

# Resettlement Planning Document

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Resettlement Plan

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## Lao PDR: GMS Northern Power Transmission Project

Prepared by Ministry of Energy and Mines, Electricité du Laos

The resettlement plan is a document of the borrower. The views expressed herein do not necessarily represent those of ADB's Board of Directors, Management, or staff, and may be preliminary in nature.

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## Acronyms & Abbreviations

<b>ADB</b>	Asian Development Bank	<b>Lao PDR</b>	Lao People's Democratic Republic
<b>AP</b>	Affected Person	<b>MAF</b>	Ministry of Agriculture and Forests
<b>CEMP</b>	Contractor's Environmental Management Plan	<b>NBCA</b>	National Biodiversity Conservation Area
<b>CBO</b>	Community Based Organisation	<b>NPTP</b>	Northern Power Transmission Project
<b>DMS</b>	Detailed Measurement Survey	<b>NGO</b>	Non-Government Organisation
<b>EdL</b>	Electricité du Laos	<b>PAF</b>	Project Affected Family
<b>EMA</b>	External Monitoring Agency	<b>PIB</b>	Project Information Booklet
<b>EMP</b>	Environmental Management Plan	<b>PIC</b>	Project Implementation Consultant
<b>FHH</b>	Female Headed Household	<b>PMU</b>	Project Management Unit
<b>GAP</b>	Gender Action Plan	<b>RF</b>	Resettlement Framework
<b>GoL</b>	Government of Lao People's Democratic Republic	<b>RoW</b>	Right-of-Way
<b>GRC</b>	Grievance Redress Committee	<b>RP</b>	Resettlement Plan
<b>HHH</b>	Household Head	<b>SPAF</b>	Severely Project Affected Family
<b>HH/s</b>	Household/s	<b>T&amp;D</b>	Transmission and Distribution
<b>IEE</b>	Initial Environmental Examination	<b>USD</b>	United States Dollars
<b>IoL</b>	Inventory of Loss	<b>WREA</b>	Water Resources and Environment Administration (within Prime Ministers Office)
<b>LA</b>	Land Acquisition	<b>ZoI</b>	Zone of Influence

## Executive Summary

### Introduction

The Government of the Lao People's Democratic Republic (GoL) through its executing agency Electricity du Laos (EdL) has identified a project that will extend EdL's on-grid electricity transmission and distribution (T&D) network and strengthen power interconnections with Thailand, in the northern and western parts of the country.

The proposed project will support GoL's goal of electrifying up to 90% of the country's households by 2020, mainly through grid extensions. Electrification of selected villages will contribute to raising rural standards of living and facilitate the establishment of physical and social infrastructure and income generating opportunities to support sustainable economic growth in those areas, and thereby reduce disparities between rural and urban standards of living.

The project components are as follows:

#### **Module 1:**

- 115 kV Transmission Line Paklay to Nonhai, 98.0 km
- 115 kV Transmission Line Kenthao at the Thai border to Paklay, 74.6 km
- Medium (22 kV) and low voltage (400 V) power distribution facilities.

#### **Module 2:**

- 115 kV Transmission Line Paklay to Xayabury, 122.72 km
- Paklay 115/22 kV Substation - new substation
- Nonhai 115/22 kV Substation - extra line bay
- Xayabury 115/22 kV Substation - extra line bay
- Medium (22 kV) and low voltage (400 V) power distribution facilities.

#### **Module 3:**

- 115 kV Transmission Line Namto to Boun Neua, 102.4 km
- Boun Neua 115/22 kV Substation - new substation
- Namto 115 kV Switching Station - new switching station
- Medium (22 kV) and low voltage (400 V) power distribution facilities.

This RP has been prepared taking into account the general findings of the preliminary inventory of losses survey, socio-economic survey data, field visits, census data and meetings with stakeholders in the project area. The RP applies to the high voltage transmission lines and substation works.

Given the scale of assessed resettlement impacts, this project is a "Category B" resettlement project under the ADB OM Section F2/OP. Accordingly, this RP is a "Short" RP. Notwithstanding this categorization, the RP comprehensively addresses the likely resettlement impacts associated with the project.

This draft RP has been prepared based on a concept design and comprises as thorough assessment as can be undertaken in the absence of a detailed design. When the detailed design and detailed measurement survey has been undertaken, a detailed update of this RP will be completed. The update will involve updating the legal framework (if necessary), AP and community consultation, new socio economic surveys, inventory of loss, new compensation rates for lost assets (including crops and trees), a detailed livelihood restoration plan (if required), updates to the Grievance Redressal Mechanism, budget and implementation updates and re-disclosure in accordance with ADB policy.

The medium (22 kV) and low voltage (400 V) power distribution facilities and location of access roads will not be known until following the works contractor's detailed design. Therefore, these components are covered in a separate Resettlement Framework.

A number of design initiatives have been made to minimise land acquisition and eliminate the need for resettlement, including attention to the transmission route to avoid impacts, use of government land for the substation, locating lines along land borders where residential land cannot be avoided and consideration to support structure designs with the least land acquisition requirement.

The Resettlement Plan's policy and legal framework, and entitlement matrix are based on the *ADB Policy on Involuntary Resettlement (1995)* and *Operations Manual Section F2 (2006)*, the *Constitution of Lao PDR (1991)*, the *Decree 192/PM on Compensation and Resettlement of People Affected by Development Projects*, (Government of the Lao PDR, 2005), plus the associated Lao policies, practices and technical guidelines in the *Regulation on Resettlement and Compensation (2005)*. Also relevant are the Lao PDR Land Law, (1997), the Forestry Law (1996), the Electricity Act 2049 (1992) and the Electricity Law (1997). Where a gap exists, the ADB policy has been used. The over-riding principle of the Resettlement Plan is that where a person or group is affected by land acquisition, damage to income generating assets/activities or resettlement as a result of the project, compensation will be allocated in order that livelihoods are the same or better than before the project. The entitlement matrix, resettlement policies and procedures set out in this Resettlement Plan reflect this principle.

This RP includes measures for stakeholder participation and full disclosure of all information relating to the project. The RP also details mechanisms for stakeholders to express and resolve any grievances.

### **Summary of Resettlement Impacts**

A field census/survey and consultation session was carried out during the period of January - February 2007. The activities included (i) full census of affected structures/assets, (ii) inventory of affected land and non-land assets; (iii) consultations at the village level with community members including women and representatives of all ethnic groups, local leaders, EdL officials and the land users.

Consultation sessions were also held with the representatives of the village administration and neighbours of the Project Affected Families (PAFs) in order to understand community's response to the project, perceived benefits and impacts, local needs/options, project options and choices. This included 24, 4 and 24 gender-separated ethnic minority participatory discussion groups and 6, 4 and 6 district key informant interviews respectively for Modules 1, 2 and 3, as part of the social assessment carried out for the Project.

### **Module 1 Impacts – 17 households**

17 households are affected in Module 1 by permanent land acquisition for the T/L towers, relating to 94 men, women and children and 2 ethnic groups. Among the 17 PAFs, all are male-headed families, fifteen are ethnic majority Lao and two are minority Hmong.

### **Module 2 Impacts – 3 households**

Three households are affected in Module 2 by permanent land acquisition for the T/L towers, relating to 18 men, women and children. Among the three PAFs, there are no Female Headed Households (FHH), and all are Lao ethnic majority.

### **Module 3 Impacts – 8 households**

A total of 8 households are affected in Module 3 by permanent land acquisition for the T/L towers, relating to 33 men, women and children and 2 ethnic groups. Among the 8 PAFs, one is a Female Headed Household (FHH), 7 were Phounoi and one Yang ethnic minorities.

Socio-economic data of PAFs is discussed in Section V of this RP. None are severely affected or vulnerable

### **Ethnic Minority Specific Actions**

Among the 28 affected families, ten are ethnic minority, including two Hmong families being affected by Module 1 and eight families (Tibeto-Burmese and Tai-Kadai) being affected by Module 3. These families are integrated in the communities where they live. They understand Lao language and their children go to the Lao language school. The affected ethnic minority families practice rice agriculture and livestock similar to other Lao families. For all ethnic families, the impact level is less than 10% of agriculture and garden land. To ensure that ethnic minority affected households do not get marginalized during the process of compensation, ethnic minority specific actions are included in the resettlement plans:

- During detail measurement survey, the effected ethnic minority families will be consulted effectively in order to ensure that the affected families are fully aware about loss of asset and land acquisition;
- The updated resettlement plan will include a comprehensive analysis of socio-economic impact of land acquisition and access to forest resources for ethnic minority affected families to determine differential impact between ethnic majority and ethnic minority households;
- All resettlement related meeting for land acquisition, compensation etc, the participation of all the affected ethnic minority households will be ensured;
- Disaggregated monitoring indicators by ethnicity will be included in the monitoring system of the resettlement plan.

### **Gender Strategy**

The following gender strategy will be implemented in planning of resettlement activities:

- In updating resettlement plan, women from the affected households including ethnic minority women and female headed households will be consulted during detail measurement survey;
- Socio economic profile of the affected people and detail measurement survey will be disaggregated by gender and ethnicity;
- Women's participation, especially ethnic minority, poor women and female headed households will be ensured in disclosure meetings; Information will be provided in local language as well as with information booklets;
- Participation of Lao village Women's Union representatives will be ensured in the disclosure meeting and planning of resettlement activities;
- Where Project involves granting new land or replacement land for acquired land, the title of land will be in the name both spouses;
- The EDL staff will be provided with orientation on gender and resettlement checklist of ADB to ensure that gender strategy is implemented in resettlement activities;
- Gender disaggregated monitoring indicators will be developed to monitor resettlement activities in terms of women's participation in the consultation for detail management survey, disclosure meeting, land titling, compensation, and to measure the impact of resettlement on poor women, and ethnic minority women.

### **Grievance Redress Mechanism**

District level Grievance Redress Committees (GRCs) will be established in each district. Each GRC will comprise of:

- Representative from local government (Chair)
- Provincial Water Resource of Environmental Agency (WREA)
- Provincial Ministry of Energy and Mines
- Provincial Land Office
- Village heads
- Two village elders or representatives of local mass organisation/s, at least one of whom should be a woman
- Two representatives from PAFs (at least one being female or representative of minority ethnic group)
- EdL provincial officer.

Participation of project-affected people is ensured through their involvement in the Grievance Redress Committees (GRC) as shown above. The PMU and EdL field offices will establish and maintain ongoing interaction with the PAFs and communities to identify problems and undertake timely remedial actions. There will be involvement of local institutions or organisations, non-government organisations (NGOs), women's unions and community-based organisations (CBOs) in terms of membership of the GRC (as decided by the Chair).

The process will be as follows: In the first instance, APs will submit their grievances to EdL via the project implementation team. If the AP is not satisfied with EdL's efforts to resolve the problem or grievance, within 15 days the matter will be referred by the AP to the district GRC. If the AP does not receive any response from the district level GRC within 15 days of filing the complaint, or the matter is not resolved to the AP's satisfaction, the complaint may then be submitted to the EdL head office of EdL and WREA. If the matter still remains unresolved within 20 days of filing the complaint with EdL head office and WREA, the complainant may then forward the case to the Court of Law. The Project will cover all administrative and legal costs incurred relating to the grievance redress procedures.

### **Implementation Arrangements**

EdL is the Executing Agency. EdL has an **Environmental Office** in its Power Generation and Project Department. This Department has two sections covering environment and social, and a total of 10 staff, one of whom is primarily responsible for resettlement planning. Key capabilities and activities of the Office are management of social impact assessments, environmental impact assessments, initial social and environmental examinations, monitoring, auditing, and associated project studies. This office is responsible for the overall coordination of organisations involved in resettlement, and supervision and management of RP implementation. The Environmental Office will work in close conjunction with the Project PMU.

More detailed discussion of EdL's capacity is provided in Section X of this RP.

**Local and Provincial Authorities** Local and Provincial Authorities are given the mandate under Article 34 of the Regulations for Implementing Decree 192 to assist the Project in various resettlement planning and implementation activities. Resettlement Committees will be established at the Provincial and District level. The Provincial Compensation Committee will comprise representatives from EdL, Provincial Ministry of Energy and Mines, Provincial Cabinet, Provincial Water Resource of Environmental Agency (WREA) and Provincial Land Office. The District Compensation Committee will be chaired by the Vice Chief of the District, District level managers and the heads of relevant villages.

The District Level committees assume the key role in assisting the project in various resettlement planning and implementation activities while the Provincial level committees focus on ensuring consistent application of the approved RP in the Province.

Water Resource of Environmental Agency (WREA) (previously STEA) is the government agency responsible for review and approval (or otherwise) of a RP for every project with land acquisition or resettlement in Laos. WREA may also undertake periodic monitoring of resettlement implementation. Provincial WREA staff are involved in compensation committees

## I. INTRODUCTION

### A. Project and Project Area Description

1. The Government of the Lao People's Democratic Republic (GoL) through its executing agency Electricity du Laos (EdL) has identified a project that will extend EdL's on-grid electricity transmission and distribution (T&D) network and strengthen power interconnections with Thailand, in the northern and western parts of the country.

2. The proposed project will support GoL's goal of electrifying up to 90% of the country's households by 2020, mainly through grid extensions. Electrification of selected villages will contribute to raising rural standards of living and facilitate the establishment of physical and social infrastructure and income generating opportunities to support sustainable economic growth in those areas, and thereby reduce disparities between rural and urban standards of living.

