## Resettlement Plan

July 2015

# Lao Peoples Democratic Republic: Northern Rural Infrastructure Development Sector Project

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

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## Ministry of Agriculture and Forestry Department of Planning

## Northern Rural Infrastructure Development Sector Project



# Draft Updated Land Acquisition and Compensation Report

## Houay Lieng Irrigation Rehabilitation Subproject

**Bokeo Province** 

**July 2015** 

Nippon Koei Co., Ltd. in association with NIACONSULT, Inc. & Lao Consulting Group

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Attachment 3	Overview about LARC Consultation and Coordination

#### **SELECTED ACRONYMS**

ADB Asian Development Bank

AH Affected Household AP Affected Person

CEF Compensation and Entitlement Form
DAFO District Agriculture and Forestry Office

DCO District Coordination Office

DD Detailed Design

DMF Design and Monitoring Framework
DLMA District Land Management Authority
DMS Detailed Measurement Survey

DOI Department of Irrigation

DOP Department of Planning of the Ministry of Agriculture and Forestry

DPWT Provincial Department of Public Works and Transport

DRC District Resettlement Committee

EA Executing Agency

EARF Environmental Assessment and Review Framework

EC Executive Committee

EIA Environmental Impact Assessment EMP Environmental Management Plan

FS Feasibility Study
GAP Gender Action Plan

GIC Grant Implementation Consultants

GOL Government of Lao PDR

HH Households

IA Implementing Agency

ICB International Competitive Bidding
IEE Initial Environmental Examination

IM Independent Monitoring

IOL Inventory of Loss

IPP Indigenous Peoples Plan

IPPF Indigenous Peoples Planning Framework

KN Lao Currency Unit kip

Lao PDR Lao People's Democratic Republic

LAC Land Acquisition and Compensation

LACP Land Acquisition and Compensation Plan

LARC Land Acquisition, Resettlement and Compensation

LMA Land Management Authority

LMC Left Main Canal
LUP Land Use Planning
LUG Land Use Group
LWU Lao Women's Union

MAF Ministry of Agriculture and Forestry

M&E Monitoring and evaluation

MOH Ministry of Health

MPWT Ministry of Public Works and Transport

NGO Non-Government Organization

NGPES National Growth and Poverty Elimination Strategy

#### SELECTED ACRONYMS

NLMA National Land Management Authority NPMO National Project Management Office

NRIDSP Northern Rural Infrastructure Development Sector Project

NSC National Steering Committee NTFP Non-Timber Forest Product

OPWT Office of Public Works and Transport

O&M Operation and Maintenance

PAFO Provincial Agriculture and Forestry Office

PAM Project Administration Manual

PBME Project Benefit Monitoring and Evaluation

PIB Public Information Booklet
PIR Poverty Impact Ratio
PIS Provincial Irrigation Service
PIU Project Implementation Unit

PLMA Provincial Land Management Authority

PLUP Participatory Land Use Planning PMS Preliminary Measurement Survey

PPME Project Performance Monitoring and Evaluation

PPO Provincial Project Office

PPSC Provincial Project Steering Committee
PPTA Project Preparatory Technical Assistance

PSA Poverty and Social Analysis
PSC Project Steering Committee
RCS Replacement Cost Survey
RF Resettlement Framework

RMC Right Main Canal ROW Right of Way RP Resettlement Plan

SEBS Socio-Economic Baseline Survey

SES Socio-Economic Survey

SESAH Socio-Economic Survey of Affected Households

SIR Subproject Investment Report SPS Safeguards Policy Statement

TA Technical Assistance
TOR Terms of Reference
VLD Voluntary Land Donation
VLWU Village Lao Women's Union
VRC Village Resettlement Committee
VRMC Village Road Maintenance Committee

WUG Water Users Group

#### **EXECUTIVE SUMMARY**

#### A. Project and Subproject

- 1. The Northern Rural Infrastructure Development Sector Project (NRIDSP) main aim is to provide the rural community with access to and participation in the market economy. This is to be realized through the increase in incremental production of saleable commodities and promotion of agricultural productivity. The NRISDP has four main outputs:
  - (i) Production and productivity enhancing rural infrastructure constructed and/or rehabilitated.
  - (ii) Productivity and impact enhancing initiatives adopted.
  - (iii) Capacities of national, provincial and district agencies strengthened to enable a sector development approach.
  - (iv) Efficient and effective delivery of subprojects' and project management.
- 2. The proposed Houay Lieng Irrigation subproject is located in Pha Oudom District, Bokeo Province. The scheme is located east of the Bokeo Provincial Center, travelling a distance of approximately 84 km by road. The subproject beneficiaries are from 8 villages.
- 3. The Houay Lieng is divided into two irrigation water user groups: 1) Houay Lieng 1 Irrigation (Weir No. 1 upper stream) total area coverage of about 213 ha (RMC 155 Ha and LMC 58 ha); and 2) Houay Lieng 2 (Weir No. 2 at downstream of Houay Lieng river) covering a total area coverage of about 57 ha. The Houay Lieng Irrigation System was constructed by the Government. There are 2 concrete weirs irrigating a total of 270 has during the wet season. Houay Lieng Weir 1 is the upstream weir constructed in 2001 with 2 intakes and 2 earth main canals, LMC 2.65 km long and RMC 0.95 km long. The LMC supplies irrigation water to an area of about 155 has, and RMC supplies water to an area about 58 has.
- 4. The proposed subproject will focus on rehabilitation and new construction of key irrigation infrastructure including mainly weir/s, canal/s and related structures.

#### B. Land Acquisition Requirements

- 5. This subproject involves physical changes through rehabilitation works within the existing right off way mainly concerning corridors of existing irrigation infrastructure.
- 6. It comprises the combination of rehabilitation and/or new construction of 2 weirs, 3 lined/earth main canals with a total length 5,835m (including 4 canal divisions), 3 secondary lining/earth canals with a total length of 2,010m, and 78 related structures of the irrigation scheme. The detailed design confirms the findings of the feasibility study that the improvements do not lead to requirements for acquisition of private assets.
- 7. At detailed design stage, the rehabilitation works of this subproject will result in:
  - (i) No loss of agricultural and residential land.
  - (ii) No loss of crops and trees.
  - (iii) No loss of primary and secondary structures. Thus no relocation of houses.
  - (iv) No cases of economic resettlement and vulnerable people caused.
  - (v) No loss of common property.

#### C. Mitigation Requirements

8. The review of mitigation measures has been (a) embedded in the entitlement, assistance and benefits approach as defined in the Project Resettlement Framework (RF), (b) compliant with ADB's Safeguard Policy Statement (2009), and (c) orientated in the Lao legal context.

