# Resettlement Plan

Project Number: TA 8882

19 April 2016

# LAO: Northern Rural Infrastructure Development Sector Project – Due Diligence for Additional Financing

Feasibility Study on Nam Oun Irrigation Subproject

Prepared by Ministry of Agriculture and Forestry for the Asian Development Bank.

#### **CURRENCY EQUIVALENTS**

(as of 5 May 2016)

Currency unit – kip (KN) KN1.00 = \$0.000123 \$1.00 = KN8,109.00

#### **ABBREVIATIONS**

ADB - Asian Development Bank
AH - Affected household
AP - Affected person/people
DCO - District Coordination Offices
DMS - Detailed Measurement Survey
DOP - Department of Planning

FHH – Female-headed households

GAP – Gender Action Plan

GIC – Grant Implementation Consultant LAC – Land Acquisition and Compensation

LACR – Land Acquisition and Compensation Report

LARC – Land Acquisition, Resettlement and Compensation

MAF – Ministry of Agriculture and Forestry NPMO – National Project Management Office

NRIDSP – Northern Rural Infrastructure Development Sector Project

NSC – National Steering Committee

PAFO – Provincial Agriculture and Forestry Office

PMS – Preliminary Measurement Survey

PPO – Provincial Project Office

PPTA - Project Preparatory Technical Assistance

PSC - Provincial Steering Committee

RMC – Right Main Canal RoW – Right of Way

SESAH – Socio-Economic Survey of Affected Households S-PPTA – Small-scale Project Preparatory Technical Assistance

WUG – Water user group

#### **WEIGHTS AND MEASURES**

ha - hectare km - kilometer m - meter

m<sup>2</sup> – square meter

#### **NOTE**

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

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#### **DEFINITION OF TERMS**

**Affected Person (AP)** indicates any juridical person being as it may an individual, a household, a firm or a private or public who, on account of the execution of the proposed Project or any of its components or subprojects or parts thereof would have their:

- (i) right, title or interest in any house, land (including residential, agricultural and grazing land) or any other fixed or moveable asset acquired or possessed, in full or in part, permanently or temporarily; or
- (ii) business, occupation, work, place of residence or habitat adversely affected; or
- (iii) standard of living adversely affected.

**Compensation** means payment in cash or in kind to replace losses of land, housing, income and other assets caused by a project.

**Land Acquisition** means the process whereby a person, household, firm or institution is compelled by a public agency to alienate all or part of the land s/he or it owns or possesses, to the ownership and possession of that agency, for public purpose in return for compensation at replacement cost.

**Rehabilitation** means the process to restore income earning capacity, production levels and living standards in a longer term. Rehabilitation measures are provided in the entitlement matrix as an integral part of the entitlements.

**Relocation** means the physical displacement of an AP from her/his pre-project place of residence.

Replacement Cost means the amount in cash or in kind needed to replace lost assets at the time of payment of compensation, including cost of transactions. If land, it means the cost of buying a replacement land near the lost land with equal productive potential and same or better legal status, including transaction costs. If structures, the replacement cost is the current fair market price of building materials and required labor cost without depreciation or deductions for salvaged building material or other transaction cost. Market prices will be used for crops, trees and other commodities.

**Resettlement Effects** mean all negative situations directly caused by the project and/or subproject including loss of land, property, income generation opportunity, and cultural assets.

**Resettlement Impacts** mean all negative situations directly caused by the proposed Project and/or subproject including loss of land, property, income generation opportunity, and cultural assets.

**Resettlement Plans** are time-bound action plans with budget setting out resettlement strategy, objectives, entitlement, actions, responsibilities, monitoring and evaluation.

Severely Affected Person for this proposed subproject is defined as a person who will:

- (i) lose more than 10% of total agriculture/aguaculture land holding, and/or
- (ii) relocate and/or lose more than 50% of their main residential and/or commercial property, and/or
- (iii) lose more than 10% of total income sources due to the proposed project.

**Significant Resettlement Impacts.** The severity of resettlement impacts is affected by the number of people who may experience involuntary resettlement impacts from a subproject, and of those, the number of people who are considered vulnerable. The main guiding document for resettlement plan preparation, the Safeguard Policy Statement of the ADB (2009) provides guidance on measures to take when impacts are significant. The ADB clarifies, on its website, that involuntary resettlement impacts of an ADB-supported project are considered significant if 200 or more persons will be physically displaced from home or lose 10% or more of their productive or income-generating assets<sup>1</sup>. Taking into account the main factors that make some households in the target areas vulnerable, namely those living close to, on or below the poverty line, isolated communities and female headed households, resettlement impacts for any one subproject are taken to be significant if:

- (i) 100 people or more who are experiencing resettlement effects are indigenous people or vulnerable as defined in the policy, for example, female-headed households, those living close to, on or below the poverty line, and isolated communities, including those without legal title to assets and pastoralists; or
- (ii) more than 50 people experiencing resettlement effects are particularly vulnerable, for example, hunters-gatherers.

**Voluntary Land Donation** means affected owner/s who would like to voluntarily contribute to the Project through donation of lost land without requesting any (i) compensation for loss of assets; and (ii) support/assistance for which they would be entitled. Voluntary donation of land shall be limited to contribution by individuals of land for a project that includes community benefits. It is a decision finally taken by the head/s of an AH and to be accepted/agreed with the Project. It must be ensured that voluntary donations do not seriously affect the living standards of these AH, otherwise mitigation measure shall be provided by the Project.

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<sup>&</sup>lt;sup>1</sup> Quoted on the ADB website, http://www.adb.org/site/safeguards/safeguard-categories

#### **EXECUTIVE SUMMARY**

#### A. **Project and Subproject**

- 1. Considering satisfactory Project implementation progress for 26 subprojects under Project Years 1, 2 and 3 in the provinces of Bokeo, Luang Namtha, and Phongsaly, the Government of Lao PDR requested and will receive though this Small-PPTA additional financing from ADB for additional 22 subprojects under Project Year 4 and 5 (i) to increase the total number of public rural infrastructure subprojects to be implemented; and (ii) to extend the public rural infrastructure activities into Oudomxay Province which originally was provided only with agricultural extension activities. The Northern Rural Infrastructure Development Sector Project (NRIDSP) main aim is to provide the rural community with access to and participation in the market economy. This is to be realized through the increase in incremental production of saleable commodities and promotion of agricultural productivity. The NRISDP has four main outputs:
  - (i) Production and productivity enhancing rural infrastructure constructed and/or rehabilitated.
  - (ii) Productivity and impact enhancing initiatives adopted.
  - (iii) Capacities of national, provincial and district agencies strengthened to enable a sector development approach.
  - (iv) Efficient and effective delivery of subprojects' and project management.
- 2. The proposed Nam Oun Subproject is located in Houn District 92 kilometer (km) from Xai District, along National Road No. 2 in the Oudomxay Province. The center of the Subproject is located in the village Faen, 4 km from the village Phonsavanh, Houn District center. The subproject will benefit the five villages Chantai, Nathong, Nam Oun, Nongdin, and Faen with a total of 1,212 benefitting households composed of 3,286 females and 3,178 males.
- 3. The existing irrigation system as a command area of 420 hectares (ha) provided through regulated irrigation water by an upstream weir and downstream weir, located at a distance of about 250 meter (m) from each other along the Nam Oun River. The downstream weir was constructed in 1989 by the government budget to cover its right bank command area of 364 ha. The upstream weir was constructed in 2002 by government budget to cover its left bank command area of 56 ha.
- 4. The proposed subproject includes one weir, four control gates, rehabilitation of 11,880 (Left Main Canal: 2,230 m; Right Main Canal: 9,650 m), and about 70 new structures (53 farm turnouts, seven divisions, nine culverts, one end structure).

# B. Land Acquisition and Mitigation Requirements

- 5. This subproject involves physical changes through both rehabilitation works of existing and construction of new irrigation infrastructure mainly within and partly outside the existing corridor of impact and access.
- 6. At feasibility study stage, the rehabilitation works of this subproject will result in:
  - (i) Loss of agricultural land of about 900 square meter (m²) owned by six affected households (AHs) for which this represents an average loss of 1.4% (range between 0.6% and 3.3%) of their total productive land. There are no severely AHs losing more than 10% of their productive land.

- (ii) No loss of residential land.
- (iii) No loss of primary and secondary structures. Thus no relocation of houses.
- (iv) No loss of common property.
- (v) No loss of tress and/or crops.
- (vi) One affected vulnerable household.

#### C. Value of Affected Assets for their Households

- 7. The mitigation approach of the subproject (i) has been embedded in the entitlement, assistance and benefits approach as defined in the Project Resettlement Framework; (ii) is compliant with ADB's Safeguard Policy Statement (2009); and (iii) has been orientated in the Lao legal context.
- 8. At feasibility study stage the designed technical features as listed above lead to a corridor of impact along the engineered alignment of rehabilitated infrastructure with a total of 900 m<sup>2</sup> strips of land owned by six AHs with 35 affected persons (APs) households. There are no affected trees estimated. Among the landowners there are no severely AH with a possible loss of more than 10% of their productive land. There is one vulnerable AH with six APs characterized as a female headed/widowed household affected by the subproject.
- 9. A land acquisition and compensation budget has been planned with a total of rounded KN 29.7 million equivalent to \$3,660 mainly based on values of affected assets. This is equivalent to an average of rounded KN 4.95 million for each of the six AHs.
- 10. During detailed design stage, the final land requirement of the subproject has to be reviewed and be measured in case of affected land and other assets. During the formal land acquisition the AHs will then decide about their preferred options towards compensation and/or voluntary donation as set forth in the Resettlement Framework.

#### D. Consultation, Participation and Grievance Mechanisms

- 11. The consultation took place during feasibility study preparation undertaken by the project in co-ordination with the PPTA team. Further consultation will be undertaken as necessary to ensure (i) that the views and needs of project beneficiaries are taken account of in detailed design; (ii) that key information relating to the subproject, including objectives, scope, implementation arrangements and support to user groups is clearly communicated; and (iii) to ensure that any concerns can be heard and addressed. In the context of both this S-PPTA and the subproject's feasibility study, this Land Acquisition and Compensation Report (LACR) was prepared between February 2015 and May 2015. It has been based on a consultative and participative approach with villagers:
  - (i) Public village meetings on 24 February 2015 in Chantai village at village temple with 138 female and 31 male participants, and 25 February 2015 in Nam Faen village at village meeting venue with 94 female and 73 male participants.
  - (ii) Land acquisition, resettlement and compensation (LARC) related public meeting on 12 March 2015 at village meeting place in Nam Faen village with two female and 24 male participants.
  - (iii) Preliminary Measurement Survey (PMS) on 12 March 2015 during joint transect walk with AHs, village representatives, Provincial Project Offices (PPO) and District Coordination Offices (DCO) staff and Grant Implementation Consultants (GIC) #NRI with focus on specific acquisition requirements of the concerned

- strips of productive land of the households' agricultural plots along the canal's alignment.
- (iv) Socio-economic surveys of AHs on 12 March 2015.
- 12. The defined grievance approach aims at having complaints ideally passed through four stages before they could be elevated to a court of law as a last resort. The NRIDSP's objective is to handle and solve any complaints in those four stages before a complainant would approach a court. APs are entitled to lodge complaints regarding any aspect of the preparation and implementation of land acquisition and compensation without prejudice to their right to file complaints with the court of law at any point in the process.
- 13. During the fieldwork the Consultant received feedback from the contacted households indicating their high satisfaction of the subproject bringing them "an access to better irrigation" and hope that the subproject would start very soon.