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- Namo 115 kV Switching Station - new switching station
- Medium (22 kV) and low voltage (400 V) power distribution facilities.

#### **Nonhai to Paklay Scheme (Module 1)**

4. The Nonhai to Paklay 115 kV transmission line commences at Nonhai substation in Feuang district Vientiane province and tracks to the west through Xanakham district where it crosses the Mekong river and enters Xayabury province about 10 km north of Paklay town. From the Nonhai substation the transmission line will take the most direct route across farm land to reach the hills. From here the line will go westwards through an area of hills until it intersects with the newly constructed Route 11 road at Nasack at about km 46. From this point the line follows the road with easy construction access and minimal habitation until it reaches the Mekong just north of the ferry crossing point at Ban Kockhaodo.

5. The topography of this line commences in a flat open valley where rice paddy and other agriculture are prolific. The line passes over two major mountain ranges which are densely forested, whereas the road skirts a considerable distance to the south through an area which is well populated and the land is extensively cultivated up to foothill level with mango, banana and teak plantations much in evidence..

6. The main ethnic groups around Nonhai are Lao and Hmong, with some Mien ethnic minorities. On the Kockhaodo side of the mountains the ethnic mix is almost exclusively Lao. At the Paklay substation site,

which is adjacent to a timber mill and has houses nearby of itinerant workers, residents belong to Lao, Hmong, Leiu and Lao Kang ethnic groups.

### **Paklay to Kenthao Scheme (Module 1)**

7. This 75 km 115 kV transmission line commences at the proposed substation site (government land, title documents sighted) about 10 km north of Paklay town and close to the western bank of the Mekong River. From the substation site the line crosses the main road to the west and traverses up into the hills to roughly parallel the dirt road all the way south to Kenthao, where the line comes down from the hills, traverses some farm land and crosses the Heuang River at Ban Phouane village, to Thailand on the other side. The line is up to 5,000 metres distant from the road to avoid teak plantations and tree crops of other species on the western side of the road. The proposed tower sites are on ridges running at a tangent to the road in order to minimise the need to clear vegetation under the line. There are approximately nine villages close to the transmission line along this route, comprised of Lao, Khmou and Hmong ethnic groups.

8. The road follows a north-south valley with steep hills on either side and tributaries to the Mekong on the east side in some areas. The vegetation is a mix of degraded natural forest, bamboo forest, rice paddies where the valley flattened out and on low hills immature teak plantations, groves of mango and papaya, and extensive crops of maize. This area was also noted for large numbers of cattle.

### **Paklay to Xayabury Scheme (Module 2)**

9. This proposed 115 kV transmission line commences at the Paklay 115/22 kV substation site (to be constructed under Module 1 of the Project - government land, title documents sighted) about 10 km north of Paklay town and close to the western bank of the Mekong River. From the substation site the line crosses the main road to the west and traverses up into the hills to roughly parallel the dirt road all the way north to Hongsa. The line is up to 5,000 metres distant from the road to avoid plantations on the western side of the road. The proposed tower sites are on ridges running at a tangent to the road in order to minimise the need to clear vegetation under the line. Villages close to the transmission line along this route comprise Lao, Leiu and Khmou ethnic groups.

10. The road follows a north-south valley with steep hills on either side and tributaries to the Mekong on the east side in some areas. The vegetation is a mix of degraded natural forest, bamboo forest, rice paddies where the valley flattened out. Following the road northwards, the elevation increases and as the land becomes increasingly steeper and the road windier, villages become further apart and agriculture if any is of the swidden type. The town of Xayabury 120 km north of Paklay (substation) is situated close to the Mekong (west bank) on a wide plain, with the approach from the south being extensively populated in a peri-urban manner for about 30 km.

11. The approximate population of the project's affected area is about 5,022.

### **Namo to Boun Neua Scheme (Module 3)**

12. The Namu to Boun Neua 115 kV transmission line commences at the proposed site of the Namu switching station, which is currently a farm with a small house and pineapple fields set above the road. There was evidence that clearing had commenced of vegetation from the ridges to accommodate towers taking power from the site in a westerly direction to Luangnamtha. From Namu there are two roads running NE, the northern one being most improved. The two roads join after 8.5 km and continue up a common river valley for 23 km, linking to the Chinese border road at km 15. The road becomes increasingly difficult to use with improvised stream crossings. The main land uses in this area were plantation pineapple, chilli, and paddy

rice in the flatter areas. There was much evidence of swidden cultivation. A fish hatchery/ conservation area was also observed. There is currently no continuation of this road towards Boun Tai, necessitating a circular deviation via Oudomxay of 165 km to Boun Tai. There is currently a 10 km section of the Boun Neua-Boun Tai road which is impassable to traffic.

13. From Boun Tai south towards Boun Neua, there is considerable planting of trees in evidence along the upgraded portion of the road, perhaps to assist with erosion control. All villages along the Boun Neua-Boun Tai section of the route were not electrified, except for some which were utilising pico-hydro. At the southernmost village accessible from Boun Tai the village women were observed to be well organised in production of weaving. They undertook the full production cycle from growing cotton, to de-seeding, spinning and weaving. A woman from Phongsaly visited the village once a month to buy the finished products. Along this road there was also a large cleared area where Chinese contractors were building offices and what looked like a warehouse.

14. Boun Tai itself is a small town with a market. From this point the proposed transmission line changes direction to the NW for 20 km then to the north for a further 20 km to meet the proposed site of the Boun Neua substation. This section of the transmission line parallels the road, which is improved gravel surface, yet windy and steep in parts. Towards Boun Neua the terrain flattens out into an area of rice paddies. Boun Neua itself has a bus station, guest house, half a dozen shops and a small market. Groups of Akha women were observed passing through the town selling handicrafts such as traditional clothing and dolls. The substation site is about 5 km short of Boun Neua town in a village area servicing adjacent agricultural fields. The substation site is a low mounded hill with access from the road already cleared. The entire area is not connected to grid electricity presently, representing unmet demand of approximately 1,088 households. The northern part of the area is dominated by the ethnic minorities Leu and Phnoi, with two villages of Yang and one of Chipia. The southern (Namo to Tham) part of the area is dominated by the ethnic minority Leui, with one village of Khmu and one of Taidam.

## **B. Preparation of Resettlement Planning Documents**

15. This RP has been prepared taking into account the general findings of the preliminary inventory of losses survey, socio-economic survey data, field visits, census data and meetings with stakeholders in the project area. The RP applies to the high voltage transmission lines and substation works.

16. This draft RP has been prepared based on a concept design and comprises as thorough assessment as can be undertaken in the absence of a detailed design. When the detailed design and detailed measurement survey has been undertaken, a detailed update of this RP will be completed. The update will involve updating the legal framework (if necessary), AP and community consultation, new socio economic surveys, inventory of loss, new compensation rates for lost assets (including crops and trees), a detailed livelihood restoration plan (if required), updates to the Grievance Redressal Mechanism, budget and implementation updates and re-disclosure in accordance with ADB policy.

17. The medium (22 kV) and low voltage (400 V) power distribution facilities and location of access roads will not be known until following the works contractor's detailed design. Therefore, these components are covered in a separate Resettlement Framework.

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

### **A. Measures to Minimise Resettlement Impacts**

18. Based on consultation with various stakeholders and the project engineering team the following measures were and will be undertaken to minimise resettlement impacts:

- For transmission lines, considerable re-routing was undertaken following an initial field appraisal to avoid populated areas, paddy, and plantation land to the extent possible
- For the new substation at Paklay, built-up areas were avoided and EdL-owned land was identified
- Where government owned or non-agricultural/uninhabited land was not available, suitable land was sought from a single land owner with a large block to minimise the number of APs and also the impact on any single AP
- If a location required relocation of APs, it was avoided
- For transmission line towers, houses and structures were avoided and unused land was selected as much as practicable
- All efforts will be made to reduce negative impacts during detailed design and throughout the project implementation process.

### **B. Land Requirements for the Transmission Lines and Substation**

19. **The project involves no relocation and very limited land acquisition** since it has been designed to avoid built-up and agricultural areas to the extent possible and the new substation is to be located on EdL-owned land. There is no requirement to purchase land underneath power lines; however in some cases landholders will be required to remove or trim back trees which would interfere with lines, in which case an easement fee has will be paid.

20. Physical construction involves permanent acquisition of 1,169 tower footprints (503, 378 and 288 respectively for Modules 1, 2 and 3), each with an average size of 25 m<sup>2</sup>. Compensation footprints will be calculated at 36 m<sup>2</sup> to allow for concrete tower footings. The project will also require temporary access roads to straining towers during line stringing. Such access tracks have been calculated to be on average 2 m x 500 m. Such temporary land acquisition may affect crops which will be compensated under this RP

21. Towers will be utilised in most instances rather than concrete poles (the latter usually being preferable since less land acquisition is required) due to the hilly nature of the terrain. Steel lattice towers, while requiring more land at the base, allow conductors to be spanned across valleys. They are also more constructible in mountainous terrain, and can support more weight therefore fewer are required. Towers can be transported in small pieces if necessary and assembled by hand on site. Towers also offer greater construction flexibility for hilly areas, with a taller tower allowing a longer span between structures. The average span between towers in Modules 1, 2 and 3 is 343, 325 and 356 m respectively. Conductors will be strung from tower to tower with a minimum clearance to ground of 15 m. The construction of transmission lines may restrict the land use underneath in certain areas due to building restrictions and tree height restrictions.

### **C. Scope of Resettlement Impacts**

22. A field census/survey and consultation session was carried out during the period of January - February 2007. The activities included (i) full census of affected structures/assets, (ii) inventory of affected land and non-land assets; (iii) consultations at the village level with community members including women and representatives of all ethnic groups, local leaders, EdL officials and the land users.

23. Consultation sessions were also held with the representatives of the village administration and neighbours of the Project Affected Families (PAFs) in order to understand community's response to the project, perceived benefits and impacts, local needs/options, project options and choices. This included 24, 4 and 24 gender-separated ethnic minority participatory discussion groups and 6, 4 and 6 district key informant interviews respectively for Modules 1, 2 and 3, as part of the social assessment carried out for the Project.

#### Module 1 Impacts – 17 households

24. 17 households are affected in Module 1 by permanent land acquisition for the T/L towers, relating to 94 men, women and children and 2 ethnic groups. Among the 17 PAFs, all are male-headed families, fifteen are ethnic majority Lao and two are minority Hmong.

#### Module 2 Impacts – 3 households

25. Three households are affected in Module 2 by permanent land acquisition for the T/L towers, relating to 18 men, women and children. Among the three PAFs, there are no Female Headed Households (FHH), and all are Lao ethnic majority.

#### Module 3 Impacts – 8 households

26. A total of 8 households are affected in Module 3 by permanent land acquisition for the T/L towers, relating to 33 men, women and children and 2 ethnic groups. Among the 8 PAFs, one is a Female Headed Household (FHH), 7 were Phounoi and one Yang ethnic minorities.

27. Socio-economic data of PAFs is discussed in Section III. None are severely affected or vulnerable.

28. Community-utilised forest land and residential land traversed by the transmission lines will be affected by restricted use. The affected persons using the community-utilised forest and residential land and the severity of impacts will be identified during detailed design and detailed measurement survey. The impacts outlined below are based on a detailed land use assessment along the concept design route given a 25m wide Right of Way for the transmission line and an allowance for access roads.

**Table 1: Land Acquisition and Project Impacts**

Loss Category	Unit	Quantity	PAFs
<b>Module 1:</b>			
<b>Agricultural, Residential, Commercial &amp; Forestry Land</b>			
Land (Permanent - government land)	m <sup>2</sup>	20,888	TBD*
Land (Permanent -private residential and agricultural land)	m <sup>2</sup>	621	17
Land (Temporary) - for access roads)	m <sup>2</sup>	53,000	TBD**
<b>Crops and Trees</b>			
Trees & Perennial Crops	m <sup>2</sup>	various	6
Non-Perennial Crops	m <sup>2</sup>	180	5
<b>Community Facilities &amp; Resources</b>			
Community Forest Area	km <sup>2</sup>	43	TBD***
<b>Restricted Use (Traversed by Transmission Lines)</b>			
Plantation Land	m <sup>2</sup>	12,500	TBD
Residential land	m <sup>2</sup>	300	TBD
Plantation Land (Teak Trees)	m <sup>2</sup>	20,888	TBD*
<b>Module 2:</b>			
<b>Agricultural, Residential, Commercial &amp; Forestry Land</b>			
Land (Permanent - government land)	m <sup>2</sup>	15,656	TBD*
Land (Permanent - private residential and agricultural land)	m <sup>2</sup>	172	3
Land (Temporary - for access roads)	m <sup>2</sup>	32,000	TBD**
<b>Crops and Trees</b>			

Loss Category	Unit	Quantity	PAFs
Trees & Perennial Crops	m <sup>2</sup>	various	2
Non-Perennial Crops	m <sup>2</sup>	0	0
<b>Community Facilities &amp; Resources</b>			
Community Forest Area	km <sup>2</sup>	245.7	TBD***
<b>Restricted Use (Traversed by Transmission Lines)</b>			
Residential land	m <sup>2</sup>	0	TBD
<b>Module 3:</b>			
<b>Agricultural, Residential, Commercial &amp; Forestry Land</b>			
Land (Permanent - government land)	m <sup>2</sup>	11,716	TBD*
Land (Permanent -private residential and agricultural land)	m <sup>2</sup>	288	8
Land (Temporary) - for access roads)	m <sup>2</sup>	25,000	TBD**
<b>Crops and Trees</b>			
Trees & Perennial Crops	m <sup>2</sup>	various	4
Non-Perennial Crops	m <sup>2</sup>	180	1
<b>Community Facilities &amp; Resources</b>			
Community Forest Area	km <sup>2</sup>	77	TBD***
<b>Restricted Use (Traversed by Transmission Lines)</b>			
Plantation Land (vicinity of Luangnamtha substation)	m <sup>2</sup>	7,500	TBD
Residential land (outer suburbs of Houayxay)	m <sup>2</sup>	0	TBD
Plantation Land (Teak Trees) ( close to Luangnamtha)	m <sup>2</sup>	11,716	TBD*

Note:

\* PAFs to be determined (TBD). There may be households cultivating government land. Households identified during detailed design will be considered PAFs and will be compensated for crops and trees as per RP entitlements.

