

Resettlement Planning Document

Document: Land Acquisition and Resettlement Plan
Document Stage: Final
Project Number: 40190
June 2012

GMS - Flood and Drought Risk Management and Mitigation Project (FDRMMP) LAO: Irrigation Development in Vientiane Capital

Prepared by the Ministry of Agriculture and Forestry (MAF) of Lao People's Democratic Republic
for Asian Development Bank

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ACRONYMS AND ABBREVIATION

ADB	:	Asian Development Bank
AHs	:	Affected Households
APs	:	Affected Persons
CPMU	:	Central Project Management Unit
DAFO	:	Department of Agriculture and Forestry Office
DMH	:	Department of Meteorology and Hydrology
DMS	:	Detailed Measurement Survey
DOI	:	Department of Investment
DPC	:	District People's Committee
DPs	:	Displaced Persons
EA	:	Executing Agency
EDPs	:	Economically Displaced Persons
EMA	:	External Monitoring Agent
FDRMMP	:	Flood and Drought Mitigation and Management Project (or the Project)
FGDs	:	Focus Group Discussions
GMS	:	Greater Mekong Sub-region
GoL	:	Government of Lao PDR
GRC	:	Grievance Redress Committee
HHs	:	Household Heads
IA	:	Implementing Agency
IEC	:	Information Education Campaign
IPP	:	Indigenous Peoples Plan
IOL	:	Inventory of Losses
kg	:	kilogram
KN	:	Lao Kip
RF	:	Resettlement Framework
RP	:	Resettlement Plan
LMB	:	Lower Mekong River Basin
lm	:	lineal meter
LURCs	:	Land Use Right Certificates
MAF	:	Ministry of Agriculture and Forestry
NGO	:	Non-Government Organization
para.	:	Paragraph
PCU	:	Project Coordination Unit
PDPs	:	Physically Displaced Persons
PIB	:	Project Information Booklet
PMCs	:	Project Management Consultants
PPMU	:	Provincial Project Management Unit
Project	:	Flood and Drought Mitigation and Management Project
RCS	:	Replacement Cost Survey
RETA	:	Regional Technical Assistance
ROW	:	Right-of Way
SES	:	Socioeconomic Survey
SDS	:	Social Development Specialist
SPS	:	Safeguard Policy Statement
WREA	:	Water Resources and Environment Administration

Dollar means US Dollar

\$ 1.00 = 8,000 KN

KN 8,000 = \$0.0001

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Definition of Terms

Affected person (AP)	- Means any person or persons, household, firm, private or public institution that, on account of changes resulting from the Project, will have its (i) standard of living adversely affected; (ii) right, title or interest in any house, land (including residential, commercial, agricultural, forest, salt mining and/or grazing land), water resources or any other moveable or fixed assets acquired, possessed, restricted or otherwise adversely affected, in full or in part, permanently or temporarily; and/or (iii) business, occupation, place of work or residence or habitat adversely affected, with or without displacement. In the case of a household, the term AP includes all members residing under one roof and operating as a single economic unit, who are adversely affected by <i>the</i> project or any of its components.
Compensation	- Refers to any payment in cash or in kind of the replacement cost of the acquired assets.
Cut-off Date	- The completion date of the census of project-displaced persons is usually considered the cut-off date. A cut-off date is normally established by the borrower government procedures that establish the eligibility for receiving compensation and resettlement assistance by the project displaced persons. In the absence of such procedures, the borrower/client will establish a cut-off date for eligibility.
Detailed Measurement Survey (DMS)	- With the aid of the approved detailed engineering design, this activity involves the finalization and/or validation of the results of the inventory of losses (IOL), severity of impacts, and list of APs earlier done during RP preparation. The final cost of resettlement can be determined following completion of the DMS.
Displaced Persons	- In the context of involuntary resettlement, the persons, entity organizations who are physically displaced (relocation, loss of residential land, or loss of shelter) and/or economically displaced (loss of land, assets, access to assets, income sources, or means of livelihoods) as a result of (i) involuntary acquisition of land, and or (ii) involuntary restrictions on land use or on access to common property resources, legally designated parks and protected areas.
Economically Displaced Person	- Refers to any person who will lose income or sources of livelihood whether they are physically displaced, or not.
Entitlement	- Is a range of measures comprising compensation in cash or in kind, income restoration, transfer assistance, income substitution, and relocation which are due to APs, depending on the nature of their losses, to restore their economic and social base.
Grievance Procedures	- Is the process established under law, local regulations, or administrative decisions to enable APs to redress issues on property acquisition, compensation and other resettlement aspects.
Household	means all persons living together as a single social unit. They are identified in a census being an instrument of their recognition and legitimacy to receive compensation, rehabilitation and assistance under the Project.

Income Restoration	- Is the reestablishment of income sources and livelihoods of APs to their pre-project levels.
Meaningful Consultation	- is a process that: (i) begins early in the Project preparation stage and is carried out on an ongoing basis throughout the project cycle; (ii) provides timely disclosure of relevant and adequate information that is understandable and readily accessible to affected people; (iii) is undertaken in an atmosphere free of intimidation or coercion; (iv) is gender inclusive and responsive, and tailored to the needs of disadvantaged and vulnerable groups; and (v) enables the incorporation of all relevant views of affected people and other stakeholders into decision making, such as project design, mitigation measures, the sharing of development benefits and opportunities, and implementation issues.
Physically Displaced Person	- Refers to any person whose house and/or structure will be relocated from his/her pre-Project place of residence.
Protection Corridor	It is the area that is impacted by the subproject civil works or by the need to rehabilitate the waterways, creek and irrigation facility for use in flood and drought mitigation and management. In the context of involuntary resettlement, it is the area covered by the 50-meter width from the side of the dike embankment where the displaced persons have been identified who are eligible to receive compensation based on the cut-off date established by the Project implementing agency.
Rehabilitation	- Means assistance provided to severely affected APs losing 10% or more of productive assets (i.e. farmland, vegetable garden, etc.), incomes, employment or sources of livelihood such as shops and place of work have to be reconstructed and/or relocated. The livelihood support may be given in cash or in kind or employment during Project construction to improve or at least achieve full restoration of living standards to pre-project levels.
Relocation	- Is the physical shifting of AP from his/her pre-Project place of residence and/or business.
Replacement Cost	- The value determined to be fair compensation for land based on its productive potential, the replacement cost of houses and structures (current fair market price of construction materials and labor without provision for deduction of depreciation or remaining value of salvageable construction materials), and the market prices of crops, trees, and other commodities.
Resettlement	- All measures taken to mitigate any and all adverse impacts of the Project on AP's property and/or livelihood, including compensation, relocation (where relevant), and rehabilitation.
Resettlement Plan	- Is the planning document that describes the activities to be done in addressing the direct social and economic impacts associated with involuntary taking of land.
Severely Affected Person	- Is a person who will: (i) lose 10% or more of their productive assets, such as agriculture/aquaculture landholding, and/or (ii) physically displaced from housing; and/or (iii) economically displaced losing 10% or more of total income sources due to the Project.
Vulnerable Group	- Are distinct group of people who might suffer disproportionately or faced the risk of being further marginalized by the effects of

resettlement and specifically include: (i) households headed by women, the elderly or disabled; (ii) households living below the poverty line; (iii) the landless; (iv) children without means of support; and (iv) indigenous peoples and/or ethnic minorities.

Executive Summary

1. This Project proposes to develop pumped irrigation and canal system to irrigate an area that will be protected by the flood embankment proposed in the other sub-project under ADB funding. It intends to construct 4 pump irrigation schemes along Mak Hiao River at Ban Sang Houabor, Ban Donkhuay, Ban Nalong-3 and Ban Mak Hiao (installations of pumps and constructions of head-works, control structures and irrigation canals to address economic productivity in the area.
2. The project traverses the 3 villages of Makhiaw, Donkhouai, and Xanghouabor within Park Ngum and Xaythany districts in Vientiane Province. The proposed project is predicted to result in the following impacts: (i) of the 2,095,542.75 m² currently being used by APs, about 74,058.4 m² will be necessary for land acquisition, (ii) 60 AHs have been identified, of which 6 AHs will lose 10% or more of their productive lands and/or assets and are thus considered severely affected; (iii) while no main structures will be affected, 24 fences of 24 AHs will be dismantled; (iv) 67 trees will be uprooted; (v) 3 AHH will experience business disruptions; and, (vi) 43 AHs have been identified as vulnerable due to disruptions brought about by the project.
3. The Ministry of Food and Agriculture as the Executing Agency has prepared this Resettlement Plan (RP) as an expression of its commitment that it will comply with the social safeguards policies of ADB during subproject implementation.
4. This updated RP takes into account findings at PPTA (2012) during its conduct of consultations, inventory of loss, census, socioeconomic survey and replacement cost survey. A national survey team was fielded in May 2012 to update and validate the 2010 PPTA findings and intensify local consultations. This update likewise incorporates recent GOL policy statements, i.e., the issuance of Decree 152 on Land Administration and pricing and extrapolations of poverty line with other international sources in order to update estimates inasmuch as only 2005 Lao Census data was made available.
5. This RP provides the guidelines and procedures in the compensation and relocation of people or persons who shall be displaced due to the subproject, consistent with the existing legal framework in Lao PDR and that of the 2009 Safeguard Policy Statement (SPS) as well as the relevant cross-cutting policy themes of ADB.
6. The legal and policy framework for compensation, resettlement and rehabilitation in this RP is defined by the relevant laws and regulations of the GoL, and the Safeguard Requirements 2 of the 2009 Safeguard Policy Statement (SPS) and relevant cross-cutting policy themes of ADB. Both Lao Law and ADB policies entitle affected household to compensation for affected land and non-land assets at replacement cost. There are no other significant differences between ADB SPS and Lao PDR regulation on resettlement.
7. All affected households 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. Those who settle in the subproject area after the cut-off date will not be entitled to compensation or any other assistance.
8. All APs were recorded in the IOL/SES and are eligible for compensation and assistance. The list of APs was signed and validated by the 3 village chiefs and provided the EA/IA this May 2012.
9. The project entitlements developed and presented in the Entitlement Matrix are based on the coverage of impacts. Adopted entitlements are consistent with the Prime Minister's Decree No. 192/PM (2005), Regulation No. 2432/STEA-PMO (2005) and Regulation No. 699/PMO, WREA (March 2010), and consistent with the Safeguard Requirements 2 of the 2009 Safeguard Policy Statement (SPS). The entitlements

prescribed in this document may be enhanced and/or improved, as necessary, in the updated version of this RP. Compensation arrangements have been developed in line with the different losses and AP types making income restoration initiatives to be built in the entitlement framework specifically with safeguards on identified vulnerable groups like women and the elderly as well as those falling below a defined poverty line.

