary stakeholders are mainly engaged through the Project's PRLRC, to which the DCC and RMU report. Until the end of 2013, the Chair of the PRLRC was the Provincial Governor of Bolikhamxay. With the re-formation of Xaysomboune Province, the Chair passed to the Xaysomboune Provincial Governor, with formal authorization issued by the Prime Minister's Office in January 2014 (see Annex 5).

97. In Pakxane, a Project Office has been established with liaison officers to coordinate and communicate with provincial and district GoL. Similar provincial Project Offices are in the process of being established in Thathom and Hom districts, Xaysomboune Province.

98. With the formation of Xaysomboune provincial government, the SMO has made particular efforts to familiarize provincial and affected district authorities with the Project's REDP and CA. Entitlement matrices for APs in Thathom and Hom have been revised and translated into Lao and Hmong languages, and a workshop held by the SMO with Xaysomboune to review these documents. A schedule of secondary stakeholder consultations and content of matters discussed is included in the Project's REDP, Table 151.

99. Secondary stakeholders includes contract labor hired by the main construction contractor (Obayashi) and its sub-contractors. Further work is needed to improve communications and safeguards compliance in this respect, discussed more fully in the following section.

100. External stakeholders have not really had much engagement until recently; although the Project has been operational since 2007, activities affecting local communities did not properly kick off until mid-2013. At the same time, the Project was revising its safeguards documents ready for public disclosure, which it uploaded to its website on 11th April 2014⁹. The Project has appointed a

⁸ NN1P, Resettlement and Ethnic Development Plan (RED), Chapter 16, para 1003

⁹ Draft social safeguards documents are accessible at: <http://namngiep1.com/show.php?id=24>

Public Communications Manager, and two General Public Consultation meetings for NGOs, international donors and GoL are scheduled to be held in Vientiane and Pakxan in May 2014.

b. Consultation and Disclosure

101. Consultation with APs started in 2013 with collaboration between the Project, DCC and RMU. According to the LACMP, objectives were to ensure that APs and other stakeholders had timely information about land acquisition, compensation, and resettlement, as well as opportunities to participate in and express their preferences and concerns regarding LACP. Topics discussed with APs included: (i) scope of land acquisition; (ii) entitlements; (iii) compensation rates; (iv) method of assessing unit rates; (v) cutoff date; (vi) grievance procedure; (vii) family financial training; (viii) for Hatsaykham, Hat Gniun and Thahuea, obtaining Broad Community Support (BCS).

102. As clarification and formal approval of entitlements and unit rates had not been sought or obtained as of ADB's October 2013 Mission, actual details of who was entitled to what could not be communicated to APs in 2013. Nonetheless, the methodology of arriving at unit rates, timing and eligibility to receive compensation, was fully explained over a series of meetings (schedule of meetings included in the LACMP), while boundary disputes between neighbours and conflicting claims for compensation were negotiated and resolved by the Project together with the RMU and DCC.

103. Following the PRLRC January 2014 endorsement, final unit rates were disclosed and communicated to APs. All except 5 APs in Hatsaykham agreed to the unit rates and considered them fair and final. The RMU continued negotiations with the 5 disaffected APs, who subsequently agreed to their compensation. APs confirmed this procedure and their agreement to the unit rates during the March Mission. There was an issue between the RMU and DCC over land categories, with the DCC resisting land categorisation at a higher level. However, this matter was resolved and the higher level applied.

104. Hatsaykham village consists entirely of households from the Hmong ethnic group, and as literacy levels - particularly among women - are very low, AP rights and entitlements were clearly explained in Hmong language to both men and women, and in a manner and form accessible to participants. Visual aids were used for those with limited literacy abilities. As noted, Hmong households in this village do not possess formal tenure documentation. However, their customary rights are recognised and they were entitled to the same benefits and support as those with formal documents, and this was explained to affected households.

105. A solid compensation procedure was identified as urgent and essential during the October 2013 ADB Mission. Between October 2013 and March 2014, the SMO has worked hard to establish such a procedure, with various updated survey instruments and registration forms being important tools for both monitoring disclosure measures and ensuring Project accountability. Such documentation included the land use survey, IOL calculations, Declaration Forms, Compensation Receipt Forms and No Longer AP Forms. Declaration Forms use calculated figures from the IOL forms. The numbers of APs and amounts in the Declaration Forms are accounted for by Compensation Receipt Forms, No Longer AP Forms reflect final sign-off, to ensure compensation procedures are followed properly and that APs are informed of their rights. Copies of formats are included in the LACMP¹⁰. Samples of IOL and database management forms are included in this Audit as Annexes 9-11. APs have been issued blue folders containing copies of all above forms, plus their bank books, all of which they brought with them to meetings held during the Mission

¹⁰ LACMP, Annexes 6-9

c. Broad Community Support

106. Of the five villages affected by road construction, Hatsaykham consists entirely of households from the Hmong ethnic group. Twenty-four of the total thirty-three households in Hatsaykham (see Annex 4) were affected by land acquisition, and the Audit Team met with twenty-two of these AP households. There is one Khmu household in Thahuea, but as this family is totally integrated within the Lao majority, Broad Community Support (BCS) has not been sought. While ethnic Hmong households at Hatsaykham do not need to relocate due to access road construction, BCS has been sought from them because they will also be affected by main construction and will all move to the Houaysoup resettlement site. Hence, this section covers the discussion on how NNP1PC sought to obtain their consent or BCS.

107. ADB's SR3 requires that NNP1PC ascertain the consent²² of affected ethnic minorities who will experience physical displacement from traditional or customary lands. Over the period from January 2013 to March 2014, the Project endeavored to obtain broad community support of APs in Hatsaykham village, and entered into good faith negotiations with affected households for this purpose.

108. In addition to Hatsaykham, BCS was sought from Thahuea and Hat Gniun as designated host communities under main construction activities. However, for purposes of access roads LACP, the BCS discussed in this Audit refers only to Hatsaykham.

109. During AP consultations, good faith negotiations in the village were conducted, and are ongoing. The LACP states the objective of conducting meaningful consultations leading to BCS was to: (i) obtain the host community's (Hat Gniun) permission to use Houaysoup Area for the resettlement site (the project is still waiting for the PRLRC to officially endorse the Area as the official resettlement site), (ii) for Ban Hat Gniun to agree on sharing natural resources with the new resettlers from affected villages in Hom district, and be informed about their entitlements and options for land in Houaysoup, and (iii) for Ban Hatsaykham to agree on early resettlement, ready to move to Houaysoup in 2015 and to collaborate and participate in the preparation/design of their new village with the Project; (iv) for Ban Hatsaykham to understand their entitlements with respect to road impacts, as well as in Houaysoup. The last factor is relevant to this Social Audit.

110. The opinions, concerns and recommendations of APs were collected from each household over a period of several months, once the construction schedule for Access Roads became more solid. Discussions covered issues of compulsory land loss due to road construction. First, it was emphasized that maximum effort would be made by the project not to acquire more land for roads than what was needed. However, discussions also overlapped to a certain extent with entitlements for relocation of the whole village to Houaysoup. A distinction was made to APs as to compensation for roads impacts, as opposed to compensation related to physical relocation to the resettlement area. Procedures and outcomes of these continued good faith negotiations have been described fully in the LACP-AR and also in the REDP.

111. The Project documented the process of obtaining broad community support in the LACP (see Section 7). This process formally started earlier than 2013 when the Company presented the anticipated impacts of the Project, the draft NNP1 resettlement policy and assured the villagers in Hatsaykham that a complete resettlement package will be developed and that suggestions from the village will be incorporated in the planning. Recognizing that not all voices of villagers may be heard during the community consultation, the Company also conducted individual household consultations in 2013 and 2014, including for vulnerable households.

112. At the time of the March Mission, 38 households from Hatsaykham and 8 from Hat Gniun claimed land cultivation of 125 land plots in the Houaysoup area and along Road T, for which they will receive cash compensation as an access roads land acquisition activity. However, all

Hatsaykham households will be affected by the construction, and will relocate. As a consequence of construction impacts, all households will receive replacement land and assistance to bring it to equal productivity as before when they relocate, currently scheduled for 2015. The Social Audit confined its entitlement queries to road land acquisition, and did not address relocation of Hatsaykham to Houay Soup.

113. Hatsaykham households expressed support for the Project, while at the same time outlining some concerns and requests regarding its continuing development. While there are specific issues to be addressed in mutual agreement between the communities, GOL, and NNP1PC, the overall concern is on the commitment of the project to comply with its agreed obligations. Much work was needed by the SMO to gain and hold the trust of local communities, as previous approaches had mainly devolved responsibility to local GoL. Access Roads is an important test case for the Project to demonstrate its competence in handling land acquisition and compensation processes to a high level of transparency and compliance with its safeguards obligations.

B. Other Social Dimensions

1. Labor Management Plan (LMP), Public Health Action Plan (PHAP)

114. Both Plans are outlined in the Project's SDP. While full application of these Plans is scheduled for the full construction phase, the Project needs to sharpen both its understanding and monitoring of its obligations with respect to supervising the activities of contractors and sub-contractors and advance the implementation of these Plans.

115. The Mission reviewed opportunities for local employment on Access Roads construction, relationships between affected villages and contractors' labor, conditions of the sub-contractor's TLC, and health and safety concerns arising from roads construction activities.

2. Local Employment Opportunities

116. The majority of employment opportunities have occurred for Hat Gniun village, with some 60-70 persons reported as working with the sub-contractor in a variety of jobs, such as cook, land clearance, pipe laying, etc.. Most employees are on monthly contracts. Households in Nonsomboun, Hatsaykham, Sisavath and Thahuea reported that only 2-3 persons per village are employed by sub-contractors as daily wage labour or on short term contract. There are work opportunities, but it is very informally organised and sporadic, and contractors are not taking labour above the age of 40 years. No long term employment was reported, but all villages are hopeful of more work during the main construction period.

117. In Hatsaykham, Nonsomboun and Sisavath, households owning a small business reported increased sales turnovers and more sales to a wider group of purchasers. Growth in Nonsomboun has resulted in house prices more than doubling in a single year.

118. Some profiteering was apparent, with Hat Gniun community land being sold by the *naibaan* to outsiders. The Thidadao resort and adjacent areas are rapidly becoming central to local economic activities, with relatives of provincial authorities and camp followers establishing restaurants and beer halls. A few individuals in Hat Gniun are profiting from sale of community land and rental of private housing.

119. The Project is intending to review data from the socioeconomic survey now under way, and to screen for a variety of employment possibilities. It is working on establishing a focal point which people seeking work with the contractor can approach. Some villages (e.g. Hatsaykham) are intending to provide vegetables and livestock to the Contractor on a regular basis. Analyzed data will be included in the updated LACP-AR.

120. Clearly Hat Gniun is both benefiting the most out of employment and income generating opportunities, but it is also experiencing the most adverse impacts. Some households are renting property at a rate of 500,000-1million Lao Kip per month, renting equipment and providing goods and services. The disadvantages are that the water supply is now constrained and supply cannot meet demand, local restaurants that have opened up are very noisy, and the inconvenience is greater.

3. Temporary Labour Camps (TLCs)

121. Temporary Labor Camps (TLCs) in Hat Gniun were visited (see Annex 6) and met representatives of Obayashi and MVDC. Obayashi is employing labour from Japan, Laos, Vietnam and the Philippines. The camp was originally established for 3 months, with the expectation that the main campsite would be ready by April 2014. This proved not to be the case, and the rental contract for the Thidadao resort area has been renewed from March for a further 3 months.

122. The site is housing male workers in fairly basic conditions. Three female staff for cooking and cleaning also work in the camp during the day, but sleep in a house in Hat Gniun at night. Health and Safety notices are posted in the camp, a septic tank has been installed for the latrines, and there are bathing facilities. All sleeping facilities are raised off the ground on wooden platforms, with mosquito nets on beds. The sleeping and living quarters, as well as the showers and latrines are surrounded by plastic PVC sheeting. There is an open sullage water pit which is very close to sleeping quarters and a health risk for malarial and dengue mosquitoes. This has now been covered over after advice from the Mission.

123. The sub-contractor stated that drinking water is brought into the camp by tanker from Bolikhan district and that local water supply is not used. Washing water is brought by tanker which fills up from local rivers. Food supply is brought in every two days from a private contractor based in Vientiane. Meat is purchased from Pakxan.

124. Local river water is reported by affected villages to have been unsuitable for human consumption even before the Project started, but it is widely used for washing and for livestock. River contamination and water restrictions may increase due to: (i) lorries parking in river beds and leaking oil and fuel; (ii) increased faecal contamination by camp followers who may use river banks due to lack of sanitation facilities where they are squatting; (iii) growing water shortages during the dry season due to Contractor extraction of water for the labor camps.

125. It was observed that the TLC is equipped with a first aid kit, but in case of serious injury, the injured person will be taken by car to Pakxan for treatment. When the final camp is constructed there is planned to be a heliport and emergency evacuation procedure. No person in the TLC was assigned to health and safety.

126. Because there are few external workers resident in the roads construction area, and as a result of the Contractor focusing on employing local persons as labor, issues arising from interaction between affected communities, an external labor force, and camp followers, are limited at present, apart from those issues already mentioned (e.g. domestic water supply in Hat Gniun). However, with completion of the long term labor camp and commencement of construction, this situation will change. The Project has relied so far on the Contractor and sub-contractors being responsible for the behavior of the labor force. However, in discussions with both, the Mission learned that neither see their responsibilities for the behavior of workers extending beyond what happens in the TLC or permanent camps. This is inconsistent with best practices in community health, and takes no account of management of camp followers. This needs to be addressed immediately before the influx of outsiders accelerates. Requirements are included in the CAP (Section 10), which includes recommendations to address identified issues, and to accelerate implementation of the LMP and PHAP.

III. CONCLUSIONS AND RECOMMENDED CORRECTIVE ACTIONS

A. Conclusions

127. Since November 2013, the Project has worked hard to demonstrate its commitment to social safeguards by establishing a strong internal ESD structure to handle programs outlined in its LACP and SDP, and this bodes well for future activities if it continues in the same way. Measures already taken include:

- hiring more Hmong staff, both male and female
- providing specific TOR for the staff, keeping a full time presence in the Pakxane office, improving proximity and access to APs, designating full-time GRM Manager to coordinate with GoL
- undertaking consultations in Hmong language, using more visual methodologies to explain LACP, entitlements and compensation rates
- conducting separate and household-level consultations with vulnerable families and with women
- opening bank books in joint names of husband and wife, and requiring household family financial training to include both men and women
- paying the exact amounts negotiated and promised, thereby strengthening the credibility of the Project with APs
- establishing a strong LACP procedure, with several stages of registration and agreements requiring consensus and signatures from APs, Village authorities, DCC and RMU, before the Project signs off on any single household compensation package.

128. Project actions, particularly in the later part of 2013 and early 2014, mitigation measures, and consultation procedures, are in line with ADB's SPS SR3 requirements for BCS, and the Project is in compliance on this component with respect to Access Roads.

129. The SMO has enhanced its future prospects for a robust and effective land acquisition and compensation procedure.

130. All villagers affected by Access Roads expressed relief that the long process of compensation was finally addressed, and by and large, appreciation for a transparent, fair and understandable process. Women particularly expressed appreciation that cash payments were made in joint names of husband and wife.

131. The Project is to be commended for taking previous recommendations seriously and for making such substantial improvements to its approach on social safeguards matters relating to SR2 and SR3. Local GoL in Bolikhamxay confirmed their satisfaction that progress is finally being made and that construction is starting, with few grievances and a high level of satisfaction from APs concerning the process and application of compensation. The Mission reiterated to both the Project and GoL that ADB's safeguards are not there just to create compliance hurdles, but to help everyone achieve good implementation, smooth progress and to ensure APs are satisfied with outcomes.

132. Although there are some outstanding compensation payments remaining, the experience of LACP on Access Roads has been a good learning process for the more difficult resettlement tasks ahead of the SMO.

133. The Mission found that the Project was in compliance with safeguards requirements of ADB's SPS SR2 and SR3 and that actions taken and the Detailed Entitlement Matrix (DEM), are consistent with principles and the DEM outlined in the LACP-AR and REDP. There remain some

corrective actions required to finalise Access Roads compensation and to improve the Project's overall LACP processes. In particular, it is stressed that more work should be done at this early stage to improve the relationship between district GoL, the RMU, the PRLRC and the Project, particularly with respect to GoL responsibilities, the safeguards standards required to undertake these responsibilities, and the type of training and support the Project can provide to achieve these objectives.

B. Corrective Action Plan

Based on the gaps identified, NNP1 is committed to undertake the following corrective measures.