#### E. Planning, Implementing and Monitoring

- 14. The planning of compensation and mitigation measures was based on the PMS carried out on 12 March 2015 combined with a joint transect walk clarifying with owners of land and village representatives on ownership of land and existing right-of way (RoW). As there are impacts on private assets, an inventory of loss and socio-economic survey of affected households (SESAH) were required, and a compensation budget calculated for payment of predicted loss of land and trees.
- 15. The Ministry of Agriculture and Forestry (MAF) is the executing agency (EA) for the Project with the responsibility for overall project coordination and management transferred to its Department of Planning which has established the National Project Management Office (NPMO) for day-to-day coordination and management of the Project. The implementing agencies at the provincial level are the Provincial Agriculture and Forestry Offices (PAFO). PPOs have been established within each PAFO to be responsible for subproject related financial management at provincial level, and coordination and management of implementation of subprojects. To assist implementation of the subproject at the district level, DCOs have been established within District Agriculture and Forestry Offices mainly to coordinate and supervise subproject activities.
- 16. This subproject is scheduled to commence construction work in fourth quarter 2017 for about 16 months. The start of implementation depends on this S-PPTA, and availability of ADB funds for the implementation phase, in which detailed design and bidding evaluation as part of the Project's overall loan conditions will be required.
- 17. During implementation and operation phase the internal and external monitoring and evaluation has to be performed to elaborate on performance and impacts of the subproject's activities. The internal monitoring has to be performed by the PPO and DCO with support from GIC through the Project Beneficiary Monitoring & Evaluation component on a quarterly basis including reporting to EA and ADB. The external monitoring and evaluation has to be carried out by an independent reviewer on a half-yearly basis including reporting to EA who will forward these reports to ADB. Currently #NRI has contracted the Faculty of Environment Science of National University of Laos for this task. Its technical approach has to be transparent, and any data or information made available to involved stakeholders either in Lao and/or English language, whichever is more comprehensible for a given stakeholder group.

#### F. Conclusions

- 18. This LACR confirms at feasibility study level that this subproject is to be categorized under ADB category B as it includes insignificant involuntary resettlement impacts, as defined in ADB's Safeguard Policy Statement. Income and livelihood conditions of the AH will not be seriously affected.
- 19. An updated land acquisition planning during the detailed design stage will have to verify the final engineered canal alignment through detailed measurement survey (DMS) and confirm or modify the acquisition of private assets. The DMS will confirm that no acquisition of private land and other assets is necessary. A census survey will establish the cut-off date for the eligibility of entitlements. In addition, socio-economic data is to be collected, as this might be required for resettlement plan development of the subproject to understand fully how the existing socioeconomic profiles of AHs may be affected by the subproject, particularly the adverse impacts; and to identify and assess social dimensions that are needed to formulate mitigation measures to restore and improve the quality of life of the APs, and as a baseline to monitor and evaluate the impacts during implementation. This will follow ADB's Safeguard Policy Statement requirements.

## G. Reporting Notes

- 20. This LACR has been structured in accordance with requirements for Resettlement Plans as outlined in the "ADB's Safeguards Policy Statement (2009).
- 21. According to Lao PDR Decree 2432 (dated 11/11/2005 on "Regulations for Implementing Decree 192 dated 07/07/2005 on Compensation and Resettlement of People Affected by Development Project") a resettlement planning document is called "Land Acquisition and Compensation Report" if impacts of the project are not serious (mostly marginal), which is the case for this subproject.

#### I. PROJECT DESCRIPTION

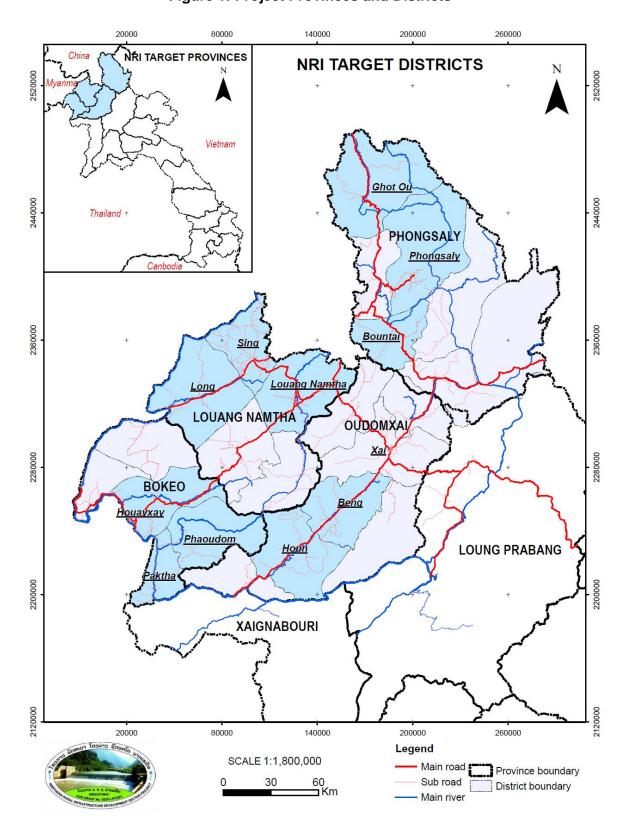
#### A. Northern Rural Infrastructure Development Sector Project

- 1. The Northern Rural Infrastructure Development Sector Project (NRIDSP) was approved on 26 November 2010. The four Project provinces and related districts are mapped in Figure 1. The NRIDSP's main aim is to provide the rural community with access to and participation in the market economy. This is to be realized through the increase in incremental production in saleable commodities and promotion of agricultural productivity. NRIDSP has four main outputs:
  - (i) Production and productivity enhancing rural infrastructure constructed and/or rehabilitated.
  - (ii) Productivity and impact enhancing initiatives adopted.
  - (iii) Capacities of national, provincial and district agencies strengthened to enable a sector development approach.
  - (iv) Efficient and effective delivery of subprojects and Project management.
- 2. Considering satisfactory project implementation progress, the Government requested for additional financing. This was investigated during the project midterm review in April 2014 and in more detail during the ADB review mission in November 2014. The additional financing will cover construction, rehabilitation and/or improvement of rural roads and irrigation systems intended to bring socio-economic benefits to rural communities. It will entail: (i) an increase in the total number of public rural infrastructure subprojects to be implemented; and (ii) extension of public rural infrastructure activities into Oudomxay Province which originally was provided only with agricultural extension activities. The indicative number of additional public rural infrastructure subprojects totals 22 with four in Oudomxay Province and six each in the other three provinces Bokeo, Luang Namtha, and Phongsaly. Although it is expected that 22 subprojects will be implemented, a list of 30 subprojects will be identified in case a proposed subproject will be found not feasible during the feasibility study process.

#### B. Nam Oun Irrigation Rehabilitation Subproject

- 3. The Nam Oun Irrigation Subproject is one of the candidate irrigation subprojects selected for the NRIDSP under additional financing. Alternative subprojects are also other irrigation schemes. The Nam Oun Irrigation Subproject has been selected on the basis of the number of beneficiaries, the relatively advanced stage of concept design and its situation within Houn district, Oudomxay province, which has been identified as a NRIDSP target area. The existing irrigation system is gravity fed, utilizing a weir and canal network. There may be no other alternative water sources than Nam Oun river nearby. As a gravity fed scheme, it will be relatively simple to construct and maintain and inexpensive to operate. The use of a weir is necessary in order to provide sufficiently regular flows for irrigated agriculture to be feasible. The "no project" alternative would, in this case, simply mean the substitution of the Nam Oun with an alternative scheme within Houn district or another project target area.
- 4. The proposed Nam Oun Subproject is located in Houn District 92 kilometer (km) from Xai District, along National Road No. 2 in the Oudomxay Province. The center of the Subproject is located in Ban Faen, 4 km from Ban Phonsavanh, Houn District center. The subproject will benefit five villages: (i) Ban Chantai; (ii) Ban Nathong; (iii) Ban Nam Oun; (iv) Ban Nongdin; and (v) Ban Faen with a total beneficiary of 1,212 households composed of 3,286 females and 3,178 males.

- 5. The existing irrigation system is composed of two concrete weirs, the upstream weir and the downstream weir, located at a distance of about 250 meter (m) from each other along the Nam Oun River. The downstream weir was constructed in 1989 by the government budget to cover its right bank command area of 364 hectares (ha). The upstream weir was constructed in 2002 by government budget to cover its left bank command area of 56 ha. The total subproject command area is estimated at 420 ha including both command areas of the two weirs. This will be firmed-up during the detailed engineering stage of the subproject. The Right Main Canal (RMC) is a 9 km earth canal. It is now covered by grass and bush at most parts and filled with sediment of soil at some portions. The RMC was fully used only for 2 years after construction in 1989. Since then the downstream portion of the RMC (about 4 km, covering Ban Nongdin and Ban Chantai command area) had not been used due to poor quality of the earth canal (too much seepage, according to farmers' report), as well as poor operation and maintenance of the irrigation system by the users. Recently, the 5 km upstream portion of the RMC is only being used during the wet season. The remaining downstream command areas are planted with rice under rainfed condition using supplemental water from nearby small creeks. The 2.3 km earth Left Main Canal is eroded at many locations due to (i) composition of canal materials such as soil, sand, and stone; (ii) canal slope slide; (iii) insufficient canal related structures; and (iv) insufficient maintenance.
- 6. The proposed subproject will involve: (i) construction of a new concrete weir at about 20 m upstream of the existing weir with intake gates on both sides; (ii) improvement of the existing right and left earth main canals with concrete lining; and (iii) construction of related water control and regulating structures (53 farm turnouts, seven divisions, nine culverts, one end structure). The subproject will integrate the irrigated areas of the two existing weirs.
- 7. Besides the irrigation rehabilitation works, productivity and impact enhancement initiatives will be delivered by the Project. These initiatives will comprise of compulsory and optional initiatives. The compulsory initiatives will include (i) support for water user groups (WUGs) established to operate and maintain the rehabilitated facilities; and (ii) WUG management training, improvement of WUG executive communities, such as financial management, operation and maintenance, water catchments identification and zoning. Optional initiatives will need to be further discussed with the beneficiaries during detailed design stage and could be selected from production, post-harvest handling, processing and the development of market linkage initiatives.
- 8. Figure 2 contains a map showing the layout of the subproject's infrastructure.



**Figure 1: Project Provinces and Districts** 

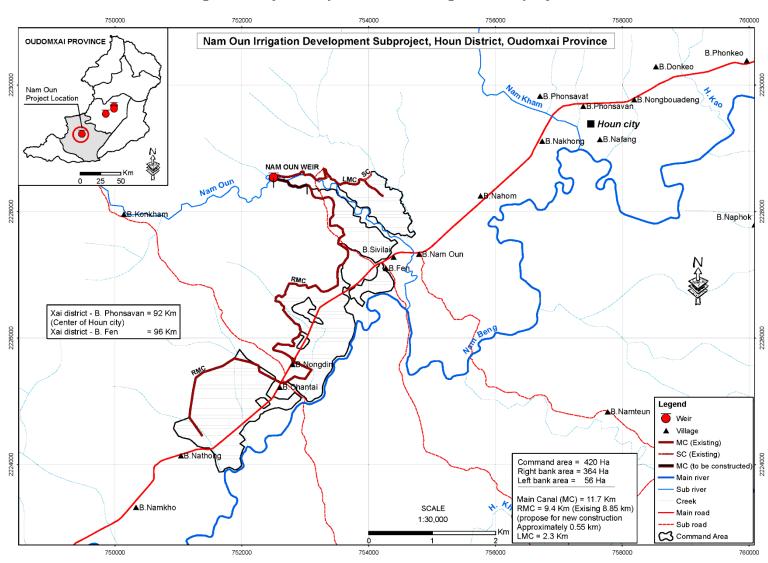


Figure 2: Layout Map of Nam Oun Irrigation Subproject

#### II. SCOPE OF LAND ACQUISITION AND RESETTLEMENT

- 9. A Preliminary Measurement Survey (PMS) was conducted on 12 March 2015 together with a joint transect walk of asset owners (potentially affected farmers), village representatives, Provincial Project Offices (PPO) and District Coordination Offices (DCO) staff and consultant along the corridor of impacts to indicate potential loss of private assets and quantifying it directly at the affected location. A land acquisition, resettlement and compensation (LARC) screening including photos, was prepared in Attachment 1 summarizing the indicated the main requirements for land acquisition.
- 10. The subproject will involve physical changes through the rehabilitation of existing and construction of new irrigation infrastructures mainly within partly outside the existing 6 m wide right-of way (RoW) along the main canal's alignment. Contacted farmers regarded the possible land requirements for canals as minor.
- 11. There are no impacts on primary structures and community resources, and also no physical displacement.
- 12. For any temporary site installation and access roads the contractor will have to propose a site installation and access plan and obtain approval by the resident site engineer. Where possible, public land will be used. Through a transparent and contractual approach, the employer will provide the contractor with the project's land acquisition and compensation principles to ensure that (i) official compensation rates are applied; (ii) re-instatement of affected assets contractually defined; (iii) consultation taking place; (iv) grievance mechanism followed; (v) #EMP applied; and (vi) other items specified.