10. This RP is a product of current validation of the IOL, RCS, and SES conducted by the PPTA from 2010-2011. Participatory approaches have been realized through the involvement of the EA/IA and local governments along with village households/stakeholder groups.

11. Measures ensuring information's disclosure, consultation processes and grievance redress build on existing and operable mechanisms currently practiced by the GOL and the project sites in particular, at the village level.

12. The estimated cost for RP implementation is estimated at KN1,935,226,980.50 or about \$241,903.37. Cost for land shall be added to the Project loan from ADB. MAF will ensure the timely provision of funds for RP and will meet any unforeseen obligations in excess of the resettlement budget in order to satisfy resettlement objectives. Detailed compensation including food allowances to APs is likewise shown in Annex 2 of this RP.

13. Resettlement structures will have to be formed/activated requiring intensive capacity building to ensure efficient and just implementation of the RP. A monitoring system has been designed, highlighting the need for both internal and external bodies.

14. The results of the IOL, the budget and other information presented in this RP will be validated and finalized during updating of the RP through the conduct of a detailed measurement survey (DMS) following concurrence by GoL and ADB with this RP. Implementation of the RP will commence after MAF receives concurrence from ADB.

15. The MAF/DOI through its NPCO, will not issue a notice-of-possession of site until the head of district resettlement committee confirms in writing that (i) payment has been fully disbursed to the affected persons and rehabilitation measures are in place as set out in the RP agreed between MAF/DOI and ADB; (ii) displaced persons are already compensated; and (iii) the area is free from any encumbrances.

16. An indicative schedule of activities is prepared to guide RP implementation.

I. INTRODUCTION

1. The regional project¹ to which this subproject belongs intends to support the Governments of Lao PDR and Viet Nam to undertake structural and non-structural measures to prepare for and manage disaster risks linked to floods and droughts. Project interventions will (i) enhance regional data, information and knowledge base for the management of floods and droughts; (ii) upgrade or develop water management infrastructure and (iii) prepare communities to manage disasters such as flood and drought and adapt to climate change. Improved drought management and irrigation water structures will benefit farmers on approximately 100,000 ha of agricultural lands around 600,000 people will benefit from improved flood management.

2. Specific to Lao PDR, the project impact will be reduced losses resulting from floods and droughts. The project outcome will be improved capacities and preparedness to manage and mitigate the impacts of flood and drought events. As such, the project will have four key outputs: (i) Enhanced regional data, information and knowledge base for the management of floods and droughts, (ii) Upgraded water management infrastructure, (iii) Enhanced capacity for CBDRM, and (iv) Effective project implementation.

A. Project Rationale

3. The Irrigation Development Project is located in Vientiane Capital along in the floodplain of the Mekong River (Figure 1). Along this area, large agricultural land in the floodplain of Mak Hiao River does not have adequate irrigation facilities. Farmers of Mak Hiao River floodplain are thus suffering from flood as well as from drought every year due to lack of irrigation facilities. Provisions of irrigation systems are necessary for drought risk management (DRM) in this area.



Figure 1: Location of the Subproject

4. This Project proposes to develop pumped irrigation and canal system to irrigate an area that will be protected by the flood embankment proposed in the other sub-project under ADB funding. Specifically, the project as part of the FDRMMP intends to construct 4 pump irrigation schemes along Mak Hiao River at Ban Sang Houabor, Ban Donkhuay, Ban Nalong-3 and Ban Mak Hiao (installations of pumps and constructions of head-works, control structures and irrigation canals to address economic productivity in the area.

¹ The Asian Development Bank (ADB) provided project preparatory technical assistance. ADB. 2008. *Technical Assistance to the Kingdom of Cambodia, Lao People's Democratic Republic, Kingdom of Thailand and Socialist Republic of Viet Nam for Preparing the Greater Mekong Subregion Flood and Drought Risk Management and Mitigation Project*. Manila.

B. Summary of Project Impacts

5. The summary of impacts as shown in Table 1 reveal that: (i) of the 2,095,542.75 m² currently being used by APs, about 74,058.4 m² will be necessary for land acquisition, (ii) 60 AHHs have been identified; (iii) while no main structures will be affected, 24 fences of 24 AHHs will be dismantled; (iv) 67 trees will be uprooted; (v) 3 AHH will experience business disruptions; and (vi) 43 AHHs have been identified as vulnerable HH.

Table 1. Summary Table of Impacts

Village	District	No AHH	Female HH	HH size	Structure		Land					Trees	
					Affected	No AHHs	Total Land Area (m ²)	Total Affected Area (m ²)	Severity	No AHHs	Affected Pax	No of trees	No AHHs
Makhio	Park Ngum	22	3	120			815,032.75	24,758.40	3.0%	22	120		
Dongkhuay	Xaythany	14	3	69			398,601.00	15,600.00	3.9%	14	69	1	1
Danghuabo	Xaythany	24	10	135	Fence	24	881,909.00	33,700.00	3.8%	24	135	66	2
	Xaythany	38	13	204			1,280,510.00	49,300.00	3.9%	38	204	67	3
TOTAL		60	16	324			2,095,542.75	74,058.40	3.5%	60	324	67	3

C. Alternatives Considered to Avoid or Minimize Resettlement

6. The technical final design is still being adjusted to minimize resettlement impact, this will be done during the updating RP process .

7. Temporary or permanent displacement will further be minimized through constant coordination and consultations between the National Project Coordinating Office and the DOW as the IA on one side, and the local government units: district, communes, village leaderships, local stakeholders and Project-affected persons on the other side. Prior to land acquisition and clearing of the embankment right-of-way (ROWs), the representatives from project management shall observe and implement the following measures in order to avoid or minimize the negative impacts of involuntary resettlement:

- (i) Engage active participation of local governments and regularly conduct public consultations/information dissemination, whichever is appropriate, with district representatives, communes and village leaders.
- (ii) With due consideration to the various activities of the people in Mekong River, the civil works contractor will survey the area on where to establish alternative access to the bank so that civil works will not disrupt the peoples' daily activities along the river when the subproject is implemented.
- (iii) Project management will closely coordinate with the civil works contractor on the section-by-section schedule of implementing the civil works in order for AHHs to plan resettlement schedules, including procedures for their timely and orderly clearing of the ROW. AHHs will be given at least 3 months advance notice prior to any project activity within their areas.

D. Rationale for the Resettlement Plan

8. Rehabilitation/construction of the irrigation system specifically the canal network will require land acquisition. Updates for this RP that originally was prepared in 2010/2011 was made through the fielding of a Social Survey Team in May 2012. EA/IA staff as well local government officials joined the Team. Alignment used for updating the IOL was set by irrigation engineers at 8 meters from centerline of the existing canals.

9. The Ministry of Agriculture and Forestry (MAF) prepared this Resettlement Plan (RP) as an expression of its commitment that it will comply with the social safeguards policies of ADB during subproject implementation. This RP provides the guidelines and procedures in the compensation and relocation of people or persons who shall be displaced due to the subproject,

consistent with Safeguards Requirements 2 of the 2009 Safeguard Policy Statement (SPS), the existing legal framework in Lao PDR as well as the relevant cross-cutting policy themes of ADB.

II. SCOPE OF LAND ACQUISITION AND RESETTLEMENT

A. Project Coverage

10. The project traverses 3 villages within Park Ngum and Xaythany districts in Vientiane Province (Table 2). The table further shows the ratio of AHs compared to the total population per affected village.

Table 2. Project Covered Areas in Vientiane

District	Village	Lao 2005 Census		2012 Update	
		Total HH	Total Population	Total Affected HH	Total Affected Persons
Park Ngum District	Mak hiaw	268	1341	22	120
Xaythany	2	410	2051	38	204
	Dongkhouai	265	1326	14	69
	Xanghouabor	145	725	24	135
TOTALS	3	678	3392	60	324

* Source: Lao 2005 Census

** Source: Updated survey May 2012

B. Losses

11. **Land.** The 60 AHs headed by 44 males and 16 females will be affected on their agricultural lands, amounting to about 74,058.40 m² from a total of 2,095,542.75 m². Overall severity is minimal at about 3.5% that includes 6 of the 60 AH to be severely affected (10% and over) all located in the village of Xanghuabo, Xaythany District. Private companies/establishments and common properties are not affected by the project. Land ownership among APs is by virtue of Land Use Rights Certificates (LURCs) within agricultural lands.

12. **Structure.** No significant structures will be affected. Only about one-third or 24 AHs in the village of Xanghouabor, Xaythany District will be subject to fence dismantling. An estimated total of about 1,800 lm of fences made of concrete post and barbed wire materials is affected.

13. **Trees.** Sixty-seven trees, mostly coconut, of 3 AHs will be affected by the project, all situated in Xanghouabor, Xaythany District.