\*\* PAFs to be determined (TBD) during detailed design. Since location of access roads cannot be determined prior to detailed design. \*\*\* PAFs (for collective loss) to be determined (TBD) during detailed design.

#### (i) Permanent Loss of Agricultural Land & Restricted Use of PAF-owned Plantation Land (Teak)

29. In Module 1, seventeen PAFs, all with legalisable tenure, will each lose 36 m<sup>2</sup> of land to enable the construction of a power transmission tower along the two alignments. One PAF, with a transmission tower on their land, will be affected due to the restricted use under the transmission line which will pass over their forestry plantation block. In Module 2, three PAFs, all with legalisable tenure, will each lose 36 m<sup>2</sup> of land to enable the construction of transmission towers between Paklay and Xayabury substations. In Module 3, eight PAFs, all with legalisable tenure, will each lose 36 m<sup>2</sup> of land to enable the construction of transmission towers between Nonhai and Boun Neua

**Table 2: AP Land Loss Summary (including restricted use)**

District	Village	ID	APs Name	HH Size	Type of Land	Tenure	Total Area	Affected Area	% Loss
<b>Module 1</b>									
<b>A. Permanent Acquisition of Agricultural Land</b>									
Feuang	Nonhai	23	Jangtongmau	11	res land	Legal/isable	5,000	36	0.7
Xanakham	Nonsavanh	25	Xiengty	3	ag land	Legal/isable	143,000	36	0.0
Xanakham	Nonsavanh	26	Souli	6	ag land	Legal/isable	278,000	36	0.0
Xanakham	Nonsavanh	27	Sao	5	res land	Legal/isable	9,000	36	0.4
Xanakham	Nonsavanh	28	Sy	4	ag land	Legal/isable	25,000	36	0.1
Feuang	Namhon	29	Jeuavavang	6	ag land	Legal/isable	40,000	36	0.1
Paklay	Namsong	30	Nidavanh	5	ag land	Legal/isable	13,000	36	0.3
Paklay	Namsong	31	Ken	4	ag land	Legal/isable	5,100	36	0.7
Paklay	Namsong	32	Siw	5	ag land	Legal/isable	19,000	36	0.2
Paklay	Namsong	33	Vixay	7	res land	Legal/isable	1,500	36	2.4
Paklay	Namsong	34	Leudsavath	7	ag land	Legal/isable	2,277	36	1.6
Kenthao	Nabon	35	Khammor	4	ag land	Legal/isable	9,300	36	0.4
Kenthao	Nabon	36	Pheng	6	ag land	Legal/isable	15,000	36	0.2
Kenthao	Phouane	37	Kongna	7	ag land	Legal/isable	5,000	36	0.7

District	Village	ID	APs Name	HH Size	Type of Land	Tenure	Total Area	Affected Area	% Loss
Kenthao	Phouane	38	Bounmy	4	res land	Legal/isable	449	36	8.0
Kenthao	Phouane	39	Soulisak	3	res land	Legal/isable	663	36	5.4
<b>B. Restricted Use of Forest Land Owned by PAFs</b>									
Feuang	Nonhai	24	Keonin	7	ag land	Legal/isable	3,000	300	10.0
<b>Module 2</b>									
Xayabury	Thana	40	Kham	2	ag land	Legal/isable	2,000	36	1.8
Xayabury	Thana	41	Theuang	4	res land	Legal/isable	3,770	36	1.0
Xayabury	Thana	42	Ounheuan	4	ag land	Legal/isable	6,000	36	0.6
<b>Module 3</b>									
<b>A. Permanent Acquisition of Agricultural Land</b>									
Boun Neua	Phiengdokkham	1	Thongsavanh	4	res land	Legal/isable	663	36	5.4
Boun Neua	Phiengdokkham	2	Khamsouk	3	res land	Legal/isable	5,080	36	0.7
Boun Neua	Sentham	3	Teng	2	res land	Legal/isable	3,000	36	1.2
Boun Neua	Sentham	4	Kai	3	ag land	Legal/isable	10,200	36	0.4
Boun Neua	Sentham	5	Ann	4	ag land	Legal/isable	4,600	36	0.8
Boun Neua	Donxay	6	Chaikao	7	ag land	Legal/isable	2,400	36	1.5
Boun Neua	Donxay	7	Maisan	6	ag land	Legal/isable	1,500	36	2.4
Namor tai	Namor	8	Sing	4	ag land	Legal/isable	16,000	36	0.2

## (ii) Impacts on Trees and Annual Crops Owned by PAFs

30. Impacts on Trees and Annual Crops. PAFs will also lose trees and crops as shown in Table 3.

**Table 3: List of Affected Trees and Crops**

Type*	Unit	Quantity
<b>Module 1</b>		
coconut	tree	4
banana	clump	27
rice paddy	m <sup>2</sup>	180
papaya	tree	4
agar	m <sup>2</sup>	36
sugar cane	m <sup>2</sup>	11.88
mango	tree	9
<b>Module 2</b>		
banana	clump	1
Mango > 7 yrs	tree	8
<b>Module 3</b>		
rubber	m <sup>2</sup>	84
teak	m <sup>2</sup>	24
rice paddy	m <sup>2</sup>	36
sugar cane	m <sup>2</sup>	36

\*This table does not include community forest losses as these will occur along the transmission line corridor and will not be known accurately until detailed design is complete. Teak trees enumerated here do not form part of a plantation.

## (iii) Restricted Land Use Traversed by the Transmission Lines

31. The construction of transmission lines will restrict the land use underneath in certain areas due to (i) building restrictions and tree height restrictions. In Module 1, these restrictions were identified as triggered in one location close to Nonhai where plantation forestry of teak will be restricted, and in the outer suburbs of Paklay at Ban Namsong where potential house building as the residential area of the city expands. In Module 2, these restrictions were not identified as triggered in the three locations of PAFs. In Module 3, these

restrictions were identified as triggered in Boun Neua where potential house building may be restricted as the residential area of the village expands. These restrictions relate to:

- Module 1: Restrictions on teak plantation land 12 linear metres @ 25 m width RoW = 300 m<sup>2</sup>
- Module 1: Restrictions on residential land 1,320 linear metres @ 25 m width RoW = 12,500 m<sup>2</sup>
- Module 3: Restrictions on residential land 300 linear metres @ 25 m width RoW = 7,500 m<sup>2</sup>

32. For plantation and residential land, land-for-land will be the preferred option. Failing this, cash compensation for easement fee equivalent to 100% value of plantation and residential land will be paid.

#### **(iv) Impacts on Community-Utilised Forest Land**

33. In Modules 1, 2 and 3, the T/L will traverse community forest land, estimated at 43, 246 and 77 km respectively. This will have impacts on nearby communities who use the forest for collection of non-timber forest products and hunting. These products are difficult to quantify or ascribe commercial value to at this stage without a detailed design or detailed biological study in each affected area. Therefore, compensation has been calculated on a per kilometre basis based on values from the October 2006 World Bank-funded 115 kV Xeset 1- Saravan Transmission Line Project. This provides sufficient accuracy for budgeting purposes and to understand the scope of impacts, both of which will be verified at the time of RP updating.

### **III. LEGAL AND POLICY FRAMEWORK**

34. The legal framework and policy of the Project are based on the Government's Laws and Regulations and ADB's relevant policies. Provisions and principles adopted in this Resettlement Plan for the Project supersede the provisions of relevant decrees currently in force in Lao PDR wherever a gap exists.

#### **A. Government Laws and Policies**

35. The Constitution. Article 14 of the Constitution declares that the State protects and promotes all forms of state, collective, and individual ownership. Article 15 declares that the land within the Lao PDR is owned by the national community and that the State ensures the right of citizens to use, transfer, and inherit it in accordance with the law. Article 8 establishes the right of all ethnic groups relative to the preservation and promotion of their customs and heritage. All acts of division and discrimination among ethnic groups are prohibited.

36. The Land Law, adopted by the National Assembly in 2003<sup>1</sup>, is the principal legislation by which the State exercises its constitutional responsibility for tenure, access, use and management, preservation of land. Several articles of particular importance to resettlement are summarised below:

- (i) Article 3 reaffirms that all land in the Lao PDR is the property of the national community (as stated in the Constitution, Article 15) for whom the State is the uniform central administrative representative throughout the Country and individuals... are assigned to effectively use the land... (only non-forest land in private title or land held under a long-term lease can be transferred).
- (ii) Article 5 protects the legal rights and benefits of those who have effectively received the right to use land including the right to transfer it.

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<sup>1</sup> Land Law 2003 supersedes the Land Law 01/97 dated 12 April 1997.

- (iii) Article 11 classifies land into eight categories, and subsequent chapters of the Law are concerned with the management of each. The categories are: agricultural land, forest land, water area land, industrial land, communication land, cultural land, defence and security land and construction land.
- (iv) Article 43, refers to the certification of the lawful land use rights of persons or entities. There are two land registration methods (Article 44) by which individuals can register the land which they are using lawfully. First is systematic land registration, which is carried out throughout a designated area where land allocation, zoning, or classification is required. Systematic registration confers a Land Title. Second, persons or entities can make application to certify their right to use certain land.
- (v) Under Article 48, land certificates are issued certifying the temporary right to use agricultural or forest-land which are issued by district level authorities. These land certificates can be inherited, but cannot be transferred or used as collateral,
- (vi) Article 53 states that persons who have received the right to use the land have the following rights: to protect land for use for a specific objective, to use land a specific purpose in accordance with the State's allocation plan, to enjoy usufruct or income from the land, to transfer the right of land use, and to inherit the right of land use
- (vii) Article 63 states that the right of land use shall terminate either through voluntary relinquishment of the land or if the State retrieves the land for public purposes. However, the landholder is entitled to just compensation for the taking of the state (Article 70)
- (viii) Compensation is treated in Articles 68 to 72 of the Land Law. Article 70 states that persons or entities requiring a right-of-way and thereby cause damage to crops or buildings must make appropriate compensation. Article 71 states that when the use of land belonging to other persons or organisations becomes necessary for the public interest, the State will compensate any damage suffered by the rightful user of the requisitioned land, as appropriate. Furthermore, the Law requires that each village, province, municipality, or special zone keep five percent of its total land area in reserve to ensure the compensation of requisitioned land
- (ix) Evaluation of the damage is provided for by Article 72, which states that the evaluation will be done by a committee composed of representatives of the various concerned parties.
- (x) The Land Law does not specifically address itself to unregistered land users. It does, however, provide the registration and certification methods described above by which individuals can register the land which they are using lawfully. Article 82 further provides that persons or entities that are lawfully keeping, using, and developing land with efficiency will be awarded the right to use that land, all other conditions being met.

The Decree on Compensation and Resettlement for Development Projects (Decree 192/2005) was issued on the 7th of July 2005 by the Office of the Prime Minister Along with the decree's Regulation on Implementation (November 2005) and Technical Guidelines (November 2005), they provide a comprehensive framework on resettlement planning in Lao PDR. Some of the more pertinent articles of relevance to the Project's resettlement are noted below.

- (i) Article 6 - Compensation principles state that before compensation, a joint committee will be established to assess loss to APs. APs will be entitled to compensation for structures at replacement cost, compensation will be payable for losses of income due to the project, and those without documented legal title will still be entitled to compensation for lost structures and other support so as not to be negatively impacted.
- (ii) Article 6 - paragraph 6. States that APs who are living in rural or remote areas, who do not have any legal Land Use Certificate or any other acceptable proof indicating land use right to the affected land and assets they occupy shall be compensated for their lost rights to use land and for their other assets at replacement cost and provided additional assistance to ensure that they are

not worse-off due to the project. APs in urban areas, who do not have any legal Land Use Certificate or any other acceptable proof indicating land use right to the affected land and assets they occupy and who have no land at other places will be compensated for their lost rights to use land and for their other assets at replacement cost and other additional assistance to ensure they are not worse off due to the project.

- (iii) Article 8 - entitlement to economic rehabilitation measures if more than 20% of income-generating assets are lost due to a development project.
- (iv) Article 11 - voluntary donation of land by APs is only acceptable if the impact on their income generation is not significant (less than 20% reduction), no physical displacement is caused, and APs are fully aware of their entitlements before relinquishing them.
- (v) Article 11 - project proponents will define mitigations measures and socioeconomic benefits to improve the status of ethnic communities which will be developed in consultation with the communities and in harmony with their cultural preferences.
- (vi) Article 17 of the Regulations - requires a separate section on indigenous peoples issues and mitigation measures in the RP. Where impacts on indigenous peoples are more significant an Indigenous peoples Development Plan will be prepared.