Table 1: Subproject's Summary of Affected Assets, Households, Severity of Impacts

Table I		Affected Households							
Type of Asset		Level of Affectedness	Severity of Impact	Sex of head of AH	Affected Persons	Residential Village			
Productive		<ul> <li>Total of 900 m<sup>2</sup>;</li> <li>Average loss 1.4 % of</li> </ul>	Minor for	1 female headed AH	6	Oun			
Land		AHs' total prod. land; • Range: 0.6% to 3.3%	all 6 AHs	5 male headed AHs	29	Oun/Faen			
Trees		None	None 0						
Residential Land		None	0						
Primary Structures		None	0						
Secondary Structures		None	0						
NOTES:									
1	This	This subproject will not lead to significant involuntary resettlement impacts.							
2	list	At detailed design stage, based on the socio-economic survey of affected households, a st of affected households (AHs) will be considered for job opportunities during construction phase by the contractor to be agreed during contract negotiations between							

		Affected Households								
Type of As	set	Level of Affectedness	evel of Affectedness Severity of Impact Sex of head of Affectedness		AH Affected Residence Persons Villa					
	the contractor and the Ministry of Agriculture and Forestry.									
3	Whether and how many AHs would require compensation or agree in voluntarily donating their affected portions of land as their contribution to the subproject will have to be reviewed during detailed design stage using the guidance on voluntary land donation specified in the Resettlement Framework.									

#### III. SOCIO-ECONOMIC INFORMATION AND PROFILE

#### A. Socio-Economic Baseline

- 13. The subproject covers the five villages Chantai, Nathong, Nam Oun, Nongdin, and Faen.
- 14. The information of this paragraph has been extracted from the Social Impact Assessment (Chapter III. A socio-economic baseline) of this feasibility study:
  - (i) The social environment of the proposed subproject is supportive to the implementation of the subproject. The village authorities, ethnic groups, women, men and the Lao Front for National Construction of the six villages expressed full support to the implementation of the subproject. They have very high expectation that the implementation of the subproject will result to increase agriculture production and income for households. They anticipate that the increase in income will increase the financial capability of households in supporting household management, education of children and health care.
  - (ii) There is substantial available labor in the five villages (18-60 years old population), 3,775 people. Skilled workers have to be hired from outside as there are no available skilled workers in the villages.
  - (iii) There are 12 different ethnic and sub-ethnic groups living in the five villages composed of 1,212 households and 6,464 people. Although the different ethnic groups have their own language/dialect, about 98% of the total population can speak and able to communicate in Lao. The different ethnic groups have been living in the area for quite some time and according to interviews, there have been no differences or conflicts among or between ethnic groups. However, to safeguard the concerns and interest of the different ethnic groups particularly the ethnic minorities other than the dominant Lao/Lao Loum ethnic group, an Ethnic Minority Development Plan will be formulated for the subproject. In support to this, there are existing village with Lao Front for National Construction who are very active in representing ethnic groups and are functioning as the grievance and mediation groups for the villages in coordination with village authorities. The #LNF represents the interests of all ethnic groups in village meetings and community development activities.
  - (iv) The subproject is expected not to affect any of the culture, traditions, beliefs and existing production system in the area as it is a rehabilitation of a system which has been constructed and being used since 1989 and improved in 2002. Instead, the subproject will improve the availability of irrigation water to irrigable areas for two seasons, help increase yield and production of rice and other crops, and increase income of households.

- (v) The leaderships of village organizations are dominated by men, although there are women members. Women are burdened with household responsibilities, work alongside men in agriculture/production activities and share decision-making responsibilities with men. The representation, involvement and participation of women in community development activities. Relative to gender, a Gender Action Plan (GAP) is formulated for the subproject and made part of this report. The GAP will promote the representation and involvement of women in subproject activities, in the WUG and #FPGs, and in training and study tours. The GAP is formulated considering the present situation that women do most of the household works, and share important responsibilities in agriculture/production and in decision-making.
- (vi) There are 55 female-headed households (FHHs) in the five villages. Of the 55 FHHs only 39 FHHs (71%) are sufficient with rice, 16 FHHs (29%) are insufficient with rice. Three (43%) Hmong-Iu Mien FHHs, Six (33%) Mone-Khmer FHHs and Two (26%) Lao-Tai FHHs are insufficient with rice. Of the 55 FHHs, one FHHs (2%) is categorized as poor, 51 FHHs (93%) are categorized as middle income level and three FHHs (5%) are categorized as high income level. The lone poor FHH is of Lao/Lao Loum household.
- Rice sufficiency situation based on the Village Household Masterlist shows that (vii) 18% of the 1,212 households are insufficient with rice, while 82% either rice sufficient or surplus with rice. The worst situation is in Ban Faen and Ban Nongdin where 28% and 21% of households are insufficient with rice, respectively. Rice sufficiency distribution by ethnic groups shows that the Hmong-lu Mien ethnic group has the lowest percentage of households with sufficient rice at 73%. This is due to the fact that they have the lowest share of the irrigated and rainfed lowlands, and quite low share of the uplands compared to the Lao-Tai and Mone-Khmer ethnic groups. Specific ethnic groups with the lowest percentage of rice sufficiency households are the Tai Lue (74%), Khmu Rok (79%), Hmong (69%), Hmong Dam (75%), and Hmong Khao (75%). The subproject will help improve this situation with the possibility of producing two crops of rice and other crops during the dry season. Additional subproject initiatives have to be planned and delivered to assist those who are cultivating lands outside the irrigated areas.
- Based on the Village Household Masterlist, 92% of households in the area are (viii) classified to be at medium income level, 3% are reported to be poor and 6% are high income category. According to the Decree of Government of Laos "Poverty Criteria and Development Standard 2012-2015" No. 201/Govt, dated 25 April 2012 the official wealth ranking defines rich above the 2009 poverty line (>Kip180,000 per person per month), medium between 2005-2009 poverty line (Kip85,000-180,000 per person per month) and the poor below 2001 poverty line (<Kip85,000 per person per month). Ban Faen has the highest percentage of poor households at 7%, Chantai 3% and Nam Ou and Nongdin 1% each. The poverty distribution by ethnic group based on sample household interviews shows no significant difference among different ethnic groups. Similar to the trend in the village poverty distribution, most of the households (above 90%) are of the middle income class level irrespective of ethnic grouping. The highest percentage of poor households is among the Lao, Tai Lue, Khmu Rok, Hmong and Phunoi ethnic/sub-ethnic groups. The subproject will have positive impact on improving the income of the poor households.

#### B. Social Impacts

- 15. The proposed subproject has the following potential positive impacts
  - (i) Increase household income and hence, reduce poverty.
  - (ii) Improvement of the economic conditions of beneficiary households due to: (a) improved irrigation water availability in irrigated areas; (b) increase in irrigated area in both seasons; (c) increase rice yield and production; (d) promote production of high value for other crops during the dry season; and (e) increase in income.
  - (iii) Generate additional demand for hired labor due to increase in crop production activities in the area for two seasons.
  - (iv) Promote a more active economy for the villages due to increased production of rice and other crops, increased household income, potential commercialization of rice surplus and high value crops, and demand for production inputs.
  - (v) Savings on labor, time and local materials for the beneficiary households from the frequent repair of the indigenous weirs particularly during the wet season.
- 16. The subproject will enable intensification (increased frequency) of cropping in the area through increased reliability of water supply.
- 17. Those without irrigated land also support and express need for the subproject as it will increase the demand for farm labor and there will also be employment from construction.
- 18. During the PMS and socio-economic survey of affected households (SESAH) fieldwork, Grant Implementation Consultants (GIC) noticed an extensive support for the proposed subproject both amongst those with irrigated land and those without as there is an expectation that intensification of cropping will provide increased demand for farm labor.

#### C. Socio-Economic Survey of Affected Households

- 19. The SESAH was conducted in March 2015 (see also Attachment 2) showing the following main results as summarized in Table 2. This table provides an overview about keytopics in relation with LARC aspects as collected during fieldwork through PMS, SESAH, public consultation, and meetings by PPO, DCO and GIC.
- 20. It is noteworthy that contacted heads of households confirmed their expectation of an improvement of their livelihoods through an improved and extended irrigation scheme as their incomes depend on agriculture and farming activities. This is one of the main reasons why AHs might agree to voluntarily donate their portions of affected land as their contribution to the subproject (see also Chapter X.B. Compensation or Donation).

Table 2: Subproject's Summary of Main Findings of Socio-Economic Survey of Affected Households

Key Topics	Description			
Demography				
	There are 1 female and 5 male headed affected households (AHs).			
Heads of	All are younger than 65 years.			
Affected	There are no disabled head of AHs.			
Household	All are owner of land of their households.			
	There is 1 widowed case.			

Key Topics	Description
Spouses of	There are 5 female spouses.
Affected	They are all younger than 65 years.
Household	They are no disabled spouses.
	They are owner of land of their households.
	One AH (17%) are Lao-Thai, and five AHs (83%) Mone Khmer.
	There is a 54:46% ratio of female and male family members.
	Average size is 5.8 members per family.
Families of Affected	<ul> <li>About 29% of family members are younger than 18 years and 6% older than 65 years, with the remaining 65% having an age between 18 and 65 years.</li> </ul>
Household	<ul> <li>Concerning education of female members, 0% are not yet in the school age, 11% do not have a formal education, and the remaining 89% did/do attend school at different levels.</li> </ul>
	<ul> <li>Concerning education of male members, 0% are not yet in the school age, 6% do not have a formal education, and the remaining 94% did/do attend school at different levels.</li> </ul>
Livelihood	
Working Household Members	<ul> <li>In most cases all potential economically active family members contribute to the AHs' income.</li> <li>Salary/wage and/or labor are related more to individual members of a family.</li> </ul>
Income Activities	The distribution of income activities by percentages are as follows:  • 1 <sup>st</sup> group: 100% of AHs follow agriculture which is the primary source of AH's livelihood.  • 2 <sup>nd</sup> group: In addition, 67% of AHs receive income through salary/wage and/or labor.  • 3 <sup>rd</sup> group: Furthermore, 17% and 33% of AHs have fisheries and livestock related income.
Importance of Income sources	The ranking applied for occurring cases referring to average amounts of annual incomes are:  • 1 <sup>st</sup> group: with > KN 20 million/year/AH: Agriculture and salary/wage  • 2 <sup>nd</sup> group: with < KN 10 million/year/AH: Fisheries, livestock, labor
Sources	<ul> <li>The surveyed AHs have an average monthly income of about KN 4 million/month.</li> <li>This totals to an annual income of rounded KN 50 million/year.</li> </ul>
Social Status	Based on the information provided by the surveyed head of households:  • 0% regarded as poor household, meaning "having not enough or limited".  • 83% grouped as a "middle" household meaning "normal status".  • 17% classified as "rich" household meaning having a "wealthy status".  Note: By Prime Minister's Decree No. 285, Dated 13 October 2009, and new Decree of Government of Laos "Poverty Criteria and Development Standard 2012-2015" No. 201/Govt, dated 25 April 2012: rich above the 2009 poverty line (> Kip180,000/person/month), medium between 2005-2009 poverty line (Kip85,000-
Acquicition of	180,000/person/ month) and the poor below 2001 poverty line ( <kip85,000 and="" assets="" compensation<="" month).="" person="" td=""></kip85,000>
Land Use	<ul> <li>The AHs live in their village and use their land since 25 years on the average. This includes the Mon Khmer AHs who are resident between 19 and 30 years in their villages.</li> <li>They have 1.0 residential compound on average.</li> </ul>
Acquisition	<ul> <li>They cultivate 1.7 plots on average.</li> <li>AHs informed that they do not expect severe impacts for their households as they regard the portion of their land affected as minor, which is under consideration for land acquisition related to the proposed rehabilitation and/or construction of infrastructure.</li> <li>Both 100% of head of households and 100% of their spouses are owners of the land.</li> </ul>
	<ul> <li>For residential compounds they have no land titles, concerning productive land they have either land title or tax declarations regarded as proof of their ownership of land.</li> </ul>
Compensation	<ul> <li>Owners agreed in the results of the preliminary measurement survey.</li> <li>The owners of affected assets indicated also their tendency to voluntarily donate part or all of their affected assets as contribution to the subproject's implementation.</li> <li>Final decision would be taken during detailed design stage.</li> </ul>
Note 1:	This table provides a socio-economic overview about AHs based on the SESAH.
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#### IV. INFORMATION DISCLOSURE, CONSULTATION AND PARTICIPATION

#### A. Requirements

- 21. In general a meaningful consultation is a process that (i) begins early in the project preparation stage and is carried out on an ongoing basis throughout the project cycle; (ii) provides timely disclosure of relevant and adequate information that is understandable and readily accessible to affected people; (iii) is undertaken in an atmosphere free of intimidation or coercion; (iv) is gender inclusive; (v) enables the incorporation of all relevant views of affected people and other stakeholders into project design and implementation; and (vi) ensures the participation of AHs in planning, implementation, and monitoring and evaluation of resettlement programs.
- 22. For subprojects with resettlement impacts, a final detailed inventory of loss and census survey of all affected persons (APs) will be carried out during detailed design stage determining a record of accurate measurements of type and level of loss related. The detailed measurement survey (DMS) and SESAH establish the cut-off date for the AHs' eligibility of entitlements. In addition, socio-economic data is collected, as this is required for resettlement plan development to understand fully how the existing socio-economic profiles may be affected by the subproject, particularly the adverse impacts, but also to identify and assess social dimensions that are needed to formulate plans to restore and improve the quality of life of the APs if applicable or required; and as a baseline to monitor and evaluate the impacts during implementation. These steps are embedded in a transparent consultation process with public village meetings both during detailed design and construction stages as defined by the resettlement planning section (V) of the Resettlement Framework. The APs will participate throughout the various stages of planning and implementation of subproject Resettlement Plans. They will be properly informed of all activities to be carried out. The information should include the specific activities, schedules, and potential impacts and mitigation measures. The information should be in a form of public meetings to be held by the respective PPO, DPO and village committees as required in the consultation and participation section (VII) of the Resettlement Framework.