- 9. As indicated during the feasibility study in 2013, and now confirmed during final detailed design stage in 2015, there are no requirements for acquisition of private and/or public land or other assets by this subproject. As there is no compensation necessary, no budget for compensation payments is required. Temporary land requirements for access and site installations will be designed by the contractor and approved during the construction phase by the resident site engineer.
- 10. Consequently, there are also no requirements for resettlement by this subproject.

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

- 11. Related to the detailed design stage this Land Acquisition and Compensation Report was prepared between May and July 2015. It has been based on a consultative and participative approach with focus on:
  - (i) Joint transect walks in irrigation schemes along irrigation infrastructure.
  - (ii) LARC related public meetings.
  - (iii) Engineering design related public village meetings.
- 12. The defined grievance approach aims at having complaints ideally passed through four stages before they could be elevated to a court of law as a last resort. The NRIDSP's objective is to handle and solve any complaints those for stages before a complainant would approach a court. However affected persons are entitled to lodge complaints regarding any aspect of the preparation and implementation of the Land Acquisition and Compensation without prejudice to their right to file complaints with the court of law at any point in the process.
- 13. During the review of land requirements in the subproject area at the detailed design stage the Consultant received feedback from the contacted households indicating their high satisfaction of the subproject bringing them "a better irrigation" and their hope that the subproject would start very soon.

#### E. Planning, Implementing and Monitoring

- 14. The planning of compensation and mitigation measures has been based on the engineering feasibility design and detailed design and the related measurement surveys. As there are no impacts on private assets, no inventory of loss (IOL) and socio-economic survey of affected households (SESAH) were required, and no compensation budget calculated for payment of loss of land and trees.
- 15. The Ministry of Agriculture and Forestry is the executing agency for the Project with the responsibility for overall project coordination and management transferred to its Department of Planning which has established the National Project Management Office for day-to-day coordination and management of the Project. The implementing agencies at the provincial level are the Provincial Agriculture and Forestry Offices. Provincial Project Offices have been established within each PAFO to be responsible for subproject related financial management at provincial level, and coordination and management of implementation of subprojects. To assist implementation of the subproject at the district level, District Coordination Offices have been established within District Agriculture and Forestry Offices mainly to coordinate and supervise subproject activities.
- 16. This subproject is scheduled to commence construction work in November 2015 for about 8 months until June 2016. The start of implementation is mainly dependent on approval of detailed design, bidding evaluation & contracting, and the updated LAC report part of the Project's overall grant conditions.

17. During implementation and operation phase no LARC related internal and external Monitoring and Evaluation is required. However, the construction supervision has to ensure, that the rehabilitation/construction of the irrigation infrastructure components will take place within the existing right-of-ways to confirm that no private assets are affected. Otherwise any data or information has to be made available in a transparent way to involved stakeholders either in Lao and/or English language, whichever is more comprehendible to a given stakeholder group.

#### F. Conclusions

- 18. This Updated Land Acquisition and Compensation (LAC) Report concludes that there is no acquisition of assets required. The significance of expected impacts of this subproject falls under ADB Category C as it does not involve involuntary resettlement impacts.
- 19. The updated land acquisition planning during detailed design stage has been completed in May 2015. It served for reviewing the LARC requirements of the subproject.

#### G. Reporting Notes

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

#### 1. PROJECT DESCRIPTION

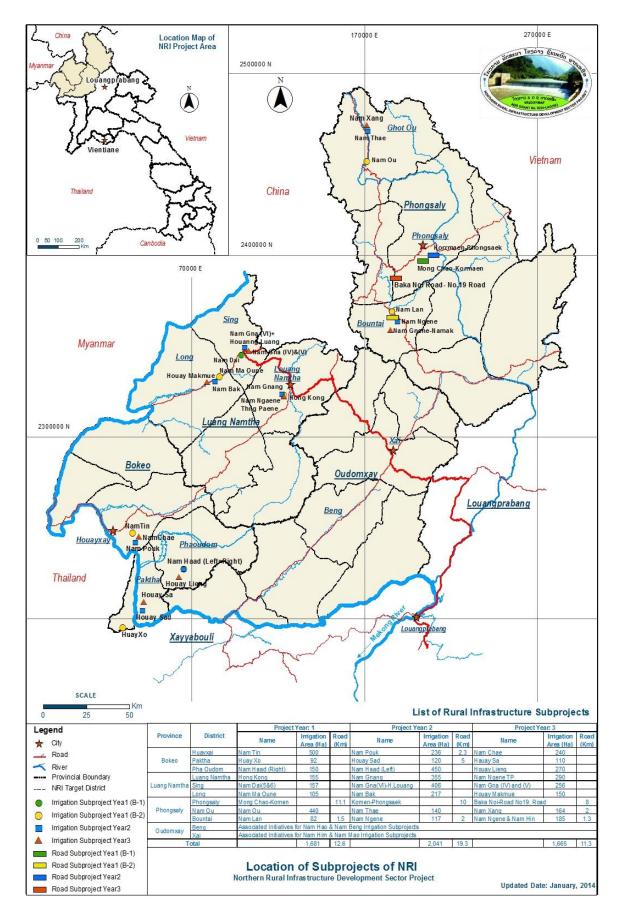
#### 1.1 Northern Rural Infrastructure Development Sector Project

- 22. The Northern Rural Infrastructure Development Sector Project (NRIDSP) main aim is to provide the rural community with access to and participation in the market economy. This is to be realized through the increase in incremental production in saleable commodities and promotion of agricultural productivity. NRIDSP has four main outputs:
  - (i) Production and productivity enhancing rural infrastructure constructed and/or rehabilitated.
  - (ii) Productivity and impact enhancing initiatives adopted.
  - (iii) Capacities of national, provincial and district agencies strengthened to enable a sector development approach.
  - (iv) Efficient and effective delivery of subprojects and Project management.
- 23. The map in *Figure 1* shows the four Project provinces and the locations of the subprojects of the three project years.