Gaps/ Issues Identified	Proposed Corrective Action Plan	Target Schedule of Implementation in 2014	Responsible Unit	Budget	Remarks
1. Asset Registration. Finalise asset registration for Right Bank roads, analysis of socioeconomic survey data, and include in updated LACP-AR	<ul style="list-style-type: none"> Obtain final endorsement from PRLRC for Houaysoup area as designated resettlement site Obtain go-ahead from DCC for final asset registration on land use in the Houaysoup site Finalise asset registration and compensation payments for Road T8, Spoil Area and Dyke Area on right bank Work with DCC to manage newcomers settling in affected villages, particularly in Hatsaykham The DCC should issue instructions preventing newcomers settling in village Hatsaykham, especially as the cutoff date for the main construction area has not yet been declared Update data for LACP-AR 	<ul style="list-style-type: none"> Immediately but no later ADB Board approval of the Project mid June continual mid June 1st June 	<ul style="list-style-type: none"> RMU and PRLRC PRLRC DCC SMO asset registration team + RMU + DCC DCC + SMO DCC SMO 	Overall SMO operation budget including staffing, operations, and equipment of 13,238,000USD before COD (see REDP)	<ul style="list-style-type: none"> This is urgent and should be immediately finalised This is urgent and should be immediately undertaken
2. Outstanding Compensation Payment and land re-registration 2.a Remaining 13% of identified APs have not yet been compensated	<ul style="list-style-type: none"> Finalise outstanding compensation payments for left bank roads Obtain a sign-off from the village naibaans, DCC and RMU on road sections immediately after asset registration is completed. Subsequent compensation applications should go through the GRM Arrange for re-registration of amended land titles in Sisavath and Nonsomboun 	Earliest possible, depending on GRM outcomes <ul style="list-style-type: none"> mid-July continuous as sections are completed by end September 	<ul style="list-style-type: none"> RMU + AR Compensation Team (ARCT) RMU + ARCT RMU + DONRE/PONRE 	100,000USD in extra compensation values (including Line 2c)	<ul style="list-style-type: none"> In the future, the cutoff date should be endorsed by naibaans and confirmed by the DCC. Any compensation claims thereafter should go through the GRM
2.b No decision yet on compensation arrangement	Finalise community land compensation	<ul style="list-style-type: none"> by mid-July 	ARCT + RMU	7400USD	

Gaps/ Issues Identified	Proposed Corrective Action Plan	Target Schedule of Implementation in 2014	Responsible Unit	Budget	Remarks
for community owned land					
2.c Not all APs have been identified	<i>Undertake asset registration for Right Bank and finalise AP numbers. Validate initial estimate of 40HHs</i>	Upon completion of asset registration: validation by end June	ARCT + RMU	See line 2a	These numbers are not anticipated to be significant but list has to be completed
3. Access Restrictions - watercourses have been disturbed restricting access of farmers to their fields	<ul style="list-style-type: none"> • <i>Consult with farmers prior to work being undertaken and to ensure access is retained to fields. Wet season watercourse blockage was drawn to the attention of the technical department, and corrective action requested.</i> • <i>The Project should coordinate with engineers to ensure Sisavath farmers are able to access their fields with tak taks, and that blockage of natural watercourses for farmers in Hatsaykham is overcome so that 2014 rice fields have temporary access to irrigation sources prior to the village's relocation</i> 	<ul style="list-style-type: none"> • immediately for both actions 	ARCT + Technical Unit + Contractor	Budget included in the overall construction costs	<ul style="list-style-type: none"> • In most instances this has already been remedied, but some complaints in Sisavath and Hatsaykham still need addressing. • The AP in Hatsaykham was additionally advised that the GRM is the method to lodge any complaints with the Project • This should be monitored until issue has been settled
4. Grievance Procedure: this remains limited in application. Training is required at all levels so that APs and GoL understand the process of GRM.	<ul style="list-style-type: none"> • Meet with RMU to discuss programme of steps required, for implementation after Phimai • <i>Institute formal GRM, conduct training for affected villages, RMU and DCC</i> • SMO to invite Nam Theun 2 RMU to share its GRM experiences with NNP1, or RMU/DCC to visit Khammouane province • Establish GRM database and <i>issue grievance application forms to village GRM committees</i> 	<ul style="list-style-type: none"> • by end June 	RMU + SMO + DCC as above + Village GRM committees	9,000 USD for trainings with GoL	
5. Labor Management Plan, Public Health Action Plan - The Project	<ul style="list-style-type: none"> • Training/Orientation on Labor Management Plan, Public Health Action Plan including monitoring 	immediately for all steps	Project Labor and Health Management	figures congruent as in the SDP/REDP: divided according to	<ul style="list-style-type: none"> • Obayashi is implementing many good environmental

Gaps/ Issues Identified	Proposed Corrective Action Plan	Target Schedule of Implementation in 2014	Responsible Unit	Budget	Remarks
<p>needs to sharpen both its understanding and monitoring of its obligations with respect to supervising the activities of contractors and sub-contractors and advance the implementation of these Plans.</p>	<p>of contractors' and sub-contractors' performance in relation to the LMP</p> <ul style="list-style-type: none"> • The Project to keep track of how many persons from affected villages are able to obtain work and under what contractual conditions • It is recommended the RMU is supported to work with the DCC to define boundaries of Thidadao site, to restrict where camp followers may settle, and to address infrastructure problems arising from contractors' needs as well as from arbitrary settlement of newcomers • The TLC sub-contractor must cover the open sullage water pit to prevent outbreaks of malaria, dengue and other water-related diseases occurring • Contractor and sub-contractor to appoint designated person responsible for first aid, ensuring training if necessary, plus monitoring to ensure that 1st Aid equipment is always kept fully stocked • <i>The issue of clean water supply for Hat Gniun and Thidadao area must urgently be addressed by the Contractor</i> • <i>The Project must improve its monitoring of Contractors' activities, including prevention of contamination of local water sources</i> 		<p>Unit + Contractors + RMU/DCC</p>	<p>needs in the different areas of the PIZ; a total figure of 437,000USD for health including camp followers and SMO labour management lump-sum before COD;</p> <p>Additional values derive from SMO operation budget including staffing, operations, and equipment of 13,238,000USD before COD as outlined in the REDP</p> <p>Further values derive from the overall, original contractors' budgets, as contracts are budgeted based on implementation according to Project Standards</p>	<p>practices, but it is not fully compliant with good practice / the measures contained in the project Sub-Plans. Some current practices have to be modified, but good practice is easily achievable.</p> <ul style="list-style-type: none"> • As a goodwill gesture, it is recommended that the Project arranges a daily bus to transport school children daily to and from Thaheua and Hat Gniun • To underpin good relations with affected villages, it is recommended that Thaheua village water supply is fast-tracked • Domestic water supply for Hat Gniun must urgently be addressed before the 2014 wet season
<p>6. Employment and other livelihood opportunities</p>	<ul style="list-style-type: none"> • NNp1 to review data from the socioeconomic survey (which is 	<ul style="list-style-type: none"> • by July 	<p>SMO + Contractor +</p>	<p>A total of 360,000USD for occupational skill</p>	

Gaps/ Issues Identified	Proposed Corrective Action Plan	Target Schedule of Implementation in 2014	Responsible Unit	Budget	Remarks
for local community members	<p>under way), and to screen for a variety of employment possibilities and establish a focal point which people seeking work can approach</p> <ul style="list-style-type: none"> • <i>Explore other livelihood opportunities like some villages (e.g. Hatsaykham) are intending to provide vegetables and livestock to the Contractor on a regular basis.</i> 		<p>sub-contractors</p> <p>SMO livelihood support team</p>	development before COD divided over the PIZ according to necessity between the different areas	
7. Public Health Action Plan	<ul style="list-style-type: none"> • The PHAP must be urgently brought forward to address current and future health issues relating to camp followers, drug use, labour/community relations, water and sanitation demands with Hat Gniun village as a priority action area 	<ul style="list-style-type: none"> • immediately 	SMO + district and village health workers	See above	Training of local health workers is high priority, as are water, sanitation infrastructure prior to increased presence of labor force + camp followers

Note: NNP1PC confirms that actions in this CAP are acceptable will be completed as per the target schedule of implementation. Key actions in italics have also been discussed with relevant people affected by the access roads in various forums and meetings held after the site visit conducted for the audit in March 2014.

ANNEX 1: MAPS OF ACCESS ROADS CONSTRUCTION PHASES AND COMPENSATION STATUS

Overview of road construction phases



Legend

Phase	Road
0	Planned road (Demarcated road)
10	Planned road (Temporary road)
4	Existing road (ACR road, Rehabilitation road)
5	Existing road
6	Existing road
70	Existing road
8	Existing road
9	Existing road
20	Existing road

NAM NGIEP 1 POWER COMPANY
 LOCAL DEPARTMENT PROJECT LANDS SECTION
NAM NGIEP 1 HYDROPOWER PROJECT

COMPENSATION PHASES OF MAIN CONSTRUCTION SITE

DATE: 14 March 2014	CONTRACT NUMBER: 01/001/2010/2014/01
APPROVED: [Signature]	DESIGNED: [Signature]
DRAWN: [Signature]	CHECKED: [Signature]

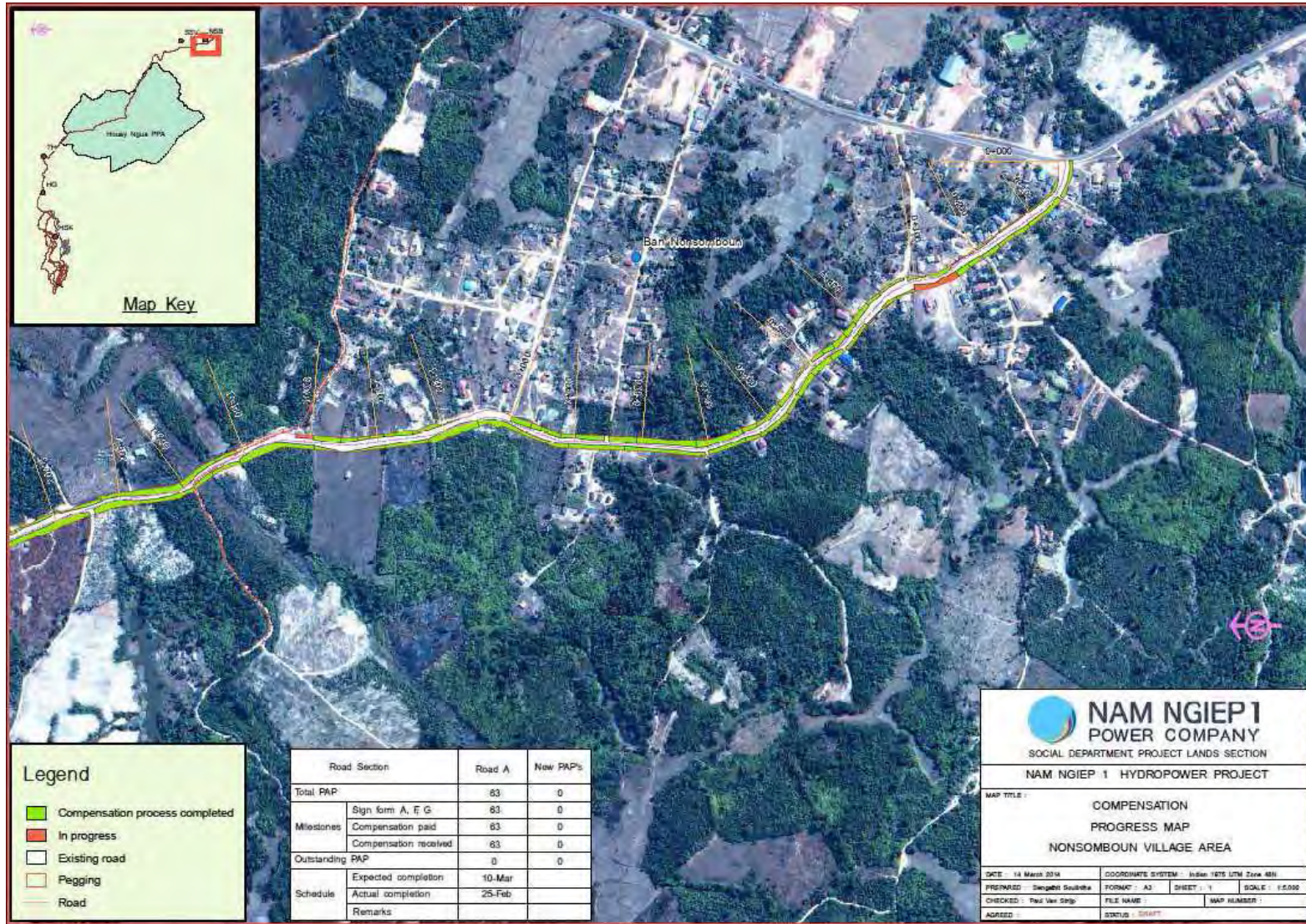


Description	Phase 0	Phase 10	Phase 4	Phase 5	Phase 6	Phase 70	Phase 8	Phase 9	Phase 20	
	ACR road	Road T5	Regulation dam, Owner camp and Trench bridge and girge	Road P1 (H&H)	Sub-contractor (SC) Concession plot	Road T7, 9, 10, 11	Road T8, Spill way, Reservoir (for water regulation dam)	Rehabilitation site (SR)	Newly acquired area, Some sites (1-3), Concession road (1-11), Camp & Quary	SSV Road A and (B) Rehabilitation (RR) Road (N70)

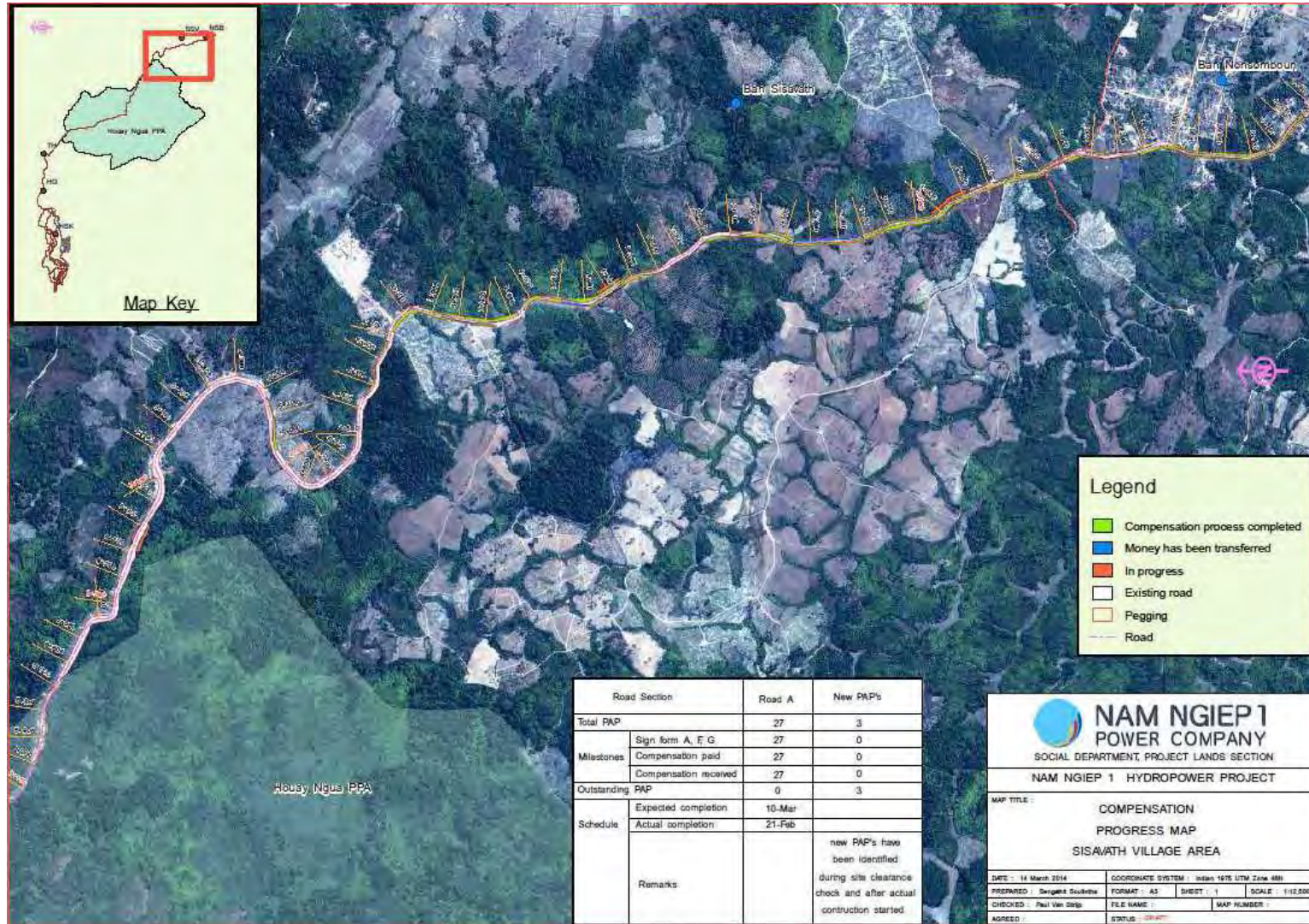
Map of compensation progress, Hat Gniun, Regulation dam area Phase 1a, Road A Phase 2, and P1 Phases 4-5



Map of compensation progress, Nonsomboun, Road A, Phase 1b



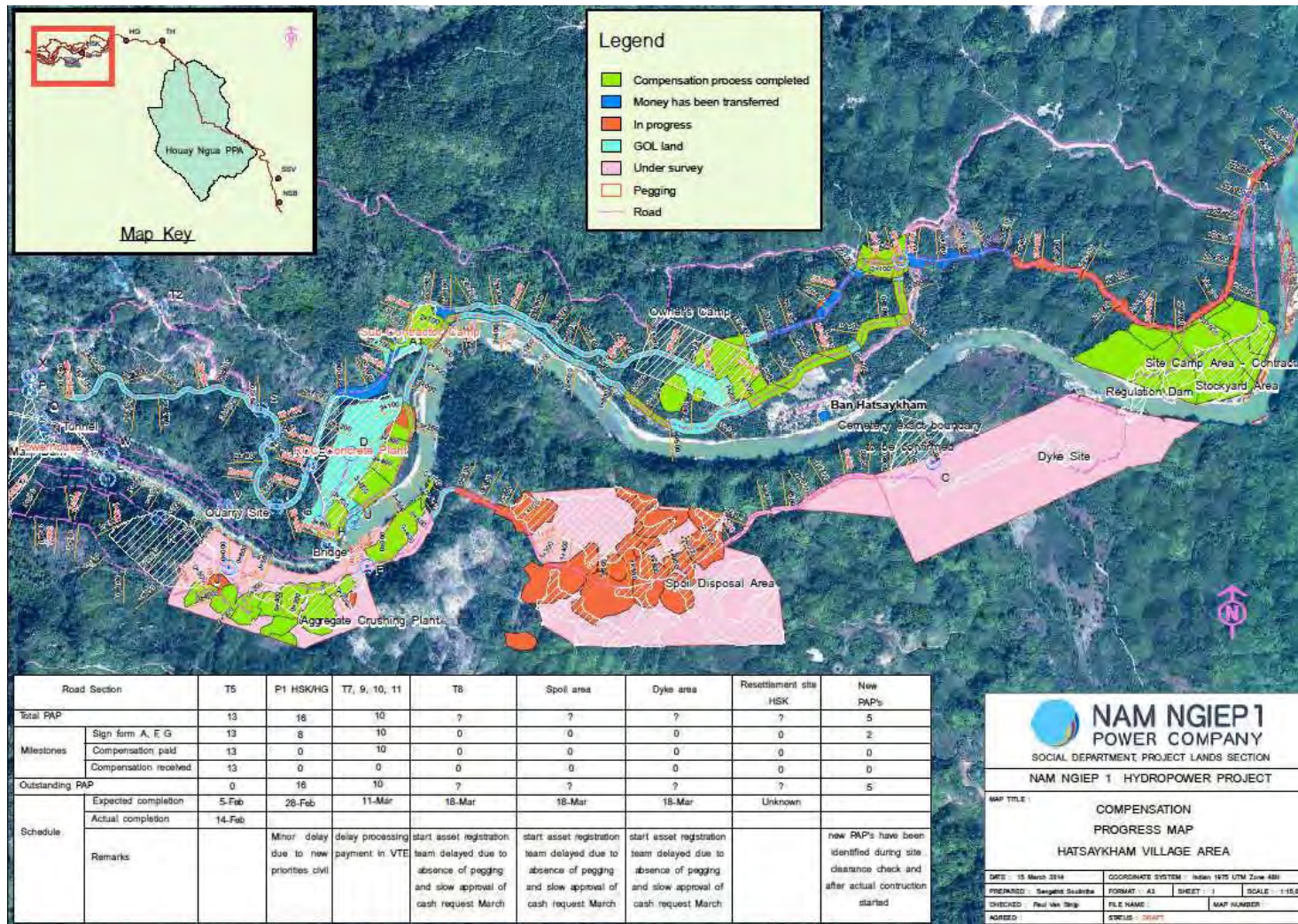
Map of compensation progress, Sisavath, Road A, Phase 1b



Map of compensation progress, Thaheua, Road A, Phase 3



Map of compensation progress, Hatsaykham, Roads T5 Phase 1a, P1 Phase 4, T7,9,10,11 Phase 6, T8, Spoil Area, Dyke Area Phase 7