#### B. Achievements

- 23. The disclosure of information, consultation and participation of residents in the subproject implementation area started with the PPTA in 2010 and continued between 2011 and 2012 for the subprojects of the first project year and extended in 2012 and 2013 for the nine subprojects of the second and third project year respectively as part of the preparation of feasibility studies and detailed designs. Concerning the Province of Oudomxay, first Project overall consultation took place at an early stage of the NRIDSP's implementation phase (see Attachment 3). Through this S-PPTA additional consultation took place between February and May 2015 with focus on technical infrastructure rehabilitation project for existing irrigation schemes and related potential social safeguard measures. The consulted residents have a good understanding about the subproject and its land acquisition related aspects. The contacted villagers show an open attitude and a very supportive behavior towards the subproject as irrigation is a topic of high interest. They did not raise concerns or issues.
- 24. Provincial and district officials, as well as village representatives, households and families have been informed about the subproject in general and LARC aspects in particular. The subproject ensured that potential APs and other stakeholders have (i) obtained information at feasibility study design stage; and (ii) opportunities to participate in the land acquisition

process. An overview about LARC related governmental coordination and community consultation has been prepared in Attachment 4.

Table 3: Subproject's Feedback from Village Consultation Meetings on Land Acquisition, Resettlement and Compensation

	I	Resettiement and C	<del> </del>	•			olo of	Door	20000	a by	Canda	
											Gende	Do not
No.	Question	Item	All Majority 100% ca. 75%				rage			0%	know	
			F	0% M	F	M	F	50% M	F F	M	F M	F M
Q-1	Do you support the pr	oject?	Х	Х								
Q-2	0-2 Do you support the canal scheme and/or road system?		Х	Х								
Q-3	Would you agree in po your land?	ermanent canal/road alignments on	х	х								
Q-4	Would you agree in te your land?	emporary construction access on	х	х								
Q-5	If land or other assets will be acquired, what is your preferred compensation option?	Donation of land as contribution to subproject Land for land compensation in any case Cash compensation for land in any case	х	х								
Q-6	What is your preferred conflict resolution option?	Village committee District committee Provincial committee Civil court	х	X								
Q-7	If land or other assets will be acquired, what is your preferred use of compensation fees?	Education of children Building new houses Small business Deposit in bank Consumption Others										No cases to report
Q-8	If you will lose majority of your land, what are your preferred options for future livelihoods?	Work outside Open shops Run restaurants or hotels Have small business On-the-job training/ apprenticeships Others										No cases to report
		Totals	6	6	0	0	0	0	0	0		
Comr	nents from Participants											
C-1	Villagers confirmed th	eir willingness to cooperate with and										
C-2	decisions during the fand provide affected of	ng the PMS and SESAH land owners formal land acquisition procedures wowners a detailed basis for their option, but will take their decision during the	hen t ns to	he co choo	nfirm se. Th	ed IC ne ow	L for	each	land	will l	oe calc	ulated
Notes	from the Consultant:											
N-1a	Date of village meetin	g: 12 March 2015; 08:00 to 10:	:00									
N-1b	Venue of village meet			е								
N-1c	Participating villagers:											
N-2	Main facilitators:	PPO,DCO, GIC										
N-3	Main items discussed	: (i) Introduction and status of subpro	ect; (	ii) Bri	efing o	on LA	RC a	spect	ts; (iii)	Agre	eeing o	n joint

				Inc	dicativ	e Tot	als of	Resp	onse	s by	Ger	ender						
No. Question	Ougation	Item	All		Majority		ity Averag		ority Average		Min	ority	No	ne	Do	not		
	Question	item	10	100%		75%	ca.	50%	ca.2	25%	0	0% knov		wc				
			F	М	F	М	F	М	F	М	F	М	F	М				
	transect walks; (iv) Clarifying DMS and SESAH; (v) Formal land acquisition procedures; (vi) Providing results of																	
	DMS and SESAH; (vii) Construction schedule; (viii) Others; (ix) Open discussion with interest of participants only																	
	in (a) clarification about subproject area; (b) voluntary contribution; (c) construction.																	
Abbre	Abbreviations																	
DCO	DCO = District Coordination Office: DMS = detailed measurement survey: F = Female: GIC = Grant Implementation																	

DCO = District Coordination Office; DMS = detailed measurement survey; F = Female; GIC = Grant Implementation Consultant; IOL = inventory of loss; LARC = land acquisition, resettlement and compensation; M = Male; PMS = preliminary measurement survey; PPO = Provincial Project Office; SESAH = socio-economic survey of affected household;

- 25. The dissemination and consultation activities are performed as an integral part of the resettlement planning process to inform the concerned villages about LARC items through (i) village meeting/s; (ii) individual clarifications; and (iii) joint transect walks. During LARC related fieldwork, the GIC initially explained to both staff from the implementing agencies and consulted farming residents the general aspects about participation of affected people in land acquisition activities, the involvement of district and village leaders in the overall process, and the type of compensation and mitigation measures.
- 26. The feedback from contacted people given to the GIC concerns mainly their opinion and support to the subproject, some design items such as alignments in or along a RoW, compensation or donation of affected assets, and possible impacts and benefits for the villages. During the PMS related fieldwork further consultation and discussion took place with villagers and findings have been considered by the preparation of this Land Acquisition and Compensation Report (LACR).

#### V. COMPLAINTS AND GRIEVANCE REDRESS MECHANISMS

#### A. Requirements

- 27. These mechanisms are defined in the Project's Resettlement Framework aiming at the participation of APs throughout the various stages of LARC planning and implementation of subprojects. The information for APs about entitlements, compensation and supportive mitigation options and grievance mechanisms shall be provided by the Project's relevant agencies and committees. Extensive meetings with APs also allow the implementing agencies to identify the needs and preferences of APs pertaining to compensation and rehabilitation assistance and to reduce any negative potential impacts caused by the proposed subproject.
- 28. In terms of grievance redresses, the villagers have been briefed about rights to grievance and the procedures during feasibility study in case LARC items would become a subproject related issue. This shall be repeated during the detailed design stage when DMS and further consultation will have to take place, and also at the start of construction work. The APs may present their complaints to the concerned local administrative officials and resettlement committees. The complaint can be filed first at the village level and can be elevated to the highest or provincial level if the APs are not satisfied with the decisions made by the village and district levels/committees. APs will be exempted from all taxes, administrative and legal fees associated with their claims and grievance redress.

#### B. Grievance Approach

- 29. The main steps outlined below serve as an orientation for the grievance main approach. For each step details shall be described, agreed and explained to both resettlement responsible committees and the residents of affected villages.
- 30. In general, APs are entitled to lodge complaints regarding any aspect of the preparation and implementation of this LACR without prejudice to their right to file complaints with the court of law at any point in the process. The implementing agencies will shoulder all administrative and legal fees that will be incurred in the resolution of grievances and complaints.
- 31. It is recognized that members of AHs might not have writing skills or ability to articulate their grievances verbally, however, then AHs are encouraged to seek assistance from the subproject and/or nominated local non-governmental organizations and/or other family members, village heads to have their grievances recorded in writing and to have access to the LARC documentation, and to any survey or valuation of assets, to ensure that where disputes do occur all the details have been recorded accurately enabling all parties to be treated fairly.
- 32. All complaints and resolutions will be properly documented by the PPO/DCO and be available for (i) the public and (ii) review for monitoring purposes.

Table 4: Northern Rural Infrastructure Development Sector Project Main Steps of Grievance Mechanisms

	GHEVALICE MECHANIS
Serial No.	Procedural Steps
1	In each village, the existing mediation committee would be the first contact for APs to address their concerns. It is recommended that in agreement with villages either this committee would be responsible for LARC issues or the village would establish a project related LARC committee. The village shall decide about its community internal approach.
▼	
2	APs would address their complaints to committee/s that would have to react within a defined time (5 days to be defined by village) after submission of the complaint.
▼	
3	In case APs are not satisfied with the response provided, the grievance applications will be forwarded to the district council for resolution within a defined time (5 days) from the date of filing the complaint with this court.
▼	
4	In case APs are still not satisfied, next steps will involve provincial authorities that will have to issue a final decision within a defined time (10 days). Before applying step 4, the involved district staff will undertake a final effort for an amicable solution at village level to avoid the next legal steps.
▼	
5	If subproject APs are still not satisfied with the response given or decisions made, the complaint can be elevated at the national level either to the national court, if legal decision at provincial level will require this, or to the NPMO which is to be established by the DOP through which the MAF will be responsible for the overall project management for final clarification in this matter within 15 days.

APs = affected persons; DOP = Department of Planning; LARC = land acquisition and resettlement compensation; MAF = Ministry of Agriculture and Forestry; NPMO = National Project Management Office

#### VI. LEGAL FRAMEWORK

#### A. Lao Requirements

- 33. The Project's Resettlement Framework describes the legal framework. Each subproject has to follow relevant Lao PDR laws, decrees and regulations including but not limited to the:
  - (i) Lao PDR Constitution, dated 1991, describing very generally among others the (a) socio-economic system, (b) fundamental rights and duties of citizens, (c) local administrations, and (d) judicial organs.
  - (ii) Lao National Land Law, dated 2003, including among others (a) defining land use and land ownership, (b) describing land tenure system, and (c) providing the regulation framework for compensation of land but also including relocation of people that are affected by development schemes.
  - (iii) Lao National Forestry Law, dated 1999, including among others (a) defining policies on forest and watershed management, and (b) promoting conservation and rehabilitation of forest resources.
  - (iv) Lao National Water and Water Resources Law, dated 1996, including among others (a) principles/rules defining exploitation of the water and water resources,
     (b) management regulations for protection and preservation of the water and water resources, and (c) outlining water resources classification systems including the use of water resources.
  - (v) Lao National Road Law dated 1999, including among other (a) describing public roads and road activities, (b) defining management and land use for roads, and (c) explanations to construction of roads and monitoring of roads' conditions.
  - (vi) Decree No.192/PM of the Prime Minister, dated 7 July 2005, concerning the compensation and resettlement of people affected by development projects. This decree has been replaced by a new improved Decree No.699/PMO of the Prime Minister Office, dated 12 March 2010 on Compensation and Resettlement of Development Projects.
  - (vii) Regulations for Implementing the Decree of the Prime Minister on Compensation and Resettlement of People Affected by Development Projects (No.2432/STEA, dated 11 November 2005), are currently assumed remaining valid and to be applied.
  - (viii) Reduction of Poverty Fund's Social and Environmental Guidelines dated 2008.

#### B. ADB Regulations

- 34. In general, the national Lao policies on land acquisition, compensation, assistance and resettlement are aligned with the ADB's key guidelines for involuntary resettlement such as:
  - (i) Safeguard Policy Statement, dated June 2009.
  - (ii) Operational Manual Section F1/OP, dated March 2010.