The decree and its guidelines rectify key areas of the Land Law which would prevent informal land users from any eligibility, and also sets a clear definition of the “reasonable compensation” mentioned in the Land Law and determines these as replacement cost.

37. The Forestry Law states (i) that forests and forest land can be converted to other uses (i.e. for transmission line right of way) when necessary and in the public interest (subject to approval) from responsible authorities; (ii) an individual or organisation given permission to convert forest to another use is responsible for payment of a conversion fee, land reclamation and tree planting; (iii) provision for allowing long practiced activities such as collecting wood for fences and fuel, non-timber forest products (NTFP), hunting and fishing for non-protected species for household consumption, and other customary uses. For removal of forests, compensation is based on the volume of timber (m<sup>3</sup>) of a given class of tree that will be cut down. Compensation is only paid for timber removed from private forestry plantations. No compensation is paid for timber removed from natural forests on public lands. Nor is any compensation paid for removal of NTFP such as bamboo. There is no requirement to replant trees on degraded land located away from a transmission line corridor, as compensation for removing trees to create transmission line right-of-way. Such forms of compensation only apply to reservoir clearing projects where it is necessary to plant trees to stabilise slopes that could otherwise fail through a process of mass wasting.

38. The Electricity Act specifies the GoL’s obligation to limit adverse environmental impacts and damage to people’s property. It also specifies the payment of damages where building of transmission lines affects property.

## **B. ADB’s Policies and Requirements**

39. The applicable ADB safeguards policies for addressing the adverse social impacts of the Project are the (i) *Involuntary Resettlement* (1995) and *Operations Manual F2/BP* (September 2006), and (ii) *Indigenous People* (1998) and *Operations Manual F3/BP* (September 2006). Closely linked with the two social safeguards policies is the Bank’s Policy on Gender and Development (1998).

40. The aim of ADB **Policy on Involuntary Resettlement** is to avoid or minimise the impacts on people, households, businesses and others affected by the acquisition of land and other assets, including livelihood

and income, in the implementation of development project. Where resettlement is not avoidable, the overall goal of the ADB policy is to help restore the living standards of the affected people to at least their pre-Project levels by compensating for lost assets at replacement costs and by providing, as necessary, various forms of support.

41. The main objectives and principles of the policy on involuntary resettlement are as follows:

- a. Involuntary resettlement should be avoided where feasible.
- b. Where population displacement is unavoidable, it should be minimised by exploring all viable project options.
- c. All compensation is based on the principle of replacement cost.
- d. Each involuntary resettlement is conceived and executed as part of a development project or programme
- e. Affected people should be fully informed and consulted on compensation and/or resettlement options.
- f. Institutions of the affected people, and, where relevant, of their hosts, are to be protected and supported. Affected people are to be assisted to integrate economically and socially into host communities so that adverse impacts on the host communities are minimised and social harmony is promoted.
- g. The absence of a formal legal title to land is not a bar to ADB policy entitlements.
- h. Affected people are to be identified and recorded as early as possible in order to establish their eligibility through a population record or census that serves as an eligibility cut-off date, preferably at the project identification stage, to prevent a subsequent influx of encroachers or others who wish to take advantage of such benefits.
- i. Particular attention must be paid to the needs of the poorest affected households and other vulnerable groups that may be at high risk of impoverishment. This may include affected households without legal title to land or other assets, households headed by women, the elderly or disabled, and ethnic minority peoples. Appropriate assistance must be provided to help them improve their socio-economic status.
- j. The full costs of resettlement and compensation should be included in the presentation of project costs and benefits.
- k. Relocation and rehabilitation may be considered for inclusion in ADB financing for the project, if requested, to assure timely availability of the required resources and ensure compliance with involuntary resettlement procedures during implementation.

42. ADB's **Policy on Indigenous Peoples** defines "indigenous peoples" as "those with a social or cultural identity distinct from the dominant or mainstream society". "Indigenous peoples" is a generic concept that includes cultural minorities, ethnic minorities, indigenous cultural communities, tribal people, natives, and aboriginals. The Policy recognises the potential vulnerability of ethnic minorities in the development process; that ethnic minorities must be afforded opportunities to participate in and benefit from development equally with other segments of society; and, have a role and be able to participate in the design of development interventions that affect them.

43. The policy on indigenous peoples is "designed to promote the participation of indigenous peoples in project preparation and implementation, to ensure that they benefit from development interventions that would affect them, and to provide effective safeguards against any adverse impacts". In any ADB interventions, the approaches to be used are as follows: (i) to achieve the greatest possible reduction of poverty among the affected indigenous peoples; (ii) when negative impacts are unavoidable, they should be minimised as much as possible, and appropriate measures will be taken to mitigate the adverse impacts; (iii) in enhancing the benefits of a development intervention for indigenous peoples or reducing negative impacts

of a development intervention, clear mechanisms for accurate and objective analysis of their circumstances will be prepared; and (iv) the mechanisms for any intervention must be transparent and should ensure accountability.

44. ADB's **Policy on Gender and Development** adopts gender mainstreaming as a key strategy for promoting gender equity, and for ensuring that women participate and that their needs are explicitly addressed in the decision-making process. For projects that have the potential to have substantial gender impacts, a gender plan is prepared to identify strategies to address gender concerns and the involvement of women in the design, implementation and monitoring of the project.

45. Other policies of the ADB that have bearing on resettlement planning and implementation are the (i) Public Communications Policy (March 2005) and OM Section L3/BP (September 2005), and (ii) Accountability Mechanism (OM Section L1/BP, dated 29 October 2003).

### **C. Key Differences between GoL and ADB Policies**

46. The recent changes in the Government of Lao PDR (GoL) legislation related to compensation and resettlement in development represents a significant improvement in the rights of citizens when their livelihoods, possessions and society are affected by development projects.

47. Both Lao Law and ADB policies entitle APs to compensation for affected land and non-land assets at replacement cost. However, definition of severely affected APs varies between ADB (OMF2, para 5) at 10% and Decree 192/PM (Article 8) at 20% of income generating assets affected. In accordance with Decree 192/PM (Article 6) which entitles all APs to economic rehabilitation assistance to ensure they are not worse off due to the Project, the 10% definition of severely affected will be adopted as part of the Project's resettlement policy.

48. Both Lao Law and ADB policies entitle non-titled APs to compensation for affected assets at replacement cost and other assistance so that they are not made worse off due to the Project. Decree 192/PM goes beyond ADB's policy and provides APs living in rural or remote areas, or APs in urban areas who do not have proof of land-use rights and who have no other land in other places, compensation for loss of land-use rights at replacement cost, in addition to compensation for their other assets and other assistance. Should APs be found to be non-titled and required to relocate, the Project will ensure they are provided replacement land at no cost to the APs, or cash sufficient to purchase replacement land.

## **IV. PROJECT PRINCIPLES AND ENTITLEMENTS**

### **A. Project Principles**

49. The following principles adopted for this Project are:

- a. Involuntary resettlement and impacts on land, structures and other fixed assets will be minimised where possible by exploring all alternative options.
- b. Affected people (APs) residing, working, doing business and cultivating land within the required project area as of the completion date of the census and inventory of losses (based on preliminary design) but verified during detailed measurement survey (based on detailed design) will be entitled to compensation and rehabilitation assistance to assist them in improving, or at least maintaining their pre-project living standards and productive capacities. The Project will ensure that APs are able to find alternative sites or income sources.
- c. Lack of formal legal title or rights will not be a bar to eligibility for compensation and assistance under the Project. APs will not be displaced from affected land until the village allocates suitable alternative

land or compensation is paid that is sufficient to purchase suitable land within the same or neighbouring village.

- d. All compensation will be based on the principle of replacement cost at the time of compensation. For houses and other structures, this will involve the costs for materials and labour at the time of acquisition, with no deduction for depreciation or for salvageable materials. Compensation for land will be replacement land as a priority, or where this is not possible, in cash adequate to purchase land locally of equivalent size and quality, and where required to improve land to achieve suitable quality.
- e. The process and timing of land and other asset acquisition will be determined in consultation with APs to minimise disturbance.
- f. Where houses and structures are partially affected to the degree that the remaining portion is not viable for its intended use, the Project will acquire the entire asset, and APs will be entitled to compensation at replacement cost for the entire asset.
- g. APs will be systematically informed and consulted about the Project, the rights and options available to them and proposed mitigating measures. The comments and suggestions of APs and communities will be taken into account.
- h. The key information in the RP such as measurement of losses, detailed asset valuation, compensation and resettlement options, detailed entitlements and special provisions, grievance procedures, timing of payments and displacement schedule will be disclosed to APs in an understandable format such as the distribution of public information booklets or through community meetings.
- i. Resettlement identification, planning and management will ensure that gender concerns are incorporated, including gender-specific consultation and information disclosure. This includes special attention to guarantee women's assets, property, and land-use rights, and to ensure the restoration of their income and living standards.
- j. Existing cultural and religious practices will be respected and, to the maximum extent practical, preserved.
- k. Special measures will be incorporated in the resettlement plan to protect socially and economically vulnerable groups such as indigenous peoples, women-headed households, children, households headed by the disabled, the elderly, landless and people living below the generally accepted poverty line. Vulnerable APs will be provided with appropriate assistance to help them improve their standard of living through asset building strategies such as provision of land, replacement housing of minimum standards and increased security of tenure.
- l. There will be effective mechanisms for hearing and resolving grievances during updating and implementation of the RP. Resettlement committees will include representatives from APs especially women and vulnerable groups.
- m. Institutional arrangements will be in place to timely and effectively design, plan, consult and implement the land acquisition, compensation, resettlement, and rehabilitation programmes.
- n. Adequate budgetary support will be fully committed and made available to cover the costs of land acquisition and resettlement within the agreed implementation period.
- o. Appropriate reporting, monitoring and evaluation mechanisms will be identified and set in place as part of the resettlement management system. Monitoring and evaluation of the land acquisition, resettlement and rehabilitation processes and the final outcomes will be conducted by an independent monitor.
- p. Voluntary donation will not be applied for any land and non-land assets.

## B. Project Entitlements

50. **Eligibility.** All APs who are identified in the project-impacted areas on the cut-off date, will be entitled to compensation for their affected assets, and rehabilitation measures sufficient to assist them to improve or at least maintain their pre-project living standards, income-earning capacity and production levels. The cut-off date will be the final day of the census and detailed measurement survey. Those who encroach into the subproject area after the cut-off date will not be entitled to compensation or any other assistance.

51. **Entitlements.** The entitlement matrix in **Table 4** summarises the main types of losses and the corresponding nature and scope of entitlements. Following detailed design, DMS will be the basis for determining actual impacts, and replacement cost surveys will be carried out to determine actual replacement costs and rates.

52. **Definition of Legal Owners.** Legal owners are those who received land survey certificates or land titles from the Ministry of Finance Land Titling Project.

53. The entitlements in the matrix are based on the impacts identified during the IoL. The entitlement matrix will be enhanced in the updated RP following detailed measurement survey by the contractor during the detailed design.

**Table 4: Entitlement Matrix**

Type of Losses	Entitled Persons	Entitlements	Implementation Issues
<b>I. Permanent Acquisition for the Tower Foundations</b>			
A. Agricultural Land	<i>Legal owner or occupant identified during DMS.</i>  <b>(Mod 1: 11 PAFs; Mod 2: 3 PAFs; Mod 3: 5 PAFs)</b>	For marginal loss of land, cash compensation at replacement cost which is calculated as follows:  Paddy field compensation cost (CC) = Average Annual Yield (AAY) x 1 kg Husked Rice Price at current market value (HRP) x Tower Footprint Area (TFA) x 10 years :  <b>CC=AAYxHRPxTFAx10</b>	There are no APs losing more than 10%. However, if found during detailed design, entitlements will be as a priority, replacement land of similar type, category and productive capacity of land within the village, with land title if Land Titling Project is ongoing in the area, if not, land survey certificate. OR at the request of AP, cash compensation at replacement cost plus assistance to purchase and register land
B. Permanent Acquisition of Residential Land for the T/L Towers	<i>Legal owner or occupant identified during DMS.</i>  <b>(Mod 1: 5 PAFs; Mod 2: 0 PAFs; Mod 3: 3 PAFs)</b>	Marginal loss of land with remaining land sufficient to rebuild houses/structures: (i) Cash compensation at replacement cost which is equivalent to the current market value of land of similar type and category, and free from transaction costs (taxes, administration fees)	There are no PAFs losing significant amount of land. However, if found during detailed design and APs will be left without remaining land sufficient to rebuild houses/structures: (i) Replacement land equal in area, same type and category, without charge for taxes, registration and land transfer, with land title if Land Titling Project is ongoing in the area; if not, land survey certificate, OR (ii) cash compensation at replacement cost
<b>II. Restricted Use on Land Traversed by Transmission Lines</b>			
A. Household-Owned Plantation Land	<i>Legal owner or occupant identified during DMS.</i>  <b>(Mod 1: 1 PAFs;</b>	Land-for-Land with similar type and category, and free from transaction costs OR  Easement fee in cash equivalent to 100% of total current market value of	This measure is specifically designed to prevent the kinds of disagreements EdL contractors have had with plantation owners in the past over tree trimming. This entitlement does not apply to government forestry