ANNEX 2: LIST OF PERSONS MET DURING SOCIAL AUDIT AND SUMMARY OF VILLAGE MEETINGS: HAT GNIUN

No.	NNPSPC ID	HH name	Spouse	Phone no.	Remark
1	6071	Mr. Xiengsy Thammavong		020 5920 4118/59148884	
2	??	Mr. BounNhorik Lorvanxay			Not matched with data
3	6053	Mr. Khampboy		030 919 7977	
4	6070	Mrs. NV Phialao		020 5438 7417	
5	??	Mrs. Phout Phialao			Not matched with data
6	6054	Mrs. Bounmy Phialao		020 5977 4434	
7		Mr. Khempet Sitakone			Not impacted
8		Mr. Meung Vongxay			Not impacted
9		Mrs. Thieng Sitakone			Not impacted
10		Mrs. Oun Xayaseng			Not impacted
11	6041	Mr. In Thammavong		020 9978 2749	
12	6076	Mrs. Say Thammavong			
13	??	Mrs. Khanny Phommy			Not matched with data
14		Mrs. Lord			Not impacted
15	6049	Mr. Thidouan Sitakone		020 5489 0356/5736226	
16	6072	Mr. Chanseun			
17	6037	Mr. Keo		020 5662 8287/54384024	
18	6075	Mrs. Mai Phialao			
19	6035	Mrs. Xay Phialao		030 997 9790	
20	??	Mrs. Tone Lorvanxay			Not matched with data
21		Mrs. Phat Sykthamphone			Not impacted
22	6048	Mrs. Chanthone Panhyavoung		030997776/02054346315	
23		Mrs. Souan			Not impacted
24		Mrs. Ouh Phialao			Not impacted
25	6069	Mrs. Nang Simnavong		020 5859 7916	
26		Mrs. Ma Simnala			Not impacted
27		Mrs. Dengdit Simnavong			Not impacted
28		Mrs. Hoi Thammavong			Not impacted
29	6040	Mrs. Touy Panhyavoung			Not impacted
30		Mrs. Lair Phialao			Not impacted
31	6057	Mrs. Nark Phialao		030 982 3837	
32		Mrs. Chanthiem Phialao			Not impacted
33		Mrs. Monh Phialao			Not impacted
34	6072	Mrs. Phet Phialao		020 5931 3271/59673156	
35		Mrs. Ngeun Phetchinda			Not impacted
36	6051	Mrs. Seng Phialao		020 5954 0994/59216815	
37	??	Mrs. Touk Thammavong			Not matched with data
38	6031	Mrs. Dantiam Phialao		020 5440 7493	
39		Mrs. Say			Not impacted
40		Mrs. Souk			Not impacted
41	6074	Mrs. BounNoi			
42	??	Mrs. Somphanh			Not matched with data
43	6060	Mrs. Sy		020 2222 0826/22559978	
44		Mrs. Phommy			Not impacted
45	6036	Mrs. Thong		020 5534 3384/0305235699	
46	6067	Mrs. Keo			
47	6044	Mrs. One Phialao		020 2894 3541/59203351	
48	6056	Mr. Meung Thammavong		020 5675 4860	
49	6055	Mr. Por Vongkhamtai		020 5434 7055	

Observations:

- Consultations have been ongoing for several years, and information from the project was confused and partial
- APs appreciated now knowing the unit rates and full scope of entitlements as set out in the detailed entitlement matrix, and confirmed the asset registration information
- All APs understood their entitlements and agreed to the unit rates
- They were also happy to receive the final schedule for roads, after long delays
- APs also appreciated that separate consultation meetings were held with women and men, and with individual households
- The village endorsed the Project going ahead, and agreed to sale of individual and community land in the village and in Houay Soup
- All villagers were looking forward to opportunities for employment either by the Project or by Contractors. The largest number of daily wage laborers and monthly contract labor is drawn from Hat Gniun. It was observed that some persons working on the road were not properly equipped for working with heavy machinery (e.g. wearing sandals and no face protection from dust), and looked under age
- Several villagers were happy to earn money from renting land or property, and by supplying mainly livestock to the TLC
- Villagers asked about land acquired by EdL for electrification and whether the Project would compensate for this
- There were complaints about indirect impacts of road construction, including (i) increased dust (ii) increased danger from heavy equipment and increased traffic (iii) stress on domestic water supply due to heavier demand (iv) increased noise from new bars opening, arrival of electrification and playing of loud music and karaoke late at night. The Mission noted road signs for speed and safety are in place
- All APs were not significantly affected by LACP
- Both AP husbands and wives strongly endorsed payment of compensation in both their names and requiring both spouses to be present at the time of payment, stating this reduced the number of household arguments
- Some APs were not familiar with having a bank account of dealing with bank books
- APs brought to the meeting their folder of papers (including registration and copies of various forms endorsed by themselves, the DCC, RMU and SMO) and bank books
- The village generally was happy to have school community land compensated in kind as a community asset
- Some individual households claimed community land as their own
- As compensation for community land, the community has requested a new boundary fence between the school and the road plus connection to a new electricity supply. The Project has agreed to this
- Individual APs were satisfied with payment amounts, procedure and outcomes
- The LACP-AR process has now raised the expectations of APs claiming land in Houay Soup, and the scope and value of land claims has rise exponentially for Right Bank roads compensation
- While the village authorities said there were no grievances, it was clear that the GRM was not well understood

Issues	Recommendations
Loud music disturbing residents	SMO requests naibaan to manage this. The Project must also ensure the Project staff, Contractors and labor understand and have signed the Code of Conduct
Dust during construction	Contractors increase number of times road watering is undertaken daily

Employment opportunities	SMO should identify who is employed by Contractors, and under what terms and conditions
Stress on water supply	LMP should be operationalised immediately, and measures taken to expand/increase the village's domestic water supply to meet increased demand
Heavy traffic	Speed bumps should be constructed to slow traffic down, particularly through villages
Community land claimed as individual	SMO to resolve ownership claims soonest
GRM not well understood	Training to be implemented at earliest opportunity

Cont: Thaheua village

No.	NMP/PC ID	HH name	Spouse	Phone no.	Remark
1&23	6010	Mr. Somvang	Mrs. Chanh	020 5559 2803	
2	6009	Mr. Phoney		020 5920 0977	
3	6021	Mr. Noukham		020 5899 3173	
4	Non PAP	Mr. Khampane			Not impacted
5	6020	Mr. Xiengthongchanh		030 9077521	
6	6022	Mr. Maicharp		020 5598 3112	
7	6025	Mr. Sifong		-	
8	6004	Mrs. Khemphone		020 5549 1810	
9	6007	Mr. Khamphanh		020 5920 2763	
10	6104	Mr. Maikham		020 5606 1018	
11	6011	Mr. Khamchanh		020 9826 3903	
12	6001	Mr. Khanthaly		020 9852 2594	
13	6002	Mr. Taboua		020 9852 2594	
14	6017	Mr. Visone		020 9190 8022	
15	6014	Mr. Kathing		020 5954 9224	
16	6006	Mr. Yeun		020 5626 8328	
17	Non PAP	Mrs. Khammy		030 9077523, 96515874	Not impacted
18	6019	Mrs. Maimone		95240731/58422904	
19	6015	Mrs. Dinkham		020 5439 9470	
20	6016	Mrs. Intha		020 5830 2319	
21	6013	Mrs. Vanhkham		020 5921 2574	
22	6018	Mrs. Pome		030 9067872	
24	Non PAP	Mr. Pheng			Not impacted
25	Non PAP	Mr. Bounmy(kai)			Not impacted
26	Non PAP	Mr. Khamsoo			Not impacted
27	Non PAP	Mr. Sen			Not impacted
28	Non PAP	Mr. Khamla(B)			Not impacted
29	Non PAP	Mr. Khamfeuang			Not impacted
30	Non PAP	Mr. Nhong			Not impacted
31	Non PAP	Mr. ThongPane			Not impacted
32&33	6012	Mr. Khamla	Mrs. Bounmy	030 9077523, 96515874	
34	6005	Mrs. Khamla		020 5606 4795	

Observations:

- Consultations have been ongoing for several years, and previous information from the project was confused and partial
- APs appreciated now knowing the unit rates and full scope of entitlements as set out in the detailed entitlement matrix, and confirmed the asset registration
- They were also happy to receive the final schedule for roads, after long delays
- APs also appreciated that separate consultation meetings were held with women and men, and with individual households
- The village endorsed the Project going ahead, and agreed to sale and rental of individual and community land in the village
- All villagers were looking forward to opportunities for employment either by the Project or by Contractors. Only 2 or 3 persons are employed at present
- Thaheua will strongly oppose any newcomers settling in their village, and have refused to sell any land to outsiders nor to permit camp followers to rent or settle on village land
- There were complaints about indirect impacts of road construction, including (i) increased dust (ii) increased danger from heavy equipment and increased traffic (iii) danger to school children who have to walk daily to and from Hat Gniun for schooling
- All APs were not significantly affected by LACP
- Both AP husbands and wives strongly endorsed payment of compensation in both their names and requiring both spouses to be present at the time of payment, stating this reduced the number of household arguments
- APs brought to the meeting their folder of papers (including registration and copies of various forms endorsed by themselves, the DCC, RMU and SMO) and bank books
- The village was happy to have community land compensated in kind as a community asset
- As compensation for community land, the community has requested improvements to the village school and temple. The Project has agreed to this
- Individual APs were satisfied with payment amounts, procedure and outcomes
- Although not a project impact, concern over the village water supply was expressed

Issues	Recommendations
Employment	The project should assist the village to identify who is interested in employment, and the Contractor should arrange for a bus to collect workers and school children every morning and every evening
Children walking to Hat Gniun for schooling	
Village water supply	This item is budgeted as a community development initiative. It is recommended it is brought forward as soon as possible

Cont: Hatsaykham village

No.	NNP1PC ID	Male Participants	Female Participants	Phone no.	Remark
1	6054	Mr. Phouvieng		020 5977 4434	Village Head from HGN
2	0010	Mr. Kaoxiong(Phonesixiong)		030 5738860	
3	0006	Mr. Vaxiong		020 9605 5951	
4&12	0003	Mr. Xiamaxiong	Mrs. Xuayang	020 5462 2461	
5&10	0002	Mr. Khuexiong	Mrs. Si thor	030 575 1132	
6	0011	Mr. Paoxiong		030 5235373	
7	0012	Mr. Lienkham Xong		020 5421 3946	
8 &13	0021	Mr. Khamphor	Mrs. Khamsy	030 9007567	
9&11	0004	Mr. Yerxiong	Mrs. Nengvang	020 9773 5285	
14&15	0013	Mr. Maikhamxiong	Mrs. Xay Lor	020 5651 6022	
16	0018	Mr. Chongkua Lor			
17	0014	Mr. Touxiong	Mrs. Khou vang	02091138449	
18	0020	Mr. Padith xong		030 9979 791	
19	0007	Mr. Patuaxiong		030 9596623	
20	0031	Mr. Leng Xiong		020 5611 7361	
21	0019	Mrs. Mor xong		020 5920 4106	
22	0025	Mr. Kongsy Lor	Mrs. Yia Xiong	020 9716 7817	

Observations:

- All APs understood their entitlements and agreed to the unit rates
- Hmong women also confirmed they had understood, despite high illiteracy levels. The Project used visual aids and explanations in Hmong language to communicate eligibility and entitlements
- 2 vulnerable households had been identified by the Project, and individual discussions had taken place with these persons, to explain entitlements more clearly
- 2 households were not happy with unit rates for fallow land and initially refused to accept compensation. Other APs, including village elders, felt they were being greedy and opportunistic and confirmed the rates were fair and transparent
- Consultations have been ongoing for several years, and information from the project was previously confused and partial
- APs appreciated now knowing the unit rates and full scope of entitlements as set out in the detailed entitlement matrix, and confirmed the asset registration information
- APs have provided feedback to APs in Hom district concerning their experiences with the Project's LACP process
- They were also happy to receive the final schedule for roads, after long delays
- APs also appreciated that separate consultation meetings were held with women and men, and with individual households
- The village endorsed the Project going ahead, and agreed to sale of individual and community land in the village and in Houay Soup. BCS is confirmed
- All villagers were looking forward to opportunities for employment either by the Project or by Contractors. Some women have opened small shops as a sideline, and are selling goods to Project workers
- Several villagers were happy to earn money supplying mainly livestock and some vegetables to the TLC
- Villagers asked about land acquired by EdL for electrification and whether the Project would compensate for this
- There were complaints about indirect impacts of road construction, including (i) increased dust (ii) increased danger from heavy equipment and increased traffic (iii) restricted access to seasonal irrigation systems
- All APs except 2 were not significantly affected by LACP. All opted for cash compensation
- Both AP husbands and wives strongly endorsed payment of compensation in both their names and requiring both spouses to be present at the time of payment, stating this reduced the number of household arguments
- Some APs were not familiar with having a bank account of dealing with bank books. Family financial training was provided by the project.
- APs brought to the meeting their folder of papers (including registration and copies of various forms endorsed by themselves, the DCC, RMU and SMO) and bank books
- Individual APs were satisfied with payment amounts, procedure and outcomes. Surprise, but satisfaction, was expressed that the amount they are entitled to was actually the full amount they received, with no deductions for any reason
- The LACP-AR process has now raised the expectations of APs claiming land in Houay Soup, and the scope and value of land claims has rise exponentially for Right Bank roads compensation
- While the village authorities said there were no grievances, it was clear that the GRM was not well understood
- Some new families have moved into the village and are claiming eligibility to be considered as APs. One of these is from one of the Hom district affected villages

Issues	Recommendations
New families	A cutoff date for the construction area and Hatsaykham village needs to be declared immediately, disseminated to APs, and the DCC issues an instruction that no new families may move into the area thereafter
Cutoff date for the construction area	
GRM	Training is implemented for village complaints mechanisms and Project GRM procedures
Dust and traffic	Road watering is increased during the dry season, in consultation with villagers
Affected irrigation systems	The SMO consults with Contractors to ensure irrigation systems are restored before the 2014 rainy season
Land claims in Houay Soup	The Project must resolve this together with the PRLRC and RMU, by: (i) undertaking good faith negotiations (ii) checking tax payments over the last 5 years for claimed land (iii) re-measure land parcels and boundaries where required (iv) refer to statutory land ownership requirements as per Land Law where no documentary evidence for land ownership/land use exists

Cont. Nonsomboun village

No.	NNP1PC ID	HH name	Spouse	Phone no.	Remark
1	4024	Mr. Wath		020 5555 7179	
2	4050	Mr. Somphone		020 9515 5057/030 9060 067	
3	4028	Mr. Phonekeo		020 5540 6388	
4	4015	Mr. Phom		020 2997 1099	
5	4001	Mrs. Ma		020 5920 7051	
6	4008	Mrs. Latdavanh		020 5413 2247	
7	4043	Mrs. Theuang		-	
8	4006	Mrs. Phone		020 2310 7850/ 020 2340 2482	
9	4003	Mrs. Bao		020 9502 3575/020 9604 3525	
10	4060	Mrs. Mo		020 9600 4273	
11	4012	Mr. Mai Khanh		020 5424 4252	
12	4023	Mrs. Chanh		020 2233 8734/2320 7391/9841 0556	
13	4037	Mrs. Maita		020 5614 9468/020 5528 6093	
14	4007	Mrs. Jarp		020 5596 9968	
15	4045	Ms. Xou		020 9757 0522	
16	4002	Mrs. Syvone		020 5929 9486/030 9859 710	

Observations:

- All APs understood their entitlements and agreed to the unit rates
- Consultations have been ongoing for several years, and information from the project was previously confused and partial

- APs appreciated now knowing the unit rates and full scope of entitlements as set out in the detailed entitlement matrix, and confirmed the asset registration information
- They were also happy to receive the final schedule for roads, after long delays
- APs also appreciated that separate consultation meetings were held with women and men, and with individual households
- The village endorsed the Project going ahead, and agreed to sale of individual and community land.
- Some housing plots affected, and re-registration of land titles is required. APs asked whether the Project would also enlarge their housing plot to the maximum 800m² allowed. It was confirmed that the Project would cover all costs of re-registering an amended land title, but as cash compensation had been preferred and received, it would not be responsible for enlarging the existing housing plot as APs had already received compensation, and this action would encroach on neighbors' land parcel
- All APs were not significantly affected by LACP
- Both AP husbands and wives strongly endorsed payment of compensation in both their names and requiring both spouses to be present at the time of payment, stating this reduced the number of household arguments
- Women particularly approved of bank accounts, as this provided greater security as opposed to receiving large amounts of cash to be held in the house, making them at more risk of theft. One woman has transferred her compensation to another fixed rate bank account to earn interest
- APs brought to the meeting their folder of papers (including registration and copies of various forms endorsed by themselves, the DCC, RMU and SMO) and bank books
- Some women have used their compensation money to re-stock their shops. They reported increased business due to the project, needing to restock every week now instead of every 3 weeks.
- The village generally was happy to have school community land compensated in kind as a community asset
- Some individual households claimed community land as their own
- As compensation for community land belonging to the village hall the community has requested a new boundary fence between the hall and the road. The Project has agreed to this
- Individual APs were satisfied with payment amounts, procedure and outcomes

Issues	Recommendations
Individuals claiming community land	The Project should withhold construction of the boundary fence until this issue is resolved. Resolution of outstanding conflicting claims is addressed in the CAP
Re-registering land titles	The Project should undertake this together with the RMU and PONRE, to be completed by end September 2014

Cont. Sisavath village

No.	NNP1PC ID	Participants	Phone no.	Remark
1	5006	Mr. Bounnum	020 5841 8777	Village Head
2	5011	Mr. Khamvongsa	020 2280 8752	
3	5019	Mrs. Sakhone	020 2211 8411/ 020 2233 4495	
4	5005	Mrs. Lamphanh	020 2243 7416/ 020 5524 7893	
5	5002	Mrs. Boutsaba	020 5439 6178	
6	5016	Mr. Oudom	020 5943 8614/020 5533 6360	
7	5001	Mr. Somphone	020 5675 4911/020 5528 8233	

Observations:

- All APs understood their entitlements and agreed to the unit rates
- Consultations have been ongoing for several years, and information from the project was previously confused and partial
- APs appreciated now knowing the unit rates and full scope of entitlements as set out in the detailed entitlement matrix, and confirmed the asset registration information
- They were also happy to receive the final schedule for roads, after long delays
- APs also appreciated that separate consultation meetings were held with women and men, and with individual households
- Some villagers were looking forward to opportunities for employment either by the Project or by Contractors
- All APs were not significantly affected by LACP
- Both AP husbands and wives strongly endorsed payment of compensation in both their names and requiring both spouses to be present at the time of payment, stating this reduced the number of household arguments
- APs brought to the meeting their folder of papers (including registration and copies of various forms endorsed by themselves, the DCC, RMU and SMO) and bank books
- Individual APs were satisfied with payment amounts, procedure and outcomes
- Business has increased for the village, with higher turnover in shops and small business

Issues	Recommendations
GRM still not functioning, though no grievances reported	Training in village grievance process and GRM overall should be implemented with the village grievance committee