#### C. Agreed Key Objectives

35. Based on these key references and the Project's Resettlement Framework, the Project has defined the following key objectives the subproject shall achieve, as shown in Table 5.

Table 5: Northern Rural Infrastructure Development Sector Project Key Land Acquisition and Resettlement Compensation Objectives

No.	Key LARC Objectives
1	If possible, involuntary resettlement and loss of land, structures and other assets and incomes shall be avoided and minimized by exploring all viable options.
2	Project affected people shall be provided with compensation for their lost assets, incomes and businesses. The provision with rehabilitation measures shall be sufficient to assist project affected people in improving or at least maintaining their pre-project living standards, income levels and productive capacity.
3	Lack of legal rights to the assets lost will not bar the project affected people from entitlement to such compensation and rehabilitation measures.
4	Replacement of affected assets shall be provided following the principle of replacement costs, without deduction for the value of salvaged materials, taxes, transaction costs and depreciation.
5	Preparation of resettlement plans and their implementation shall be carried out with participation and consultation of project affected people.
6	Schedule of budget for resettlement planning (including socio-economic surveys and/or census) and implementation shall be incorporated in project planning and financing.
7	Payment of compensation or replacement of affected assets and any relocation of all project affected people shall be completed before issuing the notice to commence work in a given subproject. Rehabilitation measures must also be in place prior to issuing the notice.
8	Compensation and rehabilitation assistance for ethnic minorities, and socially disadvantaged such as households headed by women, the disabled and elderly, the landless and poor will be carried out with respect for their cultural values and specific needs.

36. These all support the guiding principle of ADB that "...project affected people compensated and assisted so that their economic and social future will generally be at least as favorable with the project as without it". This policy intends to ensure that the absence of formal and legal titles to land by affected group or individual users should not be a bar to entitlement and compensation, and that "particular attention should be paid to the needs of the poorest affected persons including those without legal title to assets, female-headed households, and other vulnerable groups, such as indigenous people, and appropriate assistance provided to help them improve their status". Currently, both ADB guidelines and policies, and Lao PDR national laws and regulations entitle subproject affected people to compensation of private assets including land at replacement costs.

Table 6: Northern Rural Infrastructure Development Sector Project Main Components of Compensation Approaches

Key Item	Internationally Applied	Lao PDR	NRIDS Project
	Best Practice	Legislation	NKIDS PTOJECT

Key Item	Internationally Applied Best Practice	Lao PDR	NRIDS Project
Scope of impact	Include all affected persons including those affected by construction and operational sites/facilities	Legislation All	Shall include all affected persons in residential, agricultural and commercial areas that are:  (i) permanently /temporarily acquired,  (ii) construction and operation and maintenance related,  (iii) private and/or public areas
Definition of assets	All fixed and movable assets		Shall define all assets:  (i) legally acknowledged, and  (ii) as identified during PMS/DMS and SESAH
Compensation to formal owners/ users of assets	Compensation legally required	Listed	Shall be offered and provided to eligible:  (i) private users,  (ii) private organizations (WUG, etc.), and  (iii) public users
Compensation to informal/ unregistered owners/users of assets	Compensation to be provided to users of assets and resources based on traditional rights	Key	Shall be applied to eligible households or individuals: (i) whose user rights are proven by tax or other formal payments, and (ii) socio-economically surveyed as users of affected assets
Special support to ethnic groups using assets		li	Shall be for households or individuals: (i) formally known or
Special support to vulnerable groups	Special mitigation measures throughout the project cycle	Items	acknowledged at community level as related to one of these groups, and (ii) during pre-construction, construction and post- construction phases
Livelihood restoration	Compensation to be provided in addition to loss of assets, crops etc.	Are	Shall include, among others:  (i) income rehabilitation measures, and  (ii) others to be defined
Relocation	Avoiding physical displacement	Mandatory	Shall be applied and shown through:  (i) technical optimized design of proposed infrastructure,  (ii) if not avoidable, relocated households shall receive (for no costs or payments) issued land titles for their new compounds

Key Item	Internationally Applied Best Practice	Lao PDR Legislation	NRIDS Project
Timing of compensation and support measures	Before construction start of any infrastructure subproject		Before start of construction:  (i) funds made available and proven to be accessible conditional to release of construction funds,  (ii) paid and/or provided to affected individuals/ households
Note 1: International best practices as applied by ADB, World Bank, others.			
Note 2: Final resettlement planning shall provide details of these and other items.			

DMS = detailed measurement survey; PMS = preliminary measurement survey; SESAH = socio-economic survey of affected household; WUG = water user group

# VII. ENTITLEMENT, ASSISTANCE AND BENEFITS

#### A. Entitled Affected Persons

37. In general the NRIDSP defines eligibility as "those people residing, cultivating and/or making a living within the area to be acquired for the project as of the formally recognized cut-off date should be considered as project affected persons for the purposes of entitlements to compensation, resettlement and rehabilitation assistance in accordance with the provisions of laws and regulations. Lack of legal land use certificate or any acceptable proof indicating land use right to the land or structure affected by the project should not bar any person from such entitlement/assistance."

Table 7: Northern Rural Infrastructure Development Sector Project Categories of Entitled
Affected Persons

	1 0.00.10				
No.	Categorized Affected Persons				
1	Persons/households whose agricultural, residential, or commercial land is in part or in total				
'	affected (temporarily or permanently) by the subproject.				
2	Persons/households whose houses and other structures are in part or in total affected				
	(temporarily or permanently) by the subproject.				
3	Persons/households whose businesses or source of income (i.e. employment) are affected				
3	(temporarily or permanently) by the subproject.				
4	Persons/households whose crops (annual/perennial) and trees are affected by the				
4	subproject.				
E	Persons or households who stand to lose access to common property resources and				
5	community assets (temporarily or permanently) due to the subproject.				

- 38. Entitlements for each AH are based on types and levels of losses. General orientation was provided by the Project's Resettlement Framework. The defined entitlements have been followed and complementary details provided by the explanations are given below.
- 39. AHs can also decide to donate those portions of their assets which are affected by the subproject. This is regarded as their voluntary contribution by which they also agree to not request for compensation and related support for which they are entitled. This will be subject to the guidelines specified in the Resettlement Framework.
- 40. In case AHs agreed to voluntary donate their land and trees, there should be (i) some additional support; and/or (ii) safety net in case their livelihoods would be affected more than

expected. With regard to additional support, some priorities for AHs concerning construction related employment and jobs will have to be included in contract negotiations with contractors who have to consider these AHs for rehabilitation and construction work related job opportunities. In addition and if necessary (see item ii) some income restoration activities can be designed in a participatory manner during construction and/or operation phase which can include, among others, any of the following measures: (i) alternative livelihood; (ii) improved agricultural production; (iii) access to credit facilities for productive endeavors; and (iv) appropriate skills training. As the AHs are all direct beneficiaries, they shall receive priority consideration for community development activities.

41. The PMS was carried out in March 2015 indicating that rehabilitation and construction of infrastructure will take place mainly within and partly outside the RoW.

#### B. Loss of Assets and Resources

- 42. An inventory of loss was conducted and summarized in Attachment 6. The entitlements are summarized in the subproject's matrix in Table 8.
- 43. Provided compensation unit rates (see Attachment 8) was used for preparing a budget in case of compensation, but could also be applied for Compensation and Entitlement Forms at the subproject's implementation stage where landowners agree in the quantity and value of their assets affected in general and indicated their chosen option of requiring compensation for loss of assets or donating the affected assets to the subproject.

**Table 8: Subproject's Entitlement Matrix** 

Type of Loss	Entitled Persons	Mitigation Measures	Implementation Issues
I. LOSS OF LAND		<u> </u>	
A Temporarily Affected			
A-1 Agricultural Land	0		
A-2 Residential Land	0		
A-3 Commercial Land	0		
B Permanently Affected			
B-1 Agricultural Land	6 AHs (out of 6) with 35 members	<ul> <li>Estimated 900 m<sup>2</sup>.</li> <li>Formally considered: cash compensation</li> </ul>	In case "donation-agreements" would be established in which private users confirm to provide the land as a contribution for the project.
B-2 Residential Land	0		without compensation conditional to ADB regulations, compensation by cash is not required
B-3 Commercial Land	0		
II. LOSS OF HOUSES & OT	THER STRUCTURES		
C Temporarily Affected			
C-1 Houses	0		
C-2 Shelter/Dwelling	0		
C-3 Fence	0		
C-4 Others	0		
D Permanently Affected			
D-1 Houses	0		
D-2 Shelter/Dwelling	0		
D-3 Fence	0		
D-4 Others	0		
III. LOSS OF CROPS & TREES			
E Temporary Loss of			
E-1 Crops	0		

Type of Loss	Entitled Persons	Mitigation Measures	Implementation Issues
E-2 Trees	0		
E Permanent Loss of			
E-1 Crops	0		
E-2 Trees	0		In case of "donation-agreements" would be established in which private users confirm to provide the land as a contribution for the project without compensation conditional to Resettlement Framework requirements, compensation by cash is not required
IV. LOSS OF COMMON PRO	PERTY RESOURCES		
F Temporary Loss of Services			
F-1 Administration	0		
F-2 Water and Sanitation	0		
F-3/4Health and Education	0		
F-5 Transport	0		
F-6 Others	0		
G Permanent Loss of Services			
G-1 Administration	0		
G-2 Water and Sanitation	0		
G-3/4Health and Education	0		
G-5 Transport	0		
G-6 Others	0		
V. INCOME RESTORATION	I		
H-1 Material Transport Allowance	0		
H-2 Housing Transition Allowance	0		
H-3 Business Transition Allowance	0		
H-4 Special Assistance for Socially	0 AHs with loss of more 10% of their productive area		Surveyed head of AH does not expect significant loss of food supply or income.
and/or Economically Vulnerable Households	1 widowed female headed AH with 5 family members		Special assistance has been estimated and included in the Resettlement Plan budget
H-5 Other Support Measures	0 poor AHs		The 6 AHs should obtain a priority for (i) job opportunities by the contractor, (ii) and the subproject's community development component.

#### C. Loss of Land

- 44. The 900 m² private productive land of six AHs is a concern for which measurements of land requirements have been jointly performed to define individual plots and the size of affected areas. The compensation cash-for-kind was calculated and has been included in the preliminary resettlement budget. The extent to which this will be required depends on the decisions of affected landowners during detailed design whether to ask for compensation or to voluntary donate their affected land as their contribution to the subproject for which all villagers expect a better irrigated agriculture leading to increased household incomes.
- 45. No cases of subproject affected residential land to report.
- 46. Compensation in kind-for-kind has not been considered by the affected landowners and PPO as alternative.
- 47. It has been assumed that temporary land requirements for establishing construction installation areas and camps concern public land. No compensation costs are assumed for such cases. In case contractor/s would damage property the contractor/s will be obliged to pay

compensation at replacement costs immediately to affected families, groups, communities or government agencies. Damaged property will be restored immediately to its former condition.

48. Standard contractual obligations with contractor/s are to be applied as a precaution in contracts (i) to pay compensation immediately, and/or (ii) restore property to its former condition in case contractor/s would damage such property.

#### D. Loss of Houses and Other Structures

49. There are no primary and secondary structures affected by the subproject. This will need confirmation after detailed design stage to define final land requirements.

#### E. Loss of Crops and Trees

- 50. There are no AHs losing trees.
- 51. There will be no damage of crops because of construction works that would be scheduled in accordance with harvesting period.
- 52. The provision of irrigation water will not be disrupted for weir related construction or rehabilitation, because of diverting the stream around the construction sites. However, for the rehabilitation of the canals, there will be temporarily limited or no provision of irrigation water. In such a case, options for temporary water supply, if required, shall be agreed with farmers and be provided by the Project through the contractor. However, farmers of the irrigation scheme contacted during feasibility study and detailed design stages indicated to PPO, DCO and Consultants their willingness to accept this as a contribution of the farming community to the subproject as they are highly interested in the improvement of their irrigation scheme.