#### 1.2 Houay Lieng Irrigation Rehabilitation Subproject

- 24. Houay Lieng Irrigation Subproject is located in Pha Oudom District, Bokeo Province. The scheme is located east of the Bokeo Provincial Center, travelling a distance of approximately 84 km by road. Most of the villagers originated from Bokeo with a few migrants from nearby provinces. The subproject beneficiaries are residents of the eighth villages in Pha Oudom District, Bokeo Province: Sibounheuang, Viengkham, Kene Kham, Houay Koune, Poung Laat, Somsavang, Phiangkham, and Nam Kha-Palao with a total of 1,046 households (HHs) and a population of 6,284 people.
- 25. The Houay Lieng Irrigation System was constructed by the Government. The Houay Lieng is divided into two irrigation water user groups: 1) Houay Lieng 1 Irrigation (Weir No. 1 upper stream) total area coverage of about 213 hectares (RMC 155 hectares and LMC 58 hectares); and 2) Houay Lieng 2 (Weir No. 2 at downstream of Houay Lieng river) covering a total area coverage of about 57 hectares. The Houay Lieng Irrigation System was constructed by the Government. There are 2 concrete weirs irrigating a total of 270 hectares during the wet season. Houay Lieng Weir 1 is the upstream weir constructed in 2001 with 2 intakes and 2 earth main canals, LMC 2.65 km long and RMC 0.95 km long. The LMC supplies irrigation water to an area of about 155 hectares, and RMC supplies water to an area about 58 hectares. The intake gates are stuck and can't be lifted due to sediment accumulation and these have serious leaks. Houay Lieng Weir 2 was constructed in 2008 with an open intake and a 2,650m long main canal at the right side irrigating about 57 ha.
- 26. The subproject includes construction, rehabilitation and/or improvement of different infrastructure components of the irrigation scheme (see *Attachment 2*).
- 27. Besides the irrigation rehabilitation works, productivity and impact enhancement initiatives will be delivered by the Project. These initiatives will comprise compulsory and optional initiatives. The compulsory initiatives will include (i) support for WUGs established to operate and maintain the rehabilitated facilities; and (ii) WUG management training, Improvement of WUG Executive communities, such as financial management, operation and maintenance, water catchments identification and zoning. Optional initiatives will need to be further discussed with the beneficiaries during detailed design stage and could be selected from production, post-harvest handling, processing and the development of market linkage initiatives.
- 28. Figure 2 contains a map showing the layout of the subproject's infrastructure.

Figure 1: Location and Features of NRI Subprojects



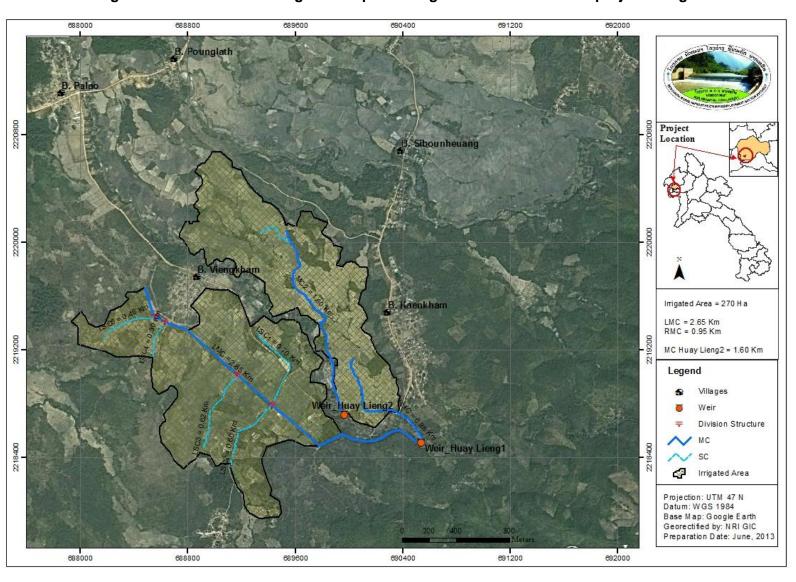


Figure 2: Location of Existing and Proposed Irrigation Scheme and Subproject Villages

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

- 29. A LARC screening has been prepared in *Attachment 2*.
- 30. This subproject involves physical changes through rehabilitation works. Both feasibility study design and detailed design have considered an alignment of infrastructures which avoids any acquisition of private assets. The corridor of impact is limited to the existing ROW.
- 31. There are no impacts on private and/or public land, trees, houses and other structures, community resources, livelihoods and economic activities. Consequently, there is no compensation necessary and also no requirements for involuntary resettlement.
- 32. For any temporary site installation and access roads the contractor will have to propose a site installation and access plan and obtain approval by the resident site engineer. Where possible public land will be used. The Employer will provide the contractor with the project's land acquisition and compensation principles to be followed by the subproject.

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

Type of Asset	e of Asset Level of Affectedness		Affected Household/s
Productive Land	None		
Trees	None		
Residential Land	None		
Primary Structures	None		
Secondary Structures	None		

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

#### 3.1 Socio-Economic Baseline

- 33. The Subproject will benefit eight villages: Sibounheuang, Viengkham, Kene Kham, Houay Koune, Poung Laat, Somsavang, Phiangkham, and Nam Kha-Palao. The eight villages have a total of 1,046 households (HHs) and a population of 6,284 people.
- 34. The information of this paragraph has been extracted from the Social Impact Assessment (Section 3.1: Socio-Economic Conditions) of this feasibility study:
  - (i) The social environment of the proposed subproject is potentially very supportive to the implementation of the Subproject.
  - (ii) The proposed subproject involves improvement of an existing irrigation system and potentially will not require land acquisition for right-of-way nor will impact on existing crops and structures. The impact of the project construction on the environment, land crops and assets (if any) will be determined jointly with the villages and will be mitigated by the preparation and implementation of an Environmental Management Plan (EMP) and Resettlement Action Plan (RAP) during the detailed engineering phase of the subproject.
  - (iii) Agricultural crop production is a major source of income in the area. The subproject will provide improvements on the system which will promote better agricultural production within the village covered by the proposed subproject.
  - (iv) Informal Water Users' Groups is existing in the area, composed of households using irrigation water. The organization and development of a formal Water Users' Group to be registered as Water Users' Association (WUA) will build upon these existing groups. The WUG capability will be developed for the MOM of the Irrigation System.
  - (v) There is more than sufficient available labor in the 8 villages. Contractors can hire local labour for their labour requirements. This is specified in the NRI Project Grant Agreement.
  - (vi) Significant number of households has rice deficits (46% of HHs) and poor (about 44%), LLHHs (11%), and FHHs (8%). Hiring of labor as well as the implementation of associated initiatives must prioritize these sectors.
  - (vii) The residents of the villages are composed of two distinct ethno-linguistic groups, Lao Tai and Mone Khmer. An Indigenous People's Plan must be developed to protect the interest of the minority ethnic groups
  - (viii) Women are seen to be performing responsibilities not only at home but also in agriculture production and in decision-making alongside men. The role of women in village administration units and organizations needs to be promoted as the leadership of these are still dominated by males. This should be made component of the Gender Action Plan to be developed for the subproject.
  - (ix) Overall literacy is somewhat low with only 41% compare to the population, while female is only 33%. This will be a challenge in the conduct of village consultations, meetings and trainings. The use of adult training methods that promotes two-way communication is important. Visuals, plain simple language and local dialects must be utilized. Resource persons and/or facilitators must be those who can speak the dialects (language) in the area. There are village teachers who can be invited to help during subproject consultation, meetings and trainings to help in improving communication.