Type of Losses	Entitled Persons	Entitlements	Implementation Issues
	<b>Mod 2: 0 PAFs; Mod 3: 0 PAFs)</b>	plantation land.  Land title/ land survey certificate will remain with the title/ registered owner.  Affected trees will be paid at replacement cost	concessions to log natural forest.
B. Community-Utilised Forest Land (or Utilisation Forest)	<i>Affected villages</i>  Number of affected villages to be determined during detailed design	Land-for-Land or Easement Fee will be paid on a kilometre basis to each village the transmission line passes through nearby forest.  Community forests are usually zoned by the village into 4 types: (i) conservation forest, (ii) protection forest, (iii) rehabilitation forest and (iv) utilisation forest.	The actual cost will be established during project implementation to ensure that payment will be at replacement cost.  Government forest close to villages is included in village land use plans and termed Community Forest.
C. Residential Land with or without houses / structures	<i>Legal owner or occupant identified during DMS.</i>  PAFs to be determined during detailed design	Land-for-Land with similar type and category, and free from transaction costs OR  Easement fee in cash equivalent to 100% current market value of land of similar type and category, and free from transaction costs (taxes, administration fees). Land title/ land survey certificate will remain with the title/ registered owner.	Easement fee equivalent to 100% current market value of residential land is applied because household's need to buy replacement residential land due to the restrictions imposed on land
<b>III. Crops and Trees</b>			
Annual Crops, Fruit and Nut Trees, Timber Trees	<i>Owner of Crops and Trees, regardless of tenure status</i> <b>(Mod 1: 5 PAFs; Mod 2: 2 PAFs; Mod 3: 5 PAFs)</b> due to permanent acquisition of land for the towers  PAFs traversed by the T/L to be determined	If standing annual crops are ripening and cannot be harvested, cash compensation at replacement cost equivalent to current market value of crops in the area. For fruit/nut trees will be paid based on the average annual value of the produce multiplied by the number of remaining productive years of the tree. For timber trees, cash compensation at replacement cost equivalent to current market value based on type, age and diameter at breast height (DBH) of trees	PAFs will retain possession of salvageable crops and trees  Compensation for loss of economic opportunity or income will be based on past average income and paid for a period determined by the local government being the timeframe deemed appropriate to achieve an alternative livelihood or restitution of pre-project state.
<b>IV. Houses, Structures, Fixed Assets, Facilities,</b>			
Houses and Structures	<i>Owner identified during DMS, regardless of tenure status</i>  None	Current market value of materials and cost of labour at the time of compensation	
Community Facilities, Public infrastructures	<i>Community, agencies, organisations</i>  None	Replaced by the project in a condition better than pre-project conditions. The full cost of construction, transportation and culturally compatible ceremonies required will be borne by the project.	Examples : irrigation water supplies, drainage networks, village or farm access, spiritual or religious land or structures, schools, markets
<b>V. Temporary Loss of Land &amp; Impacts on Non-Land Assets during Construction</b>			
Temporary loss	<i>Legal owner or</i>	APs whose land is taken temporarily	PAFs will sign a temporary occupation

Type of Losses	Entitled Persons	Entitlements	Implementation Issues
of Land	<i>occupant identified during DMS</i> PAFs/APs - TBD	due to civil works under the project will be compensated at replacement cost for net loss of income and damaged assets, crops or trees.	contract specifying: (i) period of occupancy; (ii) formula for calculation of production losses; (iii) frequency of compensation payment, and (iv) Land protection and rehabilitation measures.
Impacts on Non-Land Assets (crops, trees, houses, structures)	<i>Owner identified during DMS, regardless of tenure status</i> None	Compensation at replacement cost. See Item III and IV	

## V. SOCIO-ECONOMIC AND POVERTY PROFILE

### A. Socio-Economic Profile of Module 1: 17 Project Affected Families

54. **Family Structure.** There are 17 Project Affected Families (PAFs) in 17 households, totaling 194 men, women and children. As per the socio-economic survey the average family size in the project area was 6.7 persons per household. The Project Affected Families (PAFs) vary in size from 3 to 11 with an average of 5.5. Six of the 17 households had members who usually lived away from home. Most families were nuclear in structure (parents, children).

55. **Ethnicity.** Fifteen of the 17 PAFs are ethnic majority Lao. Two of the PAFs were Hmong ethnic minority, both in Nonhai. Distinguishing features of the Hmong PAFs are that while one was Animist, the others were, rather unusually, Christian. Hmong family size was larger than the PAF average at 11 and 6 members respectively. Neither Hmong family had members who worked for wages. Both ethnic minority PAFs speak and understand the Lao language.

56. **Education and Vulnerability.** All of the 17 PAF household heads (HHs) were literate. Overall 82% of female PAF members over the age of 19 were literate, compared with 96% of male PAF members over the age of 19. Literacy level in the Project area was 83% overall based on the socio-economic survey. All families had at least one member who could both read and write Lao. Four children (2 boys, 2 girls) of the first Hmong family were school age and three were attending school (the exception being an older boy). The second family had 2 girls of school age, both in school. All of the Lao ethnic majority children of school age were attending school, however the locations of these families were much closer to educational institutions especially secondary schools which are largely inaccessible from Nonhai, where the ethnic minority PAFs are concentrated.

57. **Occupation, Economy and Income Levels.** The most important income sources for the two Hmong PAFs was sale of rice and livestock produced. The average monthly per capita income from wages or sale of products was Kip 52,440. The figure is low because some households who reported members working for an income could not or would not disclose their incomes. If a recalculation is done based on the industry average, the mean monthly per capita income increases. The three PAFs with the lowest incomes were all food sufficient for 12 months of the year. PAF families who were food insufficient had above average incomes. All PAF families had similar monthly expenditure patterns. No PAFs had an outstanding loan or debt.

**Table 5: Wage Income Source by Sex, Module 1 PAF Members**

Wage Income Type/Sector	Male	Female	Av. (Kip)/month
Education	5	4	673,000
Government	3	1	590,000
Sales/retail	0	2	2,100,000
Construction	0	0	-
Agriculture/forestry/fishing	3	2	600,000
Day labour	0	0	-
Other	0	0	300,000

Source: Detailed Measurement Survey Jan 2007.

**Table 6: Non-Wage Income by Source, Module 1 PAF Members**

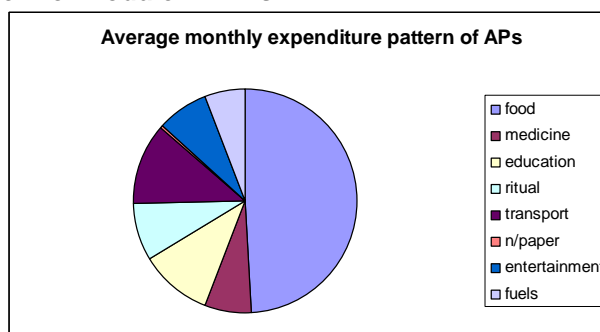
Income Source	Av. (Kip)/ last 12 months
Pension	560,000
Remittance	1,000,000
Rice growing	5,468,182
Cash crops	1,350,000
Sale of livestock (pig, goat/sheep, cow)	4,900,000
Sale of poultry (chicken, duck)	480,000
Sale of handicraft	175,000
Sale of wood forest products	-
Sale of non-wood forest products (honey, bamboo shoots, hunting etc.)	100,000
Fishery	500,000
Other	1,100,000

Source: Detailed Measurement Survey Jan 2007.

58. All of the PAFs own the house they live in and all have documents to demonstrate their land use right.

59. **Mitigation Measures.** Neither ethnic minorities nor women were found to be more vulnerable than PAFs as a whole in terms of their socio-economic condition. The PAFs are not vulnerable in terms of amount of land loss or systems of livelihood since vulnerable people were screened out during alignment location. Best practices for the project with regard to participation of women and ethnic minorities are outlined in Section VII.

**Figure 1: Expenditure Pattern of Module 1 PAFs**



## B. Socio-Economic Profile of Module 2: 3 Project Affected Families

60. **Family Structure.** There are 3 Project Affected Families (PAFs) in 3 households, totalling 18 men, women and children. As per the socio-economic survey the average family size in the project area was 5.9 persons per household. The Project Affected Families (PAFs) vary in size from 4 to 8 with an average of 6.

Two of the three households had members who usually lived away from home. There were no female headed households.

61. **Ethnicity.** All of the 3 PAFs are ethnic majority Lao.

62. **Education and Vulnerability.** All household heads could read and write. One had a primary level education, one vocational education and one was educated to tertiary (university) level. Four children from the PAF households are of school age, all of whom attend school. Two out of three families produced enough food to last their family for the entire year. The third earns a wage income from the government.

63. **Occupation, Economy and Income Levels.** All of the PAFs had one or more family member who regularly worked for wages. The most lucrative income source was government salary followed by trade or small business. Two households had an income from rice growing and all sold poultry products (22-50 chickens, 7-20 ducks per household). Two households had water buffalo. All PAFs described themselves as urban or living in a town in a country area - where non-agricultural job opportunities are more accessible.

**Table 7: Wage Income Source by Sex, Module 2 PAF Members**

Wage Income Type/Sector	Male	Female	Av. (Kip)/month
Education	2	1	300,000
Government	1	1	730,000
Trade	Not stated	Not stated	730,000

Source: Detailed Measurement Survey Jan 2007.

**Table 8: Non-Wage Income by Source, Module 2 PAF Members**

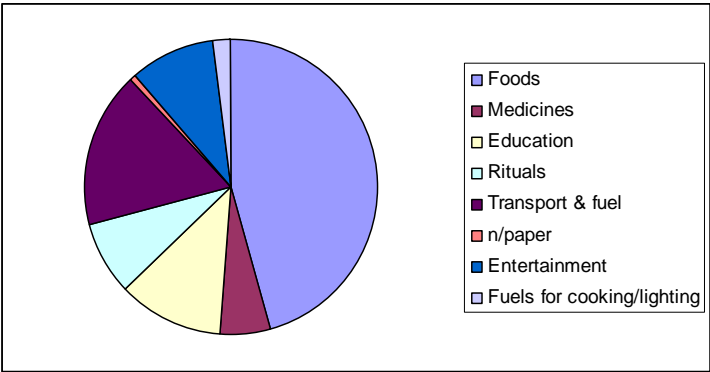
Income Source	Av. (Kip)/ last 12 months
Rice growing	3,100,000
Sale of poultry (chicken, duck)	606,667
Sale of handicraft (garments)	400,000

Source: Detailed Measurement Survey Jan 2007.

64. The average monthly per capita income from wages and sale of products was 608,981 kip, which was almost three times the average per capita income for the project area from the socio-economic survey. All PAF families had similar monthly expenditure patterns. No PAFs had an outstanding loan or debt.

65. All of the PAFs own the house they live in and all have documents to demonstrate their land use right.

**Figure 2: Expenditure Pattern of Module 2 PAFs**



66. **Mitigation Measures.** Neither ethnic minorities nor women were found to be more vulnerable than PAFs as a whole in terms of their socio-economic condition. The PAFs are not vulnerable in terms of amount of land loss or systems of livelihood since vulnerable people were screened out during alignment location. Best practices for the project with regard to participation of women and ethnic minorities are outlined in Section VII.

**C. Socio-Economic Profile of Module 3: 8 Project Affected Families**

67. **Family Structure.** There are 8 Project Affected Families (PAFs) in 8 households, totaling 33 men, women and children. As per the socio-economic survey the average family size in the project area was 6 persons per household. The Project Affected Families (PAFs) vary in size from 2 to 8 with an average of 4. Three of the 8 households had members who usually lived away from home. There was one female headed household (FHH), a widow of 38 years old, who was living with a school aged daughter (who was attending school), being the smallest family at 2 members. Most families were nuclear in structure (parents, children).

68. **Ethnicity.** All of the PAFs are ethnic minority Phounoi (Tibeto-Burmese) except one which was minority Yang (Tai-Kadai). Two of the Phounoi household heads noted they were of dual ethnicity, one Phounoi-Hmong (Hmong-Mien) and the other Phounoi-Khmou (Austro-Asiatic). Two of 7 Phounoi had no members working for wages. The FHH, which is also ethnic Phounoi, had both members (including the school-going daughter) working for wages. All ethnic group PAFs speak and understand the Lao language.

69. **Education and Vulnerability.** All of the 8 PAF household heads (HHs) were literate except the one FHH who was illiterate and had not completed primary school education. Overall 73% of female PAF members over the age of 19 were illiterate, compared with 91% of male PAF members over the age of 19. Literacy level in the Project area was 68% overall based on the socio-economic survey. All families had at least one member who could both read and write Lao. The Yang family had two school aged girls, both of whom were attending school. Among the 7 Phounoi families, 1 girl and 2 boys of school age were not attending school. Educational institutions especially secondary schools are largely inaccessible from Bouen Nuea or Namu where the ethnic minority PAFs are concentrated.