#### F. Loss of Common Property Resources

53. No cases of subproject affected common properties to report.

#### VIII. RELOCATION OF HOUSING AND RESETTLEMENT

54. No relocation of houses or settlement through this subproject to report.

#### IX. INCOME RESTORATION AND REHABILITATION

#### A. Allowances

55. No cases of allowances to report.

#### B. Special Assistance

56. There are six AHs losing different portions of their productive land whereas other farmers of the irrigation scheme will only benefit from an improved irrigated agriculture without being affected at all. There are no severely AHs losing more than 10% of productive area. There is one widowed FHH classified as a vulnerable AH. Discussions with all AHs and also their feedback during the SESAH indicated that they do not expect significant loss of income or access to resources. They indicated their support to the subproject as it would improve the agriculture income through new irrigated area.

- 57. However taking into consideration support for such cases as defined in the project's Resettlement Framework, the GIC will initiate to agree in an approach with contractors that:
  - (i) Members of the one vulnerable AH shall receive a first priority for job opportunities, and
  - (ii) Members of the remaining five AHs shall receive a second priority for job opportunities, before or in parallel with
  - (iii) Contacting non-affected villagers.
- 58. The main reason for this approach is that these AHs are losing different portions of their productive land and trees whereas other farmers of the irrigation scheme will only benefit from an improved irrigated agriculture without being affected at all. Priority households can also include those farming households who potentially could become affected by temporarily limited or no provision of irrigation water due to rehabilitation works. This shall be discussed during contract negotiations with contractor. It can be related to the bidding document's section 7 and 8 with their paragraphs #GCC 65.2 and #GCC 65.2 respectively where requirements about conditions of employment and local labor are defined.
- 59. As all AHs are direct beneficiaries, they shall in addition receive priority consideration for the subproject's community development activities allowing them to participate in offered assistance through support concerning agricultural production, and attending campaigns and/or training sessions.

#### X. RESETTLEMENT BUDGET AND FINANCING PLAN

#### A. Planned Land Acquisition and Compensation Cost Estimate

- 60. A cost estimate has been prepared based on prevailing local prices leading to a total of rounded KN 30.0 million.
- 61. This estimate does not include costs for resources related to safeguard implementing and monitoring and evaluation both at national (resettlement committee and specialist/s), provincial (resettlement committee and provincial project office), and district levels (resettlement committee, community development and safeguard officer/s). Costs related to internal monitoring and evaluation are covered by GIC.
- 62. The Government of Lao PDR has to cover compensation and mitigation costs for any resettlement impact on AHs. Concerning external monitoring and evaluation, the Executing Agency has a separate budget to contract an independent monitoring organization.
- 63. Operating costs of executing and implementing agencies concerning planning and implementing social safeguards are borne by the governmental budget.
- 64. The final land acquisition and compensation (LAC) budget for the implementation phase will have to be prepared during the detailed design stage as part of LACR updating.

#### B. Compensation or Donation

- 65. Compensation in cash for loss of fixed assets will be an alternative option of APs. Contacted land owners, however, indicated their willingness to donate land to the subproject as they expect benefits from its implementation. This option will have to be finally discussed during detailed design stage. The potential main reasons for AHs' to donate their affected assets to the subproject are (i) the portion of affected productive land the landowners regarded as minor or even not relevant; (ii) expectations of higher agricultural incomes through the rehabilitated irrigation scheme; and (iii) a sense of community related participative support for any improvement and development offered for their villages.
- 66. Voluntary land donations can only occur when the subproject component is not location-specific, meaning, it can be moved to another area. If it is not location-specific and APs opt to donate their land, (i) confirmation of voluntary donation through verbal and written record and verification by an independent third party will be conducted; (ii) consultation with landowners and non-landowners will be done and related adequate grievance redress mechanisms will be put in place; and (iii) that voluntary donations will not severely affect the living standards of APs will be ensured.

## C. Actual Land Acquisition and Compensation Budget

67. LAC will be confirmed during at detailed design stage. In case land acquisition and involuntary resettlement impacts are identified, the LACR prepared at that stage will include details on each type of loss with replacement cost estimates reflecting prevailing market values. The LACR will also include detailed schedule and procedures related to flow of funds for resettlement.

Table 9: Subproject's Planned Land Acquisition and Compensation Budget

Item	Description	Amounts [KN]	Comments
Loss of land	Permanent acquisition of 900m² private productive land along the canal alignment. Unit prices are 20,000 KN/m² for paddy fields and garden land.	18,000,000	This amount would partly or not be necessary depending on how many APs will sign a Compensation and Entitlement Form in which they can agree to voluntary donation of their affected land to the subproject.
	No permanent acquisition of residential land	No costs	
Loss of houses and structures	None	No costs	
Loss of crops	No damage of crops by construction works. Limited or no access to irrigation for certain periods in accordance with construction works.	No costs	In agreement with land owners this arrangement is expected between farming community and subproject to facilitate the rehabilitation works of the irrigation scheme.
Loss of trees	None	No costs	Same scenario possible as described under item land.

Item	Description	Amounts [KN]	Comments
Loss of common property resources	The subproject does not cause any relocation of common properties.	No costs	
Income restoration	The subproject does not cause effects which will require the provision of allowances.	No costs	
	This concerns one AH as widowed and female headed household.	9,000,000	According to the Resettlement Framework: 20,000KN x 2 factors x 30 days x 6
Special assistance	No cases of vulnerable AHs	No costs	months + GIC added: 25% contingency for additional/ unforeseen support This will not apply in case AHs decide to donate affected assets to the subproject.
Complementary measures	There are no cases for such measures.	No costs	
F	Planned Sub-Total 1: Mitigation	27,000,000	
LARC implementation	Administrative matters	No costs	Saparata hudget of Gal
Safeguard	External Monitoring and Evaluation	No costs	Separate budget of GoL
implementation	Internal Monitoring and Evaluation	No costs	GIC contract
Planned Sub-Total 2: Implementation		0	
Contingencies (10% of subtotals 1 and 2)		2,700,000	
Planned Sub-Total 3: Contingencies		2,700,000	
Planned TOTAL		29,700,000	This amount will partly or not be
Actual Required TOTAL		To be calculated during detailed design stage	necessary depending on how many APs will sign the Compensation and Entitlement Form in which they will agree to voluntary donate their affected land to the subproject.

# XI. INSTITUTIONAL ARRANGEMENT

68. To ensure inter-agency cooperation at the national level, a National Steering Committee (NSC) was established. The NSC will meet annually or as required to review overall implementation progress, approve annual work plans and budgets, and provide overall policy

guidance. The National Project Management Office (NPMO) under the guidance of its National Project Coordinator will provide secretariat services to NSC. Provincial Steering Committees (PSCs) was established to ensure inter-agency coordination at the provincial level. The PSCs are chaired by provincial vice governors with equivalent representation to that for the NSC, including governors from the participating districts. The PSC will meet bi-annually or as required to review implementation progress and to ensure adequate levels of coordination between key agencies for project coordination. Subproject Investment Reports shall be approved by PSCs after obtaining the necessary concurrence of ADB for social and environmental safeguards. The PPO will provide secretariat services to PSCs.

- 69. The Ministry of Agriculture and Forestry (MAF) is the Executing Agency for the Project with the responsibility for overall project coordination and management transferred to its Department of Planning (DOP) who has established the NPMO for day-to-day coordination and management of the Project. The implementing agencies at the provincial level are the Provincial Agriculture and Forestry Offices (PAFOs). PPOs have been established in each PAFO to be responsible for financial management at provincial level, and coordination and management of implementation of subprojects. To assist implementation of the Project at the district level, District Coordination Offices (DCOs) have been established within District Agriculture and Forestry Offices to mainly coordinate and supervise subproject activities.
- 70. At provincial and district levels staff has been nominated for committees responsible for LARC matters. They were among the 105 provincial and district staff attending the orientation workshops between 24 and 29 October 2011 organized and conducted by GIC for all four Project provinces including among other topics:
  - (i) General introduction into LARC planning.
  - (ii) Specific explanations about country safeguard standards and Lao legal context.
  - (iii) Briefing about ADB involuntary resettlement and social safeguards standards.
  - (iv) Description of compensation approach for subproject conditions.
- 71. Relevant LARC related legal documents were distributed to workshop participants. The same staff has been involved in the consultation process, LARC-PMS screening socioeconomic surveys and inventory of loss during the subprojects feasibility and detailed design stages.

#### XII. IMPLEMENTATION SCHEDULE

- 72. In general, the two PPTA representative subprojects will be grouped as batch 1 of the Project's "year 4" while nine other subprojects will be grouped as batch 2. The Project's year 5 has 11 subprojects.
- 73. Concerning these 22 subprojects of the project years 4 and 5, an overview about performed and tentatively scheduled activities of feasibility study, design and construction works, together with related LARC activities has been prepared in Table 10. In general, this tentative schedule is subject for review during the implementation phase.

Table 10: Subprojects' Performed - Scheduled Land Acquisition and Compensation Activities of Project Year 4 & 5

			Activities	01110		Jui												
						,				ïme								
Project		Number of			15	$\perp$	201	6	<b>—</b>	017		2	018		201	9	2	020
Year	Phases	Sub-projects	Stage / Activity	Q1 Q2 J F M A M J		04 Q	1 Q2 C	(3 Q4	Q1 J F M	Q2 (	Q4	Q1 Q	2 Q3	Q4 Q	Q2 C	Q4	Q1 Q	2 Q3 Q
				J F IM A IM J	amminimum.	1			3 1 1									
			Feasibility Study															
			LAC fieldwork / surveys											T				
	PPTA		Draft FS including LAC Reports															
		2 representative subprojects	FS Review / Approved Final FS LACP Attachment			$\overline{}$						1						
			ADB PPTA Mid-term Review Mission									$\overline{}$		Ţ				
			ADB-GoL Preparation and/or Start-up phase															
			Detailed Design & Updating LACPs									]		1				
4			Bidding, Evaluation & Contract negotiations											T				
			Rehabilitation / Construction of 2 subprojects										MIN					
			Operation & Maintenance of 2 subprojects											T	=>			
			Feasibility Study including LACPs									<u> </u>		Ī				
			Detailed Design & Updating LACPs															
	Implemen-	9 subprojects	Bidding, Evaluation & Contract negotiations															
	tation		Rehabilitation / Construction of 9 subprojects															
			Operation & Maintenance of 9 subprojects													'=>		
			Feasibility Study including LACPs															
			Detailed Design & Updating LACPs															
5		11 subprojects	Bidding, Evaluation & Contract negotiations															
			Rehabilitation / Construction of 11 subprojects															
			Operation & Maintenance of 11 subprojects														<b>'</b> =:	>
			► Status June 2015	A	111111111111111111111111111111111111111													
			Year / Quarter / Month	J F M A M J		N D Q	1 Q2 C	3 Q4	J F M	Q2 (	Q4	Q1 Q	2 Q3	Q4 Q	Q2 C	Q4	Q1 Q	2 Q3 Q
			Tear / Quarter / Worth		115	14	201	6		017		1	018	+	201		<u> </u>	020
			Main steps for land acquisition and compensation of			de amo							_					
		1	(a) Delivery of compensation and entitlements, (b) A						with im	pleme	entatio	n.						
N	otes	2	This tentative schedule has to be reviewed during im	plementation ph	nase with its	feasibi	ility stud	ly and	detailed	l desiç	gn sta	ges.						
		3	The 22 subprojects are small irrigation schemes of which each can include several smaller irrigation systems.  The Small Project Preparation Technical Assistance (S-PPTA) contains two representative subprojects, namely Nam Beng subproject and Nam Oun sul															
	Abband-6	-		(S-PPTA) conta					cts, nar	nely N	iam B						ubproj	ect.
	Abbreviati	UHS.	LACP:= Land Acquisition and Compensation Plan		15.3	- reas	ibility S	ıuuy				U	υ.= L	retalle	d Desig	Jil		

#### XIII. MONITORING AND REPORTING

74. The LAC monitoring is embedded in the overall monitoring and evaluation approach of the subproject. In case impacts will be identified during detailed design stage, monitoring of LACR preparation and implementation will be carried out as required through the Resettlement Framework. The monitoring and evaluation distinguish between internal and external components. The technical approach of the LAC related monitoring and evaluation will have to be transparent, and any data or information made available to involved stakeholders in Lao and/or English language, whichever is more comprehensible to a given stakeholder group.