#### 3.2 Social Impacts

- 35. The proposed subproject has the following potential positive impacts
  - (i) Increase household income and hence, reduce poverty.
  - (ii) Improvement of the economic conditions of beneficiary households due to: (a)

- improved irrigation water availability in irrigated areas; (b) increase in irrigated area in both seasons; (c) increase rice yield and production; (d) promote production of high value for other crops during the dry season; and (e) increase in income.
- (iii) Generate additional demand for hired labour due to increase in crop production activities in the area for two seasons.
- (iv) Promote a more active economy for the villages due to increased production of rice and other crops, increased household income, potential commercialization of rice surplus and high value crops, and demand for production inputs.
- (v) Savings on labor, time and local materials for the beneficiary households from the frequent repair of the indigenous weirs particularly during the wet season.
- 36. The subproject will enable intensification (increased frequency) of cropping in the area through increased reliability of water supply.
- 37. Those without irrigated land also support and express their need for the subproject as it will increase the demand for farm labor and there will also be employment from construction.
- 38. During fieldwork (asset measurement surveys, detailed design field investigations and SESAH) GIC could notice a widespread support for the proposed subproject both amongst those with irrigated land and those without as there is an expectation that intensification of cropping will provide increased demand for farm labor.

#### 3.3 Socio-Economic Survey of Affected Households

- 39. As there are no subproject LARC affected people, no related assessment is required.
- 40. It is noteworthy that residents of the subproject villages confirmed during LARC related fieldwork their expectation of an improvement of their livelihoods through rehabilitated irrigation infrastructure as their incomes depend heavily on agriculture.

#### 4. INFORMATION DISCLOSURE, CONSULTATION AND PARTICIPATION

#### 4.1 Requirements

41. In general a meaningful consultation is a process that (a) begins early in the project preparation stage and is carried out on an ongoing basis throughout the project cycle; (b) provides timely disclosure of relevant and adequate information that is understandable and readily accessible to affected people; (c) is undertaken in an atmosphere free of intimidation or coercion; (d) is gender inclusive; (e) enables the incorporation of all relevant views of affected people and other stakeholders into project design and implementation; and (f) ensures the participation of AHs in planning, implementation, and monitoring and evaluation of resettlement programs.

#### 4.2 Achievements

- 42. The disclosure of information, consultation and participation of residents in the subproject implementation area started with the PPTA in 2010 and continued in 2011 and 2012 for the subprojects of the 1<sup>st</sup> Project Year and extended in 2012 and 2013 for the 9 subprojects of the 2<sup>nd</sup> Project Year as well as from 2013 to 2015 for the 8 subprojects of the 3<sup>rd</sup> Project Year all as part of the preparation of feasibility studies and detailed designs respectively. The contacted residents have a good understanding about the subproject and its land acquisition related aspects. The contacted villagers show an open attitude and a very supportive behavior towards the subproject as irrigation is a topic of high interest.
- 43. Provincial and district officials, as well as village representatives, households and families have been informed about the subproject in general and LARC aspects in particular. The subproject ensured that potential affected persons and other stakeholders have (a) obtained again information, however at detailed design stage now, and (b) opportunities to participate in the land acquisition process. An overview about LARC related governmental coordination and community consultation has been prepared in *Attachment 3*.
- 44. The dissemination and consultation activities are performed as an integral part of the resettlement planning process to inform the concerned villages about LARC items through (a) village meeting/s and (b) individual clarifications, in addition to (c) joint transect walks. During DMS fieldwork, the GIC initially provided information about participation of affected persons in land acquisition activities, the involvement of district and village leaders in the overall process, type of compensation and mitigation measures.
- 45. The feedback of contacted people given to GIC in site meetings has been recorded and incorporated in this report. This concerned mainly the agreement of the alignment of the new canal. During the PMS/DMS related fieldwork further consultation and discussion took place with villagers and findings have been considered by the preparation of this LAC report. On-site consultation should continue during the construction phase.

Table 2: Feedback from Subproject Village Consultation Meetings

	T		1								_		
	Question Item		-				otals of Responses by						
No.		Item	All Majority			erage		ority					
	Q000			0%		75%		50%		25%	0%	kno	
			F	M	F	M	F	M	F	M	FM	F	М
Q-1	Do you support t	he subproject?	Х	Х									
		he canal scheme and/or road	1			i			1	i i			
Q-2	system?	х	Х										
Q-3	Would you agree on your land?	in permanent canal/road alignments											
Q-4	Would you agree your land?	in temporary construction access on	х	х									
Q-5	If land or other assets will be acquired, what is your preferred compensation	Donation of land as contribution to subproject Land for land compensation in any case  Cash compensation for land in any case									***************************************		
	option?	in any case											
	What is your	Village committee	Х	Х									
	preferred	District committee											
Q-6	conflict												
	resolution	Provincial committee											
	option?	Civil court		<u> </u>		<u> </u>				<u> </u>			
	If land or other assets will be acquired, what is your preferred use of compensation fees?	Education of children											ort
		Building new houses										e b e	
		Small business											₽
Q-7												No cases to report	
		Deposit in bank											
		Consumption											
		Others											
		Modernie	I	1	<u> </u>		<u> </u>	1	l				
	If you will lose	Work outside										_	
	majority of your	Open shops										5	
Q-8	land, what are your preferred	Run restaurants or hotels						cases					
Q-0	options for	Have small business									g	ē	
	future	On-the-job training/ apprenticeships		<u> </u>						$\vdash$		No cases to report	
	livelihoods?	Others											
						+							
		Totals	4	4	0	0	0	0	0	0			
Comn	nents from Particip												
C-1	•	firmed their willingness to cooperate w											
C-2	Concerning (	Q-3, Q-5, Q-7 and Q-8 AHs there are n	o cas	es to	repo	rt, the	refor	e no i	nform	ation	is prov	ded	
Notes	from Consultant												
N-1.1													
N-1.2													
N-1.3													
N-2.1													
N-2.2													
N-2.3													
N-3	Main facilitators: PPO,DCO, GIC												
N-4	complementar	iefing on LARC aspects to village y to joint transect walks undertaken in t									nsultant	sta	aff
	eviations												
	emale; M:=Male;	000 5000 5000 5000	<i>.</i> .	010	_				_				
PPO::	=Provincial Project	Office; DCO:=District Coordination Of	rice; (	=:کانی	Gra	nt Imp	ieme	ntatio	n Co	nsulta	nt		

#### 5. COMPLAINTS AND GRIEVANCE REDRESS MECHANISMS

#### 5.1 Requirements

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

#### 5.2 Grievance Approach

48. The main steps outlined below serve as an orientation for the grievance main approach. For each step details shall be described, agreed and explained to both resettlement responsible committees and the residents of affected villages.