14. **Crops.** Compensation for crops refers to the foregone one-year harvest of rice from the portion of agricultural lands that will be acquired for the subproject. It was assumed that each ha. of irrigated land yields 100 bags of unhusked white rice, or 50 bags per harvest. Each bag weighs 50 kg in which current selling price is averaged to KN 3,600/kg. Farmers however believe that their land losses will be much compensated by the opportunity to produce rice twice or thrice a year compared to current production levels.

15. **Disruption of Businesses.** There are only 3 small-scale businesses that will be disrupted and can easily be transferred to less affected areas within their current place of residence. As these small shops/stores are supplementary income to farming, AHs are more than willing to move these a few meters from the present location.

Table 3. Project Affected Businesses

No	Village	District	HH Size	Total monthly income of HH (Kips)	Daily
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No	Village	District	HH Size	Total monthly income of HH (Kips)	Daily
1	Makhio	Park Ngum	12	5,775,000	20,000.00
2	Makhio	Park Ngum	6	2,500,000	16,666.67
3	Dongkhuay	Xaythany	4	5,830,000	166,666.67
3			22		

III. SOCIOECONOMIC INFORMATION AND PROFILE

A. Socio-Economic Profile of Subproject Area

16. Socioeconomic information was obtained in from 16 October to 3 November 2010 from 324 AHs in the general areas of Park Ngum and Xaythany, including Hadxayfong as the project then was conceived as one package. Homogeneity of characteristics is evident. The AHs represent 6.4% of the total 5,067 households in the overall project 17 villages of the 3 districts

17. The male typically head the household. Of the total AHs, majority or 82% is headed by male and 18% by female. Eighty percent are married, 18% widow, and 1% each as single and separated. Average age is 46 years old; 45 for male and 46 for female. The youngest is 21 years old while the eldest is 85, both female. Grouped according to their age structure, 18.7% of HHs belongs to the young adults (21 – 39 years old), 63.8 % comprised the adults (40–59 years old), and 17.5% belong to the elderly (60 years old and above). The distribution shows that majority (82.5%) of the heads of affected households belong to the productive age groups (20-59 years old).

Table 4. Gender Distribution of Household Members (%)

Age Distribution of HHS	Male	Female	Total
5 years old and below	4.2	2.7	6.9
6 – 10 years old	3.6	-	3.6
11– 15 years old	4.5	3.6	8.1
16 – 20 years old	7	5	12
21 – 25 years old	9	5.8	14.8
26 – 30 years old	6.7	4.1	10.8
31 – 35 years old	4.4	3.2	7.6
36 – 40 years old	4.5	4.2	8.7
41 – 45 years old	3.9	2.8	6.7
46 – 50 years old	2.8	2.4	5.2
51 – 55 years old	3.6	2.4	6
56 – 60 years old	1.8	0.9	2.7
61 – 65 years old	1.8	1	2.8
66 years old and above	1.8	2.3	4.1
Total	59.6	40.4	100

HH = household

Source: Processed from Socioeconomic Survey

18. The AHs have a combined population of 324 as of the completion of IOL representing 9% of the total population in the 3 villages. About 59.6% are male and 40.4% are female. Table 12 presents the age and gender distribution of AHs population where it shows that 18.6% belong to the young population, at 15 years old and below. About 74.5% belong to the labor force, at 16 – 60 years old, of which 43.7% are men and 30.8% are women. And next to this age range is 61 years old and above equivalent to 6.9% of the total household population who are elderly.

19. With this population structure, it suggests that the AHs have highly productive members and contribute to the incomes of their households. The HHs largely are literate with 15.2% have college education, 39.2% reached the secondary level and 45.6% with elementary school education.

20. Seventy-six of the AHs have been in the subproject areas for more than 31 years, 10% from 21-30 years, 5% from 11 – 20 years, and 9% have settled in the area less than five (5) years ago. As to their geographic origins, 83% were raised in the same communes, 9% from other communes, 5% from other districts, and only 3% came from other provinces.

B. Socio-Economic Profile of Affected People

21. The main occupation of all AH is farming. Monthly HH income is greatest in Xanghuabo at KN3,137,569.44, followed by Makhiao with KN1,907,272.73, and Dongkhuauy with KN1,735,000.00. As to monthly expenses, food is first (33%), fuel for cooking is second (27%), electricity is third (26%), and education is fourth (7%), as miscellaneous items share 7%.

22. In order to save on household expenses, particularly food, 32% of the AHs are growing vegetables, growing of fruit trees and raising livestock in their backyards for their own consumption, the excess is for sale. About 21% are borrowing money in coping up with their daily expenses.

23. Practically all houses of AHs have electricity connections. When it comes to source of water for domestic use, majority or 62% have their own deep wells. The other households obtain water from the Mekong River or get it from their neighbors. For their drinking water, 73% buy bottled water while the rest are getting from deep wells. They are in close proximity to the school of their children, have access to hospital or clinic given that their area is part of Vientiane Capital or in the nearby urban area of Chantabouli.

24. **Vulnerable APs.** Initial identified vulnerable households are those with elderly, female-headed households, and households falling below the poverty line. This RP has laid down the types of assistance the APs are entitled to, on top of their compensation, as mitigating measures against their becoming most vulnerable and will be enhanced during the updating. The types of assistance will be stated in the covenant between the EA and ADB prior to the loan approval for the FDRMMP component in Lao PDR. The NPCO will conduct due diligence if there will be AHs that will become vulnerable arising from RP implementation. Table 5 shows the initial findings of vulnerability in the project sites, prior to the project.

Table 5. Vulnerable HHs in the Project Areas

No	Village	District	ELDERLY HEADED HH		FEMALE HEADED HH		BELOW POVERTY LINE: < \$1.25	
			No AHH	HH Size	No HH	HH Size	No AHH	HH Size
22	Makhio	Park Ngum	10	50	6	34	14	74
5	Dongkhuauy	Xaythany			3	18	3	9
16	Xanghuabo	Xaythany	7	49	10	56	3	21
43	TOTAL		17	99	19	108	20	104

25. Poverty line was established with reference to the World Bank computation of daily income falling below \$1.25 per HH member². It is deemed that with the project, the current state of vulnerability will increase marginal standards of living for this group.

26. **Impacts on Women.** The 19 AHs headed by female represent 27% of the total AHs. Undisputedly, they play significant roles in sustaining their families by being actively involved in various occupations. But, given the result of land acquisition in the subproject area, none of them shall either be physically or economically displaced permanently for they will remain in place.

² World Bank, Development Research Group. 2010.

27. During the implementation of the updated version of this RP, MAF will comply with ADB's Policy on Gender and Development (1998) as a key strategy to promoting equity and Project Gender Action Plan. As per Safeguard Requirements 2 of the 2009 Safeguard Policy Statement (SPS), the affected properties of households headed by female will be valued the same as that of the households headed by male, i.e. compensation based on replacement cost, at pre-project level. They are also entitled to receive allowances and assistance.

IV. POLICY FRAMEWORK AND ENTITLEMENTS

28. The legal and policy framework for compensation, resettlement and rehabilitation in this RP is defined by the relevant laws and regulations of the GoL, and the Safeguard Requirements 2 of the 2009 Safeguard Policy Statement (SPS) and the relevant cross-cutting policy themes of ADB. The Bank's other cross-cutting policy themes that have bearing on resettlement planning and implementation are (i) Gender and Development [1998] and the Gender Mainstreaming Criteria Guidelines (2010); (ii) Public Communications Policy [2005]; and (iii) Accountability Mechanism [2005].

A. Policy Framework

1. Relevant Laws and Regulation in Lao PDR

29. The 1991 Constitution of Lao PDR has several provisions in Article Nos. 6, 8, 14 and 15 as well as 28 which are relevant to involuntary resettlement. The "*Study on Expropriation and Compensation in Lao PDR (2007)*"³, sponsored by Lao-German Land Policy Development Project, had identified 14 legislations and analyzed their provisions as to their applicability and responsiveness to the public. However, the Prime Minister's Decree No. 192/PM (2005) - Compensation and Resettlement of People Affected by Development Projects is considered fully compliant with ADB's Policy Requirements 2. The implementing provisions are outlined in Regulation No. 2432/STEA-PMO (2005) – Regulations for Implementing Decree No. 192/PM, which was further clarified in Regulation No. 699/PMO, WREA (March 2010) that contains the Technical Guidelines on Compensation and Resettlement of People Affected by Development Projects. The guidelines in Regulation No. 699/PMO, WREA (March 2010) were formulated from ADB and the World Bank policies through ADB TA No. 3133-LAO: Strengthening Social and Environmental Management in Lao PDR (July 2000).

2. ADB's Social Safeguard Policies

30. Safeguard Requirements 2 of the Bank's 2009 SPS defines the following objectives of involuntary resettlement: (i) avoid involuntary resettlement whenever feasible; (ii) minimize involuntary resettlement by exploring project and design alternatives; (iii) restore livelihoods; and (iv) improve the standards of living of the displaced poor and vulnerable households. Its scope range from physical displacement (relocation, loss of residential land, or loss of shelter) to economic displacement (loss of land, assets, access to assets, income sources, or means of livelihoods) as a result of (a) involuntary acquisition of land, or (b) involuntary restrictions on land use or on access to legally designated parks and protected areas. Further, it stipulates whether such losses and involuntary restrictions are full or partial, permanent or temporary.

3. Gap Analysis and Gap-Filling Measures

31. The recent changes in the Government of Lao PDR legislation related to compensation and resettlement represents a significant increased alignment of the government's policies and ADB's safeguards requirements with regard to the rights of citizens when their livelihoods, possessions and society are affected by development projects.

³ Land Policy Study No. 11 (December 2007) under Lao Land Titling Project II, entitled "*Study on Expropriation and Compensation in Lao PDR*" sponsored by Lao-German Land Policy Development Project.