Cont: List of Persons met in Vientiane and Bolikhamxay

Name	Title/Organisation	Location
Mr. Yoshihiro Yamabayashi	Managing Director, NN1PC	Vientiane
Mr. Kasem Chudthong	Deputy Managing Director (DMD) Environmental & Social Divison (ESD), NN1PC	Vientiane
Mr. Yuichi Yamane	Manager (Planning/Civil Divison), NN1PC	Pakxan
Mr. Tsutsui Shoji	Manager Infrastructure, NN1PC	Vientiane
Mr. Nobuaki Kita	Assistant Manager, Infrastructure, NN1PC	Pakxan
Ms. Souksakhone	Assistant Manager, NN1PC	Vientiane
Mr. Takashi Tada	DMD Technical/Civil Division, NN1PC	Pakxan
Mr. Tanathigh Choisaeng	Manager QA/QC (Technical-Power Plant) NN1PC	Vientiane
Mr. Apirat Iamsiri	Environmental Manager, NN1PC	Vientiane
Mr. Cliff Massey	Environmental Management Specialist, NN1PC	Vientiane
Mr. Francois Demoulin	Senior Social Manager, NN1PC	Vientiane
Mr. Chakrit Douangjai	Social Management Specialist, NN1PC	Vientiane
Mr. Marcel Frederik	Resettlement & LACP Specialist, NN1PC	Vientiane
Ms. Chansouk Insouvanh	Ethnic Minority & Social Specialist, NN1PC	Vientiane
Mr. Simon Sottsas	Database & Data Management Specialist, NN1PC	Vientiane
Sethaphan Kavenapho	SEIA Manager, NN1PC	Vientiane & Pakxan
Mr. Vilaphanh Khanthavong	Staff	Pakxan
Mr. Kham Ouane Lungduangsithidet	Manager, Grievance Mechanism, NN1PC	Pakxan
Mr. Paul van Strijp	Sustainable Rural Livelihood Consultant	Pakxan
Mrs. Souvanpheng	?? Title ?? National Assembly	Pakxan
Mr. Khamsing Sayphouvong	Deputy Director, Provincial DEM and Head of RMU Secretariat	Bolikhan
Mr. Thongsay Bouathone	Deputy Head of RMU Secretariat and Grievance Mechanism first point of contact	Bolikhan
Mr. T. Ishii	Construction Manager, Obayashi	Thidadao
Mr. H. Nagashima	Site Engineer, Obayashi	Thidadao
Mr. Khamphoon	Manager, MVDC sub-contractor	Thidadao
Mr. Khamdee, Mrs. Phonsavanh	Camp followers, restaurant owners	Thidadao

ANNEX 3: MISSION SCHEDULE

**ADB Social Safeguards Team Itinerary for Nam Ngiep 1 Project
Audit of Implementation of LACP for Access Roads
Elizabeth Mann
19 to 24 March 2014**

Date	Activity	Team Members			Location	Objectives	Note by NNP1 ESD	
		ADB	ESD	Others				
15 Mar	Arrive Vientiane							
18 Mar	dinner with NNP1 management and SMO							
19 Mar Wed	am. Meet with NNP1	LM	ESD Director SMO	MD Tech Div (Tada or Yamane)	Vientiane	Briefing on issues and outcomes re. GFN/BCS for access roads APs		
	pm. Travel to Pakxan and meet with compensation team					Pakxan	Briefing from Compensation team Check of original compensation files	[NN1P to make arrangements for team accommodations and transport] Overnight in Pakxan
	Travel to Sisavath village, meet with PAPs					Sisavath	Determine PAP levels of satisfaction with LACP and consultations	
20 Mar Thu	am. Meet with RMU	LM	CSI PvS CKD		Pakxan	Meet PRLRC/RMU to discuss progress and issues Obtain feedback from Hatsaykham village re	Travel to Hatsaykham after lunch.	
	pm. Hatsaykham village				Hmong translator – LWU of HSK (Neng Her)	Hatsaykham	GFN/BCS outcomes, audit LACP implementation, validate land acquisition and compensation payments, identify and advise on unresolved issues.	Village meetings to include affected families, not just village heads. Meet with 5 HHS who initially refused to accept compensation. Overnight at Pakxan
21 Mar Fri	am. Hat Gniun Village	LM	CSI PvS CKD		Hat Gniun	Obtain feedback from Hat Gniun village re GFN/BCS outcomes; audit LACP implementation, Visit landowners of	Repeat village meeting in Hat Gniun.. Ensure APs are present, not just village heads.	

	pm. temporary contractor's camp (Hat Gniun) & Thaheua		MRF		Thaheua	temporarily rented land for contractor's site validate land acquisition and compensation payments, identify and advise on unresolved issues.. Visit contractor's (labor) camp to observe/assess compliance on labor standards including employment of child labor, forced labor, among others	Overnight in Pakxan
	Evening - dinner with National Assembly mission	LM	NN1P management, SMO		Pakxan		
22 Mar Sat	am. Nonsomboun village	LM	CSI PvS CKD MRF Vinanda Paphai		Nonsomboun	audit LACP implementation, validate land acquisition and compensation payments, identify and advise on unresolved issues..	Return Vientiane pm
	pm. Travel Vte & Debriefing		NNP1P C		Vientiane		
23 Mar Sun	Prepare presentation for project debriefing				Vientiane		
24 Mar Mon	Debriefing NN1PC on Social Audit outcomes	LM	SMO ESD NN1PC management Technical Dept.		Vientiane	Debriefing the mission to NNP1PC	

ANNEX 4: NUMBER OF AFFECTED HOUSEHOLDS PER VILLAGE OF IMPACT

Village of Impact	Impacted HHs per village of impact
Ban Hat Gniun	48
Ban Nonsomboun	63
Ban Sisavath	31
Ban Thahuea	29
Khum Hatsaykham (Ban Hat Gniun)	32
(2 HHs are doubly impacted in 2 villages)	203* (cleared 201)

*Actual number of affected HHs is 201, 2 HHs were counted twice as they were doubly impacted in 2 villages

ANNEX 5: PRIME MINISTER'S OFFICE, TRANSLATED COPY OF THE PRLRC AGREEMENT ON ESTABLISHMENT OF RESETTLEMENT AND LIVELIHOOD RESTORATION COMMITTEE FOR THE NAM NGIEP 1 HYDROPOWER PROJECT

Management Unit

Article 2: Overall roles

1. Represent the government to provide direction and lead closely in identifying compensation rates and endorse resettlement plans including managing resettlement and livelihood restoration of project affected people of the Nam Ngiep 1 Hydropower Project in order to make it succeed based on the objectives which are outlined in the concession agreement.
2. Consider to establish cash compensation and in-kind compensation, the details including basic infrastructure and housing in the resettlement area which must have a meeting with the committee which has committee members participating that is not less than total number of members especially if considering about issues of any people in the area the committee from that area must attend.
3. Resolve grievances of the people regarding to compensation which are processed through the grievance procedure from village to provincial level.

Article 3: Rights and Responsibilities

1. Establish and endorse working plans, compensation policies for project affected people of the Nam Ngiep 1 Hydropower Project.
2. Establish the Resettlement and Livelihood Restoration Management Unit to work daily which must have a complete systematic structure and have *[assigned]* roles and responsibilities and an office.
3. Head of Secretariat can come from a sector related to hydropower management work or any other sector that is suitable and who is capable to work full time.
4. Establish the rights and responsibilities of the other agencies that participate in implementation of resettlement related to Nam Ngiep 1 Hydropower Project, especially in the area of responsibility of the Resettlement and Livelihood Restoration Management Unit.
5. Establish a resettlement area that is appropriate for livelihood and residential living that is convenient based on existing conditions, if it is necessary to resettle people from one province to another province the related provinces must agree together first and then later report the issue to the government for final agreement.
6. Establish a budget for resettlement based on the funds which are received from the company which owns the project aligned with the working plan and the above policy including being aligned with economic and social development plan of the province.
7. Establish the method to use the indicated budget above effectively with transparency.
8. Resolve any dispute that might occur between the Resettlement and Livelihood Restoration Management Unit and the unit which operates the resettlement work of the owner of the project, resolve any proposed grievances of the people.
9. Follow and monitor the operation of the resettlement work of the various parties in order to ensure the success and conduct the report to the government.
10. Coordinate with related parties of the center² as appropriate.

Article 4: The Resettlement Committee will follow the policy as follows

1. The members of the committee are still government staff and must perform their government duties from their agencies as usual.
2. Members will perform actual work in a group as planned such as participating in meetings to monitor work in the field, the committee will receive an allowance, transportation costs and other expenses from the overall administration budget for resettlement work from the project.
3. For the policy in regard to the Resettlement and Livelihood Restoration Management Unit the committee should consider separately in order to align with the budget plan that the project provides.

² Translator's note: It is believed that reference to center is meant to indicate high level government offices in Vientiane

- Article 5:** This decree provides authority to Resettlement and Livelihood Restoration Committee to issue regulations or directives, internal rules, dividing the responsibilities of each member as appropriate. The aim is to complete the roles, responsibilities of above committee and to ensure cooperation with related parties especially the Ministry of Energy and Mines, Ministry of Natural Resources and Environment.
- Article 6:** This decree provides the Ministry of Energy and Mines working with the Ministry of Natural Resources and Environment which has a lot of experience with previous projects to provide advice to Resettlement Committee in regard to information, implementation planning and the others.
- Article 7:** The Resettlement and Livelihood Restoration Committee that has been established is directly responsible on behalf of the government for implementing the resettlement and livelihood restoration of the people who have been affected by the Nam Ngiep 1 Hydropower Project to succeed as expected.
- Article 8:** The Committee must have regular consultation meetings (ordinary meetings) in full committee 3 times per year and if necessary to address any urgent issues a full committee extraordinary general meeting can be called for as necessary.
- Article 9:** The Resettlement and Livelihood Restoration Committee is valid until the date on which the success of the livelihood restoration of the people who resettle is announced as outlined in the concession agreement.
- Article 10:** Ministries, organizations, provinces, local and individual persons who have been assigned please acknowledge and follow this agreement strictly.
- Article 11:** This agreement is effective from the date signed and should be used in place of agreement 63/PM, dated 6 July 2011.

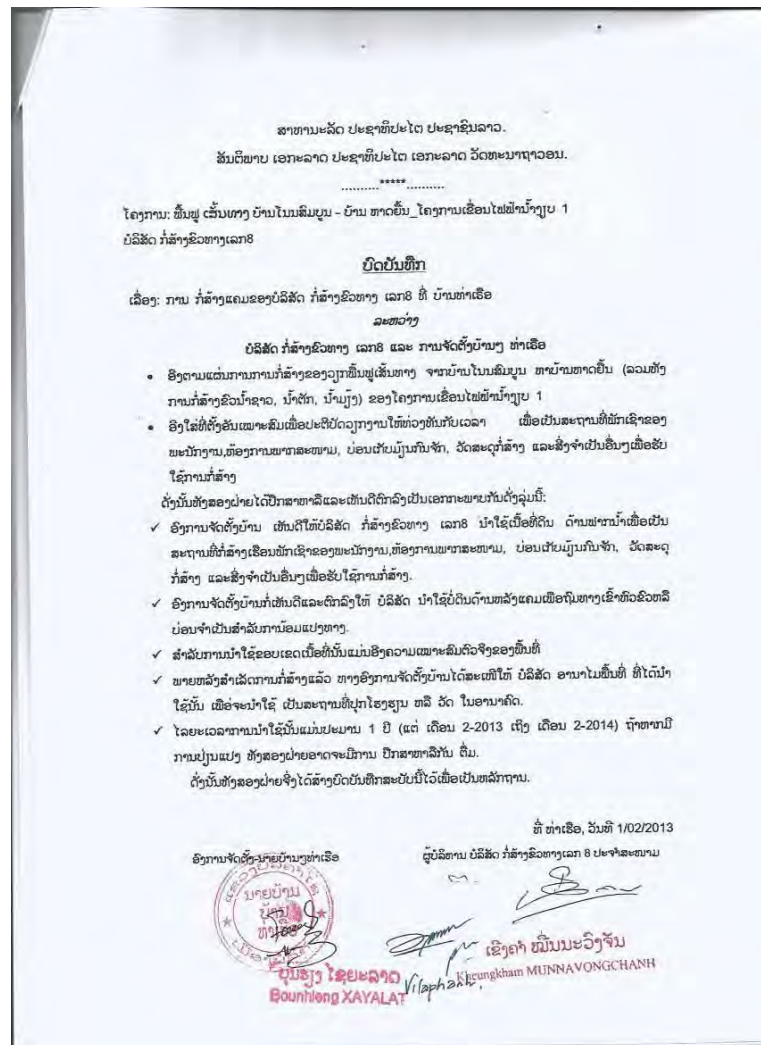
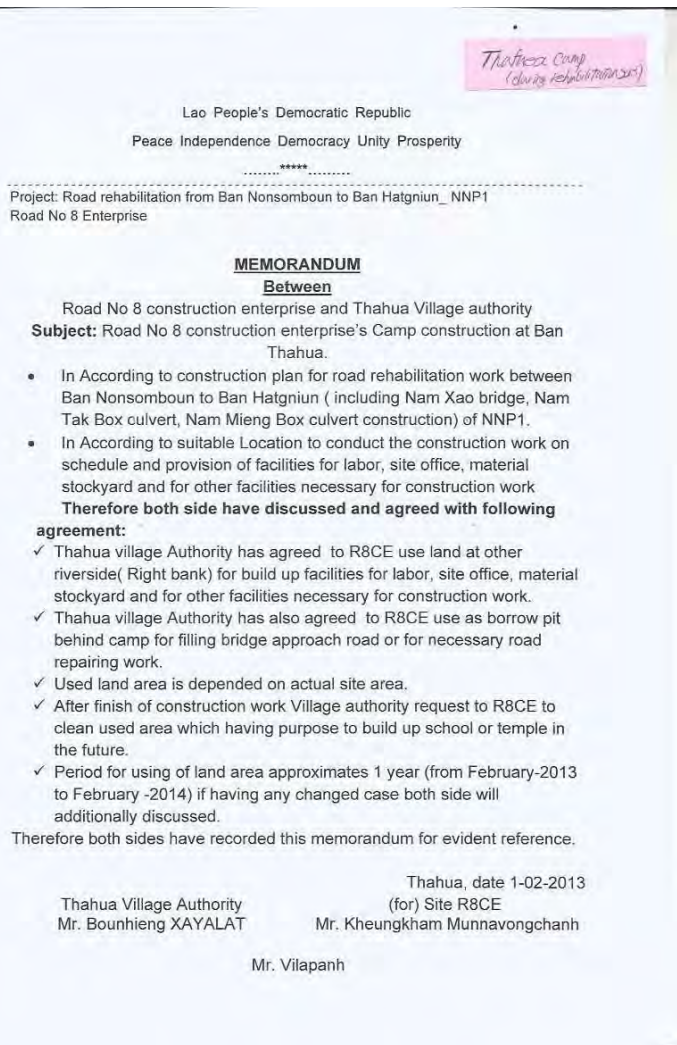
Prime Minister

[signed]
[stamp of Prime Minister]

Thongsing Thammwong

- Sent to:
- Chairman of the Secretary of the Lao Party 1 copy
 - Chief of the Office of the Lao Party 1 copy
 - Chief of the Lao Party Committee 1 copy
 - Government members, each person 1 copy
 - Each individual assigned 1 copy
 - Records 1 copy

ANNEX 6: LEASES FOR COMMUNITY LAND IN THAHEUA AND THIDADAO, AND OUTLINE OF MVDC TEMPORARY LABOUR CAMP



Handwritten notes in Burmese on lined paper. The text includes dates like 16/12/2013 and 10/12/2013, and mentions 'PKCC' and 'Soubhinda XAYALAT'. There are several signatures and a red circular stamp.

Document Approval Sheet No: _____
Date: _____

Request for
Subject: Approval for renting a THIDADAO resort hotel for contractor's accommodation

	MD <i>MD 36</i> <i>approved</i> <i>2/8/Dec. 2013</i>	
Main [Technical department] DMD <i>7/E</i> <i>21 Dec '13</i>	Mgr/AM/Officer <i>Y. Yank</i> <i>26 Dec 2013</i>	Staff <i>MD</i>
CO./C.C [ES department] DMD <i>10 Jan 2014</i>	Mgr/AM/Officer <i>10/1/2014</i>	Staff <i>(Please attend the rental of room as agreed in email attached)</i>
CO./C.C [Administration department] DMD <i>2/1/2013</i>	Mgr/AM/Officer <i>Kachida</i> <i>2/1/2013</i>	Staff
CO./C.C [] DMD	Mgr/AM/Officer	Staff

As is written below, [Content] shall be conducted based on [Reason].

[Content]
- NNPIPC rents the THIDADAO resort hotel for a contractor's accommodation for T12 and T5 temporary road construction for about 3 months.
- Technical department request Environmental and Social department to;

[Budget]
- As a results of the discussion with the Owner of the THIDADAO resort hotel, 1 medium class accommodation and their land are rent. The price is as follows
437 USD/month × 3 months = 1,311 USD (paid by monthly)

[Reason]
- The original planed land for camp yard at km 23.5 near the re-regulation dam site for access road construction, we can't rental it and compensate it on time at this moment.
- However the construction works for T12 and T5 temporary road will start soon. In the previous discussion on the camp yard, it's acceptable for ADB and social division to use the existing hotel or guesthouse such as THIDADAO as camp facilities. Thus we decided to use the THIDADAO resort for contractor's camp.

[Attachments]
Attachment-1 Minutes of Meeting on the rental discussion with the THIDADAO resort hotel.