**Table 3: NRIDSP Main Steps of Grievance Mechanisms** 

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

- 49. In general, APs are entitled to lodge complaints regarding any aspect of the preparation and implementation of this LAC Report without prejudice to their right to file complaints with the court of law at any point in the process. The implementing agencies will shoulder all administrative and legal fees that will be incurred in the resolution of grievances and complaints.
- 50. It is recognized that members of AHs might not have writing skills or ability to articulate their grievances verbally, however, then AHs are encouraged to seek assistance from the subproject and/or nominated local non-governmental organizations and/or other family members, village heads to have their grievances recorded in writing and to have access to the LARC documentation, and to any survey or valuation of assets, to ensure that where disputes do occur all the details have been recorded accurately enabling all parties to be treated fairly.
- 51. All complaints and resolutions will be properly documented by the PPO/DCO and be available for (a) the public and (b) review for monitoring purposes.

#### 6. LEGAL FRAMEWORK

#### 6.1 Lao Requirements

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

#### 6.2 ADB Regulations

- 53. In general, the national Lao policies on land acquisition, compensation, assistance and resettlement are aligned with the ADB's key guidelines for involuntary resettlement such as:
  - Safeguard Policy Statement, dated June, 2009.
  - Operational Manual Section F1/OP, dated March, 2010.
  - Handbook on Resettlement dated 1998.

#### 6.3 Agreed Key Principles

54. Based on these key references the Project has defined the following key principles aiming at LARC objectives the subprojects shall achieve, as shown in *Table 4*.

**Table 4: NRIDSP Key LARC Objectives** 

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

55. These all support the guiding principle of ADB that "...project affected people compensated and assisted so that their economic and social future will generally be at least as favorable with the project as without it". This policy intends to ensure that the absence of formal and legal titles to land by affected grouped or individual users should be formal or legal reasons for non-compensation, and that "particular attention should be paid to the needs of the poorest affected persons including those without legal title to assets, female-headed households, and other vulnerable groups, such as indigenous people, and appropriate assistance provided to help them improve their status". Currently, both ADB guidelines and policies, and Lao PDR national laws and regulations entitle subproject affected persons to compensation of private assets including land at replacement costs.

**Table 5: NRIDS Project Main Components of Compensation Approaches** 

Key Item	Internationally Applied Best Practice	Lao PDR Legislation	NRIDS Project
Scope of impact	Include all affected persons including those affected by construction and operational sites/facilities	All	Shall include all affected persons in residential, agricultural and commercial areas that are:  (i) permanently /temporarily acquired,  (ii) construction and O&M related,  (iii) private and/or public areas
Definition of assets	All fixed and movable assets	All	Shall define all assets:  (iv) legally acknowledged, and  (v) as identified during PMS/DMS and SESAH
Compensation to formal owners / users of assets	Compensation legally required	Listed	Shall be offered and provided to eligible:  (vi) private users  (vii) private organizations (WUG, etc.)  (viii) public users
Compensation to informal / unregistered owners / users of assets	Compensation to be provide to users of assets and resources based on traditional rights	IZ:	Shall be applied to eligible households or individuals:  (ix) whose user rights are proven by tax or other formal payments  (x) socio-economically surveyed as users of affected assets
Special support to ethnic groups using assets	Special mitigation measures throughout the	Key	Shall be for households or individuals: (xi) formally known or acknowledged at community level as related to one of these
Special support to vulnerable groups	project cycle	Items	groups (xii) During pre-construction, construct-ion and post- construction phases
Livelihood restoration	Compensation to be provided in addition to loss of assets, crops etc.		Shall include, among others: (xiii) Income rehabilitation measures (xiv) Others to be defined
Relocation	Avoiding physical displacement	Are	Shall be applied and shown through: (xv) Technical optimized design of proposed infrastructure (xvi) If not avoidable, relocated house-holds shall receive (for no costs or payments) issued land titles for their new compounds
Timing of compensation and support measures	Before construction start of any infrastructure subproject	Mandatory	Before start of construction: (xvii) Funds made available and proven to be accessible conditional to release of construction funds (xviii) Paid and/or provided to affected individuals/households
	best practices as applied by AI ment planning shall provide de		

#### 7. ENTITLEMENT, ASSISTANCE AND BENEFITS

#### 7.1 Entitled Affected Persons

56. In general the subproject defines eligibility as "those people residing, cultivating and/or making a living within the area to be acquired for the project as of the formally recognized cut-off date should be considered as project affected persons for the purposes of entitlements to compensation, resettlement and rehabilitation assistance in accordance with the provisions of laws and regulations. Lack of legal land use certificate or any acceptable proof indicating land use right to the land or structure affected by the project should not bar any person from such entitlement/assistance." In accordance with this definition for the purpose of resettlement planning NRIDSP includes affected people as shown in **Table 6**.

**Table 6: NRIDSP Categories of Entitled Affected People** 

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

- 57. Entitlements for each subproject affected household are based on the types and levels of losses. General orientation has been provided by the overall Project's Resettlement Framework. The defined entitlements have been followed and complementary details provided by the explanations given below.
- 58. APs and their households can also decide to donate those portions of their assets which are affected by the subproject. This is regarded as their voluntary contribution by which they also agree in not requesting compensation and related support for which they would be entitled. Conditions under which voluntary land donation can occur are described in the RF.
- 59. In case of AHs would have agreed to voluntary donation of their land and trees, there should be (i) some additional support and/or (ii) safety net in case their livelihoods would be affected more than expected. With regard to (i) additional support some priorities for AHs concerning construction related employment and jobs would have to be included in contract negotiations with contractors who have to consider these AHs for rehabilitation and construction work related job opportunities. In addition and if necessary (see item ii) some income restoration activities could be designed in a participatory manner during construction and/or operation phase which could include, among others, any of the following measures: (a) alternative livelihood; (b) improved agricultural production; (c) access to credit facilities for productive endeavors; and (d) appropriate skills training.
- 60. After completion of the feasibility study including the PMS, which was carried out in September 2013, the detailed design confirmed through its final field investigations in May 2015, that the proposed rehabilitation will take place only in existing corridors along existing alignments of the irrigation infrastructure along existing right-of-way.

#### 7.2 Loss of Assets and Resources

- 61. No IOL has been conducted as there are no losses expected. No Compensation Unit Rates were collected there are no involuntary resettlement impacts.
- 62. The entitlements are summarized in the subproject's matrix in **Table 7**.