32. Both Lao Law and ADB policies entitle affected household to compensation for affected land and non-land assets at replacement cost. Decree 192/PM (Article 8) defines severely affected households as those losing 20% or more of their income generating assets while ADB uses a threshold of 10%. There are no other significant differences between ADB SPS and Lao PDR regulation on resettlement. To address this difference, the Project defines severely affected households who are entitled to economic rehabilitation assistance as those“ as those who will (i) lose 10% or more of their total productive income generating assets due to the project, (ii) have to relocate; or (iii) lose 10% or more of their total income sources due to the project”

33. Both Lao Law and ADB policies entitle non-titled Affected Persons (AP) 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 in APs in urban areas who do not have proof of land-use rights and who have no other land in other places, compensation for their 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 assistance to purchase replacement land within the village.

B. Eligibility for Compensation and Other Assistance

1. Cut-off Date of Eligibility

34. All affected households 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 is defined as the final day of the census of potentially affected households. Those who settle in the subproject area after the cut-off date will not be entitled to compensation or any other assistance.

35. All APs whose personal information was recorded in the IOL/SES are eligible for compensation and assistance. The list of APs was validated by the chiefs of the 3 villages as updated in 2012 and submitted to the EA/IA and ADB.

36. The following the cut-off dates of eligible APs are maintained in the 3 villages as agreed during consultation in May 2012: (i) 24 October for Dongkhoy; (ii) 29 October or Xanghouabor; and (iii) 3 November for Markhio. All dates and months are covered in year 2010 based on the current allignment. If there is new alignment during the final design, the cut-off date of eligibility will be adjusted as the last day of DMS.

C. Entitlement Matrix

37. The project entitlements developed and presented in the Entitlement Matrix (Table 6) are based on the coverage of impacts. Entitlements adopted are consistent with the Prime Minister's Decree No. 192/PM (2005), Regulation No. 2432/STEA-PMO (2005) and Regulation No. 699/PMO, WREA (March 2010), and with Safeguard Requirement 2 of the 2009 SPS. The entitlements prescribed in this document may be enhanced and/or improved, as necessary, in the updated version of this RP.

Table 6. Entitlement Matrix

TYPE OF LOSS	ELIGIBILITY	ENTITLEMENTS	IMPLEMENTATION ISSUES
I. Loss of Land			
A. Permanent loss of land	APs or households with titles or land use rights certificates (LURCs), OR in the process of obtaining one or those with	<ul style="list-style-type: none"> Cash compensation at replacement value based on market prices that reflect recent land sales of comparable land the district and other nearby areas, and in the 	

TYPE OF LOSS	ELIGIBILITY	ENTITLEMENTS	IMPLEMENTATION ISSUES
	<p>customary land use rights, whose livelihoods are not undermined by permanent land acquisition.</p>	<p>absence of such recent sales, based on productive value.</p> <ul style="list-style-type: none"> • If losses are less than 10% of their total agricultural land: cash compensation for the affected portion of the land including assets and cash compensation for the affected portion of the land including assets and cash compensation for acquired land at 100% replacement cost. • If losses are 10% or more of their total agricultural land, cash compensation and first priority for land-for-land of equivalent productive capacity at a location acceptable to AHs, or if requested, cash compensation for the lost land at 100% of replacement cost and allowance. If the total cost of area of replacement land is lower than the affected land, the difference will be paid in cash equivalent to replacement cost based on unit price applied in the calculation of compensation for land. They are also entitled to participate in a suitable income restoration program. • Replacement land of equal value acceptable to AP. New LURC will be issued in the names of husband and wife, at EA's expense; or, payment in cash of the whole property based on market value if remaining portion is no longer viable for its use. • In case of residential land where the remaining land is no longer viable for residential use, acquisition of the entire landholding may not be necessary if this may be permitted for other use, e.g. small business shop. 	<ul style="list-style-type: none"> • If land-for-land is offered, title or LURC should be registered to both husband and wife • Planning of a suitable income restoration program (IRP) for the severely affected and vulnerable AHs will be done during RP updating following the completion of the DMS. The IRP will be designed with the active participation of the AHs and in consultation with livelihood agencies and training institutes. The income restoration program may include agricultural extension trainings, access to credit, provision of seeds, etc.
<p>B. Temporary loss of land</p>	<p>Only APs or households with titles or LURCs whose livelihoods are not undermined by permanent land acquisition.</p>	<ul style="list-style-type: none"> • No compensation for land. • Compensation to damaged crops or assets. • Civil works contractor will pay rent to owners of leased land. • The land will be restored to its original or better condition and returned to the landowner within the agreed timeframe 	<ul style="list-style-type: none"> • The viability of remaining land will be officially determined by the district resettlement committees and concurred with the APs during DMS • If temporary land acquisition will damage crops or assets, land should be restored to its original or better than the original form, it should be on the account of the civil works contracts

TYPE OF LOSS	ELIGIBILITY	ENTITLEMENTS	IMPLEMENTATION ISSUES
II. Loss of House and/or Structure			
A. Affected house and/or structure	Owners of affected house or structure regardless of their tenure status on affected land.	<p><u>Totally affected:</u></p> <ul style="list-style-type: none"> • Cash compensation based on replacement cost, equivalent to current market prices of: (i) materials with no provision for deduction of depreciation or salvageable value of construction materials, plus labor cost to cover dismantling, transfer and rebuilding including utilities installed or associated thereon. • All severely affected persons in need to be relocated to a new site, or reorganizing in existing location, shall be entitled to food support for each person in the household equivalent to 16Kgs of rice at current market value for a period of six (6) months. AHS displaced due to loss of residential house but without any impact on business or source of incomes will be entitled to food allowance for each household member for a period of three (3) months. <p><u>Partially affected:</u></p> <ul style="list-style-type: none"> • Cash compensation of affected portion, cost of dismantling of affected area and repair on unaffected portion. <p><u>No impact on secondary structure but will require relocation:</u></p> <ul style="list-style-type: none"> • If the structures are moveable and will not require any dismantling or will not cause any damage during relocation to new site, owners of structures will be given moving allowance to cover payment for labor. 	<ul style="list-style-type: none"> • Severely affected persons will be determined based on established criterion for vulnerability during RP preparation • The amount of moving allowance will be determined during resettlement preparation plan
B. Graves	Graves located in the areas acquired/ Households who own the graves	Cash compensation for all costs of execution, movement and reburial	
III. Loss of Business or livelihood			
A. Loss of business or livelihood during relocation/ dismantling repair of affective shop (without relocation)	Owners of shops/business regardless of tenure status	<ul style="list-style-type: none"> • For informal business (shops) cash assistance equivalent to the average net income per day multiplied by the number of days of business disruption • Assistance to mobile vendors /hawkers to temporarily shift for continued activity • For construction activities involving unavoidable disruption, compensation for lost income or a transitional allowance for the period of disruption whichever is greater 	<ul style="list-style-type: none"> • The net income per day as basis for establishing cash assistance
B. With relocation	Owners of shops/business	<ul style="list-style-type: none"> • Provision of alternative business site 	

TYPE OF LOSS	ELIGIBILITY	ENTITLEMENTS	IMPLEMENTATION ISSUES
	regardless of tenure status	of equal size and location with good access to customers satisfactory to the AHs, or cash compensation at full replacement value, if suitable replacement land is not available. <ul style="list-style-type: none"> Relocating APs without any impact on business or source of incomes will be provided with transfer/relocation assistance. 	
IV. Loss of Crops and Trees			
Trees and standing crops	Owners of trees and/or crops regardless of tenure status	<ul style="list-style-type: none"> Standing crops: cash compensation equivalent to 1.5 of annual gross value per year. Provide time allowance to APs for the harvest of perennial and/or non-perennial crops. For perennial trees: cash compensation at replacement cost equivalent to current market value based on type, age, and productive capacity For timber trees: cash compensation at replacement cost equivalent to current market value based on type, age and diameter at breast height of trees 	<ul style="list-style-type: none"> Average production will be determined and the methodology used will be defined in the preparation of final RP Compensation will be based on the volume of recovery at current market value of timber trees
V. Special Assistance			
This type of assistance is intended for vulnerable AHs as well as those who may become vulnerable as the result of the project.	Vulnerable group	<ul style="list-style-type: none"> Vulnerable groups will be entitled to special assistance, over and above their entitlements and compensation, allowance and rehabilitation assistance, to ensure that they are able to reestablish themselves and improve their income levels. An income restoration program will be prepared during RP updating by consultations with AHHs. The income restoration program may include agricultural extension trainings, access to credit, provision of seeds, etc 	<ul style="list-style-type: none"> Special assistance will be based on the factors of vulnerability that will be defined and prepared through consultation during RP updating process
VI. Impacts on Common or Public Resources			
Public infrastructure facilities	Management bodies	<ul style="list-style-type: none"> Provision of new access to common resources, IA will arrange with the public service utility provider for the transfer of the affected facility components at their own expense 	<ul style="list-style-type: none"> Location of new access to common resources will be disclosed to affected communities prior to project civil works

AH = affected household, AP = affected person, DMS = Detailed Measurement Survey, EA = executing agency, IA = implementing agency, LURC = land use rights certificate, RP = resettlement plan

V. COMPENSATION AND REHABILITATION ARRANGEMENTS

38. The preceding compensation policy further explains the coverage of compensation that each type of AP is entitled to receive given their status of ownership to the affected lands and other assets, as indicated in the Entitlement Matrix. Compensation and assistance will be provided to APs prior to any movement.