70. **Occupation, Economy and Income Levels.** The FHH kept 3 pigs, 10 chickens and 6 ducks. The average monthly per capita income from wages or sale of products was Kip 92,538. The figure is questionable because some households who reported members working for an income could not or would not disclose their incomes. If a recalculation is done based on the industry average, the mean monthly per capita income increases. This figure for the FHH was 250,000 which is above average (note small sample size). The three PAFs with the lowest incomes were all food sufficient for 12 months of the year. PAF families which were food insufficient had above average incomes. All PAF families had similar monthly expenditure patterns, however PAFs in this area (compared with other project Module areas in NW Lao PDR) spent considerably more on food (69% compared with around 50% in other areas), reflecting a shift to cash crops (largely for the Chinese market) from subsistence agriculture. No PAFs had an outstanding loan or debt.

**Table 9: Wage Income Source by Sex, Module 3 PAF Members**

Wage Income Type/Sector	Male	Female	Av. (Kip)/month
Government	1		430,000
Construction	1		500,000
Agriculture/forestry/fishing		1	50,000
Day labour		1	700,000

Source: Detailed Measurement Survey Jan 2007.

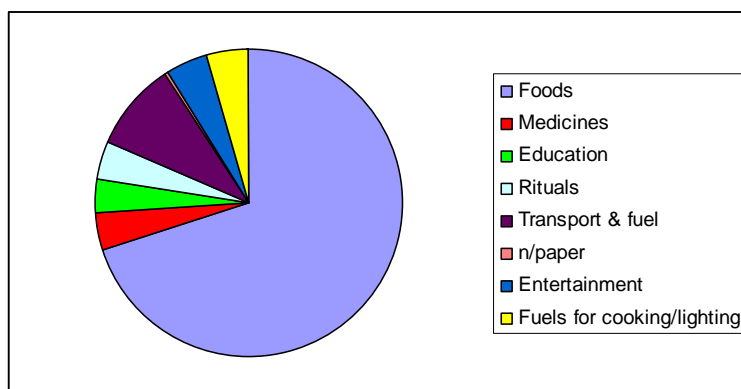
**Table 10: Non-Wage Income by Source, Module 3 PAF Members**

Income Source	Av. (Kip)/ last 12 Months
Rice growing	1,992,500
Cash crops	2,350,000
Sale of livestock (pig, goat/sheep, cow)	1,150,000
Sale of poultry (chicken, duck)	705,000
Sale of wood forest products	1,750,000
Sale of non-wood forest products (honey, bamboo shoots, hunting etc.)	1,992,500

Source: Detailed Measurement Survey Jan 2007.

71. All of the PAFs own the house they live in and all have documents to demonstrate their land use right.

**Figure 3: Expenditure Pattern of Module 3 PAFs**



## VI. CONSULTATION, PARTICIPATION AND DISCLOSURE

72. Based on the Decree on Compensation and Resettlement of People Affected by Development Projects, and ADB Guidelines, the Resettlement Plan has been prepared in consultation with the affected persons and they have been informed about the likely impacts of the project. The stakeholders consulted include (i) families to be affected (ii) village leaders (iii) government agencies and departments and (iv) neighbours in the project's zone of influence and (vii) obtaining comments and feedback from EdL. In particular, the socio-economic and technical field work involved discussion of the project with community leaders at district and village level, as well as sample households in every project area, to inform project design. Consultation was done in conjunction with Provincial WREA staff. Separate discussion groups were held in each project area with men and women, and with representatives from the various ethnic minority communities

73. All socio-economic data collected for the Project has been disaggregated by gender and ethnic group and separate consultation sessions have been held with different ethnic groups and with groups of men and women in each project area to gauge differences in impacts, preferences and needs.

74. Neither ethnic minorities nor women were found to be more vulnerable than PAFs as a whole in terms of their socio-economic condition. Similarly, no gender differences were found regarding the views, needs or priorities of PAFs regarding compensation or preferences for land acquisition.

75. This section of the RP documents the findings of this consultation and disclosure process.

76. **Compensation Options.** Consultations were carried out in January 2007 with the affected households (PAFs), and various options including cash compensation, land for land, or a combination of

approaches, were outlined. The PAF's preference was for cash compensation for the land at replacement value. Those losing forestry plantation land expressed preference for replacement land suitable for agriculture (rather than forestry) if available. Compensation for affected plantation land at 100% cost of total current market value of plantation land will be sufficient for PAFs to purchase alternative /develop new agricultural land should they wish. Should this be the case, the project will facilitate use of the compensation money to pay the contractor to develop new agricultural land in the village if such land does not exist for purchase (subject to availability of appropriate land).

77. **Module 1 - Community Response to the Project.** Most live in areas where electricity is already available and therefore they are not motivated by the potential to receive a new service. APs who would have a transmission line passing over their land asked that where possible, could the line be routed at the boundary of their land with their neighbours, since such a location would diffuse the impact of not being able to build a structure on it in the future. This strategy was adopted by the project team. APs do not wish to lose agricultural land. Others noted that they did not really want the transmission line near their house (it was explained that will be an important consideration during design).

78. **Module 2 Community Response to the Project.** Responses were generally consistent with those in Module 1, however because many do not have electricity, (unlike in Module 1), the APs were enthusiastic about the project with few reservations about its impacts.

79. **Module 3 Community Response to the Project.** Those APs who already have electricity were (like those in Module 1) not motivated to support the project. However APs in the north between Namo and Boun Neua do not have a current electricity supply so were much more enthusiastic about the project with less reservations about its impacts. Issues relating to impacts on houses, agricultural lands, the need for compensation at full market rate etc were consistent with those raised by the APs in the other two modules.

80. A list of consultation meetings with project stakeholders and issues discussed during RP preparation is shown in **Table 11**.

**Table 11: Stakeholder Consultation Meetings and Workshops**

Date	Participants	Matters Discussed/Issues Raised
March 2007 – May 2009	<ul style="list-style-type: none"> <li>• PPTA consultants</li> <li>• EdL</li> <li>• ADB Mission (April 2009)</li> </ul>	Ongoing consultation with key stakeholders including village heads and District Chairmen
March 2007	<ul style="list-style-type: none"> <li>• EdL Generation &amp; Project Department</li> <li>• Lao National Commission for Advancement of Women</li> <li>• Lao Women's Union</li> <li>• Centre for HIV/AIDS and STDs, Ministry of Health</li> <li>• Ministry of Energy and Mines, Dept. of Electricity, Environment Department</li> <li>• EdL Environment &amp; Resettlement Department</li> <li>• Ethnic Minorities Department, Lao National Front for Construction</li> <li>• Water Resource of Environmental Agency</li> <li>• Project and Cooperation Division, Department of Forestry</li> </ul>	Resettlement Plan, its policies and entitlements, other project safeguards.
January 2007	<ul style="list-style-type: none"> <li>• Staffs/head of district administrative offices in 36 project Districts</li> <li>• Head/Deputy Head of Districts</li> </ul>	Explain project scope, receive permission for interviewing head or deputy head of district and a permission document for going and working with local authorities.
January 2007	Module 1:	Head or deputy head of each village have

Date	Participants	Matters Discussed/Issues Raised
	<ul style="list-style-type: none"> <li>• Village heads in 3 villages of Boun Neua District</li> <li>• Village head in 1 villages of Namor Tai District</li> <li>• Village heads in 2 villages of Feuang District</li> <li>• Village head in 1 village of Xanakham District</li> <li>• Village head in 1 village of Paklay District</li> <li>• Village heads in 2 villages of Kenthao District</li> </ul> <p style="margin-left: 40px;">Module 2:</p> <ul style="list-style-type: none"> <li>• Village heads in Thana village of Xayabury District</li> </ul> <p style="margin-left: 40px;">Module 3:</p> <ul style="list-style-type: none"> <li>• Village heads in 3 villages of Boun Neua District</li> <li>• Village head in 1 villages of Namor Tai District</li> <li>• Village heads in 2 villages of Feuang District</li> <li>• Village head in 1 village of Xanakham District</li> <li>• Village head in 1 village of Paklay District</li> <li>• Village heads in 2 villages of Kenthao District</li> </ul>	<p>been consulted regarding the project and acted as a local guide/facilitator to help contact heads of households and organise ethnic minority discussion groups of men and women in the village.</p>
January 2007	<p style="margin-left: 40px;">Module 1: 10 Ethnic minority group focus sessions - men and women consulted separately.</p> <p style="margin-left: 40px;">Module 2: 4 Ethnic minority group focus sessions - men and women consulted separately</p> <p style="margin-left: 40px;">Module 3: 14 Ethnic minority group focus sessions - men and women consulted separately</p>	<p>Identify the need for any special measures or ethnic minority specific actions for the project.</p>
January 2007	<p style="margin-left: 40px;">Module 1: 17 households affected by land acquisition</p> <p style="margin-left: 40px;">Module 2: 3 households affected by land acquisition</p> <p style="margin-left: 40px;">Module 3: 8 households affected by land acquisition</p>	<p>Detailed socio-economic survey, inventory of loss, information about project given.</p>
January 2007	<p style="margin-left: 40px;">Module 1: 219 households in the project's zone of influence</p> <p style="margin-left: 40px;">Module 2: 42 households in the project's zone of influence</p> <p style="margin-left: 40px;">Module 3: 53 households in the project's zone of influence</p>	<p>Basic project information. Detailed socio-economic survey</p>
November 2006	<p style="margin-left: 40px;">Water Resource of Environmental Agency</p>	<p>Initial information about project, discussion of Lao procedures, collection of relevant legal and regulatory information.</p>
November 2006	<p style="margin-left: 40px;">ADB Lao Resident Mission</p>	<p>Initial information about project, discussion of ADB requirements for the RAP.</p>

81. Disclosure of this Resettlement Plan by EdL has taken place via a Project Information Booklet (PIB). The PIB (see Attachment 1) was distributed to all APs, Potentially Affected People, District leaders and Village leaders by EdL staff. The disclosure was undertaken orally at village meetings in each project area and PAFs were be furnished with a PIB outlining the methods for measurement of losses, asset valuation methods, entitlements, special provisions, grievance procedures and timing of payments. In addition, the RP will also be disclosed through the ADB website. Once the RP has been updated based on the final design, EdL will circulate the final RP to all relevant local government offices. Further disclosure will take place during project implementation as necessary following any changes in the sub-project.

82. Future disclosure subsequent to detailed design and refinement of contract packages etc will cover:

- a) A map or diagram of the affected land, or else physically showing participants the affected area
- b) A description of the overall project, its aims and components
- c) A description of what the project work will comprise
- d) A timetable of when each of the project activities will take place, including estimated commencement and completion dates
- e) Expected social, economic and environmental impacts
- f) Environmental and social safeguards
- g) Updated compensation policy and entitlements, unit rates, including who will be entitled to compensation, what losses will be compensated, and what entitlements will affected persons receive (details for land, trees, crops, structures etc)
- h) An outline of livelihood restoration measures (if applicable)
- i) How land, crops and assets are valued
- j) How the Compensation Committee and Grievance Redress Committee will work
- k) An outline of how consultation and participation with APs and communities will continue
- l) The project communications strategy, including how people can find out about business opportunities that may arise in conjunction with the project
- m) Where people can go to get further or more detailed information about the project.

83. Due to the low level of literacy of people in the identified project areas, the project has not (and will not) rely solely upon publication of project information or project information documents to disseminate information about the project. To ensure full project participation, the project has (and will) employ methods such as community meetings, consultative groups, focus groups, interviews and informal interaction with the Resettlement Committees and any required sub-committees for specific resettlement/land acquisition actions, and social mobilisation techniques.

## **VII. ETHNIC MINORITY SPECIFIC ACTIONS**

84. Among the 28 affected families, ten are ethnic minority, including two Hmong families being affected by Module 1 and eight families (Tibeto-Burmese and Tai-Kadai) being affected by Module 3. These families are integrated in the communities where they live. They understand Lao language and their children go to the Lao language school. The affected ethnic minority families practice rice agriculture and livestock similar to other Lao families. For all ethnic families, the impact level is less than 10% of agriculture and garden land. To ensure that ethnic minority affected households do not get marginalized during the process of compensation, ethnic minority specific actions are included in the resettlement plans:

- During detail measurement survey, the effected ethnic minority families will be consulted effectively in order to ensure that the affected families are fully aware about loss of asset and land acquisition;
- The updated resettlement plan will include a comprehensive analysis of socio-economic impact of land acquisition and access to forest resources for ethnic minority affected families to determine differential impact between ethnic majority and ethnic minority households;
- All resettlement related meeting for land acquisition, compensation etc, the participation of all the affected ethnic minority households will be ensured;
- Disaggregated monitoring indicators by ethnicity will be included in the monitoring system of the resettlement plan.

## **VIII. GENDER STRATEGY**

85. The following gender strategy will be implemented in planning of resettlement activities:

- In updating resettlement plan, women from the affected households including ethnic minority women and female headed households will be consulted during detail measurement survey;
- Socio economic profile of the affected people and detail measurement survey will be disaggregated by gender and ethnicity;
- Women's participation, especially ethnic minority, poor women and female headed households will be ensured in disclosure meetings; Information will be provided in local language as well as with information booklets;
- Participation of Lao village Women's Union representatives will be ensured in the disclosure meeting and planning of resettlement activities;
- Where Project involves granting new land or replacement land for acquired land, the title of land will be in the name both spouses;
- The EDL staff will be provided with orientation on gender and resettlement checklist of ADB to ensure that gender strategy is implemented in resettlement activities;
- Gender disaggregated monitoring indicators will be developed to monitor resettlement activities in terms of women's participation in the consultation for detail management survey, disclosure meeting, land titling, compensation, and to measure the impact of resettlement on poor women, and ethnic minority women.