#### A. Internal Monitoring and Evaluation

75. The PPO within PAFO in cooperation with DCO within the District Agriculture and Forestry Offices is responsible for internal monitoring of LAC implementation. The monitoring strategy will have to be defined and agreed upon on a participative approach involving different stakeholders, such as communities, organizations, individuals, representatives and others, but certainly subproject affected people. A resettlement related internal monitoring concerns mainly LAC-performance in terms of whether the overall subproject and resettlement objectives are being met mainly with focus on (i) assessing if mitigation measures and compensation are sufficient; (ii) identifying methods of responding immediately to mitigate problems through remedial actions; (iii) smooth transition between LARC activities and civil works; and (iv) others, as regarded necessary. Provincial monthly monitoring report from PPO will provide the achievements and progress. The PMO will verify and consolidate these reports in its quarterly monitoring and evaluation reports to be forwarded to ADB.

#### B. External Monitoring and Evaluation

76. An external organization was engaged by the NPMO to undertake independent monitoring. This organization has carried out post-resettlement impact evaluation to assess whether impacts of the proposed Project have been mitigated adequately and the pre-project standard of living of APs have been restored as a result of resettlement and project activities. The same organization will be invited to continue to provide these services for the subprojects to be funded through additional financing, and review of voluntary land donation procedures will be added to their Terms of Reference. The #EMA will include impact and effects monitoring including but not limited to the following: (i) voluntary land donation; (ii) involuntary land acquisition and compensation; (iii) socio-economic effects, particularly changes in living standards and livelihoods; and (iv) need for additional mitigation measures, as required. Once the land acquisition and LACR have been completed, this monitoring will evaluate post land acquisition impacts to assess whether impacts of the subproject have been mitigated. Semiannual monitoring and evaluation reports will be prepared.

# Attachment 1: Land Acquisition and Resettlement Compensation Fact Finding and Screening

#### Nam Oun Irrigation Subproject – Houn District – Oudomxay Province







Photos 1-3: Impressions along left main canal during joint transect walk and preliminary measurement survey of affected land







Photos 4-6: Impressions along right main canal and weir during joint transect walk and preliminary measurement survey of affected land

Technical Description			
Main Components	Yes	No	Description
Upgrading or rehabilitation	Х		Rehabilitation
Construction of new physical facilities	х		Some new facilities to be constructed
Residential area		Х	
Productive area	Х		Subproject area concerns only agricultural land
Access		Х	There are existing access roads to weirs and partly canals
Weir	Х		One new concrete weir
Main canal	x		Rehabilitation of 11,880 m Left Main Canal: 2,230 m Right Main Canal: 9,650 m
Other canal/s		Х	
Gates	Х		Designed 4 new control gates
Related structures	х		Designed 70 new structures (53 farm turnouts, 7 divisions, 9 culverts, 1 end structure)
Drains		Х	
Road		Х	

# Potential Land Acquisition, Resettlement and Compensation related Impacts Selected Key Items Yes No Description Permanent land acquisition x Minor portions through loss of small strips of agricultural land Temporary land acquisition x Loss of houses/compounds x

Loss of productive land	Х		Limited to agricultural land, no other productive land affected
Displacement of people		Х	
Change of land ownership and usage		Х	
Loss of crops/trees		Х	
Loss of incomes and livelihoods		Х	
Loss of businesses/enterprises		Х	
Loss of access to facilities/services		Х	
Loss of community assets/ties		Х	
Loss of cultural/historical properties		Х	
Affected non-titled or vulnerable groups		Х	
Affected socio-economic activities		Х	

List of technical aspects and screening in accordance with checklists as defined by Lao PDR guidelines and ADB regulations

► Finding: there are minor LARC related impacts expected for this subproject

# Attachment 2: Summary Data Sheet - Socio-Economic Survey of Affected Households

DEMOCRADI	ITEM		ANALYS	IS		
DEMOGRAPI Head of	Affected Household	N	Total		Percentag	e
Sex	Male Female	5	- 6		83 17	
Age	Up to 65 Older than 65	·····è	6		100	
±	Older than 65 Yes	0			0	
Disabled	Yes No Yes	<u>6</u>	- 6		100 100	
Owner of land	No	8	- 6		100	
Widowed	Yes No	2	6		33 67	
	ad of Affected Household		Total		Percentag	е
Sex	Male Female	1	6		17 83	
Age	Op to 65 Older than 65		6		100	
Disabled	Yes No	9	- 6		0 100	
Owner of land	Yes		6		100	
	No of Affected Households	0	Total		0 Percentag	9
	T-4-1	35	leading to 5,8		members / A	
	Lao Thai Mone Khmer	6 29	-	17 83		
Number per Ethnic	Hmong-Lu Mien Tibeto-Chinese	8	35	8	100	0
I	Others	,,,,,,,	··· <u>·</u>	ŏ		
Number per Sex	Mole	19 16	35	54 46	100	,
	718 18-30 18-30 46-65	10 14		29 40		
Number per Age	31-45	5	35	14	100	)
	40-05 >65			6		
F	Primary School Secondary School	8		42 32		
Females per School Grade	Primary School Person School Secondary School Tertiary School Not in school age	ž	19	16	100	7
	Not attended school	ž		0 11	<u> </u>	
Males per School	Not altended school Primary School Secondary School Tertiary School Not in school age	6 4		38 25 31	1	
Grade	Tertiary School Not in school age	5	16	31	100	9
ECONOMI		i i	<u> </u>	6	1	
	sehold's Source of Income	Totals	Average Numi	per of	Percentage	Rankin
Activity	AH Member	Amount	related to	АН	related to	by
= Activity	Head	O	cases Cases	A	AH Cases	Incom
Agriculture	Spouse	ŏ	ŏ ŏ	6	8	1
<b></b>	Son/Daughter own and/or in All	181.960.000	0 0 30.326.667 6		100	
	Head Spouse	8	8 8		8	
Livestock	Son/Daughter own and/or in All	law 0 4.500.000	0 0 2,250,000 2	6	Ö	4
<u> </u>	Head	0	0 0		33	
Fisheries	Spouse Son/Daughter own and/or in All	law 0	8 8	6	0	3
	All	5.000.000	5.000.000 1	<u></u>	17	
Forestry (NTF)	Head	6.100.000	1.525.000 4	6	67	<del>Z</del>
Manual Labor	Spouse Son/Daughter own and/or in	0	8 8	6	0	5
	All All		<u> </u>		Ö	1
Business / Trade	Head	99.120.000	24.780.000 4	6	67	
Salary / Wage	Spouse Son/Daughter own and/or in	0	8 8	6	0	2
I	Son/Daughter own and/or in All All	0	0 0		Ö	
Pension Handicraft		·····	<del> </del>	6	· · · · · · · · · · · · · · · · · · ·	
Services	A	9	9 9	6	2	
Others		24.723.333	4.120.556 as ave	rage m	onthly income	·
Estimated Incomes	6 AH	296.680.000	49.446.667 as av	erage a	nnual income	per AH
Status	Poor Middle	2	6		0 83	
ASSET	INFORMATION	1			17	
	of Affected Land	Tot	als Avera	ge/AH	Percen	tage
Since who	en is family in the village	147		5	years of AH	in village
Families Using the	Une Two	6	. 6		100	2
Land	Three Residential	0		<u></u>	res parc	27 AH
Parcel of Land	Productive	10		,0 ,7	res. parce agr. plot	s/AH
	Use of land Yes	147	<del></del>	5	years of us	ing plot/s
Affected Productive	No		6		0	
Land	Ownership Head o	fHH 6 se 5	6 cases		100 83	
≣ Ì	Land Title/Certificate Ye	5 6	. 6		100	
<b></b>	Use of land Yes	147	cases leading to 2	5	years of us	
Affected Residential		0				
Land	Ownership Head o	fHH ==	No ca	ase/s to	report	
≣ ì	Land Title/Certificate Ye.		<b>i</b>			
Affecte	ed Trees and Crops	-	Totals		Percen	tage
	Yes			no/n to	rapart	
Affected Trees	Ownership Head o	THH -	No ca	se/s to	report	
<u> </u>	Spot					
Affected Crops	Ownership Head (	the	No c	ase/s to	report	
APs' OPINIOI	N ON LAC ASPEC	rs	<u>•                                      </u>			
	Benefits		Totals		Percen	
Direct Beneficiary	Yes No	6	Direct Beneficiaries	6	100	
	Owning and cultiv	ating 6			100	,
Affected Productive Land	Owning and re Owning but not	nting 0	Type of User	6	0	
Laffü	Working as labor on this	Ising 0		<u></u>	0	
	Impacts		Totals		Percen	
Level	Minor Serious	6 0	Level of Expected Impacts	6	100	,
APs' Self-Estimate	Neglible/very little impacts f	or AH 6	- APs' opinion	6	100	)
, a dem Estimate	Severe income reduction t	or AH 0		L	0	
	Donation Yes	6	Totals		Percen	
Donating	No	0	Donating AHs	6	0	
	Importance of project for v Better irrigated agric	llage 6 ulture 6			100	)
Motivations	Increased income f	or AH 6	Motivations of APs	6	100	)
		roiectl 6			100	
	Personal interest in p	oiect 6	···	l	100	)
	Community contribution to p ompensation Yes	oject 6	Totals		Percen 0	

### **Attachment 3: Consultation and Coordination: Photo Documentation**

# Nam Oun Irrigation Subproject – Houn District – Oudomxay Province



Photo 1: Inception workshop: Kick-off event of the Project



Photo 2: Orientation workshop: Introduction of district/provincial Project staff into LARC laws/ regulations



Photo 3: S-PPTA introduction to Province/district project offices



Photo 4: Consultation meeting at Chantai Village



Photo 2: Consultation meeting at Chantai Village



Photo 3:S-PPTA introduction to Province/district project offices







Photos 7 – 9: LARC meeting in Nam Faen village at village meeting place on 12 March 2012

# **Attachment 4: Consultation and Coordination: Photo Documentation**

		Houn District – Oudomxay Province
ITINERARY	. ,	·
DATE	ACTION	DESCRIPTION
03 August 2011	Inception workshop Vientiane City	(i) Introduction to key stakeholders including representatives from Ministry of Agriculture and Forestry, MoF and Project staff from Bokeo, Luang Namtha, Phongsaly and Oudomxay provinces
24 -27 December 2012	Capacity Development Training Oudomxay Town	Training Component Social Safeguard for Project Staff:  (ii) General monitoring and evaluation of land acquisition and resettlement compensation (LARC) related items;  (iii) Specific criteria concerning pre-construction, construction and post-construction (operation) phases.
23 February 2015	S-PPTA orientation meeting Oudomxay Town	(iv) S-PPTA introduction to key stakeholders of Oudomxay Province
24 February 2015	Introductory field visits Public village and consultation meeting incl. LARC aspects at village Chantai (subproject area) Total participants: 169 (138 female and 31 male participants)	Preliminary fact finding mission by Grant Implementation Consultant (GIC) staff to the Province Oudomxay to:  (v) Introduce GIC team to provincial/district Project staff;
25 February 2015	Introductory field visits Public village consultation meeting at village Nam Faen (subproject area) Total participants: 167 (94 female and 73 male participants)	(vi) Get preliminary LARC related overview of scope and nature of LARC effects through Project in general.
February to April 2015	Irrigation engineering site visitSubproject area	Review of technical aspects including among others:  (vii) Conditions of existing irrigation infrastructure;  (viii) Existing and/or new canal alignments;  (ix) Irrigation related requirements of villagers/water user associations.
12 March 2015	Preliminary Measurement Survey fact finding mission and conducting Socio-economic survey of affected household (SESAH)  LARC meeting in village Nam Faen.  Total participants: 26 (2 female and 24 male participants)	LARC related planning:  (x) Village consultation meeting;  (xi) Transect walk with villagers and provincial/district Project staff along irrigation infrastructure;  (xii) Preliminary Measurement Survey of land/ trees;  (xiii) SESAH;  (xiv) Discussion key-finding for land acquisition and compensation by Provincial Project office and GIC.
Next step related to S-PPTA		(xv) Major Milestones (May 2015 to June 2016); (xvi) ADB – Government of Lao PDR loan negotiations (2 <sup>nd</sup> half 2016);

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		(xvii) Possible preparation and/or start-up activities (2016/17).									
Next step for LARC implementation	Detailed Measurement Survey fact finding mission.  Formal land acquisition.  Subproject area	Implementation of land acquisition: (xviii)Detailed Measurement Survey and SESAH; (xix) Disclosure of land acquisition and compensation related content; (xx) Official procedures for land acquisition.									