A. Compensation Arrangements

39. All 60 AHs are entitled to receive compensation for permanently affected land. It must be stressed that there will be no relocation in the project sites. Specifically;

- (i) AHs with losses less than 10% of their total agricultural landholdings will be entitled to cash compensation for the affected portion of the land including assets thereon, and cash compensation for acquired land at 100% replacement cost. AHs with losses of more than 10% of their total agricultural landholdings, will be entitled to cash compensation and first priority for land-for-land of equivalent productive capacity at a location acceptable to APs or, if requested, cash compensation for the lost land at 100% of replacement cost and allowances.
- (ii) If land-for-land compensation, the replacement land should be of equal value acceptable to APs. But if the area of replacement land is lower than the affected land, the difference will be paid in cash equivalent to replacement cost based on the unit price applied in the calculation of compensation for land.
- (iii) If the affected land has 10% or more impacts and still viable for use, the LURC shall be reconstituted at EAs expense and named to both husband and wife.
- (iv) New LURCs for replacement land will be issued to APs at the expense of MAF and the IAs, and named to both husband and wife.
- (v) If the APs prefer for cash, compensation will be at replacement cost based on the approach described in (i) and (ii) above.

1. Temporary Land Acquisition

40. Compensation for temporarily affected land shall be ascertained during the subproject implementation. But in case that temporary land acquisition shall be required for easement at the ROW and for temporary work station, the following policies will apply for Holders of LURC to Temporarily Affected Land:

- (i) Civil works contractor will pay rent or lease to the owners, under a written agreement as arranged by the respective district government hosting the subproject.
- (ii) Crops planted thereon or assets shall be compensated based on replacement cost.
- (iii) Civil works contractor will restore the temporarily affected land to its original or better condition, as may be desired by the landowner.

2. Voluntary Land Contributions

41. The ADB-SPS on Involuntary Resettlement does not apply to negotiated settlements even if among the stakeholders, unless expropriation would result upon the failure of negotiations. This RP recognizes the consultation processes, policies, and laws that are applicable to such transactions; third-party validation; mechanisms for calculating the replacement costs of land and other assets affected; and record-keeping efforts. Voluntary land acquisition for FDRMMP can be applied using a Voluntary Land Donation Form (See Annex 6 for a sample form) and must be attached to the Village RP and following the following principles:

- (i) Project site is selected in full consultation with landowners and any nontitled affected people;
- (ii) Voluntary donations do not severely affect the living standards of affected people and the amount of agricultural or other productive land to be acquired from each AP does not exceed 5% of the total productive landholdings of the household;

- (iii) Land donations are linked directly to benefits for the affected people;
- (iv) Any voluntary donation will be confirmed through written record and verified by an independent third party such as the external/independent monitoring entity;
- (v) The grievance process (as described above) is applied;
- (vi) No AP will be displaced from housing and severely affected; and
- (vii) Vulnerable AP(s) will directly benefit from IRP of the Project

42. In cases of impacts on livelihood sources, impacts of which are determined to be minor and the affected households do not want to receive compensation for the impacts; the above procedures will be applied. If the impacts are significant as can be finalized during the consultations with the affected households, the compensation and options for assistance must be discussed with the affected households and presented in the RP. The affected households shall be automatically included in the income restoration program of the Project.

3. Affected Structures

43. About 24 AHs are entitled to receive compensation for their affected fences. Cash compensation to the affected structure shall be based on replacement cost, plus cost of labor for the construction of a new fence.

4. Disruption of Businesses

44. The IOL has accounted for 2 APs whose businesses shall be affected. They will be compensated for the loss of income during transition period.

5. Affected Crops and Trees

45. AHs are entitled to receive compensation on trees/crops as assets that they will lose as the result of land acquisition. They will be provided time allowance for the harvest of perennial or non-perennial crops. This will be done after MAF has notified the people in the villages following receipt of ADB's approval on updated RP. Cash compensation based on prevailing market price for unharvested crops that are near or ready for harvest at the time of land acquisition will be provided. Specific to trees, compensation shall be based on age and commercial value of the fruit trees and wood trees.

6. Income Restoration Program and Assistance to Vulnerable Households

46. Aside from compensation and allowances that severely affected households (those losing more than 10% of their productive land or assets) and vulnerable AHs will receive for their losses as provided in the entitlement matrix, they are entitled to participate in an income restoration program (IRP) to restore their income and livelihoods to at least pre-project levels. This Program will be designed during RP updating with the AHs' active involvement and in consultation with livelihood agencies and training institutes.

47. The following income restoration measures are proposed for consideration in the planning of the IRP:

- i) Priority in employment in the construction and operation of the Project for qualified and interested APs of both genders. In line with this, APs will be informed of available jobs related to the project and advised on how to apply.
- ii) Provision of training to APs who wish to improve or change occupation and development of an appropriate training program and pilot projects with support from livelihood agencies and training institutes including seed capital (in kind).
- iii) Provision of viable seedling materials for rice lands of AHs.

48. On top of these IRP activities, the project, as inherent in its design and budget shall provide Community-Based Disaster and Risk Management trainings and consultation as well as training on Operations and Maintenance of irrigation systems to all AHHs to enable farmers to become resilient in their agricultural economic endeavors and ensure sustainability of the system.

49. For the purposes of budgeting, it is assumed that there is no double-counting between severely affected and vulnerable households. Please note, however, that some vulnerable households may also be among those severely affected. A lump sum of 126,795,000 LAK (approximately 15,849 USD) is allocated in this RP for the IRP. Derivation of cost considers the 6 severely AHHs constituting 31 persons (losing more than 10% of their productive/agricultural land), 179 vulnerable individuals (30 AHHs) and 3 AHHs to be affected by business disruption. All are based on current monthly income, business disruption, and formula for assistance to vulnerability households.

B. Due Diligence during the DMS

1. Replacement Cost Survey

50. Consistent with the compensation policy in this RP, replacement cost surveys (RCS) were conducted in 2010 so as to establish a reference in setting up the unit price rates based on replacement cost using both primary and secondary sources, particularly five (5) staff from the Provincial Agricultural Office (PAFO), the District Agriculture Office (DAFO), Land Management Authority and Land Taxation Unit. Resettlement costs and compensation due the AHs shall be updated during DMS/final project design.

51. For construction materials, the data were obtained from three (3) suppliers of construction materials in Hadxayfong and Sysatanak districts and four (4) AHs with affected structures. For the prices of trees, the data were supplied by DAFO and three (3) AHs, both from Hadxayfong district. Since rice is the only crop that shall be affected by land acquisition, the unit price for unhusked rice was solely based on the average buying price of white rice by traders in Vientiane Capital as of March 2011. The result of RCS is shown in Annex 5. Recent developments such as the issuance of Decree 152 by the Land Administration, upholds the standardized bench prices for various land types in the project area.

52. All compensation will be based on replacement cost. Replacement cost is the amount calculated which is needed to replace an affected asset without deduction for taxes and/or costs of transaction as follows:

- (i) Agricultural land based on actual current market prices that reflect recent land sales in the area, and in the absence of such recent sales, based on recent sales in comparable locations with comparable attributes, fees and taxes or in the absence of such sales, based on productive value.
- (ii) Residential land based on actual current market prices that reflect recent land sales, and in the absence of such recent land sales, based on prices of recent sales in comparable locations with comparable attributes, fees and taxes.
- (iii) Houses and other related structures based on actual current market prices of materials and labor without deduction for depreciation or deduction for salvaged building materials.
- (iv) Annual crops equivalent to current market value of crops at the time of compensation.

VI. INFORMATION DISCLOSURE, CONSULTATION AND GRIEVANCE REDRESS

A. Consultation and Participation

53. Meaningful consultation with affected people has started at the earliest stage during the preparation of the Project (PPTA stage) and after FFM. Women, vulnerable people, district governments and local leaders were among the participants of consultation, They actively participated by giving ideas and suggestion on resettlement issues and disaster risks management. Relevant information related to project, especially on entitlements and options have been disclosed accordingly through PIB and through discussions. The consultation will continue during updating process and implementation of RP.

54. In compliance with ADB's Public Communication Policy: Disclosure and Exchange of Information (2005), the MAF and the IAs in Vientiane City Government will promote the active participation of the subproject-based stakeholders who were identified in the series of subproject disclosure and public consultations. They includes: (i) the residents of 3 villages; (ii) the APs; (iii) the two district governments; and (iv) the MAF. Their participation during the updating and implementation of this RP is also expected.

1. Consultation and Participation during RP and Sub-Project Design / Preparation

55. Preliminary consultation activities have been initiated during the RETA. During the public meetings⁴ in Park Ngum and Xaythany Districts, and copies of Project Information Booklets (PIBs), written in Lao language, were given to all participants. Each public meeting was divided in two parts, with first part dealt with the visual presentation of subproject and the preliminary engineering design. This was followed by discussions about: (a) consensus building, (b) understanding socio-economic conditions of project areas such as poverty, education, health, income, adverse impacts of flood and drought to the peoples in their localities, and (c) issues on project site clearance, relocation, resettlement of APs and compensation. The second part was focus group discussion with women on: (i) situation of their living condition in their communes; (ii) their activities in their homes and communities; (iii) their limitations and capabilities in the project areas; (iv) impacts of floods and droughts; and (v) resettlement.

56. In 2012, again a series of consultations were held. Tables 7 and 8 provide the highlights in the 2010 and 2012 consultations.

Table 7. Highlights of Public Consultations in 2010

No	Question	Responses from the District Governor and DAFO Officials
1.	Land for compensate to APs on Land	Vice District Governor: common Land within district will be prepared for compensation to APs on Land Village Head: there flood during rainy season and dry during dry season, we can not plant any thing if no irrigation. The compensation cost is very low if compare to benefit as we will receive from project
2.	Regard to embankment alignment, DAFO Requests to project to extension the length of the dike from Mar Hio to Mak Nao village. If not, there is still flood again	It is may consider for next phase

Table 8. Highlights of Public Consultations in 2012

	By	Issue	By	Response
1	Khammai	How about cut-off-date	Mr. Bounma, from	I'm the one who biggest affected, nevertheless

⁴ The meetings were held on 30 September in Park Ngum and on 01 October 2010 in Hadxayfong.