## **IX. GRIEVANCE REDRESS MECHANISM**

86. EdL will undertake grievance resolution in accordance with the provisions in Article 13 of the Decree on Compensation and Resettlement of People Affected by Development Projects, and the Technical Guidelines on Compensation and Resettlement. All grievances related to any aspect of the project or sub-projects will be handled via consultations aimed at resolving matters through consensus at the project level. In this way the possibility of conflicts escalating and being passed on to higher (district level or ultimately the national legal system) levels will be avoided to the extent possible. All grievances, whether verbal or received in writing, will be documented by EdL or its agent, including actions taken, minutes of meetings, outstanding issues and results.

87. Upon approval of the project, EdL will make a formal request to the GoL to establish a Grievance Redress Committee (GRC) in each project district to address any complaints or grievances regarding land acquisition, compensation and resettlement submitted by APs. Each district Grievance Redress Committee (GRC) will be comprised of:

- Representative from local government (Chair)
- Provincial Water Resource of Environmental Agency (WREA)
- Provincial Ministry of Energy and Mines
- Provincial Land Office
- Village heads
- Two village elders or representatives of local mass organisation/s, at least one of whom should be a woman
- Two representatives from PAFs (at least one being female or representative of minority ethnic group)
- EdL provincial officer.

88. Participation of project-affected people is ensured through their involvement in the Grievance Redress Committees (GRC) as shown above. The PMU and EdL field offices will establish and maintain ongoing interaction with the PAFs and communities to identify problems and undertake timely remedial actions. There will be involvement of local institutions or organisations, non-government organisations (NGOs), women's unions and community-based organisations (CBOs) in terms of membership of the GRC (as decided by the Chair).

89. The process will be as follows: In the first instance, APs will submit their grievances to EdL via the project implementation team. If the AP is not satisfied with EdL's efforts to resolve the problem or grievance, within 15 days the matter will be referred by the AP to the district GRC. If the AP does not receive any response from the district level GRC within 15 days of filing the complaint, or the matter is not resolved to the AP's satisfaction, the complaint may then be submitted to the EdL head office of EdL and WREA. If the matter still remains unresolved within 20 days of filing the complaint with EdL head office and WREA, the complainant may then forward the case to the Court of Law. The Project will cover all administrative and legal costs incurred relating to the grievance redress procedures.

## **X. IMPLEMENTATION ARRANGEMENTS**

90. While overall responsibility for project land acquisition rests with EdL, various government departments have important roles to play, in addition to hired contractors and local government officials. These responsibilities are outlined in this chapter.

91. EdL has an **Environmental Office** in its Power Generation and Project Department. This Department has two sections covering environment and social, and a total of 10 staff, one of whom is primarily responsible for resettlement planning. Key capabilities and activities of the Office are management of social impact assessments, environmental impact assessments, initial social and environmental examinations, monitoring, auditing, and associated project studies. This office is responsible for the overall coordination of organisations involved in resettlement, and supervision and management of RP implementation. The Environmental Office will work in close conjunction with the Project PMU.

92. The Environment Office has strong and experienced leadership. Key staff were involved with the feasibility study field work and have a good understanding of the policies and practices for land acquisition for power projects in Lao PDR. The project and the need for a range of land acquisition activities to be carried out by EdL was described to the Environment Office and they were confident of managing the work. The remaining responsibilities, from finalisation and approval of the RP through disclosure, implementation and internal monitoring, can be managed by the Office with support as required from the PMU and drawing upon local consultants to update the RP as required.

93. The Environment Office has implemented RPs for the Southern Provincial Regional Electrification Project (ADB funded), which included resettlement as well as land acquisition; several hydropower projects, in addition to the Resettlement Plan approval process for the Pakxan-Pakbo 115 kV Transmission Line project, the World bank funded Xeset 1 to Saravan 115 kV Transmission Line Project and the ADB funded Northern Area Rural Power Distribution Project (NARPD). The Environment Office generally contracts local consultants to carry out the work required to compile and implement resettlement plans, taking the management and coordination role.

94. **Local and Provincial Authorities** Local and Provincial Authorities are given the mandate under Article 34 of the Regulations for Implementing Decree 192 to assist the Project in various resettlement planning and implementation activities. Resettlement Committees will be established at the Provincial and District level. The Provincial Compensation Committee will comprise representatives from EdL, Provincial Ministry of Energy and Mines, Provincial Cabinet, Provincial Water Resource of Environmental Agency (WREA) and Provincial Land Office. The District Compensation Committee will be chaired by the Vice Chief of the District, District level managers and the heads of relevant villages.

95. The District Level committees assume the key role in assisting the project in various resettlement planning and implementation activities while the Provincial level committees focus on ensuring consistent application of the approved RP in the Province.

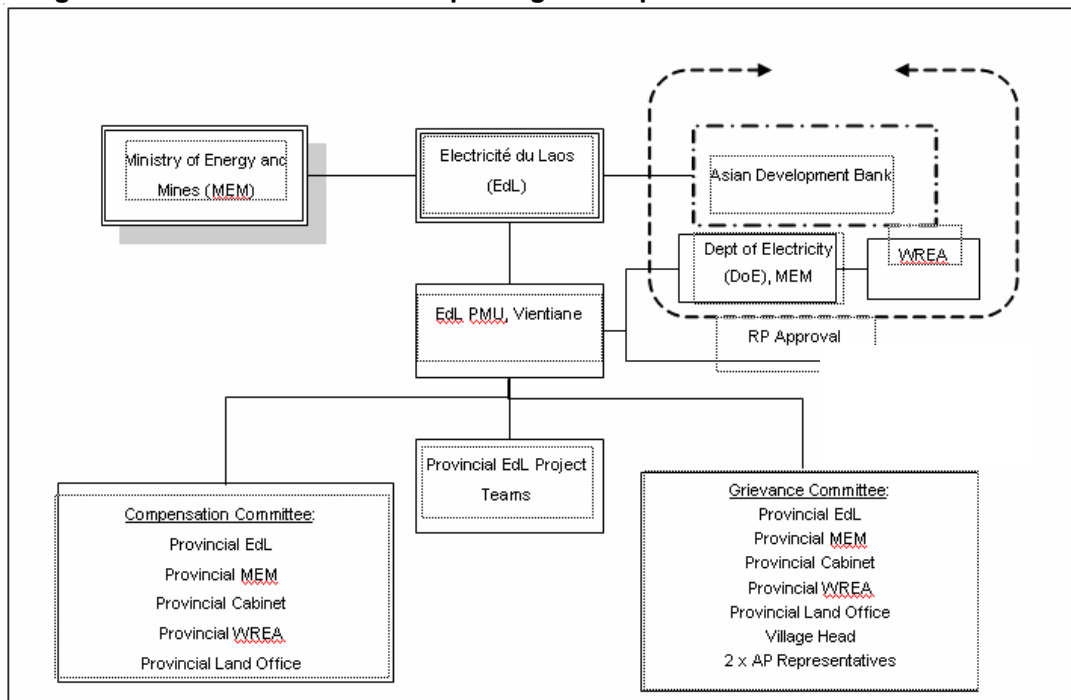
96. An example of a provincial and district level Compensation Committee for ADB-funded Lao-Loan 2005-Northern Area Power Distribution Project is given below:

<b>Position</b>	<b>Representative From</b>
<b>Provincial Level (Provides provincial consistency)</b>	
Chairman	Vice Governor of Vientiane Province
Vice Chairman	Manager of Industry and Handicraft Department
Member	Manager of Agriculture, Forest and Irrigation Department
Member	Manager of Protection Office of Army Department
Member	Manager of Planning & Cooperation Department
Member	Manager of Finance Department
Member	Manager of Telecommunication, Transportation, Post and Construction Dept
Member	Vice Chief of Keo oudom, Hinheup and Vangvieng district
Member	Deputy Manager of EdL's Vientiane Branch Office
Member	Manager of Protection Secretary Office of Army Department
<b>District-Level (Addresses District level issues)</b>	
Chairman	Vice Chief of Keo Oudom District
Vice Chairman	Manager Office of Industry and Handicraft
Member	Manager Office of Agriculture, Forest and Irrigation
Member	Manager of Protection Office of Army
Member	Deputy Manager of Finance
Member	Deputy Manager of Telecommunication, Transportation, Post and Construction.
Member	Secretary of Army
Member	Head of Villages: Sengsavang, Thasan and Thalat (115 kV T/L routes)

97. **Water Resource of Environmental Agency (WREA)** (previously STEA) is the government agency responsible for review and approval (or otherwise) of a RP for every project with land acquisition or resettlement. WREA may also undertake periodic monitoring of resettlement implementation. Provincial WREA staff are involved in compensation committees.

98. A **Project Implementation Consultant (PIC)** will be hired to carry out supervision of the project construction. The PIC will have provision for 3 months of international and 6 months of domestic resettlement/safeguards consultants. The international consultant, together with the domestic resettlement consultants will assist in the RP updating and implementation and provide initial capacity building to the PMU and Environmental Office, plus other key RP implementing partners in order to update, implement and effectively monitor RP activities.

**Figure 4: Organisational Structure for RP Updating and Implementation**



99. The PIC will undertake a four-day orientation and training programme on best practices in resettlement plan implementation and monitoring with reference to ADB’s resettlement policy and the project RP. The training session/s will be carried out by the Project Implementation Consultant and will be repeated in the Provinces as required. The training session/s will focus on the following: (i) principles and procedures of land acquisition; (ii) project strategy for gender and ethnic minority development; (iii) public consultation and participation; (iv) entitlements and compensation & assistance disbursement mechanisms; (v) implementation timetable and responsibilities; (vi) recording of data and reporting; (vii) grievance redress; and (viii) monitoring of resettlement operations.

## **XI. RP UPDATING AND IMPLEMENTATION STRATEGY**

100. During RP Updating, EdL, together with the compensation committees will ensure the following key steps are undertaken. One or more of the activities may be carried out simultaneously:

### **A. Concession Application**

101. Before any Right-of-Way (RoW) issues are addressed, and prior to award of construction contracts, EdL must apply for a concession for the project from the government. The government grants the concession with the precondition that EdL will compensate all individual losses attributable to the project.

### **B. Final Route Identification**

102. The final transmission route will be identified before the compensation process begins. The recommended route, from the project preparation stage, based on minimising loss of land, trees, crops and structures, and utilising existing access roads wherever possible, will be taken into account to avoid, if not minimise resettlement impacts. Once EdL has evaluated the contractors’ bids and awarded the contract/s, the contractor will conduct a detailed line route survey, identifying a centre line. EdL will provide the contractor with a RoW (or way-leave) schedule to facilitate access onto the land of the affected people. The contractor will then design the transmission line route, substation, required RoW, number and location of

towers, and location of access roads. The contractor's tower positions may differ from those identified by the TA consultant due to a more rigorous and time consuming methodology (in many cases involving ground testing).

103. Through the course of this work, EdL with the assistance of the Project Implementation Consultant, will collect all new AP information and update this RP accordingly, including loss assessment data and new budget, implementation schedule etc (see Loss Assessment, below).

### **C. Census and Detailed Measurement Survey of Affected Land and Non-Land Assets**

104. Following contractor's final transmission route and location of tower foundations, EdL, together with the local authorities and households, will carry out census and profile of APs and detailed measurement survey to quantify all categories of losses. The initial database created with the assistance of the TA consultant during RP preparation will be updated to include information on:

- Total and affected areas of land, by type of land assets
- Total and affected areas of structures, by type of structure (main or secondary)
- Legal status of affected land and structure assets, and duration of tenure and ownership
- Quantity and types of affected crops and trees
- Quantity of other losses, e.g., business or other income, jobs or other productive assets; estimated daily net income from informal shops
- Quantity/area of affected common property, community or public assets, by type
- Summary data on AP households, by ethnicity, gender of head of household, household size, primary and secondary source of household income vis-à-vis poverty line, income level, whether household is headed by women, elderly, disabled, poor or indigenous peoples
- Identify whether affected land or source of income is primary source of income
- AP knowledge of the project and preferences for compensation and, as required, relocation sites and rehabilitation measures.

105. Villagers will be informed that no new houses or structures are to be built, or trees exceeding the maximum T/L height limit, will be planted within the transmission RoW. Prior to submission of Updated RP to ADB, copies of the compensation rates and DMS findings will be disclosed to APs through a new public information booklet and/or placing copies of the Updated RP in village and commune offices.

### **D. Socio-Economic Survey**

106. A new socioeconomic survey (SES) will be undertaken as a part of RP updating. Given the small number of expected APs, the SES will collect information from all affected people and will be disaggregated by gender and ethnicity. The purpose of the socioeconomic survey is to provide baseline data on APs to assess resettlement impacts, and to be sure proposed entitlements are appropriate, and to be used for resettlement monitoring. The scope of data to be collected includes:

- Household head: name, sex, age, livelihood or occupation, income, education and ethnicity
- Household members: number, livelihood or occupation, school age children and school attendance, and literacy, disaggregated by gender
- Living conditions: access to water, sanitation and energy for cooking and lighting; ownership of durable goods
- Access to basic services and facilities.