**Table 7: Subproject's Entitlement Matrix** 

Type of	Entitled	Compensation and Rehabilitation	Implementation
Loss	Persons	Measures	Issues
I. LOSS OF LAND			
A Temporarily Affected			
A-1 Agricultural Land	0		
A-2 Residential Land	0		
A-3 Commercial Land	0		
B Permanently Affected			
P. 1. Agricultural Land	0		
B-1 Agricultural Land	0		
B-2 Residential Land	0		
B-3 Commercial Land	0		
II. LOSS OF HOUSES & OT	THER STRU	JCTURES	
C Temporarily Affected			
C-1 Houses	0		
C-2 Shelter/Dwelling	0		_
C-3 Fence	0		
C-4 Others	0		
D Permanently Affected			
D-1 Houses	0		
D-2 Shelter/Dwelling	0		
D-3 Fence	0		
D-4 Others	0		
III. LOSS OF CROPS & TRE	ES		
E Temporary Loss of			
E-1 Crops	0		
E-2 Trees	0		
E Permanent Loss of			
E-1 Crops	0		
E-2 Trees	0		
IV. LOSS OF COMMON PRO	OPERTY R	ESOURCES	
F Temporary Loss of Services			
F-1 Administration	0		
F-2 Water and Sanitation	0		
F-3 Health	0		
F-4 Education	0		
F-5 Transport	0		
F-6 Others	0		
G Permanent Loss of Services			
G-1 Administration	0		
G-2 Water and Sanitation	0		
G-3 Health	0		
G-4 Education G-5 Transport	0		
G-6 Others	0		
V. INCOME RESTORATION			
H-1 Material Transport Allowance	0		
H-2 Housing Transition Allowance H-3 Business Transition Allowance	0		
H-4 Special Assistance for Socially and/or Economically Vulnerable Households	0		
H-5 Other Support Measures	0		
,			1

#### 7.2.1 Loss of Land

- 63. No cases of subproject affected private residential land to report.
- 64. No cases of subproject affected private productive land to report.
- 65. Therefore, types of compensation and donation have only been discussed in a general way to provide a general picture to the villagers concerning LARC aspects in the context of the implementation stage of the subproject.
- 66. It has been assumed that temporary land requirements for establishing construction installation areas and camps concern public land. No compensation costs are assumed for such cases. In case contractor/s would damage property the contractor/s will be obliged to pay compensation at replacement costs immediately to affected families, groups, communities or government agencies. Damaged property will be restored immediately to its former condition.
- 67. Standard contractual obligations with contractor/s would be applied as a precaution in contracts (i) to pay compensation immediately, and/or (ii) restore property to its former condition in case contractor/s would damage such property.

#### 7.2.2 Loss of Houses and Other Structures

68. No cases of subproject affected house and structures to report.

#### 7.2.3 Loss of Crops and Trees

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

#### 7.2.4 Loss of Common Property Resources

72. No cases of subproject affected resources to report.

#### 8. RELOCATION OF HOUSING AND RESETTLEMENT

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

#### 9. INCOME RESTORATION AND REHABILITATION

74. No cases of allowances and special assistance to report.

#### 10. RESETTLEMENT BUDGET AND FINANCING PLAN

#### 10.1 Planned LAC Cost Estimate

75. No budget required as there are no cases of loss of private assets to be compensated. GOL counterpart funds cover costs for resources related to safeguard implementing and M&E both at national (resettlement committee and specialist/s), provincial (resettlement committee and provincial project office), and district levels (resettlement committee, community development and safeguard officer/s). External M&E costs are included in funds from ADB covering also project supervision.

Table 8: Subproject's Land Acquisition and Compensation Budget

Item	Description Rounded Amount [Million Kip]		Comments
Loss of land	No cases	No costs	
Loss of houses and structures	No cases	No costs	
Loss of crops	No damage of crops by construction works. Limited or no access to irrigation for certain periods in accordance with construction works.	No costs	This arrangement has been agreed between farming community and subproject to facilitate the rehabilitation works of the irrigation scheme.
Loss of trees	No cases	No costs	
Loss of common property resources	No cases	No costs	
Income restoration	No cases	No costs	
Special assistance	No cases	No costs	
Complementary measures	No cases	No costs	
	Sub-Total 1: Mitigation	0	
LARC implementation	Administrative matters	No costs	Separately budgeted
Safeguard implementation	M&E	No costs	Separately budgeted
Sub	-Total 2: Implementation	0	
Contingencies (10%	of subtotals 1 and 2)	0	
Su	b-Total 3: Contingencies	0	
	TOTAL	0	

#### 10.2 Compensation or Donation

76. There are no cases to reports.

#### 10.3 Actual LAC Budget

77. No land acquisition and compensation (LAC) budget required. In general, costs for resources to implement LARC related safeguards at national, provincial, district and village level during study, detailed design and rehabilitation/construction stages are borne by separate budgets and included in the subproject supervision.

#### 11. INSTITUTIONAL ARRANGEMENT

- 78. To ensure inter-agency cooperation at the national level, a National Steering Committee (NSC) has been established. The NSC will meet annually or as required to review overall implementation progress, approve annual work-plans and budgets, and provide overall policy guidance. The National Project Management Office (NPMO) will provide secretariat services to NSC. Provincial Steering Committees (PSCs) have been established to ensure inter-agency coordination at provincial level. The PSCs are chaired by provincial vice governors with equivalent representation to that for the NSC, including governors from the participating districts. The PSC will meet bi-annually or as required to review implementation progress and to ensure adequate levels of coordination between key agencies for project coordination. Subproject Investment Reports (SIRs) shall be approved by PSCs after obtaining the necessary concurrence of ADB for social and environmental safeguards. The PPO will provide secretariat services to PSCs.
- 79. The Ministry of Agriculture and Forestry (MAF) is the executing agency (EA) for the Project with the responsibility for overall project coordination and management transferred to its Department of Planning (DOP) who has established the National Project Management Office (NPMO) for day-to-day coordination and management of the Project. The implementing agencies at the provincial level are the Provincial Agriculture and Forestry Offices (PAFOs). Provincial Project Offices (PPOs) have been established in each PAFO to be responsible for financial management at provincial level, and coordination and management of implementation of subprojects. To assist implementation of the Project at the district level, District Coordination Offices (DCOs) have been established within District Agriculture and Forestry Offices (DAFOs) to mainly coordinate and supervise subproject activities.
- 80. At provincial and district levels staff has been nominated for committees responsible for LARC matters. They were among the 105 provincial and district staff attending the orientation workshops between 24 and 29 October 2011 organized and conducted by GIC for all four Project provinces including among other topics:
  - General introduction into LARC planning.
  - Specific explanations about country safeguard standards and Lao legal context.
  - Briefing about ADB involuntary resettlement and social safeguards standards.
  - Description of compensation approach for subproject conditions.
- 81. Relevant LARC related legal documents were distributed to the attendants of this workshop. The same staff has been involved in the consultation process, LARC- PMS/DMS screening, socio-economic surveys and IOLs during the subproject's feasibility and detailed design stages. In addition a LARC follow-up training took place between 24 and 27 December 2012.