	By	Issue	By	Response
		as indicted in the PIB	Ban Dongbouay	I have no objection on this, but suggest the following: <ul style="list-style-type: none"> - Project should provide rice seed with good species, - How to sustain O&M - Second or third canal of the irrigation should be constructed in order to distribute water in all areas - Project please start ASAP, irrigation is most needed for rice planting in this area - In term of affected land, project will compensate or not I don't mind, we already to contribute of such land for irrigation canal
			Mr. Chanelong, Dongkouy village	<ul style="list-style-type: none"> - We aware that in this area is flood during the rainy season, and dry during dry season; we all have no objection, and project please start soon. - Along irrigation aliment has no structure and tree, the project can start any time
2	Mr. Thongsouck	I want to ask your opinion if one household which possessed a small piece of land and unfortunately falling in the irrigation canal alignment, What do you think about this situation?	Mr. Bounlap-Ban Harkhio	All AP have big land and there is little affect to each AP, and we have been done the consultation among APs on irrigation canal alignment.
			Mr. Khamsane DAFO Parnum	This project will be successful implemented because of the full support of the people and involve from the beginning of the project formulation, therefore the consultation has been made especially with the impacted households and they are fully agreed with the irrigation canal alignment
3	Mr. Thongsouck	Worry that after complete the irrigation construction, people will build the house, shop or sell the land along the irrigation canal rather than planting the rice. Please noted this is irrigation for agriculture, it is not the road, therefore, request to village authority do the land use planning for this area and do not allow people use the land in irrigation area for another purpose.	Mr. Souvanh-Village Head, Dongkouy	There is agriculture area, and we need irrigation for rice planting in dry season, for the rainy season there is so wet and car and even motorbike are difficult to access. Whatever, we will request to DAFO to help us for preparation of land use planning that this is agriculture zone. Additionally, we will put in Kumban regulation that building any structure in irrigation area are prohibited
			Khamsane, DAFO Parnum	We just receive degree no. 169/VTC. signed by Vientiane Capital Governor Dated 16 May 2012 on prohibition of selling-buying and acquisition of public land (conservation area, wet land, river bank...) including irrigation area are not allow to building any structure. We should apply of above-mentioned decree

1.1. Consultation with APs and Awareness of the Subproject

57. The AHs were appraised on the purpose of IOL/SES and were also given the PIBs. The IOL/SES questionnaire has portions for AHs validation in connection with resettlement.

58. The AHs have no questions on the contents of the PIB given their generally positive perceptions that the subproject will be the answer to their problems brought about by floods, as exemplified in 2008 when plenty of households have been evacuated and 3,500 has. of rice paddies were damaged. However, some AHs were apprehensive on the transfer of their houses and the distance of resettlement site to work areas of their working members, if ever they will be relocated. On these concerns, the IOL/SES interviewers have told them to read the PIB carefully since their queries will be addressed in the compensation policy of the RP. Overall, the AHs were optimistic and became aware of their rights to complain by speaking or writing to the concerned Project authority.

1.2. Consultation on RP Prior to ADB Fact Finding Mission

59. The MAF and the IAs sent written invitation to APs and stakeholders for disclosure of this RP prior to loan Fact finding mission by ADB, in coordination with the chiefs of the communes and villages. A summary RP in pamphlet form was prepared and translated to Lao language for disclosure and consultation.

60. If the head of AHs was unable to read, the MAF and the IAs, with assistance from the chiefs of the communes or villages, ensured that another household member carefully explains the content of the RP pamphlet. This draft RP has received concurrence from Government and will be reviewed and approved by prior to uploading this document in the ADB website.

1.3. Consultations during RP Updating

61. In order to achieve the objectives for this particular activity, the Consultation and Participation Plan in Table 9 is prescribed for the RP updating. The Plan, which follows the principle of meaningful consultation as discussed in Para 55 outlines the mechanisms for conducting meaningful consultations with APs and other stakeholders, the information to be shared, method of dissemination, as well as institutional responsibilities. With assistance from NPCO, the MAF will hire the services of project consultants in accordance with ADB's Guidelines on the Use of Consultants (2007, as amended from time to time). One (1) international Social Safeguards Specialist and one (1) national counterpart shall be hired to assist in the consultation process.

Table 9. Consultation and Participation Plan for RP Updating

Stakeholder Groups	Reasons for Participation	Type of Participation	Participation Methods		Timeframe	
			Method	Responsibility	Start	End
APs, District Governor, chiefs of communes and villages, residents, NGOs, women's union and youth organizations.	Awareness of FDRMMP and the subproject information sharing; awareness of census and DMS, compensation and entitlement policy and cutoff date for eligibility of APs	Information sharing on the Project and the subproject	FGD, distribution of PIB, use of visual aid/s, sharing of thoughts by participants as written in index cards	Social Safeguards Specialists, Project Coordination Unit (PCU), and IAs.	First day of the second week of the third month after loan effectiveness.	Same day
APs	Determination of affected properties and productive assets	Sharing of information by APs on their affected properties and productive assets	Census and DMS and dissemination of PIBs written in Lao language.	Contracted survey personnel	Day after the FGD	Date to be indicated in sub-project RP
APs, District Governor, chiefs of communes and	To validate the requirement for resettlement site with	Consensus on the need for resettlement sites to APs	Consultation and consensus seeking among stakeholders	Social Safeguards Specialists, PCU, and IAs.	Date to be indicated in the sub-	Date to be indicated in the sub-project RP

Stakeholder Groups	Reasons for Participation	Type of Participation	Participation Methods		Timeframe	
			Method	Responsibility	Start	End
villages, residents, NGOs, women's union and youth organizations.	APs		on resettlement site.		project RP	
APs	To consult on compensation, entitlements, and other types of assistance	Agreement and consensus on compensation, entitlements, and other assistance	Presentation of draft RP in local dialect of APs	- do -	- do -	- do -
APs	To share information	Information sharing for external monitoring	Individual interviews with APs	External monitoring agent (EMA)	External monitoring to be done on a quarterly basis; to be indicated in the RP implementation schedule.	

DMS = detailed measurement survey, AP = affected person, FDRMMP = Flood and Drought Mitigation and Management Project, FGD = focus group discussion, IA = implementing agency, NGO = nongovernment organization, PCU = Project Coordination Unit, PIB = project information booklet, RP = Resettlement Plan.

62. Minutes of consultation meetings will be prepared and annexed to the updated RP. Women will be invited to participate in information sharing and planning in all stages of consultation during RP preparation. The RP will be uploaded at the ADB website.

2. Consultation and Participation during RP Implementation

63. The NPCO will coordinate with the chiefs of communes and villages to inform the APs on RP implementation upon official approval from ADB. Consultations with stakeholders will also be held to inform their roles during the clearing of embankments and acquisition of lands. The Consultation Plan at this stage is presented in Table 10.

Table 10. Consultation and Participation Plan during RP Implementation

Stakeholder Groups	Reasons for Participation	Type of Participation	Participation Methods		Timeframe	
			Method	Responsibility	Start	End
APs, District Governor, chiefs of communes and villages, residents, NGOs, women's union and youth organizations.	Awareness of RP implementation, the guidelines and procedures	Information sharing on RP implementation, guidelines and procedures.	Dissemination of the updated RP duly approved by ADB.	PCU, International and national Social Safeguards Specialists	Three days after receipt of official approval of updated RP from ADB.	20 days after day one
	To confirm the readiness of resettlement site, if needed.	Assurance on the availability and readiness of resettlement sites for APs	Consultation and assurance among stakeholders on resettlement site/s for APs	PCU, International and national Social Safeguards Specialists	-do-	-do-
	To select members of grievance and redress committee	Consensus by stakeholders	Consensus by stakeholders	Stakeholders		
APs	To consult and confirm on compensation, entitlements, and other types of assistance	Agreement on compensation, entitlements, and other assistance	Presentation of the details of assistance and compensation in compensation form with individual AP.	- do -	One week after end of the activities above	60 days after day one of this activity.
APs	To consult on the final schedule of reorganizing their houses and structures	Confirmation of the final schedule on reorganization of houses and structures	Individual meeting with APs	- do -	5 days after final agreement on compensation, entitlement and other types of assistance	60 days after day one of this activity.

Stakeholder Groups	Reasons for Participation	Type of Participation	Participation Methods		Timeframe	
			Method	Responsibility	Start	End
APs, District Governor, chiefs of communes and villages, residents, NGOs, women's union and youth organizations.	To inform on the final schedule of reorganizing the houses and structures and the procedures and guidelines associated thereon.	Information sharing on the final schedule, and the procedures of and guidelines for reorganizing the houses and structures.	Joint meeting with stakeholders	- do -	3 days after end of activities above	20 days after day one of this activity.
APs	To share information	Information sharing for external monitoring	Individual interviews with APs	EMA	External monitoring to be done on a quarterly basis; to be indicated in the RP implementation schedule.	

ADB = Asian Development Bank, AP = affected person, EMA = External Monitoring Agent, RP = Resettlement Plan, PDP.

64. Information education campaign (IEC) materials will be produced in popularized form for all APs across implementation levels, guided by ADB's 2009 SPS requirements (SR 2) and Public Communication Policy.

65. Minutes of every consultation meeting will be recorded and maintained as reference in case of grievances and for external monitoring. Women will be invited to participate in information sharing in all stages of consultation during RP implementation.

B. Information Disclosure

66. The EA and IAs have ensured that the public and stakeholders are fully informed about the Project plans and activities at all stages. Meaningful consultation with the affected households have been carried out prior to the design of civil works. Affected persons have been and will continue to be encouraged to participate in the project design and resettlement processes, including: DMS, RCS, identification of sites, hand-over of entitlements, monitoring of impacts and benefits, and discussion and settlement of grievances. The EA and IAs have ensured that Public Information Brochure (PIB)⁵ were available at the meeting for consultation. The meeting will provide opportunities and encourage all participants to ask questions, express preferences and concerns and raise other issues. A report of the meeting and the issues raised will be included in the draft and updated RP. For subprojects where there are ethnic group households, additional consultations will be undertaken in a culturally appropriate manner to ensure the full participation of the ethnic group households.