Attachment-1

Conditions for rental

- MNPI/C rent a land of THIDADAO resort as follows
- ① $60m \times 40m = 2,400m^2$ as attachment-1
 - ② Camp ~~is set~~ shall be set in accordance with ADB requirements.
 - ③ No special request for setting up camp from THIDADAO, however the contractor shall ask the owner.
 - ④ No special request for demobilizing camp, the contractor shall ask the owner when he
 - ⑤ Rental period is 3 months, starting
 - ⑥ 1 or 2 heavy machinery can be parked
 - ⑦ Septic tank, deep well shall be installed
 - ⑧ MNPI/C will not pay the expense when 1 and 2 above
 - ⑨ The contractor use the existing road inside

MNPI/C

多野神明
21 Dec 2013

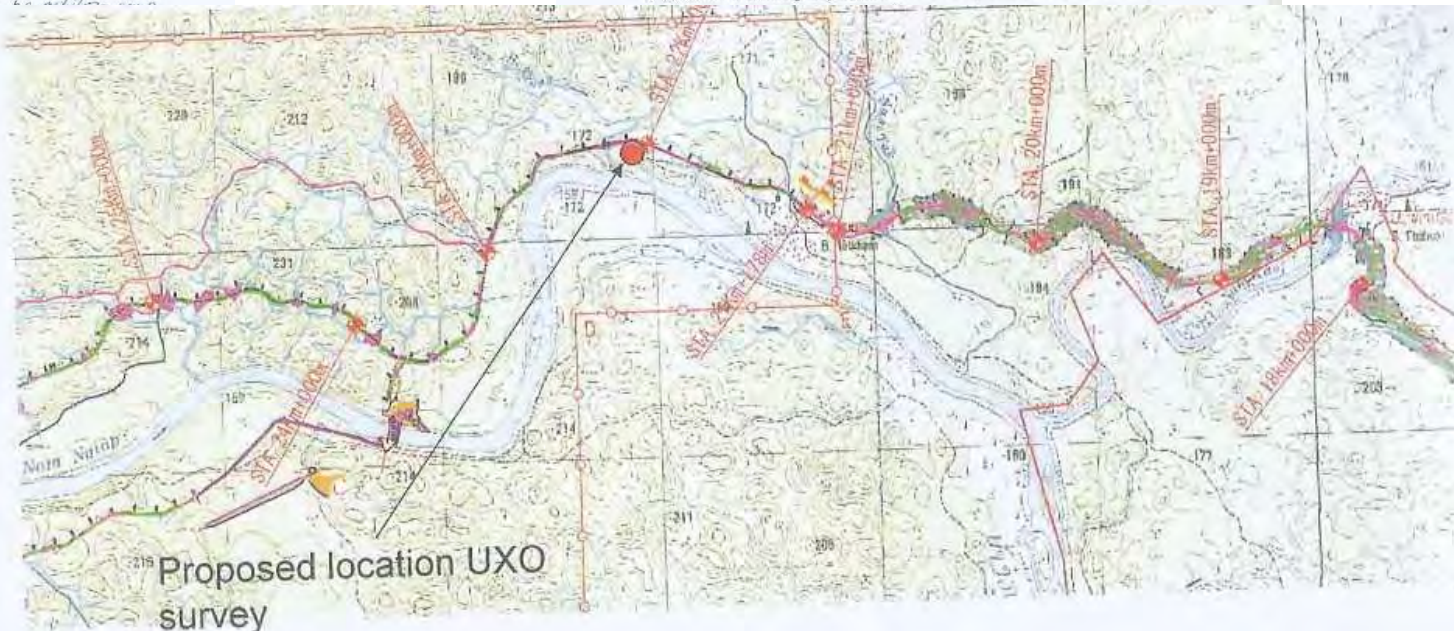
6
207
MVI

MVDC Sub Contractor

[Signature]
26/12/2013
Boun Phoum

ເງື່ອນໄຂການເຮົາ

- ບົດສັດໄພຜ່ານຖານ 1 ໄດ້ເຊິ່ງຕົນ ຂອງ ເຮືອນພັກ ທີ່ຕາດວ ດັ່ງລາຍລະອຽດດັ່ງນີ້:
1. $60m \times 40m = 2,400m^2$ ເຊິ່ງມີລາຍລະອຽດຕາມເອກະສານຄັດຕັດ 1.
 2. ສໍາລັບພິພັກ ແຜນຈະສ້າງຕາມ ມາດຕະຖານ ຂອງ ທະນາຄານພັດທະນາອາຊີ (ADB)
 3. ເຮືອນພັກທີ່ຕາດວ ບໍ່ໄດ້ໂຮງກໍ່ອ້ອງຍັງເພີ່ມເຕີມ ສໍາລັບການສ້າງພິພັກ ແຕ່ເຖິງຢ່າງໃດກໍ່ຕາມ ຜູ້ຮັບ ເໝົາຈະສອບຖາມເທົ່າຂອງຕົນ ເວລາມີການກໍ່ສ້າງ.
 4. ເຮືອນພັກທີ່ຕາດວ ບໍ່ໄດ້ໂຮງກໍ່ອ້ອງຍັງເພີ່ມເຕີມ ສໍາລັບການຂີ່ຖອນພິພັກ, ແຕ່ເຖິງຢ່າງໃດກໍ່ຕາມ ຜູ້

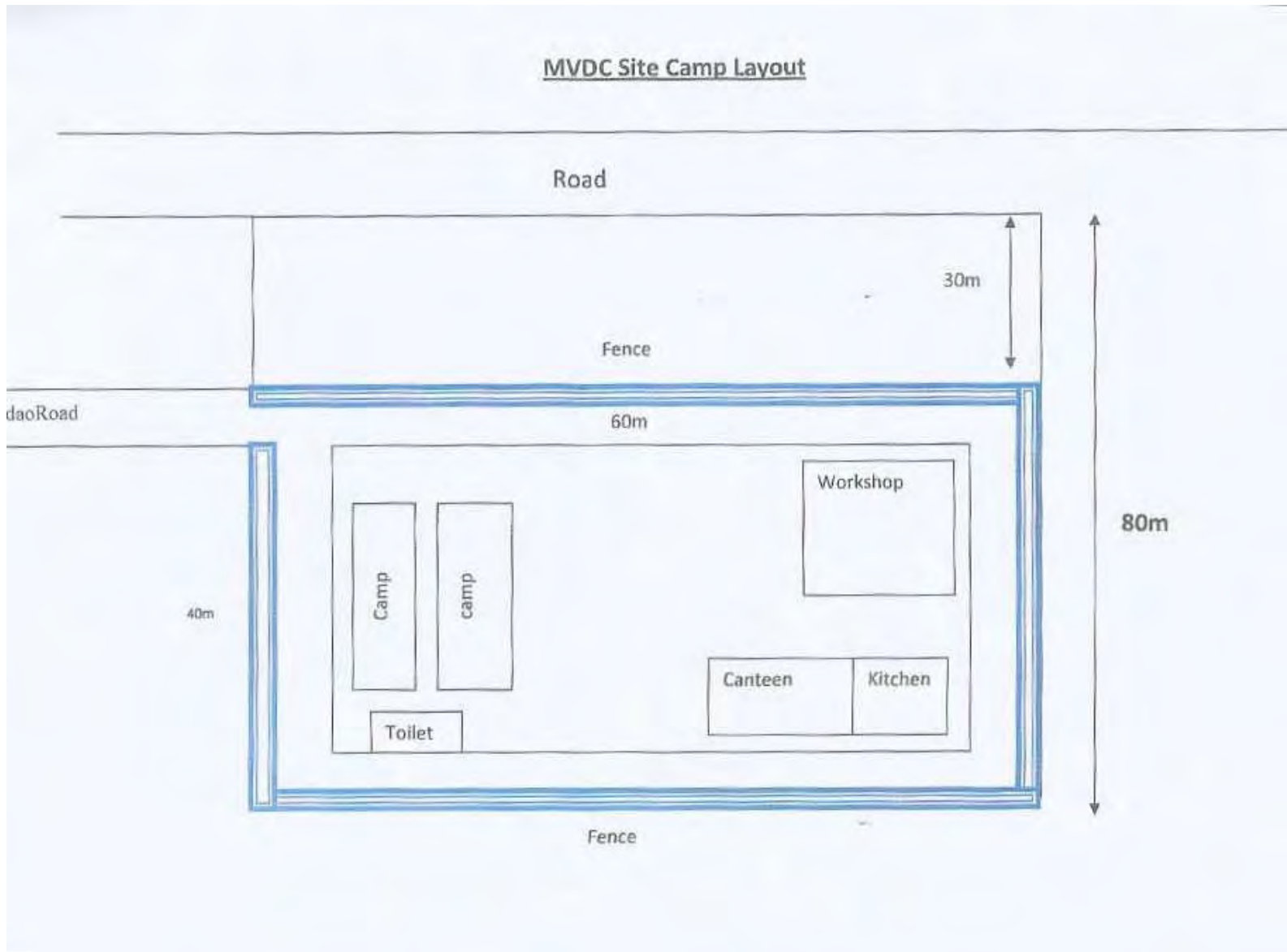


Proposed location UXO
survey
Inside THIDADAO resort
A= 40 m x 60 m
= 2,400 m²



Document Approval Sheet		
No: Date:		
Subject: Execution of rental contract of THIDADAO resort hotel's land and accommodation for Contractor		
MD → 4336 approved 13 Jan 2014		
Main [Administration Department] DMD	Mgr/AM/Officer Machida 12/1/2014	Staff
CO./C.C [F/A Department] DMD	Mgr/AM/Officer Kyoko Yanda 13 Jan 2014	Staff 13-1-14
CO./C.C [] DMD	Mgr/AM/Officer	Staff
CO./C.C [] DMD	Mgr/AM/Officer	Staff
As is written below, [Content] shall be conducted based on [Reason].		
[Content]		
1. Rental Object Land and accommodation for contractor to implement T12 and T5 temporary road construction		
2. Budget ESD budget		
3. Lesser THIDADAO resort hotel		
4. Conditions for Rental NNP1PC rents a land of THIDADAO resort under the conditions as follows:		
1) Land (60m × 40m = 2400 m ²) and one room for accommodation		
2) Camp shall be set in accordance with ADB requirements.		
3) No special request for setting up camp from THIDADAO, however the Contractor shall ask the Owner when he mobilizes camp.		
4) No special request for demobilizing camp from THIDADAO, however the Contractor shall ask the Owner when he demobilizes the camp		

5) Rental Period is 3 months starting within one week from 26 December 2013
6) 1 or 2 heavy machinery can be parked inside THIDADAO resort.
7) Septic tank, deep well shall be installed.
8) NNP1PC will not pay the expense when it remobilizes the camp.
9) The contractor uses the existing road inside THIDADAO resort
5. Contract Period
- From within one week from 26 December 2013 to the three-month date from the starting date (three months)
※ Based on the condition above and an agreement among the parties, it started on 26 December 2013 and ends on 25 March 2014
6. Term of Payment
1) Amount 1,311 USD
2) Procedure USD437 /month × 3 months (paid by monthly)
※ Based on the condition above and an agreement among the parties, the first payment was made on 26 December 2013
[Reason]
- While the original land for camp yard for access road construction is planned at km 23.5 near the re-regulation dam site, it cannot be rented because the compensation issue has not been resolved.
- In order to immediately start the construction works for T12 and T5 temporary roads under such circumstances, the land near the originally planned place needs to be rented.
- Previous discussion on the camp yard certified that using existing hotel or guesthouse such as THIDADAO as camp facilities is acceptable for ADB and ESD.
- Therefore, the land owned by THIDADAO resort hotel at km 22 is determined to be rented for the Contractor's camp.
[Explanation]
- Technical Department signed an agreement with THIDADAO resort, Obayashi (Contractor), and MVDC (Sub-Contractor) for the rent of THIDADAO resort hotel on 26 th December 2013 because the rent of the land for the Contractor's camp was immediately needed to start the construction works for T12 and T5 temporary roads.
- Based on the agreement, the rent started on 26 th December 2013.
- While Environmental and Social Department required some modifications to the agreement for some environmental reasons, they finally agreed to remain the wordings as they were on 8 th January 2014.
- Admin Department ratifies the agreement after reviewing the situation mentioned above and finding no practical harm.
[Attachments]
- Request for renting a THIDADAO resort hotel for land and accommodation for Contractor's accommodation.



ANNEX 7: COMPARISON OF PROJECT STATUS BETWEEN OCTOBER 2013 AND MARCH 2014 - LAND ACQUISITION AND COMPENSATION MANAGEMENT AND IMPLEMENTATION, ACCESS ROAD (INFORMATION FROM SMO)

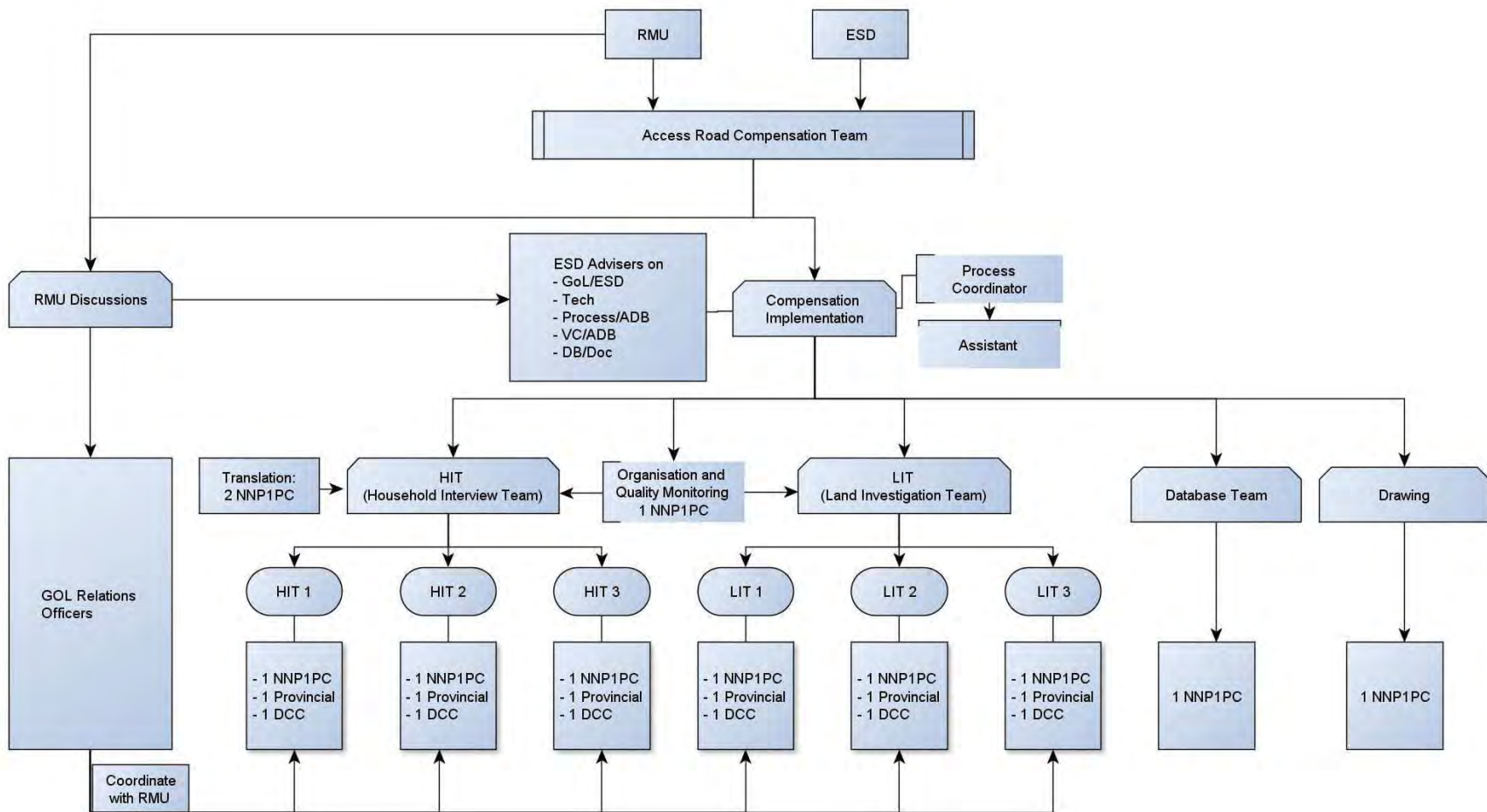
No.	Situation at time of ADB October 2013 Mission	Situation at time of ADB March 2014 Mission
1	Responsibility: GoL leads Project in implementing LACP	The Project leads LACP implementation via GoL and international standards with mutual support of RMU, DCC, and village authorities
2	E&S Organization: E&S Director + SSAFE (external consultants)	E&S Director → SMO → Access Road Compensation Section: <ul style="list-style-type: none"> • Household Interview Team • Land Investigation Team • Database & GIS Team • Grievance • GoL Relations • Administrator
3	ESD Staffing Access Road: <ul style="list-style-type: none"> • DMD ESD • GoL-Relations/Admin: 1 staff (part-time) • 2 ESD Staff (part-time) • SSAFE Total Full-time: SSAFE; Total Part-time: 4;	ESD Staffing Access Road: <ul style="list-style-type: none"> • DMD ESD • SMO VTE (5 senior staff involved – 4 int.+1nat.) • AR Compensation Teamleader (int.) • AR Compensation Senior Administrator • AR Chief Compensation Officer • AR Chief Registration Officer • Land Investigation Team: 6 people • Household Investigation Team incl. compensation: 6 people • Database Team: 3 people (1 full-time AR) • GIS: 1 Senior Staff + 1 Assistant • Grievance: 1 Senior Staff • GoL-relations: 1 Senior Staff Total Full-time: 21 full-time; Total Part-time: 8;
4	Planning and Reporting: ESMMP-CP including LACMP accepted by GoL	Planning and Reporting: <ul style="list-style-type: none"> • Specific LACP Access Road as Stand-alone NNP1 social document • Database-queries to assess compensation values • Weekly Reports from Compensation Team to SMO Senior

		Manager which opens road sections for Civil Team to start construction in the respective section
5	Entitlements and Rates: <ul style="list-style-type: none"> • Draft Entitlement Policy (rejected by ADB) • Overall discussions on rates • No Cut-off-Date 	Entitlements and Rates: <ul style="list-style-type: none"> • Entitlement Matrix approved by PRLRC • Unit rates based on 4 sources discussed with PAPs and approved by PRLRC on 14 January 2014 • Cut-Off-Date declared on 22 January 2014 together with the endorsement of the Entitlement Matrix as Compensation Policy
6	Standard Compensation Procedure: Not defined yet	Standard Compensation Procedure per Phase/Road Section: <ol style="list-style-type: none"> 1. Household Interview with PAPs 2. Land Measurement together with PAPs, DCC, RMU 3. Opening of Bank Accounts in both husband and wife's name 4. Data entry into the database, preparation of technical land drawings, preparation of Pictures 5. Print of Form A including household data, Asset Registration, Drawings, and Pictures 6. Agreement (or revision and re-printing) and signing of Form A 7. Automatic Calculation of Compensation Values and printing of Forms F & G; Signing of Forms F & G 8. Query of compensation transfers, approval by Company, transfer of money by Finance Department to Bank Account 9. Update of Bank Books, Handover, and 2nd signing on Form G 10. Update of Section Status and Start of Construction
7	Asset Registration Problems: <ul style="list-style-type: none"> • Nicknames used • Boundary disputes not clarified • Pegging undertaken with major impacts on housing • Hand drawings • Community land not included • Some households registered twice • Some PAPs not identified 	Asset Registration: <ul style="list-style-type: none"> • Full Names of all family members and pictures of male and female head of households • Re-checking asset register, re-numbering and cutting out duplications • Boundary disputes clarified with all involved parties and the Village Chief involved • Pegging/road alignment re-done to avoid impacts on houses • Pegging coordinates double checked before land registration takes place • Autocad Drawings of LA with GPS coordinates • 2 times quality control before signing (1 x NNP1; 1 x RMU) • Inclusion of community land in asset registration

		<ul style="list-style-type: none"> • All agreements and meetings documented and if necessary signed by Village Headman and GoL • Additional PAPs identified if living in other villages but owning land in affected villages
8	Land Donations: Minor Donations expected	Land Donations: No Donations expected
9	Cash Transfer: Not regulated	Cash Transfer: <ul style="list-style-type: none"> • Opening of Bank Accounts in Husband and Wife's names • 100% Direct Bank Transfers onto PAP Accounts • Documented Hand-over of updated Bank Account Books Costs of Bank Account opening including minimum deposit borne by the company additionally to the compensation values
10	Consultations: Village Consultation Meetings (VCMs) in April and August 2013	Consultations in November, December 2013 <ul style="list-style-type: none"> • VCMs • Meetings with RMU and DCC • Meetings with GoL & PAPs representatives • Individual consultations during Asset Registration Topics Discussed <ul style="list-style-type: none"> • Land Acquisition • Entitlements • Compensation Rates • Cut-Off-Date • Grievances • Family Financial Training • Broad Community Support
11	Gender: No special provisions	Gender: <ul style="list-style-type: none"> • 11 female staff in SMO • 18 Staff with Gender Training in SMO • BACs in Husband and Wife's names • Exceptions: opening of BAC in wife's name (never in husband's name only)
12	Ethnicity: Sometimes translations	Ethnicity: <ul style="list-style-type: none"> • 9 SMO staff with Hmong background, 4 Khmu • Staff with Ethnicity-Training (18) • Staff with community development training (17) • Translations during consultations

		<ul style="list-style-type: none"> • Focus on customary rights rather than titles
13	<p>Land tenure: General provisions in the Concession Agreement</p>	<p>Land tenure:</p> <ul style="list-style-type: none"> • Copy and assessment of existing land documents • Land compensation entitlements including customary land use rights regardless of formal tenure documents • Commitment to support land titling process