#### 12. IMPLEMENTATION SCHEDULE

- 82. In general, the three PPTA representative subprojects are grouped as batch 1 of the Project's "year 1" beside 6 other subprojects grouped as batch 2. The Project's years two and three have further 9 and 8 subprojects, respectively.
- 83. An overview about performed and scheduled activities of design and construction works, together with related LARC activities, has been prepared for Project Year 3 in *Table 10*. There are no LAC activities required. In general, the subprojects of Project Year 3 are scheduled to commence with the mobilization of contractor in October 2015, and its physical construction in November 2015 with completion date 8 months later in June 2016.

Table 9: Status of Performed/Scheduled Activities of Project Year 3 Subprojects

					Time	
Project Year	Number		2013	2014	2015	2016
	of Sub-	Stage / Activity	Q1 Q2 Q3 Q4	Q1 Q2 Q3 Q4	Q1 Q2 Q3 Q4	Q1 Q2 Q3 Q4
1001	projects			J F M A M J J A S O N D	J F M A M J J A S O N D	J F M A M J J A S O N D
			P e	r forme	d ▼S c h	e d u l e d
		Feasibility Study				<u> </u>
		LAC fieldwork / surveys				
		Draft FS including LAC Reports				
		FS Review and Approved LAC Attachment				<u> </u>
		Sub-contracting & Detailed Design				
Year 3	8	LAC fieldwork / surveys				
rear 3	8	DD Updated LAC Reports				
		Bidding & Evaluation				
		Contract Negotiations & Mobilization				
		Approved Updated LAC Reports				<u> </u>
		Rehabilitation / Construction of 8 Subprojects				
		Operation of 8 Subprojects				'=>
		► Status July 2015		r forme		e d u l e d
		Months		J F M A M J J A S O N D	<del></del>	<del>                                     </del>
		Year		2014	2015	2016
	1	Main steps for land acquisition and compensati	on of the subprojects would ir	nclude among others:		
	'	(a) Delivery of compensation and entitlements,	(b) Approval of Updated LACF	R, (c) Notice to Proceed with imp	lementation.	
Notes	2	The subprojects have a 8 months construction	period each under the assum	ption of good working conditions	in dry and rainy seasons.	
	3	8 Irrigation Subprojects:				
	J	Nam Chae, Houay Sa (II), Houay Lieng, Houay	Makmue, Nam Ngaene Thong	Paene, Nam Gna (IV) and (V), N	lgene (Ban Namark) and Nam I	lin, Nam Xang.
Abbrev	iations:	LAC:= Land Acquisition and Compensation	FS:= Fe	easibility Study DD:= D	etailed Design	

#### 13. MONITORING AND REPORTING

84. The LAC monitoring is embedded in the overall M&E approach of the subproject. The M&E distinguish between internal and external components. The technical approach of the LAC related M&E will have to be transparent, and any data or information made available to involved stakeholders in Lao and/or English language, whichever is more comprehendible to a given stakeholder group.

#### 13.1 Internal M&E

85. As this subproject is a Category C project, internal monitoring about resettlement related aspects is not needed.

#### 13.2 External M&E

86. As this subproject is a Category C project, external monitoring about resettlement related aspects is not needed.

#### **ATTACHMENT 1: DEFINITIONS OF KEY TERMS**

**Resettlement Plan (RP)** is a time-bound action plan with budget setting out resettlement strategy, objectives, entitlement, actions, responsibilities, monitoring and evaluation.

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

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

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

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

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

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

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

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

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

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

**Significant Resettlement Effect** for each subproject means 200 people or more will experience "major" impacts. Major impacts include

- (i) physical displacement from housing and/or more than 10% of the household's productive (income generating) assets are lost.
- (ii) 100 people or more who are experiencing resettlement effects are indigenous people or vulnerable as defined in the policy, for example, female-headed households, those living close to, on or below the poverty line, and isolated communities, including those without legal title to assets and pastoralists; or
- (iii) more than 50 people experiencing resettlement effects are particularly vulnerable.

## **ATTACHMENT 2: OVERVIEW ABOUT LARC FACT FINDING AND SCREENING**

### Houay Lieng Irrigation Subproject - Pha Oudom District - Bokeo Province







PHOTOS 1 TO 3: JOINT TRANSECT WALK ALONG EXISTING ACCESS TO THE WEIR TO BE REHABILITATED.







PHOTOS 4 TO 6: IMPRESSIONS FROM EXISTING CANALS AND PADDY FIELDS.

TECHNICAL DESCRIPTION						
MAIN COMPONENTS	YES	NO	DESCRIPTION			
Upgrading or rehabilitation	Х		Existing facilities			
Construction of new physical facilities	Х					
Residential area		Х				
Productive land	Х					
Access		Х	Existing access			
Weir	Х		2 weirs (reinforcement)			
Main canal	Х		3 main canals with a total length of 5,835m lining/earth canals			
Other canal/s	Х		3 secondary earth canals with a total length of 2,010m			
Related structures	х		78 structures (5 main canal divisions, 25 farm outlets, 28 drops, 5 turn outs, 6 walk way bridges, 6 tail structures, 3 drain culverts)			
Drains		Х				
Road		Х				
POTENTIAL LAND ACQUISITION, RESET	TLEMEN	NT AND	COMPENSATION (LARC) RELATED IMPACTS			

POTENTIAL LAND ACQUISITION, RESETTLEMENT AND COMPENSATION (LARC) RELATED IMPACTS								
SELECTED KEY ITEMS	YES	NO	DESCRIPTION					
Permanent land acquisition		Х						
Temporary land acquisition		Х						
Loss of houses/compounds		Х						
Loss of agricultural land		Х						
Displacement of people		Х						
Change of land ownership and usage		Х						
Loss of crops/trees		Х						
Loss of incomes and livelihoods		Х						
Loss of businesses/enterprises		Х						
Loss of access to facilities/services		Х						
Loss of community assets/ties		Х						
Loss of cultural/historical properties		Х						
Affected non-titled or vulnerable groups		Х						
Affected socio-economic activities		Х						
LIST OF TECHNICAL ASPECTS AND SCREENING IN	ACCORD	ANCE WI	TH CHECKLISTS AS DEFINED BY LAO PDR GUIDELINES AND ADB REGULATIONS					