67. Appropriate records of all consultation meetings have been annexed to the RP, including lists of participants, key discussion topics and issues of concern.

68. The RP will be submitted to ADB for review and approval before being implemented. Key information in the RP has been provided to all AHs through the distribution of pamphlets or brochures or leaflets in local language and has been placed on the local/village announcement board and in other strategic location. All documents for affected people have been written in clear and transparent language consistent with the literacy level of the people affected. Copies of the RP and executive summary in the local language will be kept at the village offices and will be available for affected people.

⁵ The PIB will summarize the following information contained in the RP: (i) subproject description, (ii) subproject impacts including land acquisition requirements, (iii) rights and entitlements of APs, (iv) compensation rates and allowances for different types of losses, (v) grievance redress procedures, (vi) organization roles and responsibilities and (vii) implementation schedules. In the case of a subproject RP where involuntary land acquisition involves resettlement impacts, the PIB will also describe the types of relocation and rehabilitation strategies and allowances. The PIB will also clearly indicate where and how APs can obtain additional information.

69. The RP will be posted on the ADB website likewise with social monitoring reports prepared during implementation will be also uploaded on the ADB website.

C. Grievance Redress

70. Article 13 of Decree 192/PM requires the Project to establish effective mechanisms for resolution of grievances caused by the Project. Lao PDR legal requirements for this mechanism are described in Part VI of the Decree's Implementing Regulations, and in detail in the Technical Guidelines.⁶ The objectives are to enable affected people to monitor the implementation of the resettlement plan, and to have a transparent mechanism to register and resolve any complaints related to project implementation. Decree 192/PM defines that the prime responsibility for grievance resolution lies with the Project proponents.

71. As the Project proponent is responsible for carrying out Project works which are the likely source of grievances⁷ they are best placed to respond to and resolve grievances in the most timely and acceptable manner. However, if AHs are not satisfied with the resolution offered by the Project proponent, they can route their complaints through the grievance resolution process managed by the resettlement committees established by the Project. The resettlement committees will establish a Grievance Redress Committee (GRC)⁸ in each district covered by the subprojects. Grievances or complaints from AHs will be solved in a timely and satisfactory manner.

72. In general, the following steps shall be applied to resolve grievances during the preparation and implementation of the detailed resettlement plan. For each step details shall be described, agreed and explained to both the responsible resettlement committees and the residents of affected villages. Additional stages can be incorporated as appropriate. Subproject APs shall be assisted to understand the complaints and grievance mechanisms concerning related compensation and mitigation measures.

Stage 1: Filing of complaints at subproject official's level. All complaints and grievances must be properly documented by local government officials and the IA. Complaints will be investigated through consultations aimed at resolving matters at the project level. The objective is to resolve disagreements through consensus wherever possible without being referred to the district-level GRC. All meetings will be held in public place with participation by representatives of the AHs, local non-benefit organizations, mass organizations and village head to ensure transparency. The subproject Implementing Agency (IA) at the District level must propose a resolution within 15 days from the filing of the complaint.

Stage 2: Filing of complaints at GRC level. If a resolution proposed by the IA is not reached to the satisfaction of the community or AH, the complaints will be forwarded to the GRC.

Stage 3: Filing of complaints at National Project Coordinating Office (NPCO). If the AH does not receive a satisfactory response from GRC within 20 days of filing the complaint, or if the matter is not resolved to the satisfaction of the AH, the representative

⁶ Technical guidelines on compensation and resettlement of people affected by development projects issued in November 2005.

⁷ Common sources of grievance and disputes are related to: the Detailed Monitoring Survey assessment of losses; the estimated replacement costs established by the replacement cost survey, assessment of eligibility for other allowances and assistance to affected persons,

⁸ Per Regulation No. 699/PMO, WREA (March 2010), the GRC shall be composed of: (i) local government representative; (ii) village head(s); (iii) representative of affected households, other than village the head(s); (iv) village elders or local representatives of mass organization or non-benefit organization; (v) project EA or IA representatives; and (vi) women representative to deal with gender issues that may arise.

of AHs, local non-benefit organization or mass organization will, on behalf of the AH, submit the complaint to the EA-NPCO.

Stage 4. Elevating complaints to Court of law. If the complaint or grievance is still unresolved within 20 days of receipt by the IA, the representatives of the local non-benefit organization and mass organization will, upon request of the AH, forward the complaint to the Court of Law and follow-up with relevant authorities. Filing of complaints with the Court of Law may be done separately and independent of the project organized grievance resolution process at any stage of the process. The decision of the Court of Law is final.

73. Resettlement committees will provide quarterly reports to the Safeguards unit of the NPCO on grievances received, including names and pertinent information about the APs, nature of complaint, dates the complaints are lodged, and resolutions proposed. Grievances not resolved will be recorded, with detailed records of negotiations and proposals, which could not be agreed on, and the date of these negotiations.

74. The External Monitoring Agency will evaluate the procedures applied in the resolution of grievances and complaints and report on these in semi-annual reports to the EA and ADB. It may also recommend further measures for the redress of unresolved grievances.

VII. RESETTLEMENT COSTS

75. Resettlement costs shall be included in the ADB loan package.

76. The RCS (Annex 5) conducted in 2010 provides a good reference in setting up the replacement cost rates for calculating the budget consistent with Safeguard Requirements 2. However, after thorough consultation and reference to the new decree on land pricing, some adjustments were made to avoid sweeping costings and respect the details provided in the decree. However, these rates may be adjusted to reflect the current market rates during the updating of this RP. The unit rates adopted in this RP are set forth in Annex 1.

77. The resettlement costs are calculated based on the total costs for (i) compensation, (ii) allowances, and (iii) replacement cost of land, which include:

- (i) Administration and management of RP program represents 10% of the total of compensation and assistance.
- (ii) Share of external monitoring to RP administration and management is equivalent to 10%
- (iii) Services of the NGO for the conduct of DMS is 5% of RP administration and management
- (iv) Contingency: between 12 - 15%

78. Excluded from the administrative, monitoring and contingency costs are the salaries of project staff who will assist in the updating and implementation of RP as they receive their salaries under the FDRMMP.

79. As summarized in Table 11, the estimated cost for RP implementation is estimated at KN 1,935,226,980.50 or about \$ 241,903.37. Cost for land shall be added to the Project loan from ADB. MAF will ensure the timely provision of funds for RP and will meet any unforeseen obligations in excess of the resettlement budget in order to satisfy resettlement objectives. Detailed compensation including food allowances to APs is likewise shown in Annex 2 of this RP.

Table 11. Summary of RP Budget

BUDGETED ITEMS	UNIT	TOTAL AREA/ UNIT	NUMBER OF AHS/ENTITIES	LAO KIP	IN \$ (\$1=8,000KIP)
I. COMPENSATION FOR LAND	m2	74058.4	60	934,563,000.00	116,820.38
II. COMPENSATION FOR STRUCTURES		1,800.00	24	450,020,700.00	56,252.59
Affected Households	m2				
Fence	lm	1,800.00	24	450,020,700.00	56,252.59
III. COMPENSATION FOR CROPS/TREES	Tree/Crop	67	3	20,100,000.00	2,512.50
IV. FOOD ASSISTANCE	Pax	248	43	119,040,000.00	14,880.00
V. DISRUPTION OF BUSINESS	AHs	3	3	6,100,000.00	762.50
TOTAL COMPENSATION AND ASSISTANCE				1,529,823,700.00	191,227.96
VI. INCOME RESTORATION PROGRAM				126,795,000	15,849
VI. RP ADMINISTRATION	Percent	10%		152,982,370.00	19,122.80
RP Administration and Management	Share	85%		130,035,014.50	16,254.38
External Monitoring	Share	10%		15,298,237.00	1,912.28
Services of the NGO	Share	5%		7,649,118.50	956.14
OVERALL TOTAL				1,809,601,070.00	226,199.76
Contingency				125,625,910.50	15,703.61
GRAND TOTAL				1,935,226,980.50	241,903.37

AH = Affected household, AP = Affected person, NGO = nongovernment organization

VIII. INSTITUTIONAL ARRANGEMENTS

A. Implementation Structure

1. Executing/Implementing Agencies

80. The Ministry of Agriculture and Forestry (MAF) will be the executing agency. In Lao PDR, MAF will delegate responsibility for the overall management and coordination to the Department of Irrigation (DOI) which will establish a National Project Coordination Office led by a national project coordinator in Vientiane. The implementing agencies will be Provincial Agricultural and Forestry Office, the Department of Waterways under the Department of Public Works and Transport, both of Vientiane Capital, and the Department of Meteorology and Hydrology for the National Early Warning Center in Vientiane.

81. The NPCO is the responsible ministerial authority for resettlement planning and implementation. As such, NPCO, through the PAFO-DAFO and DOW as IAs will oversee RP activities with WREA/MONRE providing technical assistance when necessary. IAs shall submit all subproject RPs to provincial counterparts for review and eventual submission to NPCO, to be forwarded to ADB for concurrence.

82. NPCO, with assistance from the IAs, will be responsible for overall planning, preparation and approval of subproject RPs, implementation and coordination of the proposed Project including the RPs. The NPCO will: (i) review and approve all subproject RPs submitted by the IAs; (ii) approve subproject RPs after obtaining concurrence from ADB; (iii) allocate necessary RP budget; (iv) periodically supervise RP implementation progress; (v) coordinate with other relevant central government agencies, and (vi) report these directly to ADB. A Safeguards unit will be attached to the NPCO to ensure that resettlement-related activities are properly planned, implemented and monitored. The designated Resettlement Officer of the Safeguards unit will be responsible for organizing the affected districts and villages to carry out the activities designated in this RP.