ANNEX 8: SOCIAL MANAGEMENT OFFICE STAFFING STRUCTURE AND LACP FLOW CHART - ACCESS ROAD



ANNEX 9: SAMPLE OF ASSETS COMPENSATED AND UNIT VALUES

Phase	Village Located	HH ID	Category	Subcategory	Formula	Units	Unit_Rate	Total
1	Khum Hatsaykham (Ban Hat Gniun)	0001	Land Assets	ດິນສວນປູກໄມ້ອຸດສາຫະກຳ Garden Land for Plantations	sqm x unit rate	4,108	800	3,286,400
1	Khum Hatsaykham (Ban Hat Gniun)	0001	Land Assets	ດິນທີ່ມີເຂດແດນ (ມີຮີວອ້ອມ) ໄດ້ຮັບການພັດທະນາຢ່າງຕໍ່ເນື່ອງ Fenced land and /or regularly developed (	sqm x unit rate	17,437	150	2,615,550
1	Khum Hatsaykham (Ban Hat Gniun)	0001	Timber Trees and Industrial trees by diameter	ຕົ້ນເກດສະນາ Agar (1-5)	diameter x unit rate	24	36,000	864,000
1	Khum Hatsaykham (Ban Hat Gniun)	0002	Fences	ຮິວເສົາໄມ້ໝາມໝາກຈັບ Barb wire fence with wooden poles	Length of fence x unit rate for type	310	4,700	1,457,000
1	Khum Hatsaykham (Ban Hat Gniun)	0002	Fences	ຮິວເສົາໄມ້, ຮາວໄມ້ Wooden fence (poles and planks)	Length of fence x unit rate for type	107	3,700	395,900
1	Khum Hatsaykham (Ban Hat Gniun)	0002	Land Assets	ດິນທີ່ມີເຂດແດນ (ມີຮີວອ້ອມ) ໄດ້ຮັບການພັດທະນາຢ່າງຕໍ່ເນື່ອງ Fenced land and /or regularly developed (	sqm x unit rate	5,659	150	848,850
1	Khum Hatsaykham (Ban Hat Gniun)	0002	Land Assets	ດິນນາເຮືອ Fallow rice field	sqm x unit rate	7,783	3,000	23,349,000
1	Khum Hatsaykham (Ban Hat Gniun)	0003	Fences	ຮິວເສົາໄມ້ໝາມໝາກຈັບ Barb wire fence with wooden poles	Length of fence x unit rate for type	53	4,700	249,100
1	Khum Hatsaykham (Ban Hat Gniun)	0003	Land Assets	ດິນສວນພືດລົມລູກ Perennial/Crop Garden Land	sqm x unit rate	1,406	1,500	2,109,000
1	Khum Hatsaykham (Ban Hat Gniun)	0003	Land Assets	ດິນຄັງທີ່ມີເອກະສານຢັ້ງຢືນ Land for future development with land title	sqm x unit rate	8,608	300	2,582,400
1	Khum Hatsaykham (Ban Hat Gniun)	0003	Not Producing Fruit Trees	ໝາກລິ້ນໄມ້ Mai Linmai (10,000 + (4 x 5,000))	No. Trees x (seedling costs + labor * years)	2	30,000	60,000
1	Khum Hatsaykham (Ban Hat Gniun)	0003	Special Agricultural Products, Flowers, and Construction Trees	ໝາກຫຼ່ຽງທີ່ເປັນໝາກແລ້ວ Papaya (Bearing Fruit)	unit x unit rate	38	50,000	1,900,000
1	Khum Hatsaykham (Ban Hat Gniun)	0003	Special Agricultural Products, Flowers, and Construction Trees	ຕົ້ນກັວຍ Banana	unit x unit rate	30	60,000	1,800,000
1	Khum Hatsaykham (Ban Hat Gniun)	0004	Land Assets	ດິນສວນປູກໄມ້ອຸດສາຫະກຳ Garden Land for Plantations	sqm x unit rate	3,295	800	2,636,000
1	Khum Hatsaykham (Ban Hat Gniun)	0004	Land Assets	ດິນທີ່ມີເຂດແດນ (ມີຮີວອ້ອມ) ໄດ້ຮັບການພັດທະນາຢ່າງຕໍ່ເນື່ອງ Fenced land and /or regularly developed (	sqm x unit rate	5,827	150	874,050
1	Khum Hatsaykham (Ban Hat Gniun)	0004	Timber Trees and Industrial trees by diameter	ຕົ້ນເກດສະນາ Agar (11-15)	diameter x unit rate	26	50,000	1,300,000
1	Khum Hatsaykham (Ban Hat Gniun)	0005	Land Assets	ດິນທີ່ມີເຂດແດນ (ມີຮີວອ້ອມ) ໄດ້ຮັບການພັດທະນາຢ່າງຕໍ່ເນື່ອງ Fenced land and /or regularly developed (	sqm x unit rate	9,227	150	1,384,050
1	Khum Hatsaykham (Ban Hat Gniun)	0005	Not Producing Fruit Trees	ໝາກແຂ້ນ Mak Khen (12,000 + (4 x 5,000))	No. Trees x (seedling costs + labor * years)	3	32,000	96,000
1	Khum Hatsaykham (Ban Hat Gniun)	0005	Special Agricultural Products, Flowers, and Construction Trees	ໝາກເຂືອ Egg Plant	unit x unit rate	1	3,000	3,000
1	Khum Hatsaykham (Ban Hat Gniun)	0006	Land Assets	ດິນຜັ່ງນາວຽນ Rotationally used upland field	sqm x unit rate	20,392	1,200	24,470,400
1	Khum Hatsaykham (Ban Hat Gniun)	0006	Land Assets	ດິນສວນປູກໄມ້ອຸດສາຫະກຳ Garden Land for Plantations	sqm x unit rate	15,592	800	12,473,600

1	Khum Hatsaykham (Ban Hat Gniun)	0006	Land Assets	ດິນທີ່ມີເຂດແດນ (ມີຮົ່ວອ້ອມ) ໄດ້ຮັບການພັດທະນາຢ່າງຕໍ່ເນື່ອງ Fenced land and /or regularly developed (	sqm x unit rate	2,408	150	361,200
1	Khum Hatsaykham (Ban Hat Gniun)	0006	Not Producing Fruit Trees	ໝາກແຂ້ວ Mak Khen (12,000+ (2 x 5,000))	No. Trees x (seedling costs + labor * years)	16	22,000	352,000
1	Khum Hatsaykham (Ban Hat Gniun)	0006	Special Agricultural Products, Flowers, and Construction Trees	ໝາກເຂືອ Egg Plant	unit x unit rate	100	3,000	300,000
1	Khum Hatsaykham (Ban Hat Gniun)	0006	Special Agricultural Products, Flowers, and Construction Trees	ຕົ້ນຢາສູບ Tobacco	unit x unit rate	30	18,000	540,000
1	Khum Hatsaykham (Ban Hat Gniun)	0006	Timber Trees and Industrial trees by diameter	ຕົ້ນເກດສະນາ Agar (1-5)	diameter x unit rate	31	36,000	1,116,000
1	Khum Hatsaykham (Ban Hat Gniun)	0007	Land Assets	ດິນສວນປູກໄມ້ອຸດສາຫະກຳ Garden Land for Plantations	sqm x unit rate	2,678	800	2,142,400
1	Khum Hatsaykham (Ban Hat Gniun)	0007	Land Assets	ດິນສວນປູກໄມ້ອຸດສາຫະກຳ Garden Land for Plantations	sqm x unit rate	2,913	800	2,330,400
1	Khum Hatsaykham (Ban Hat Gniun)	0007	Timber Trees and Industrial trees by diameter	ຕົ້ນເກດສະນາ Agar (1-5)	diameter x unit rate	41	36,000	1,476,000
1	Khum Hatsaykham (Ban Hat Gniun)	0007	Timber Trees and Industrial trees by diameter	ຕົ້ນເກດສະນາ Agar (1-5)	diameter x unit rate	15	36,000	540,000
1	Khum Hatsaykham (Ban Hat Gniun)	0008	Land Assets	ດິນທີ່ມີເຂດແດນ (ມີຮົ່ວອ້ອມ) ໄດ້ຮັບການພັດທະນາຢ່າງຕໍ່ເນື່ອງ Fenced land and /or regularly developed (	sqm x unit rate	18,013	150	2,701,950
1	Khum Hatsaykham (Ban Hat Gniun)	0008	Not Producing Fruit Trees	ໝາກແຂ້ວ Mak Khen (12,000 + (2 x 5,000))	No. Trees x (seedling costs + labor * years)	45	22,000	990,000
1	Khum Hatsaykham (Ban Hat Gniun)	0008	Special Agricultural Products, Flowers, and Construction Trees	ໝາກເຂືອ Egg Plant	unit x unit rate	104	3,000	312,000
1	Khum Hatsaykham (Ban Hat Gniun)	0009	Land Assets	ດິນສວນປູກໄມ້ອຸດສາຫະກຳ Garden Land for Plantations	sqm x unit rate	30,866	800	24,692,800
1	Khum Hatsaykham (Ban Hat Gniun)	0009	Land Assets	ດິນໄຮ່ໜູນວຽນ Rotationally used upland field	sqm x unit rate	15,821	1,200	18,985,200
1	Khum Hatsaykham (Ban Hat Gniun)	0009	Producing Fruit Trees	ໝາກສີດາ Guava (1,000 x 10)	no. trees x unit rate x 10	5	10,000	500,000
1	Khum Hatsaykham (Ban Hat Gniun)	0009	Producing Fruit Trees	ໝາກຕ້ອງພັນ Santol (Big) (2,000 x 10)	no. trees x unit rate x 10	1	20,000	200,000
1	Khum Hatsaykham (Ban Hat Gniun)	0009	Producing Fruit Trees	ໝາກໄຟ Sour Berry (5,000 x 5)	no. trees x unit rate x 10	24	25,000	6,000,000
1	Khum Hatsaykham (Ban Hat Gniun)	0009	Producing Fruit Trees	ໝາກມ້ Jackfruit (1,500 x 25)	no. trees x unit rate x 10	4	37,500	1,500,000
1	Khum Hatsaykham (Ban Hat Gniun)	0009	Producing Fruit Trees	ໝາກມ່ວງ Mango (3,000 x 10)	no. trees x unit rate x 10	15	30,000	4,500,000
1	Khum Hatsaykham (Ban Hat Gniun)	0009	Producing Fruit Trees	ໝາກມ່ວງ Mango (3,000 x 10)	no. trees x unit rate x 10	3	30,000	900,000
1	Khum Hatsaykham (Ban Hat Gniun)	0009	Producing Fruit Trees	ໝາກຂາມ Sweet Tamarind (5,000 x 20)	no. trees x unit rate x 10	1	100,000	1,000,000

Annex 10: Sample of Asset Registration List by Village and Affected Plot

Household ID	Household Head (Male)	Household Head (Female)	Asset ID	Land Type	Area (sqm)
Household ID	Head of Household	Head of Household	Asset ID	Land Type	Area (sqm)
ရွာ ໜອງປູນ (ບ້ານ ຫາດຍືນ) Khum Hongsaytham (Ban Hat Yuen)					
0001	ທ່ານ ຫຼົມ ຊົງ Mr. Toume Xiong	ທ່ານຍາງ ຊີ ຢ່າງ Mrs. Si yang	101	ຮູບຮ່າງກິນ ຄູນຕະກົນ Garden Land for Plantations	4,108
0001	ທ່ານ ຫຼົມ ຊົງ Mr. Toume Xiong	ທ່ານຍາງ ຊີ ຢ່າງ Mrs. Si yang	102	ດິນປັນຈະດານ (ສິ້ວ ເຊນ) ໂຕ້ບານ ພິດວະນາຍາຍຸດຊ້ວງ Fenced land and / or regularly developed (customary land)	17,437
0002	ທ່ານ ສີ້ຊົງ ຊົງສີ້ Mr. Kouxong Xionglor	ທ່ານຍາງ ສີ້ທໍ່ ເພຍຫວງ Mrs. SeeThor Phialuang	201	ດິນນາຂົ້າ Fallow rice field	7,783
0002	ທ່ານ ສີ້ຊົງ ຊົງສີ້ Mr. Kouxong Xionglor	ທ່ານຍາງ ສີ້ທໍ່ ເພຍຫວງ Mrs. SeeThor Phialuang	202	ດິນປັນຈະດານ (ສິ້ວ ເຊນ) ໂຕ້ບານ ພິດວະນາຍາຍຸດຊ້ວງ Fenced land and / or regularly developed (customary land)	5,659
0003	ທ່ານ ເຊຍິມ ຊົງ ຢົງເຊຍິງ Mr. Siamaisong Yongzeixiong	ທ່ານຍາງ ສີ້ ຢ່າງ ກາເບັງ Ms. Xuayang Kaneng	301	ດິນທຸງດິນຕະນາ ຍັງຄົງ Land for future development with land title	8,808

NNP1 - Project Affected People (Access Road) - 1A

ANNEX 11: COPIES OF RENTAL AGREEMENTS FOR COMMUNITY LAND IN HAT GNIUN AND THAHEUA

Document Approval Sheet		No.:	IGNUL 1012/1916
		Date:	
<p><i>Request for</i> Subject: Approval for renting a THIDADAO resort hotel for contractor's accommodation <i>15</i> <i>and road accommodation</i></p>			
Main [Technical department]		MD	<i>MD</i>
DMD	Mgr/AM/Officer	<i>21 Dec 13</i>	<i>Approved</i>
		<i>26 Dec 13</i>	<i>Approved</i>
CO/C/C [ES department]	Mgr/AM/Officer		
DMD		<i>21 Dec 13</i>	<i>Approved</i>
		<i>26 Dec 13</i>	<i>Approved</i>
CO/C/C [Administration department]	Mgr/AM/Officer		
DMD		<i>21/1/2013</i>	<i>Approved</i>
		<i>2/1/2013</i>	<i>Approved</i>
CO/C/C 1	Mgr/AM/Officer		
DMD		<i>21 Dec 13</i>	<i>Approved</i>
		<i>26 Dec 13</i>	<i>Approved</i>
<p>As is written below, [Content] shall be conducted based on [Reason].</p>			
[Content]			
<ul style="list-style-type: none"> - NNP/PC rents the THIDADAO resort hotel for a contractor's accommodation for T12 and T5 temporary road construction for about 3 months; - Technical department request Environmental and Social department to; 			
[Budget]			
<ul style="list-style-type: none"> - As a results of the discussion with the Owner of the THIDADAO resort hotel, 1 medium class accommodation and their land are rent. The price is as follows 437 USD/month × 3 months = 1,311 USD (paid by monthly) 			
[Reason]			
<ul style="list-style-type: none"> - The original planned land for camp yard at km 23.5 near the re-regulation dam site for access road construction, we can't rental it and compensate it on time at this moment. - However the construction works for T12 and T5 temporary road will start soon. In the previous discussion on the camp yard, it's acceptable for ADB and social division to use the existing hotel or guesthouse such as THIDADAO as camp facilities. Thus we decided to use the THIDADAO resort for contractor's camp. 			
[Attachments]			
<p>Attachment-1 Minutes of Meeting on the rental discussion with the THIDADAO resort hotel.</p>			

Conditions for rental!

MVP/PC rent a land of THIDADC resort as follows


- ① qtop x top = $\frac{2,400}{m^2}$ as attachment-1
- ② Camp ~~is set~~ shall be set in accordance with ADB requirements.
- ③ No special request for setting up camp from THIDADC, however the contractor shall ask the owner when he utilize the camp
- ④ No special request for demobilizing camp from THIDADC, however the Contractor shall ask the owner when he de-mobilize camp
- ⑤ Rental period is 3 months, starting within one week from today.
- ⑥ 1 or 2 heavy machinery can be parked inside THIDADC resort.
- ⑦ Septic tank, deep well shall be installed.
- ⑧ MVP/PC will not pay the expense when he re-utilize the camp, and OBANKSHI!
- ⑨ The contractor use the existing road inside THIDADC resort.

MVP/PC

李 勇 仲 明


21 Dec 2013

MVDC Sub Contractor


Brown Hweeun
26/12/2013


021 221 07 022 (010 10 5888)
229 up .26-12-2013.

MVDC


Park Jinsung
21/12/13

OBANKSHI corp.

THSpart


26/12/2013

26/Dec/2013



Document Approval Sheet		No:
		Date:
Subject: Execution of rental contract of THIDADAO resort hotel's land and accommodation for Contractor		
MD		
→ TK 1336 approved 13 Jan 2014		
Main [Administration Department]		
DMD	Mgr/AM/Officer	Staff
13/1/2014		
CO./C.C [F/A Department]		
DMD	Mgr/AM/Officer	Staff
TK B 13 Jan 2014		
13 Jan 2014		
CO./C.C [ESD]		
DMD	Mgr/AM/Officer	Staff
CO./C.C []		
DMD	Mgr/AM/Officer	Staff

As is written below, [Content] shall be conducted based on [Reason].

[Content]

- Rental Object**
Land and accommodation for contractor to implement T12 and T5 temporary road construction
- Budget**
ESD budget
- Lesser**
THIDADAO resort hotel
- Conditions for Rental**
NNP1PC rents a land of THIDADAO resort under the conditions as follows:
 - Land (60m × 40m=2400 m²) and one room for accommodation
 - Camp shall be set in accordance with ADB requirements.
 - No special request for setting up camp from THIDADAO, however the Contractor shall ask the Owner when he mobilizes camp.
 - No special request for demobilizing camp from THIDADAO, however the Contractor shall ask the Owner when he demobilizes the camp

- 5) Rental Period is 3 months starting within one week from 26 December 2013
- 6) 1 or 2 heavy machinery can be parked inside THIDADAO resort.
- 7) Septic tank, deep well shall be installed.
- 8) NWP/IPC will not pay the expense when it renobolizes the camp.
- 9) The contractor uses the existing road inside THIDADAO resort

5. Contract Period

- From within one week from 26 December 2013 to the three-month date from the starting date (three months)

※ Based on the condition above and an agreement among the parties, it started on 26 December 2013 and ends on 25 March 2014

6. Term of Payment

- 1) Amount
1,311 USD
- 2) Procedure

USD437 /month × 3 months (paid by monthly)

※ Based on the condition above and an agreement among the parties, the first payment was made on 26 December 2013

[Reason]

- While the original land for camp yard for access road construction is planned at km 23.5 near the re-regulation dam site, it cannot be rented because the compensation issue has not been resolved.
- In order to immediately start the construction works for T12 and T15 temporary roads under such circumstances, the land near the originally planned place needs to be rented.
- Previous discussion on the camp yard certified that using existing hotel or guesthouse such as THIDADAO as camp facilities is acceptable for ADB and ESD.
- Therefore, the land owned by THIDADAO resort hotel at km 22 is determined to be rented for the Contractor's camp.

[Explanation]

- Technical Department signed an agreement with THIDADAO resort, Ohayashi(Contractor), and MVDC (Sub-Contractor) for the rent of THIDADAO resort hotel on 26th December 2013 because the rent of the land for the Contractor's camp was immediately needed to start the construction works for T12 and T15 temporary roads.
- Based on the agreement, the rent started on 26th December 2013.
- While Environmental and Social Department required some modifications to the agreement for some environmental reasons, they finally agreed to remain the wordings as they were on 8th January 2014.
- Admin Department ratifies the agreement after reviewing the situation mentioned above and finding no practical harm.

[Attachments]

- Request for renting a THIDADAO resort hotel for land and accommodation for Contractor's accommodation.