▶ FINDING: THERE ARE NO LARC RELATED IMPACTS EXPECTED FOR THIS SUBPROJECT

### **ATTACHMENT 3.1: OVERVIEW ABOUT LARC CONSULTATION AND COORDINATION**

### Houay Lieng Irrigation Subproject - Pha Oudom District - Bokeo Province



PHOTO 1: INCEPTION WORKSHOP: KICK-OFF EVENT OF THE PROJECT



PHOTO 2: ORIENTATION WORKSHOP: INTRODUCTION OF DISTRICT / PROVINCIAL PROJECT STAFF INTO LARC LAWS / REGULATIONS



PHOTO 3: RECONNAISSANCE VISIT: INTRODUCTION MEETING BETWEEN DISTRICT / PROVINCIAL STAFF AND GIC



PHOTOS 4 AND 5: PUBLIC VILLAGE MEETING TO INFORM ABOUT LARC ASPECTS AND SURVEYS



PHOTO 6
PUBLIC VILLAGE MEETING AT DETAILED DESIGN STAGE ABOUT DESIGN / LAND REQUIREMENTS

		STAGE ABOUT DESIGN / LAND REQUIREMENTS
ITINERARY		
DATE	ACTION	DESCRIPTION
13-18 July 2010	PPTA related cooperation and cons	ultation with authorities and villagers
03 August 2011	Inception workshop Vientiane City	Introduction to key stakeholders including representatives from MAF, MoF and Project staff from Bokeo, Luang Namtha, Phongsaly and Oudomxay provinces
07 September 2011	Introductory field visitsSubproject areas	Preliminary fact finding mission by GIC staff to the three provinces of Bokeo, Luang Namtha, and Phongsaly to:  (i) Introduce GIC team to provincial/district Project staff;  (ii) Get preliminary LARC related overview of scope and nature of LARC effects through Project in general.
24-26 October 2011	Orientation workshop for Bokeo and Oudomxay provinces, and 5 districtsBokeo	Concerning 34 provincial and district staff incl. 17 women:  (iii) Distributing LARC related Lao laws and technical guidelines to all attendants;  (iv) Briefing formal and practical LARC aspects;
24-27 December 2012	Capacity Development Training Oudomxai Town	Training Component Social Safeguard for Project Staff:  (v) General M&E of LARC related items;  (vi) Specific criteria concerning pre-construction, con-struction
21-23 May 2013	Irrigation engineering site visitSubproject area	and post-construction (operation) phases.  Review of technical aspects including among others:  (vii) Conditions of existing irrigation infrastructure;  (viii) Existing and/or new canal alignments;  (ix) Irrigation related requirements of villagers/WUAs.
26 September 2013	PMS fact finding missionSubproject area	LARC related planning:  (x) Village consultation meeting;  (xi) Transect walk with villagers and provincial/district Project staff along irrigation infrastructure;  (xii) Preliminary Measurement Survey of land/ trees;  (xiii) Discussion key-finding for LAC by PPO and GIC.
03 June 2015	DD Engineering DMS fact finding village consultationSubproject area	Implementation of land acquisition: (xiv) DMS/SESAH based on detailed design, if necessary; (xv) Disclosure of LAC related content; (xvi) Official procedures for land acquisition, if necessary.  Public presentation about detailed design for final: (xvii) Technical descriptions and clarifications; (xviii)Farmers requirements; (xix) Confirmation/dissemination about LARC aspects.

#### **ATTACHMENT 3.2A-I: LARC VILLAGE CONSULTATION**

### **CONSULTATION DURING FEASIBILITY STUDY STAGE ON LAND REQUIREMENTS** AND PROCDURES ON COMPENSATION / DONATION OF ASSETS

Houay Lieng Irrigation Subproject - Pha Oudom District - Bokeo Province

Public Village Meeting in Sibounheuang Village, 26 September 2013 Attendance List

້ຳຄງການຟັດຫະນາ ໂຄງລ່າງຊີນນະບົດພາກເໜື ——	່ອ (ຄໝຊ)
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#### **ATTACHMENT 3.2A-II: LARC VILLAGE CONSULTATION**

## CONSULTATION DURING FEASIBILITY STUDY STAGE ON LAND REQUIREMENTS AND PROCDURES ON COMPENSATION / DONATION OF ASSETS

Houay Lieng Irrigation Subproject – Pha Oudom District – Bokeo Province Public Village Meeting in Sibounheuang Village, 26 September 2013 Attendance List

/ດທະນາໂຄງລ່າງຊີນນະບິດພາກເໜືອ ( ຄພຊ )

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#### **ATTACHMENT 3.2A-III: LARC VILLAGE CONSULTATION**

## CONSULTATION DURING FEASIBILITY STUDY STAGE ON LAND REQUIREMENTS AND PROCDURES ON COMPENSATION / DONATION OF ASSETS

Houay Lieng Irrigation Subproject – Pha Oudom District – Bokeo Province Public Village Meeting in Sibounheuang Village, 26 September 2013 Attendance List

ມົດທະນາໂຄງລ່າງຊົນນະບົດພາກເໜືອ (ຄພຊ)

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#### ATTACHMENT 3.2B-I: DETAILED DESIGN AND LARC VILLAGE CONSULTATION

## CONSULTATION DURING DETAILED DESIGN STAGE ON FINAL LAYOUT OF IRRIGATION SCHEME AND CONFIRMED NON-REQUIREMENTS FOR LAND ACQUISITION

Houay Lieng Irrigation Subproject – Pha Oudom District – Bokeo Province Public Village Meeting in Sibounheuang Village, 03 June 2015; Attendance List

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#### ATTACHMENT 3.2B-II: DETAILED DESIGN AND LARC VILLAGE CONSULTATION

## CONSULTATION DURING DETAILED DESIGN STAGE ON FINAL LAYOUT OF IRRIGATION SCHEME AND CONFIRMED NON-REQUIREMENTS FOR LAND ACQUISITION

Houay Lieng Irrigation Subproject – Pha Oudom District – Bokeo Province Public Village Meeting in Sibounheuang Village, 03 June 2015; Attendance List

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### ATTACHMENT 3.2B-III: DETAILED DESIGN AND LARC VILLAGE CONSULTATION

## CONSULTATION DURING DETAILED DESIGN STAGE ON FINAL LAYOUT OF IRRIGATION SCHEME AND CONFIRMED NON-REQUIREMENTS FOR LAND ACQUISITION

Houay Lieng Irrigation Subproject – Pha Oudom District – Bokeo Province Public Village Meeting in Sibounheuang Village, 03 June 2015; Attendance List

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