# Attachment 5: Consultation and Coordination: Attendance Sheets Project Orientation/Coordination Meeting PAFO Meeting Hall, 23 February 2015

#### Lao People's Democratic Republic MINISTRY OF AGRICULTURE AND FORESTRY DEPARTMENT OF PLANNING AND COOPERATION



NORTHERN RURAL INFRASTRUCTURE DEVELOPMENT SECTOR PROJECT ADB Grant NO. 0235-LAO (SF)

Unit 7, Ne Rhu Road, Ban Phonexay, Xaysettha District, Vientiane Capital, Lao PDR Telefax: +856 21 990 249 Email: npmo.nri@gmail.com

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#### Lao People's Democratic Republic MINISTRY OF AGRICULTURE AND FORESTRY DEPARTMENT OF PLANNING AND COOPERATION

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Unit 7. Ne Rhu Road, Ban Phonexay, Xaysettha District, Vicntiane Capital, Lao PDR Telefax: +856 21 990 249 Email: npmo.nn@gmail.com

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ລ/ດ No.	ຊື່ ແລະ ນາມສະກຸນ Name and family name	ເມດ Sex	ຊິນເຜີ່າ Ethnic Group	ี่ ໜ້າທີ່ຮັບຜິດຊອບ Responsibility	ຈາກພາກສ່ວນ Organization	ເບີໂທ	ທີ່ຢູ່ສໍາລັບການຕິດຕໍ່ພົວພັນ Contact address
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ໂດງການຫຼັດທະນາ ໂດງລ່າງຊີນນະປົດພາກໜີອ (ພຸກຊ) ກອງປະຊຸມ.ພະນະທະນີເຊິ່ງລາງພະນະພິດສານກົວລັດກັບລຸງລະນະພະ......

รมส. 25 /2 /2015

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Γ :					ກະລຸນ	າດິກ (√) ຫຼື ຂຽນຊື່	ເຜົ່າຂອງຕິນເອງໃສ່ເ		
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ໝາຍເຫດ: ຂໍອາໄພສຳລັບການຖາມຫາຊົນເຜົ່າຂອງທ່ານ - ເພາະພວກເຮົາກ⊡າລັງປະຕິບັດຕາມກອບແຜນການປົກປ້ອງສືດຂອງຊົນເຜົ່າສ່ວນນ້ອຍ (ຕາມເງື່ອນໄຂ A⊅B ລາງ ໄວ້)

				1		ມາຕິກ (√) ຫຼື ຂຽນຊື່	ເຜົ່າຂອງຕົນເອງໃສ່ເ	ກ້ອງລຸ່ມນີ້	
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- 1	¥3/€1	ន្ល «ភន សភាននប៉ភ	(FUC)	ത്നി€ല്ക്റളലെ	มา เคาะสามายาการร้องม	ສະແຊ້ງຕາມໝາຄດ ພາສານາວາໄດ	Ruchmenuum markha-duumu	ຊີນເປົ້າຕາມສາເວັດ ພາສານີອີນ-ຂະແມ	(២៥៣១៩៣០	ម្ដេញ
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	ล/ถ	ຊື່ ແລະ ນາມສະກຸນ	ເພດ	ໜ້າທີ່ຮັບຜິດຊອບ	ມາຈາກພາກສ່ວນ	ຊິນເຜົ່າຕາມໝວດ ພາສາລາວ-ໄຕ	ຊິນເຜົ່າຕາມໝວດ ພາສາມື້າ-ອິລມານ	ສາສາມອນ-ຂະແມ ອີນເຜົ່າຕາມໝວດ	ເມີໂທລະສັບ	ខ្មើប
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	ລ/ດ No.	ຊື່ ແລະ ນາມສະກຸນ Name and family name	ເພດ Sex	ຊີນເຜົ່າ Ethnic Group	ໜ້າທີ່ຮັບຜິດຊອບ Responsibility	ຈາກພາກສ່ວນ Organization	වේග	ທີ່ຢູ່ສຳລັບການຕິດຕໍ່ພົລພັນ Contact address
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	ລ/ດ No.	ຊື່ ແລະ ນາມສະກຸນ Name and family name	ເພດ Sex	ຊິນເຜົ່າ Ethnic Group	ໜ້າທີ່ຮັບຜິດຊອນ Responsibility	ຈາກພາກສ່ວນ Organization	មេវិប្រា	— ທີ່ຢູ່ສຳລັບການຕິດຕໍ່ພົວພັນ Contact address
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·	a/c No.	ຊີ ແລະ ນາມສະກຸນ Name and family name	เขต Sex	ຊິນເຜົ່າ Ethnic Group	ข้าที่ธีบติกรุอบ Responsibility	ຈາກພາກສ່ວນ Organization	(Dlm	ທີ່ຜູ້ສຳລັບການຕິດຕໍ່ພັວພັນ Contact address
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# Land Acquisition and Resettlement Compensation Consultation Meeting in Nam Faen Village, 12 March 2015





NORTHERN RURAL INFRASTRUCTURE DEVELOPMENT SECTOR PROJECT ADB Grant NO. 0235-LAO (SF)

Unit 7, Ne Rhu Road, Ban Phonexay, Xaysettha District, Vientiane Capital, Lao PDR Telefax: +856 21 990 249 Email: npmo.nri@gmail.com

ລ/ດ No.	ຊື່ ແລະ ນາມສະກຸນ Name and family name	ເພດ Sex	ຊີນເຜົ່າ Ethnic Group	ໜ້າທີ່ຮັບຜິດຊອບ Responsibility	ຈາກພາກສ່ວນ Organization	ທີ່ຢູ່ສຳລັບການຕິດຕໍ່ພົວພັນ Contact address
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ລ/n No.	ຊື່ ແລະ ນາມສະກຸນ Name and family name	ເພດ Sex	ຊີນເຜົ່າ Ethnic Group	ໜ້າທີ່ຮັບຜິດຊອບ Responsibility	ຈາກພາກສ່ວນ Organization	ທີ່ຢູ່ສຳລັບການຕິດຕໍ່ພິວພັນ Contact address
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# Attachment 6: Inventory of Loss and Status of Affected Households - Summary

Survey No.				Affe	ected Hou	seholds								Affected L	and				Stuctures				Affec	ted Trees	and/or Cr	ops		Total
and Total No. of	Names		Head of sehold		ted by itation of ructure	In the Village	Popu- lation	Total Res. Land	Total Productive Land	Width	Length	Res. Land		Affected Portion	Type of Land Use	Unit Value	Total Value	Туре	Quantity	Unit Value	Total Value		Total	Affected Trees	Affected Portion		Total Value	Compensation Costs
АН		Femal	e Male	Canal / Weir	Road		[no]	[m²]	[m²]	[m]	[m]	[m2]	[m2]	[%]	-	[KN/m2]	[KN]	-	[no]	[lump sum]	[KN]	-	[no]	[no]	[%]	[KN/ tree]	[KN]	[KN]
SUBPF	ROJECT'S II	NFR	STR	UCTUI	RE C	OMPONENT:	Irrigat	ion																				
Α	COMUNAL LAND																											
				one Total			<u> </u>											None 0										
B.	PRIVATE LAND																											
1	Mr. Bounchim		х	X		Nam Fen	7	800	22.000	6	30		180	8,0	Paddy land	20.000	3.600.000					-	0					3.600.000
2	Mr. Khamwy		x	X		Nam Fen	5	700	19.000	6	20		120	0,6	Paddy land	20.000	2.400.000					-	0					2.400.000
3	Mrs. Sin	х		X		Nam Oun	6	500	3.600	6	20		120	3,3	Paddy land	20.000	2.400.000					-	0	]				2.400.000
4	Mr. Woeui		x	X		Nam Faen	5	1.000	10.000	6	30		180	1,8	Paddy land	20.000	3.600.000					-	0					3.600.000
5	Mr. Souk		x	X		Nam Fen	5	800	4.000	6	20		120	3,0	Paddy land	20.000	2.400.000					-	0					2.400.000
6	Mr. Bounloeui		x	X		Nam Fen	7	1.000	8.000	6	30		180	2,3	Garden land	20.000	3.600.000					-	0					3.600.000
	by own	ership	ofland	Pri	vate	Productive Residential	35	4.800	66.600			0	900	1,4 0			18.000.000 0											18.000.000
					Con	munal	0	0	0			0	0	0			0											0
	by infra:	etructur	۵	6		Canal / Weir	35		66.600	A 66 -	cted	0	900	1,4	Value of A	<b></b>	18.000.000	A 66 4 4				A 66 4 4						Total 18.000.000
Summary	by mind.	ou uctui			0	Road	0		0	Lar		0	0	0	Value of A Land		0	Affected Structures ►		0		Affected Trees ►			0			Compen- sation
	by sex of head of household	1				male	6	4.800	0			0	0	0			0											Costs 0
	nousenoid		5	No	m Faen	ale	29 29	0	66.600 63.000			0	900 780	1,4			18.000.000 15.600.000											18.000.000
	by village				m Oun		6	0	3600			0	120	3,3			2.400.000											2.400.000
		<del> </del> 					<del></del>		h																			
	Notes	J							: :							. 1 12.	16-15-1						,					State to distance at a sex
1	The compensatio																			ners i	wiii tal	ke auring	rorma	ı compe	nsation	proced	ures (	detailed design stage).

- There is an average value of lost assets of: 3.000.000 KN/AH
- 2 Land requirements for temporary access and/or construction installation area and camp are either in public space or to be arranged by contractor with private landowners.
- 3 The detailed design stage will review the final land acquisition requirements too.

#### Unit Value Rates

Applied as officially provided by the district authority.

Source: Meetings in village/s and transect walk/s along existing and/or proposed alignment of infrastructure by officials, land owners and consultants.

# Attachment 7: Inventory of Loss and Status of Affected Households - Severely Affected and/or Vulnerable Affected Households and Their Loss of Productive Land

					Aff	ected Househ	iolds								Pro	ductive Land	Affected		
Survey No.							Status / Vulne	erability				Total Prod	uctive Land	Affected	Affected	Threshold	Grouping: p	rod. Land	
Survey No.	Names	Population		Social		Ethnic	Group	Widowed	Disabled	Female headed AH	Male headed AH	< 300sqm	Total	Productive Land	Portion	<5%	5 to 9.9%	10% or more	Type of Land Use
		[no]	Poor	Middle	Rich	Lao Thai	Mon Khmer	Widowcu	Disablea	[no]	[no]	[m²]	[m²]	[m2]	[%]		[cases]		
SUBPR	OJECT'S IN	FRAST	RUCTU	RE C	ОМРО	NENTS:	Irrigation												
	PRIVATE LAND																		
1	Mr. Bounchim	7		Х			X				х		22.000	180	0,8	х			Paddy land
2	Mr. Khamwy	5			Х		X				х		19.000	120	0,6	Х			Paddy land
3	Mrs. Sin	6		Х		X		Х		х			3.600	120	3,3	Х			Paddy land
4	Mr. Woeui	5		X			X				х		10.000	180	1,8	X			Paddy land
5	Mr. Souk	5		Х			X				Х		4.000	120	3,0	Х			Paddy land
6	Mr. Bounloeui	7		X			X				х		8.000	180	2,3	X			Garden land
Affected I	louseholds (AHs)	35	No case	5	1	1	5	1	No case	1	5	No case	66.600	900	1,4	6	No case	No case	Whether APs require
concerning	g selected criteria evere and/or	AP	Poor	Middle	Rich	Lao Thai	Mon Khmer	Widowed	Disabled	Female	Male	< 300sqm	Total [sqm]	Total [sqm]	%		[cases]		compensation or donate their affected land they will
vulnerab	le status of their	6		Social		Ethnic	Group	Widowed	Disablea	headed AH	headed AH	Total Prod	uctive Land	Affected Productive	Affected Portion	<5%	5 to 9.9%	10% or more	decide during updating surveys and measurements
Апестес	l Persons (APs)	AHs				S	tatus / Vulne	erability						Land	PULUUI	Threshol	d Grouping:		at detailed design stage.

#### **Attachment 8: District Compensation Unit Rates**

#### Nam Oun Irrigation Subproject – Houn District – Oudomxay Province

itaii Gai ii iga			
Serial Number	Type of Land	Unit Compensation Rates [KN/m²]	
1	Resident land	150,000	
2	Garden land	20,000	
3	Irrigated land	20,000	
4	Rain-fed land	10,000	



Note: The district provides annual unit compensation rates orientated towards market rates.