Thaheua Camp
(during rehabilitation)

Lao People's Democratic Republic
Peace Independence Democracy Unity Prosperity

Lao People Democratic Republic
Peace Independence Democracy Unity

**Memorandum on Building up camp at km 18+500 (Thaheua Village)
Between
BKCC and Thaheua Village Authority.**

1. Related from requesting for setting up camp of FKCC (R8CE) for Namxao Bridge Construction and Rehabilitation of Access to Dam Site of Nam Ngiep 1 Hydropower Project from Nomsomboun Village. At the beginning, Thaheua Village agreed BKCC set up camp and utilize the area for a period of approximately 1 years (2/2013 – 2/2014), to date both sides has additional negotiation and agreed as following:
 - 1) Thaheua Village agrees PKCC continue using the camp and area till 02/2015 or more extension with agreement from Thaheua Village Authority.
 - 2) The objective for using of the land area is for storage of construction materials and heavy equipment which there will be some guards and store keeper residing.
 - 3) In the approved period of using this area, Thaheua Village will not use the area before specified time. But primary school Class Year 1 to Class Year 3 for 15 pupils in all, size of school premises is 8x21 m (School premise locates behind the camp).
 - 4) Thaheua village request BKCC granted Adjustment for school yard as appropriate for building school premise and firmly fencing their camp, for access to school is already exist.
 - 5) Any cases arisen out of statement here, additional appropriate negotiates and agreement will be applied from both sides.
 - 6) For additional information, please see Attachment No. 1 - Layout of School area and Attachment No. 2 - Construction Drawings of School.

PKCC
Mr. Kheungkham

NNP1PC
Oudom

Thaheua Village
Mr. BounhengXayalath

Remark: the location to build up the school is located behind the BKCC's Camp which access road with 3.5 m width along Fence of Camp of BKCC

ANNEX 12: LIST OF AFFECTED CROPS AND TREES

Summary of Potential Impacted Trees at Maximum ROW

Affected Assets	Hat Gniun		Hatsaykham		Thahuea		Sisavath		Nonsomboun	
	Number	HHs	Number	HHs	Number	HHs	Number	HHs	Number	HHs
Auri Acacia	39	6	-	-	-	-	10	1	8	1
Eucalyptus	1,335	6	5,645	3	-	-	2,165	6	65	2
Agar Tree	3,290	35	405	4	352	3	693	6	50	2
Teak	1,659	11	-	-	620	3	15	1	-	-
Rubber tree	-	-	205	2	1,170	3	427	5	-	-
Yang Bong tree	1,544	4	-	-	-	-	-	-	-	-
Cotton	2	1	-	-	-	-	-	-	-	-
Jack fruit tree	1	1	-	-	2	2	-	-	-	-
Mango tree	18	5	-	-	4	2	-	-	-	-
Lemon tree	2	2	-	-	-	-	-	-	-	-
Mai Bark Tree	-	-	-	-	-	-	-	-	20	3
Mai Ka Young	5	1	-	-	-	-	-	-	-	-
Paduak tree	2	1	-	-	-	-	-	-	-	-
Mark Kean Tree	150	2	-	-	-	-	-	-	-	-
Mai Kor tree	-	-	-	-	-	-	-	-	4	1
Totals:	8,047	75	6,255	9	2,148	13	3,310	19	147	9

Source: LACMP, NNP1, January 2014, Table 12

Actual Impacted Timber Trees at Reduced ROW

No.	List	Hat Gniun		Hatsaykham		Thahuea		Sisavath		Nonsomboun		Total	
		Items	HH	Items	HH	Items	HH	Items	HH	Items	HH	Items	HH
1	Tong Mai Ngang	-	-	-	-	-	-	-	-	1	1	1	1
2	Agar	1,319	22	297	9	24	2	304	4	24	5	1,968	42
3	Diabergia cochinchinensis wood	-	-	-	-	-	-	-	-	1	1	1	1
4	Eucalyptus	3,328	5	-	-	1	1	351	9	55	2	3,735	17
5	Mai Du	15	5	104	21	1	1	3	1	-	-	123	28
6	Mai Sysiet	-	-	4	1	-	-	-	-	-	-	4	1
7	Mai Tae	16	4	2	2	-	-	5	1	1	1	24	8
8	Teak	693	13	-	-	157	6	31	3	1	1	882	23
9	Tong Kathinnalong	852	1	-	-	-	-	-	-	5	1	857	2
10	Tongyangbong	40	1	3	1	-	-	-	-	2	1	45	3
Total:		6,263	N/A	410	N/A	183	N/A	694	N/A	90	N/A	7,640	N/A

Summary of Potential Impacted Non-Tree Perennial Plants and Standing Crops at Maximum ROW

Affected Assets	Hat Gniun		Hatsaykham		Thahuea		Sisavath		Nonsomboun	
	Number	HHs	Number	HHs	Number	HHs	Number	HHs	Number	HHs
Banana	-	-	393	3	-	-	-	-	-	-
Pineapple	27,180	10	2,953	2	-	-	-	-	-	-
Cassava	14,049	8	-	-	-	-	96,362	5	6,902	1
Totals:	41,229	18	3,346	5	0	0	96,362	5	6,902	1

Source: LACP, NNP1, January 2014, Table 13

Actual Impacted Non-Tree Perennial Plants and Standing Crops at Reduced ROW

No.	List	Hat Gniun		Hatsaykham		Thahuea		Sisavath		Nonsomboun		Total	
		Items	HH	Items	HH	Items	HH	Items	HH	Items	HH	Items	HH
1	Rubber Seedling	-	-	-	-	-	-	-	-	918	2	918	2
2	Banana	21	2	652	15	15	1	-	-	1	1	689	19
3	Big bamboo (in pieces)	-	-	61	1	-	-	-	-	40	1	101	2
4	Cassava	250	1	21,943	31	-	-	3,746	8	-	-	25,939	40
5	Chilli	-	-	1,475	13	-	-	-	-	-	-	1,475	13
6	Crown Flower	-	-	-	-	-	-	-	-	10	4	10	4
7	Egg Plant	-	-	1,307	17	-	-	-	-	-	-	1,307	17
8	Galangale	-	-	2	1	-	-	-	-	2	1	4	2
9	Golden Shower	-	-	-	-	-	-	-	-	5	4	5	4
10	Lemon Grass	-	-	25	6	-	-	-	-	34	3	59	9
11	Papaya (Bearing Fruit)	-	-	175	7	-	-	-	-	2	1	177	8
12	Papaya (Not bearing Fruit)	-	-	1	1	-	-	-	-	-	-	1	1
13	Pineapple	-	-	39,465	42	-	-	-	-	-	-	39,465	42
14	Royal Poniciane	-	-	-	-	-	-	-	-	3	2	3	2
15	Small bamboo (in pieces)	-	-	723	2	10	1	-	-	206	1	939	4
16	Sugar cane	-	-	258	9	-	-	-	-	-	-	258	9
17	Sugar cane Black	-	-	28	3	-	-	-	-	-	-	28	3
18	Templetree	-	-	-	-	-	-	-	-	1	1	1	1
19	Tobacco	-	-	30	1	-	-	-	-	-	-	30	1
20	Tongdokphut	-	-	-	-	-	-	-	-	2	1	2	1
Total Non-Tree		271	N/A	66,145	N/A	25	N/A	3,746	N/A	1,224	N/A	71,411	N/A

Annex 13: List of Affected Persons, Affected Assets, and Compensation Values

#	Village of Residence	HH_ID	Male Head of Household		Female Head of Household		Ethnicity	No of People in HH	Impact ed Land in sqm	Compensa tion in LAK**	Compensa tion in USD***
			Name	Family Name	Name	Family Name					
171	Khum Hatsaykham (Ban Hat Gniun)	0001	Toume	Xiong	Si	yang	Hmong	11	30,592.0	18,751,350	2,343.92
172	Khum Hatsaykham (Ban Hat Gniun)	0002	Keuxong	Xionglor	SeeThor	Phialuang	Hmong	11	19,247.0	26,921,500	3,365.19
173	Khum Hatsaykham (Ban Hat Gniun)	0003	Siamaisong	Yongzexiong	Xuayang	Kaneng	Hmong	8	13,747.0	31,024,300	3,878.04
174	Khum Hatsaykham (Ban Hat Gniun)	0004	Yer	Xiong	Neng	Vang	Hmong	9	16,734.0	5,951,850	743.98
175	Khum Hatsaykham (Ban Hat Gniun)	0005	Uove	xiong	Pahua	Lor	Hmong	3	14,607.0	9,522,450	1,190.31
17	Khum	000	Va	Xiong	Yer	Her	Hmong	5			12,796.71

6	Hatsaykham (Ban Hat Gniun)	6					g		69,959.0	102,373,700	
177	Khum Hatsaykham (Ban Hat Gniun)	0007	Patoua	Xiong	Bao	Lee	Hmong	13	8,011.0	16,624,800	2,078.10
178	Khum Hatsaykham (Ban Hat Gniun)	0008	Xaythor	Phialuang	Dervang	Tongyang	Hmong	9	50,214.0	57,616,950	7,202.12
179	Khum Hatsaykham (Ban Hat Gniun)	0009	Lee	Xiong	Payia	Lor	Hmong	5	46,687.0	63,243,000	7,905.38
180	Khum Hatsaykham (Ban Hat Gniun)	0010	Kao	Xiong	Kayeng	Her	Hmong	9	15,763.0	8,711,600	1,088.95
181	Khum Hatsaykham (Ban Hat Gniun)	0011	Pao	Xiong	Nai	Lor	Hmong	11	8,830.0	20,674,200	2,584.28
182	Khum Hatsaykham (Ban Hat Gniun)	0012	Lienkham	Xiong	Somphu	Phommaseng	Hmong	7	7,552.0	6,221,600	777.70

183	Khum Hatsaykham (Ban Hat Gniun)	001 3	Maikham	Xiong	Xai	Lor	Hmon g	8	37,295 .0	48,405,450	6,050.68
184	Khum Hatsaykham (Ban Hat Gniun)	001 4	Tou	Xiong	Khu	Vang	Hmon g	9	23,749 .0	20,079,200	2,509.90
185	Khum Hatsaykham (Ban Hat Gniun)	001 5	Yiathor	Yang	Cha	Xiong	Hmon g	7	25,153 .0	33,857,100	4,232.14
186	Khum Hatsaykham (Ban Hat Gniun)	001 6	A	Yang	Der	Thor	Hmon g	9	2,583. 0	7,669,500	958.69
187	Khum Hatsaykham (Ban Hat Gniun)	001 7	Xeng	Xiong	Kalia	Her	Hmon g	6	14,140 .0	17,830,000	2,228.75
188	Khum Hatsaykham (Ban Hat Gniun)	001 8	Chongkua	Lor	Kou	Xoing	Hmon g	7	9,451. 0	15,391,200	1,923.90
189	Khum Hatsaykham (Ban Hat)	001 9			Mor	Xiong	Hmon g	4	3,627. 0	544,050	68.01

	Gniun)										
190	Khum Hatsaykham (Ban Hat Gniun)	002 0	Padit	Xiong	Thongxay	Phommaseng	Hmong	11	15,769 .0	2,365,350	295.67
191	Khum Hatsaykham (Ban Hat Gniun)	002 1	Khamphor	Phommaseng	Khamsy	Xiong	Hmong	5	-	-	-
192	Khum Hatsaykham (Ban Hat Gniun)	002 2	Bee	Lor	Maimua	Vang	Hmong	4	-	-	-
193	Khum Hatsaykham (Ban Hat Gniun)	002 3			Sy	Vang	Hmong	6	-	-	-
194	Khum Hatsaykham (Ban Hat Gniun)	002 4	Kongkeo	Xiong	Xia	Lor	Hmong	3	-	-	-
195	Khum Hatsaykham (Ban Hat Gniun)	002 5	Kongsy	Lor	Yia	Xiong	Hmong	9	-	-	-
196	Khum Hatsaykham (Ban m (Ban	002 6			Pa	Lor	Hmong	9	-	-	-

	Hat Gniun)											
19 7	Khum Hatsaykha m (Ban Hat Gniun)	002 7	Thai	Xiong	Pahua	Lor	Hmon g	5	-	-	-	-
19 8	Khum Hatsaykha m (Ban Hat Gniun)	002 8	Aiy	Xiong	May	Yang	Hmon g	5	-	-	-	-
19 9	Khum Hatsaykha m (Ban Hat Gniun)	002 9	Bounnam	Xiong	Mai	Yang	Hmon g	5	-	-	-	-
20 0	Khum Hatsaykha m (Ban Hat Gniun)	003 0	Hua	Xiong	Ma	Yang	Hmon g	4	-	-	-	-
20 1	Khum Hatsaykha m (Ban Hat Gniun)	003 1	Leng	Xiong	Yia	Lor	Hmon g	13	5,233. 0	6,912,100	864.01	
56	Ban Nonsomb oun	400 1	Khamnoy	Luangsouvannav ong	Ma	Luangsouvanna vong	Lao Loum	5	238.0	9,571,000	1,196.38	
57	Ban Nonsomb oun	400 2	Khemphet	Somsanthong	Sivone	Somsanthong	Lao Loum	4	40.0	679,700	84.96	
58	Ban	400	Kham	Soukthitlak	Bao	Soukthitlak	Lao	4	44.0	557,100	69.64	

	Nonsomboun	3					Loum					
59	Ban Nonsomboun	4004	Khamphut	Thammavong	Thongdam	Thammavong	Lao Loum	3	47.0	882,000	110.25	
60	Ban Nonsomboun	4005			KhamKhiet	Sophamixay	Lao Loum	5	52.0	740,300	92.54	
61	Ban Nonsomboun	4006	Sack	Keovongvichit	Phone	Keovongvichit	Lao Loum	7	69.0	690,000	86.25	
62	Ban Nonsomboun	4007	Eeurg	Vongvichit	Chap	Vongvichit	Lao Loum	4	228.0	2,435,500	304.44	
63	Ban Nonsomboun	4008	Soulixay	Sisouvannakone	Latdavanh	Sisouvannakone	Lao Loum	4	143.0	1,559,000	194.88	
64	Ban Nonsomboun	4009	Maichan	Inthavong			Lao Loum	4	81.0	810,000	101.25	
65	Ban Nonsomboun	4010	Somphone	Manyvong	Buathong	Manyvong	Lao Loum	4	80.0	1,018,100	127.26	
66	Ban Nonsomboun	4012	Maikhan	Thongchankhampheng	Bounme	Thongchankhampheng	Lao Loum	3	215.0	3,268,300	408.54	
67	Ban Nonsomboun	4013	Khamping	Khunsomheuang	Phonvilay	Phiavongxai	Lao Loum	4	185.0	2,160,000	270.00	
68	Ban Nonsomboun	4014			Siphone	Vongsengmala	Lao Loum	4	179.0	1,790,000	223.75	
69	Ban	401	Phom	Thammavong	Phone	Thammavong	Lao	7	170.0	1,700,000	212.50	

	Nonsomboun	5					Loum					
70	Ban Nonsomboun	4016	Khamphay	Malaithong	Jay	Malaithong	Lao Loum	7	113.0	1,204,000	150.50	
71	Ban Nonsomboun	4017			Sida	Chanthadavong	Lao Loum	3	70.0	770,000	96.25	
72	Ban Nonsomboun	4018	Phankit	Malaithong	Naly	Malaithong	Lao Loum	4	63.0	711,400	88.93	
105	Ban Phaosy	4019	Kalatty	Syhalath	Kaikham	Lattavongkod	Lao Loum	3	198.0	1,980,000	247.50	
109	Ban Sisavath	4020	Souksavanh	Hommanbounlakk	Latsamy	Hommanbounlakk	Lao Loum	5	140.0	1,400,000	175.00	
73	Ban Nonsomboun	4021	Mun	Phanmaly	Thai	Phanmaly	Lao Loum	8	139.0	1,390,000	173.75	
74	Ban Nonsomboun	4022	Keo	Inthavong	Ken	Inthavong	Lao Loum	4	141.0	1,410,000	176.25	
75	Ban Nonsomboun	4023	Zuen	Luangsouvannavong	Sengchan	Fongpannga	Lao Loum	7	657.0	675,600	84.45	
76	Ban Nonsomboun	4024	Vat	Luangsouvannavong	Maikham	Luangsouvannavong	Lao Loum	9	924.0	919,200	114.90	
77	Ban Nonsomboun	4025	Bounphenng	Chanthavong	Chansouda	Chanthavong	Lao Loum	4	393.0	3,930,000	491.25	
78	Ban Nonsomboun	4026	Somphone	Manykham	Vansi	Manykham	Lao Loum	3	127.0	1,270,000	158.75	

79	Ban Nonsomboun	4027	Bounpasong	Phongsavanh	Than	Phongsavanh	Other	6	128.0	5,824,000	728.00
80	Ban Nonsomboun	4028	Phonekeo	Chanthadavong	Chan	Lovanxay	Lao Loum	5	271.0	2,710,000	338.75
81	Ban Nonsomboun	4029	Bounlueng	Xovilaphone	Kongmany	Xovilaphone	Lao Loum	5	92.0	1,031,000	128.88
110	Ban Sisavath	4030	Ounhuean	Sichanduen	Vansy	Sichanduen	Lao Loum	5	253.0	2,530,000	316.25
135	Ban Sivilaiy	4031	Sonxay	Phommavong	Phonthong	Phommavong	Lao Loum	5	381.0	4,068,500	508.56
82	Ban Nonsomboun	4032	Khoonsub	Boudsinkhone	Phonemany	Boudsinkhone	Lao Loum	8	246.0	2,460,000	307.50
83	Ban Nonsomboun	4033	Bouakham	Khosana	Choummaly	Phommasan	Lao Loum	4	255.0	5,179,900	647.49
84	Ban Nonsomboun	4034	Khonekid	Pathammavong	Chiengkham	Pathammavong	Lao Loum	5	804.0	643,200	80.40
85	Ban Nonsomboun	4035	Thongma	Sisouvannasan	Phaivanh	Sisouvannasan	Lao Loum	7	1,263.0	1,675,400	209.43
86	Ban Nonsomboun	4037	Tui	Inthavong	Maita	Inthavong	Lao Loum	6	382.0	755,600	94.45
111	Ban Sisavath	4038	Somdy	Sysavang	Boualone	Sysavang	Lao Loum	5	127.0	1,270,000	158.75
87	Ban Nonsomboun	4039	Lai	Luangvannavong	Bounphonng	Luangvannavong	Lao Loum	6	197.0	157,600	19.70

88	Ban Nonsomboun	4040	Sydamduan	Syhavong	Madsa	Syhavong	Lao Loum	5	611.0	3,639,875	454.98
89	Ban Nonsomboun	4041	Chanthamid	SengKhamyong	Khamta	SengKhamyong	Lao Loum	7	151.0	1,701,900	212.74
90	Ban Nonsomboun	4042	Boukong	Soukvannala	Daeng	Soukvannala	Lao Loum	8	146.0	1,460,000	182.50
91	Ban Nonsomboun	4043	Pan	Fongpanya	Therng	Fongpanya	Lao Loum	5	54.0	681,000	85.13
92	Ban Nonsomboun	4044	Vizarn	None	Pha	None	Lao Loum	2	135.0	1,350,000	168.75
93	Ban Nonsomboun	4045			Zoo	Xayyavong	Lao Loum	8	126.0	1,485,800	185.73
94	Ban Nonsomboun	4046	Pilavanh	Lakhamphong	Santhavong	Lakhamphong	Lao Loum	4	97.0	1,092,500	136.56
95	Ban Nonsomboun	4047	Somard	Sihalad			Lao Loum	5	213.0	3,688,000	461.00
96	Ban Nonsomboun	4048	Vongduean	Luangsuvannavong	Noy	Luangsuvannavong	Lao Loum	5	137.0	2,351,600	293.95
103	Ban Paksanne	4049	Mr. Vanlern	Puimainy	Phimphone	Xayyalath	Lao Loum	6	180.0	1,865,800	233.23
97	Ban Nonsomboun	4050	Somphone	Luangsuvannavong	Souk	Luangsuvannavong	Lao Loum	11	399.0	4,209,900	526.24