## **E. Consultation, Participation, and Disclosure Activities**

107. In parallel with the detailed design, census, DMS and SES activities, EdL in conjunction with Provincial WREA staff will continue to consult and disseminate project and resettlement-related information to APs via local authorities. Community meetings will be held and opinions and suggestions elicited from the APs will be reflected in the Updated RP. EdL will inform all APs about the line route RoW, number and location of towers, location of access roads, restrictions on land use in the project RoW following construction, compensation principles and appeal procedures. All consultations with APs, including questions asked and answers provided, will be recorded including information on gender and ethnic group of people consulted. Particular efforts will be made to ensure women are consulted and informed, enlisting the help as required of the Lao Women's Union.

108. In line with ADB's disclosure policy, key information in the updated RP such as measurement of losses, detailed asset valuation, policy principles and entitlements and special provisions, grievance procedures, timing for payments and displacement schedule, and proposed activities; and avenues for grievance redress. Copies of the results of the replacement cost survey and DMS will be made available in the district and village offices.

## **F. Establishment of Unit Rates / Replacement Cost Survey**

109. A Compensation Committee will be formed in each district to determine carry out a replacement cost survey. The replacement cost survey will be undertaken in parallel with DMS and SES activities by verifying the rates provided in this RP. Activities include: collecting information from both secondary sources and primary sources (direct interviews with people in the affected area, recent land transactions, material suppliers, house contractors) from both those affected and those not affected. Rates established for ADB and World Bank-funded projects will also be collected and analysed. The government rates will be adjusted, as necessary, based on the findings of a RCS. Compensation rates will be continuously updated to ensure that APs receive compensation at replacement cost at the time of compensation payment.

## **G. Agreements with APs on Compensation Payment**

110. EdL will inform each AP of the compensation amount calculated for land, crops and assets affected by the project, and how each amount was determined. House/land owners can choose whether to accept compensation in cash or in kind, where land-for-land is available. EdL and the AP will then conclude their agreement with a contract signed by the PAF husband and wife, as appropriate.

111. EdL will issue a RoW notice to land owners who have had their land traversed by the transmission line, but on which no towers will be located. The RoW notice will contain the obligations of the land owner and restrictions imposed on the 25 m wide RoW, such as:

- No planting of trees/crops which will grow higher than 3 m
- No burning within the RoW
- No piling earth or other deposits, or construction of buildings within the RoW
- No excavations around or near towers.

## **H. Final RP Budget**

112. EdL will estimate total compensation and relocation funds as agreed with APs, update the RP budget and finalise Updated RP. After disclosure of updated RP to APs, EdL will submit updated RP to WREA and ADB for review and approval. Compensation payment will not commence until the Updated RP has been approved.

**I. Approval of Updated RP and Disbursement of Compensation Payment to APs**

113. Once approval has been gained, the EdL Finance Section releases funds for compensation payments, and EdL disburses the funds to APs, obtaining the necessary receipts. Once compensation has been received, APs will hand over/vacate the land within three months. The title of the land is then transferred to EdL by the Provincial Land Office. EdL will maintain file copies of all AP contracts, compensation receipts and RoW notices, and furnish the same to AP signatories.

**J. Condition of Site Clearance**

114. No person or family will be asked to relocate or clear the land they are cultivating unless the above steps have been completed, an agreement on compensation has been reached, and compensation and/or allowances paid in cash or in land-for-land. All relocation and compensation must be satisfactorily completed and income restoration measures in place before commencement of civil works.

## XII. IMPLEMENTATION SCHEDULE

115. The RP planning, implementation and updating activities and schedule is shown in **Table 12**.

**Table 12: RP Implementation Milestones**

Task	Responsible	Timing
<b>Grant Processing</b>		
Fact-Finding	ADB	April 09
Appraisal	ADB	July 09
Grant Approval	ADB	Sept 09
Grant Effectiveness	ADB	Oct 09
<b>Contractor Engagement</b>		
<b>Route and design finalisation</b>		
<b>RP Preparation (In coordination with Civil Contractor's final design)</b>		
New Socio-economic Survey/data gathering/DMS	EdL	Q3, 2010
Finalisation of Land Acquisition & Resettlement Plan	EdL & ADB	Q4, 2010
Translation of RP into Lao	EdL	Q4, 2010
Preparation of Project Information Booklet for each area	EdL	Q4, 2010
Resettlement Disclosure in component areas	EdL	Q4, 2010
ADB Approval and uploading to ADB website	ADB	Q4, 2010

### II. Estimated RP Budget

116. EdL is responsible to pay all the costs of land acquisition and resettlement. EdL is committed to set aside and provide the funds for RP updating and implementation in an efficient and timely manner during the course of the Project and this will be reflected through a covenant in the grant agreement.

Compensation unit rates and easement fee for land, unit rates for trees and crops were gained from a recent project examples (ADB and World Bank-funded projects) in the project area and will be updated based on the results of the replacement cost survey during RP updating. The unit rates and formula applied for this Project are as follows:

**Table 13: Unit Rates for Land**

Type of Land	Unit Rate / Basis of Calculation	Value of Land
<b>I. PERMANENT ACQUISITION</b>		
A. Paddy Land	= Average Annual Yield (AAV) for 2 croppings/year x 1 kg Husked Rice Price (HRP) x Tower Footprint Area (TFA) x 10 years. That is, <b>CC=AAVxHRPxTFAx10</b>	0.8 kg/m <sup>2</sup> x Kip 2,300 /kg x 36 m <sup>2</sup> x 10 years = Kip 662,400 per tower or Kip 18,400 /m <sup>2</sup>
B. Farm Land (non-rice crops that do not grow in low-lying areas)	= Average Annual Yield (AAV) x Tower Footprint Area (TFA) x number of years to compensate (Yn). That is, <b>CC=AAVxHRPxTFAxYn</b>	No affected farm land for this Project Value depends on the type of crops on farm land
C. Abandoned Paddy Land	= Average Annual Yield (AAV) for 2 croppings/year x 1 kg Husked Rice Price (HRP) x Tower Footprint Area (TFA). That is, <b>CC=AAVxHRPxTFA</b>	Kip 66,240 per tower or Kip 1,840 /m <sup>2</sup>
D. Industrial Tree Plantation	= current market value of teak plantation in the area	Eucalyptus, Acacia and Teak = Kip 800 /m <sup>2</sup> Rubber, Agar = Kip 1,300 /m <sup>2</sup>
E. Residential Land	= current market value of residential land in Xieng Ngam, Houayxai District	Kip 135,000 / m <sup>2</sup> in
	= current market value of residential land: Between 40,000 - 135,000 Kip / m <sup>2</sup>	Kip 40,000 - 74,000 / m <sup>2</sup>
F. Community-	Compensation calculated on a per kilometre basis	Kip 576,923 per linear

Type of Land	Unit Rate / Basis of Calculation	Value of Land
Utilised Forest Area		metre
<b>II. EASEMENT FEE</b>		
A. Industrial Tree Plantation	Easement Fee = 100% current market value of teak plantation in the area	Eucalyptus, Acacia and Teak = Kip 800 /m <sup>2</sup> Rubber, Agar = Kip 1,300 /m <sup>2</sup>
B. Residential Land	Easement Fee = 100% current market value of residential land in the area <ul style="list-style-type: none"> <li>• Most expensive 135,000 kip/m<sup>2</sup></li> <li>• middle = 74,000 kip/m<sup>2</sup></li> <li>• low range = 40,000 kip/m<sup>2</sup></li> </ul>	Based on average rate for area of kip / 83,000 m <sup>2</sup>
C. Community-Utilised Forest Area	Easement Fee = 100% Compensation calculated on a per kilometre basis	Kip 576,923 per linear metre
<b>III. Temporary Use of Land</b>		
A. Paddy Land		Kip 500 / m <sup>2</sup>
B. Farm Land		Kip 300 / m <sup>2</sup>
C. Swidden		Kip 200 / m <sup>2</sup>

**Table 14: Unit Rates for Crops and Trees**

Type	Unit Rate	Notes:
Rice Crops	Kip 1,840 / m <sup>2</sup>	
Mango	Kip 1,600 (< 5 yrs); Kip 39,100 (5-10 yrs) Kip 76,600 (> 10 yrs)	Source: Pakxan-Pakbo 115 kV (WB-funded), Nov 2006 RP
Tamarind	Kip 1,840 (< 5 yrs); Kip 71,840 (5-10)	
Jackruit	Kip 76,600 (5-10 yrs)	
Longan	Kip 76,600 (5-10 yrs)	
Banana	Kip 10,000 / (clump)	
Village small bamboo	Kip 16,360 / (clump)	
Coconut	Kip 85,000 - (5-10 years)	
Mak Nam Nom	Kip 71,840 (5-10 years)	
Teak Trees	Per Tree: 60 cm DBH - Kip 60,000 80-100 cm DBH - Kip 100,000 Seedlings - Kip 500 (Govt Price - DAF) Kip 1,000 (vendors, suppliers)	Source: TA-4742 LAO-Northern Transport Improvement Project (ADB-funded) (Project Area - Route 4 Luang Prabang- Pakse (Nov 2007)

117. The estimated RP budget for all modules is approximately USD 364,000. A breakdown of estimated costs is shown in Table 15 below.

**Table 15: Unit Rates for Crops and Trees**

Item	Amount
Permanent Acquisition	3,849
Easement Fee	220,866
Temporary Use of Land	4,645
Displacement Allowances	0
Rehabilitation Measures	0
Government Property	0
Consultation and Dissemination	29,160
Resettlement Implementation	14,580
HIV/AIDS & Human Trafficking Mitigation	30,000
Contingency	60,620
<b>Total</b>	<b>363,719</b>

### XIII. MONITORING AND EVALUATION

118. The Resettlement Plan will be internally monitored (by the Vientiane-based and district-based EdL project teams). Monitoring and Evaluation (M&E) will be undertaken using gender and ethnic group disaggregated indicators. The following indicators will be used:

**Table 16: Monitoring Indicators (Internal)**

Type	Indicator	Examples of Variables
<b>INPUT INDICATORS</b>	Staffing and Equipment	<ul style="list-style-type: none"> <li>• Number of project dedicated EdL staff</li> <li>• Formation of each compensation committees (CC)</li> <li>• Number of CC members and job function</li> <li>• Adequate equipment for performing functions (including grievance recording)</li> <li>• Training undertaken for all implementing agencies</li> </ul>
	Finance	<ul style="list-style-type: none"> <li>• Grant funds disbursed to APs in a timely manner</li> <li>• Grant funds disbursed for improvement of land to make it productive/habitable; administration costs; external monitoring</li> </ul>
<b>PROCESS INDICATORS</b>	Consultation, Participation, and Grievance Resolution	<ul style="list-style-type: none"> <li>• Consultations and participation undertaken as scheduled in the RP</li> <li>• Disclosure of Updated RP</li> <li>• Grievances by type and resolution</li> <li>• Number of local-based organisations participating in project</li> </ul>
<b>OUTPUT INDICATORS</b>	Acquisition of Land	<ul style="list-style-type: none"> <li>• Area of land acquired and replaced, by type (land-for-land)</li> </ul>
	Buildings *	<ul style="list-style-type: none"> <li>• Number, type and size of private houses/structures acquired</li> <li>• Number, type and size of community buildings acquired</li> <li>• Number, type and size of government assets affected</li> </ul>
	Trees and Crops *	<ul style="list-style-type: none"> <li>• Number and type of private trees acquired</li> <li>• Number and type of government/community trees acquired</li> <li>• Number and type of crops acquired</li> <li>• Crops destroyed by area, type and number of owners</li> </ul>
	Compensation and Rehabilitation	<ul style="list-style-type: none"> <li>• Number of households affected (land, buildings, trees, crops)</li> <li>• Number of owners compensated by type of loss</li> <li>• Amount compensated by type and owner</li> <li>• Number and amount of payment paid</li> <li>• Compensation payments made on time</li> <li>• Compensation payments according to agreed rates</li> <li>• Number of houses demolished/dismantled</li> <li>• Number of replacement houses built by APs on the same plot</li> <li>• Number of replacement houses built by APs on other plots they own</li> <li>• Number of replacement houses built by APs on allocated plots</li> <li>• Number of replacement businesses constructed by APs</li> <li>• Number of owners requesting assistance for additional replacement land</li> <li>• Number of replacement land purchases effected</li> <li>• Number of land titles and land survey certificates issued</li> <li>• Number of vulnerable groups provided additional assistance</li> </ul>
	Reestablishment of Community Resources	<ul style="list-style-type: none"> <li>• Number of community buildings repaired or replaced</li> <li>• Number of seedlings supplied by type</li> </ul>
* No Houses or buildings are expected to be affected by the project. These measures are included in the draft RP in case the final design does result in houses/buildings being affected.		

119. Monitoring will also evaluate whether all compensation and resettlement activities have been satisfactorily completed and rehabilitation measures affecting an AP put in place before civil works affecting that AP commences. Semi-annual progress reports will be submitted to the ADB. All monitoring reports will be uploaded onto ADB's website. Post-evaluation monitoring will also be carried out 6-12 months following completion of resettlement activities.

120. Further, WREA will conduct its own monitoring of the project as deemed necessary. The Vientiane-based EdL project team will be responsible for determining if any follow-up actions are necessary and ensuring these actions are undertaken. ADB Missions will also undertake verification of EdL monitoring reports and follow-up actions.