98	Ban Nonsomboun	4051			Yuayang	Lor	Hmong	5	1,197.0	10,118,000	1,264.75
166	Ban Vatthad	4052			Kham	Borlumxaybounmee	Lao Loum	4	351.0	3,510,000	438.75
2	Ban Chompheut Nue	4055	Lomphone	Khamsomphu	Malaisy	Syphusone	Lao Loum	5	159.0	1,590,000	198.75
99	Ban Nonsomboun	4060	Vanmany	Thammavong	Mob	Thammavong	Lao Loum	5	179.0	1,921,600	240.20
167	Ban Vatthad	4061	Bounlieng	Lovanxay	Khonphachang	Puimainy	Lao Loum	11	103.0	1,030,000	128.75
100	Ban Nonsomboun	4062	Latsamy	Keosoukvanh	Vikham	Keosoukvanh	Lao Loum	3	119.0	1,190,000	148.75
101	Ban Nonsomboun	4063	Sackkouna	Inthasan	Kingthong	Xaysongkham	Lao Loum	3	277.0	2,770,000	346.25
112	Ban Sisavath	4064	Khamphonng	Phommachan	Amphone	Phommachan	Lao Loum	5	318.0	3,429,100	428.64
107	Ban Phonsaath Nuea	4065	Bountham	Manyvanh	Bounthong	Manyvanh	Lao Loum	7	173.0	1,908,600	238.58
168	Ban Vatthad	4066	Uodom	Keopasert	Saisamone	Keopasert	Lao Loum	7	87.0	870,000	108.75
106	Ban Phonexay nue	4067	Somviengt hong	Soukphaly	Viengxay	Soukphaly	Lao Loum	5	310.0	3,271,100	408.89
51	Ban Nahang	4068	Mee	Deeduangdeth	Thiengvan	Deeduangdeth	Lao Loum	4	80.0	912,800	114.10
1	Ban Anusoung	4070			Vongkham	Sayyasan	Lao Loum	3	995.0	1,201,000	150.13

	say										
50	Ban Meexay	5000	Veomany	Xayyavong	Mok	Kaiyalath	Lao Loum	3	2,226.0	2,896,300	362.04
113	Ban Sisavath	5001	Somphone	Souvannalath	Buasavanh	Souvannalath	Lao Loum	12	2,063.0	2,100,400	262.55
114	Ban Sisavath	5002	Duangsy	Soulixayphone	Bouthsaba	Soulixayphone	Lao Loum	5	1,841.0	2,761,500	345.19
115	Ban Sisavath	5003	Phonepadith	Chanthaseng	Dalaphone	Xayyakoumman	Lao Loum	4	1,352.0	2,898,000	362.25
116	Ban Sisavath	5004	Khamtone	Luangvilai	Sysamouth	Luangvilai	Lao Loum	6	556.0	1,096,500	137.06
117	Ban Sisavath	5005	Khampasong	Sengpasert	Lamephanh	XayyaKhunmun	Lao Loum	4	796.0	1,934,000	241.75
118	Ban Sisavath	5006			Maneevanh	Xayyakoumman	Lao Loum	7	884.0	2,833,500	354.19
169	Ban Vatthad	5007	Vongsy	Thongsyinthipanya	Daoleevanh	Thongsyinthipanya	Lao Loum	5	884.0	3,325,600	415.70
137	Ban Symoukhone	5008	Bouchanh	Chommany	Khemmala	Chommany	Lao Loum	5	3,678.0	11,256,000	1,407.00
119	Ban Sisavath	5009	Viengxay	Savong	Phetsamone	Xayyakhunmun	Lao Loum	4	463.0	1,584,500	198.06
52	Ban Nahang	5010			Sisongkham	Mahalath	Lao Loum	6	704.0	1,056,000	132.00
120	Ban Sisavath	5011	Kham	Vongsa	Dee	Vongsa	Lao Loum	6	2,369.0	9,849,500	1,231.19
10	Ban	501	Khamepou	Sayyavong	Phouthone	Sayyavong	Lao	6		2,212,800	276.60

2	Nonsomboun	2	n				Loum		1,666.0		
53	Ban Nahang	5013	Daophet	Hommeexay	Bounlert	Hommeexay	Lao Loum	3	1,761.0	3,427,700	428.46
121	Ban Sisavath	5014	Phugneun	Aphaiyalath	Aumkham	Aphaiyalath	Lao Loum	5	107.0	1,070,000	133.75
122	Ban Sisavath	5015	Pasan	Luangphitthak	Khonesavanh	Luangphitthak	Lao Loum	5	844.0	720,200	90.03
123	Ban Sisavath	5016	Oudom	Mixaydee	Mone	Mixaydee	Lao Loum	11	1,247.0	1,147,600	143.45
170	Ban Vatthad	5017	Amphone	Bounthavy	Khamhou	Bounthavy	Lao Loum	15	537.0	429,600	53.70
124	Ban Sisavath	5018	Bualai	Inthavong	Phimphone	Inthavong	Lao Loum	8	3,627.0	4,109,500	513.69
125	Ban Sisavath	5019	Sythanong	Chommalavong	Sakhone	Chommalavong	Lao Loum	5	460.0	986,100	123.26
126	Ban Sisavath	5020	Somsack	Sayyavong	Douangchan	Sayyavong	Lao Loum	11	1,022.0	2,909,200	363.65
127	Ban Sisavath	5021	Somphone	Silavong	KhanKham	Silavong	Lao Loum	5	287.0	2,870,000	358.75
49	Ban Hongxay	5022	Manysengphet	Phakhonthong	Vilaivone	Phommasathib	Lao Loum	6	1,588.0	3,766,000	470.75
128	Ban Sisavath	5023	Bounkong	Chindavong	Hongkham	Chanthavong	Lao Loum	5	1,108.0	3,299,100	412.39
129	Ban Sisavath	5024	Bounphen	Thepphaphone	Chaivanh	Thepphaphone	Lao Loum	5	166.0	281,900	35.24
13	Ban	502	Vongdala	Visitthaphong	Amphone	Visitthaphong	Lao	4		3,472,500	434.06

0	Sisavath	5					Loum		2,315.0		
131	Ban Sisavath	5026			Bounyong	Keodalai	Lao Loum	3	2,471.0	2,376,800	297.10
132	Ban Sisavath	5027	Kongvixay	Keodalavong	Souksada	Keodalavong	Lao Loum	5	803.0	642,400	80.30
54	Ban Nahang	5028	Dalaphone	Phonsavathdee	Chiengpheng	Ounnalom	Lao Loum	4	268.0	739,400	92.43
133	Ban Sisavath	5029	Onxai	Phommaly	Phouvern	Phommaly	Lao Loum	8	301.0	451,500	56.44
134	Ban Sisavath	5030			Khamphoud	Sysomphou	Khmu	5	2,263.0	4,454,500	556.81
55	Ban Nahen	5031	Khambone	Khounarsa	Deuan	Mahalat	Lao Loum	7	676.0	3,380,000	422.50
138	Ban Thahuea	6001	Khanthaly	Thammakhan	Keota	Thammakhan	Lao Loum	10	440.0	4,313,000	539.13
139	Ban Thahuea	6002	Ta	Sysouvanh	merng	Sysouvanh	Lao Loum	4	300.0	2,400,000	300.00
140	Ban Thahuea	6003	Khensing	Keothongma	leng	Keothongma	Lao Loum	6	221.0	1,768,000	221.00
141	Ban Thahuea	6004	Bounhieng	Xayyalath	Khemphone	Xayyalath	Lao Loum	6	2,593.0	2,694,800	336.85
142	Ban Thahuea	6005	Vongxay	Sengmany	Khamlar	Sengmany	Lao Loum	4	284.0	3,172,000	396.50
143	Ban Thahuea	6006	BouyYeun	Manythong	Murng	Manythong	Lao Loum	7	194.0	2,482,000	310.25
144	Ban Thahuea	6007	Khamphan	Sengmany	Phouvong	Sengmany	Lao Loum	6	1,807.0	4,073,000	509.13
14	Ban	600	Sombat	Jalernxay	Home	Jalernxay	Lao	7			4,595.51

5	Thahuea	8					Loum		8,231.0	36,764,100	
146	Ban Thahuea	6009	Phonesy	Phommasan	Chan	Phommasan	Lao Loum	6	4,953.0	13,377,200	1,672.15
147	Ban Thahuea	6010	Somvung	Phommasing	Khamchan	Phommasing	Lao Loum	6	1,134.0	907,200	113.40
148	Ban Thahuea	6011	Khamchan	Thammavong	khanthaly	Thammavong	Lao Loum	6	2,699.0	2,159,200	269.90
149	Ban Thahuea	6012	Khamlar	Vongkhamtai	Bounmy	Vongkhamtai	Lao Loum	7	589.0	471,200	58.90
150	Ban Thahuea	6013	Amphone	Phommasan	Vanhkham	Phommasan	Lao Loum	5	2,557.0	2,245,600	280.70
151	Ban Thahuea	6014	Kathing	Vongkhamsai	At	Vongkhamsai	Lao Loum	5	3,472.0	3,496,300	437.04
152	Ban Thahuea	6015	SyThong	Keovongvichit	Dinkham	Keovongvichit	Lao Loum	6	2,639.0	6,552,100	819.01
153	Ban Thahuea	6016	Khamsan	Phommansan	Intha	Phommansan	Lao Loum	4	2,953.0	2,782,400	347.80
154	Ban Thahuea	6017	Visone	Thammavong	Kieng	Thammavong	Lao Loum	4	3,836.0	6,734,000	841.75
155	Ban Thahuea	6018	Xiengkhammy	Vongkhamxai	Pome	Vongkhamxai	Lao Loum	5	1,045.0	5,319,000	664.88
156	Ban Thahuea	6019	Vanh	Thammavong	Maimone	Ounalom	Lao Loum	7	1,944.0	583,200	72.90

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157	Ban Thahuea	6020	Thongchan	Khanmany	Maixuem	Khanmany	Lao Loum	9	1,044.0	5,506,700	688.34
158	Ban Thahuea	6021	Noukham	Phommasan	Phet	Phommasan	Lao Loum	5	942.0	1,703,600	212.95
159	Ban Thahuea	6022	Maijup	Phommasing	Khen	Phommasing	Lao Loum	8	1,727.0	1,431,600	178.95
160	Ban Thahuea	6024	Xiengchan	Vongkhamtai	Seng	Vongkhamtai	Lao Loum	5	1,658.0	4,974,000	621.75
161	Ban Thahuea	6025	Siphong	Xaiyavong	Phong	Xaiyavong	Lao Loum	5	449.0	3,150,000	393.75
104	Ban Pakxantai	6026	Keooudone	Phommasarn	Sengkeo	Soulinxay	Lao Loum	4	1,368.0	-	-
136	Ban Somvanh nue	6030	Bounthai	Inthapanya	Donechan	Vilakumman	Lao Loum	3	986.0	7,888,000	986.00
3	Ban Hat Gniun	6031	Chanseng	Thammavong	Oun	Thammavong	Lao Loum	7	1,001.0	800,800	100.10
4	Ban Hat Gniun	6032	Touy	Seelisack	Chandai	Seelisack	Lao Loum	6	676.0	540,800	67.60
5	Ban Hat Gniun	6033	Some-O	Phommakone	Sone	Phommakone	Lao Loum	4	1,079.0	863,200	107.90
6	Ban Hat Gniun	6034	King	Xayyaphom	O	Xayyaphom	Lao Loum	8	2,346.0	1,154,850	144.36
7	Ban Hat Gniun	6035	Xiengchan	Phiakeo	Xai	Phiakeo	Lao Loum	7	324.0	48,600	6.08

8	Ban Hat Gniun	603 6	Thongsai	Syphatvong	Thong	Syphatvong	Lao Loum	10	3,421. 0	2,736,800	342.10
9	Ban Hat Gniun	603 7	Keo	Thammavong	Ken	Thammavong	Lao Loum	4	1,647. 0	1,317,600	164.70
10	Ban Hat Gniun	603 8	Keota	Pasert	Bang	Pasert	Lao Loum	8	3,335. 0	5,405,200	675.65
11	Ban Hat Gniun	603 9	Maita	Vongkhatai	Sone	Vongkhatai	Lao Loum	6	1,950. 0	8,420,000	1,052.50
12	Ban Hat Gniun	604 0	Bounthan	None	Tui	None	Lao Loum	4	995.0	3,165,000	395.63
13	Ban Hat Gniun	604 1	In	Thammavong	Kham	Thammavong	Lao Loum	5	2,245. 0	2,891,000	361.38
14	Ban Hat Gniun	604 2	Kuen	Thammavong	Lin	Thammavong	Lao Loum	4	2,104. 0	13,658,000	1,707.25
15	Ban Hat Gniun	604 3	Thongxai	Lorvanhxay	Da	Lorvanhxay	Lao Loum	7	11,537 .0	305,550	38.19
16	Ban Hat Gniun	604 4	Buahong	Sithideth	Onchan	Sithideth	Lao Loum	6	731.0	5,224,800	653.10
17	Ban Hat Gniun	604 5	Kongkham	Syphavong	Phim	Syphavong	Lao Loum	4	769.0	1,598,500	199.81
18	Ban Hat Gniun	604 7	Phouvanh	Panyanouvong	Bounnoy	Panyanouvong	Lao Loum	6	690.0	7,990,000	998.75
19	Ban Hat Gniun	604 8	Somchit	Sengmalee	Chanthone	Panyanouvong	Lao Loum	6	8,145. 0	30,389,800	3,798.73
20	Ban Hat	604	Thitluan	Sidlakone	Kaen	Sidlakone	Lao	5	278.0	3,739,000	467.38

	Gniun	9					Loum				
21	Ban Hat Gniun	605 0	Bounme	Simmavong	Orlathai	Simmavong	Lao Loum	7	58,035 .0	99,948,600	12,493.58
22	Ban Hat Gniun	605 1	Khamfanh	Chanthavong	Saengkeo	Chanthavong	Lao Loum	4	1,004. 0	803,200	100.40
23	Ban Hat Gniun	605 2	Outhany	Sondala	Khamphou	Sondala	Lao Loum	5	3,675. 0	19,832,500	2,479.06
24	Ban Hat Gniun	605 3	Khampoi	Khenmalee	Kaek	Soukkhy	Lao Loum	2	124.8	187,200	23.40
25	Ban Hat Gniun	605 4	Phuvieng	Piaykeo	Bounmee	Siphavong	Lao Loum	9	2,528. 0	6,041,200	755.15
26	Ban Hat Gniun	605 5	Sysouphan	Vongkhamtai	Bounthong	Vongkhamtai	Lao Loum	5	1,686. 0	1,047,400	130.93
27	Ban Hat Gniun	605 6	Meurg	Thammavong	Dee	Thammavong	Lao Loum	5	42,473 .0	32,763,650	4,095.46
28	Ban Hat Gniun	605 7	Lek	Lorvanxay	Bounnuk	Phiakeo	Lao Loum	11	4,971. 0	5,386,650	673.33
29	Ban Hat Gniun	605 8	Soudjai	Phiakeo	Tam	Phiakeo	Lao Loum	2	617.0	4,936,000	617.00
30	Ban Hat Gniun	605 9	Souline	Chanthameexay	Duam	Chanthameexay	Lao Loum	8	2,108. 0	7,711,400	963.93
10 8	Ban Puxay	606 0	Khamtun	Panyanouvong	Sy	Panyanouvong	Lao Loum	9	1,623. 0	1,814,400	226.80
31	Ban Hat	606	Khamphet	Vongpha	Phonexay	Vongpha	Lao	5		163,800	20.48

	Gniun	2					Loum		1,092.0		
32	Ban Hat Gniun	6063	Thongvanh	Xayyaseng	Leua	Xayyaseng	Lao Loum	6	1,912.0	2,868,000	358.50
33	Ban Hat Gniun	6064	Kai	Phiakeo	Pok	Phiakeo	Lao Loum	7	9,718.0	2,496,000	312.00
34	Ban Hat Gniun	6065	Kham	Khonxayvida	See	Khonxayvida	Lao Loum	8	154.0	123,200	15.40
35	Ban Hat Gniun	6066			Laivanh	Phiakeo	Lao Loum	8	1,104.0	2,008,200	251.03
36	Ban Hat Gniun	6067	Xiengthan	Khounxayvida	Keo	Khounxayvida	Lao Loum	3	1,594.0	1,024,600	128.08
37	Ban Hat Gniun	6068	Phouvieng	Symavong	Bonsu	Symavong	Lao Loum	5	154.0	3,232,000	404.00
38	Ban Hat Gniun	6069	Ken	Simmavong	Nang	Simmavong	Lao Loum	7	605.0	4,991,900	623.99
39	Ban Hat Gniun	6070	Souk	Xayyavong	Vanny	Xayyavong	Lao Loum	7	570.0	456,000	57.00
40	Ban Hat Gniun	6071	Xiengsee	Thammavong	Kaen	Thammavong	Lao Loum	7	3,139.0	16,502,600	2,062.83
41	Ban Hat Gniun	6072	Chantern	Phiakeo	Kongphet	Phiakeo	Lao Loum	6	10,108.0	17,973,200	2,246.65
42	Ban Hat Gniun	6073	Kaisone	Keovongsa	Khamtan	Keovongsa	Lao Loum	10	71,867.0	203,128,900	25,391.11
43	Ban Hat Gniun	6074	Xienghuen g	Phutsomvanh	Bounnoiy	Phutsomvanh	Lao Loum	5	27,862	4,179,300	522.41

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44	Ban Hat Gniun	607 5	Tong	Phiakeo	Mai	Phiakeo	Lao Loum	6	38,080 .0	92,254,000	11,531.75
45	Ban Hat Gniun	607 6	Bounchan	Mavongsy	Sai	Mavongsy	Lao Loum	6	15,409 .0	16,564,000	2,070.50
46	Ban Hat Gniun	607 7	Bai	Khounxaylida	Pan	Khounxaylida	Lao Loum	6	1,202. 0	1,345,200	168.15
47	Ban Hat Gniun	607 8			Oun	Lovanxay	Lao Loum	4	3,553. 0	5,673,400	709.18
16 2	Ban Thahuea	610 4	Maykham	Phommasarn	Phouvanh	Phommasarn	Khmu	5	-	-	-
16 3	Ban Thahuea	611 3	Thongthip	Xayyasone	Khammee	Xayyasone	Lao Loum	5	-	-	-
16 4	Ban Thahuea	611 4	Sopha	Sengmany	Lounny	Sengmany	Lao Loum	6	-	-	-
16 5	Ban Thahuea	612 1	Thong		Chanh		Lao Loum		-	-	-
48	Ban Hat Gniun	614 3	Khamchan h	Simmvavong	Bang	Thammavong	Lao Loum	6	6,204. 0	7,444,800	930.60
									902,51 7.8	1,516,203, 825	189,525

* *Impacts for Phases 1,2,3,4,6, and 99 included*

** Entitled cash compensation for land and all assets on it

*** Conversion rate USD/LAK = 1/8000

received all compensation for phases 1, 2, 3, 4, 6, and 99
HH has not recieved all compensation yet