83. A Resettlement Officer each from the IA will be responsible for preparing subproject RPs. At the IA district level, a focal person shall be assigned each to work with the IA provincial Resettlement Officer who will be responsible for implementing and monitoring day-to-day activities including coordination with civil works schedule and financial management.

Responsibilities of the provincial IA Resettlement Officer together with IA district focals are, but not limited to the following: (i) consultation with APs; (ii) carry out census, inventories of assets, socio-economic surveys; (iii) coordination with implementers, including contractors where they are used, on civil works schedule; (iv) coordination with various departments at the district and village levels (iv) assist APs in finding new replacement land; (v) prepare rehabilitation assistance to APs at village levels; and (vi) schedule resettlement activities and reporting regularly to the NPC on progress and outstanding issues. To ensure that the preparation of subproject RPs is transparent and conducted in a participatory manner, the IA provincial Resettlement Officer and IA district focal persons will work closely with the APs and concerned local administrative/government authorities.

2. Resettlement Committees and Village Officials

84. Resettlement committees at provincial and district levels will be established to review and approve the subproject RPs submitted to PAFO for forwarding to the NPCO. The resettlement committees will also act as an advisor and will assess and monitor RP activities. They will also act as grievance officers.

85. The Provincial resettlement committee (PRC) and District resettlement committee (DRC) will include representatives of the concerned departments, local officials, village chiefs, AH representatives, women representatives, and mass organizations active in the Project area. The PRC will lead the RP preparation and implementation including: (i) undertaking consultation meetings together with DRCs; (ii) establishing compensation rates/replacement costs for affected assets; (iii) conducting, reviewing and confirming final DMS data; (iv) undertaking final agreement with APs on compensation; (v) managing funds disbursed from the Provincial department of finance for disbursement to APs; (vi) monitoring and reporting on all RP activities; and (vii) acting as grievance officers. The PRC will be supported by the DRCs which assistance from village taskforces.

86. The main responsibilities of the DRC will be to facilitate resettlement planning and implementation including: (i) conducting DMS, (ii) facilitating public information and consultation by ensuring villages and APs' awareness at all stages of project planning and implementation; (iii) assisting in the identification of alternative residential land, rice field and garden for APs; (iv) facilitating the affected villagers for timely re-allocation of paddy land among households; (v) assisting affected villages to organize labors and other support for APs to remove and relocate their structures on site; (vi) assisting in the identification of special needs of vulnerable APs and providing timely assistance; (vii) assisting and participating in DMS and confirmation of the results; and (viii) providing first point of contact in the grievance mechanism, and recording all grievances.

87. The roles of the taskforce of village officials specifically at the village level, are to: (i) assist DRC to handle resettlement related work within the village; (ii) assist APs to organize labors to move and relocate their structures; (iii) reallocate village owned paddy land; (iv) allocate replacement residential land to relocating APs; and (v) provide a first-response to resolve emerging grievances.

88. There is a need for capacity building in resettlement planning for the implementing stakeholders expected to be involved and responsible for the final preparation and implementation of resettlement plans. Project Implementation Consultants based with NPCO shall provide the technical guidance to capacitate the EA/IA and local government units. Training on the Project specific resettlement procedures will be provided prior to the start of resettlement activities, such as basic principles of resettlement planning and the conceptual and legal (GOL) approach on entitlements for losses and restoration and rehabilitation of livelihoods.

3. Project Implementation Consultants

89. The Project Implementation Consultant (PIC) will include one international resettlement specialist and a national social development specialist to assist the EA, IA and local authorities in the preparation and implementation of the RP. The PIC resettlement specialists will assess the capacity of the implementing agencies and to provide the necessary capacity building on safeguards for Government staff and the members of the PRC, DRC and village taskforces. The PIC will assist the local officials to carry out replacement cost survey for land and non-land assets.

4. Project Management Consultants

90. The Project Implementation Consultant (PIC) will include one international resettlement specialist and a team of national resettlement specialist/social development specialist to assist the EA, IA and local authorities in the preparation and implementation of the RP. The PIC resettlement specialists will assess the capacity of the implementing agencies and to provide the necessary capacity building on safeguards for Government staff and the members of the PRC, DRC and village taskforces. The PIC will assist the local officials to carry out replacement cost survey for land and non-land assets.

B. Compensation Payment and Procedures

91. Following the release of budget from MAF, the NPCO assisted by District IAs will carry out the following tasks:

- (i) It will coordinate with village chiefs for posting the notice in public places in villages for information of the APs. The notice will include the required documents that the APs should bring, such as: (a) identification card, (b) copy of compensation form as agreed with DOI representative, and (c) copy of title or LURC.
- (ii) The compensation will be released to NPCO at least one week in advance prior to payment.
- (iii) During payment, the required funds should be carried out by the designated accounting staff of MAF, together with the representative staff of NPCO and District IAs. The AHs will sign acknowledgement receipt

92. Payment shall be made in public areas on the scheduled date and time. Payment shall be witnessed by village chiefs, civic organization like Women's Union, youth organization and/or NGO. The NPCO may also adopt payment through the government-designated bank.

C. Temporary Impacts during Construction

93. It is possible that during the construction of the subproject the Contractor may need to acquire land temporarily. The contract for civil works will require that the Contractor will pay any damage incurred during construction. This will be built into the contract requirements as follows:

- (i) The contractor will pay rent for any additional land required for working space and include a mechanism for payment to the owners of the land.
- (ii) To the extent possible, only vacant land will be used to avoid disruption of agricultural activities. If paddy land is rented, affected people will be entitled to compensation for un-harvested crops and/or opportunity lost during the temporary acquisition.
- (iii) Use of land will not disturb any business establishments/shops.
- (iv) Temporary use of land will be restored or improved in its pre-project condition.

94. External monitoring of construction activities shall also be conducted by EMA.

95. Further screening of resettlement and ethnic groups will commence once the sub-projects/components and approximate alignment and location of civil works have been identified. Preparation of RP will be carried out as, including the census and inventory of losses, SES, DMS and RCS. Once the RP has been prepared, MAF will disclose the key information in the RP prior to submission to ADB for review and concurrence. Implementation of the RP can only commence after MAF receives concurrence from ADB.

96. The MAF through its NPMO, will not issue a notice-of-possession of site until the head of district resettlement committee confirms in writing that (i) payment has been fully disbursed to the affected persons and rehabilitation measures are in place as set out in the RP agreed between MAF and ADB; (ii) displaced persons are already compensated; and (iii) the area is free from any encumbrances.

IX. MONITORING

A. Internal Monitoring

97. The NPC Monitoring Unit (NPCMU) will serve as the Project Internal monitoring body. Semi-annual reports will be submitted to MAF starting from the commencement of RP preparation at the conduct of census, detailed measurement survey to completion of implementation of the RP activities. The NPCMU will include updates on resettlement in its regular progress reports to ADB. Internal monitoring and supervision will establish whether: (i) Compensation and/or other entitlements are provided as per Final RP, with no discrimination according to gender, ethnicity, vulnerability, or any other factor; (ii) Livelihood restoration measures are designed and implemented including modifications in the programs and provision of additional cash and in-kind assistance to the participating affected households as when necessary; (iii) Public information, public consultation and grievance redress procedures are followed; (iv) Capacity of APs to restore/re-establish livelihoods and living standards, including provision of special attention to severely affected and vulnerable households; (v) Affected public facilities and infrastructure are restored promptly; and (vi) The transition between relocation or site clearing and commencement of civil works is smooth and that sites are not handed over for civil works until affected households have been satisfactorily compensated, assisted or relocated as appropriate. A thematic attempt at classifying indicators is provided in Table 12.

Table 12. Internal Monitoring Indicators

Type of Monitoring	Indicators
Budget and Time Frame	Organized and functioning project implementation units. Capacity building activities undertaken across stakeholder groups. Provision of adequate budgetary support for compensation of APs and beneficiaries. Timely release and disbursement of equity funding for implementing the project. Timely social preparation. Agreements (with beneficiaries and APs) and concurrence (by the respective district and village authorities) to proposed investment/s.
Delivery of investment/s and Entitlements	Appropriate and timely distribution/implementation of investments, compensation and entitlements to beneficiaries and APs Provision of special assistance been provided to vulnerable APs Provision of agreed transportation and food allowances to APs Implementation of income restoration packages Capacity building for women re desired/gender sensitive livelihood packages Disclosure of investment costs and compensation to beneficiaries and APs
Consultation, Grievance and Special Issues	Periodic conduct of IEC and production/distribution of materials prepared Participation of beneficiaries and APs in planning and implementation Operationalization and outcomes of grievance and redress procedures
Benefit Monitoring	Changes in patterns of income generation/occupation of beneficiaries compared to pre-project situation Changes in income and expenditures patterns compared to pre-project situation Changes in lifestyle of beneficiaries and APs

B. External Monitoring and Evaluation

98. The independent or external monitoring agency (EMA) will be an independent organization not involved in implementation of the Project with experience in resettlement monitoring and evaluation in Lao PDR. The main objective of external monitoring is to provide an independent periodic review and assessment of (i) achievement of resettlement objectives; (ii) changes in income, living standards and livelihoods; (iii) restoration and/or improvement of the economic and social base of the affected people; (iv) effectiveness and sustainability of entitlements; and (v) the need for further mitigation measures. The external monitor will be mobilized one month prior to commencement of DMS activities for any projects component.

99. The EMA will monitor compliance with ADB and Government requirements during implementation of resettlement. The main activities of the external monitor will include: (i) review of existing baseline data and collection of additional socio-economic information, as necessary, on samples of affected households; (ii) monitoring preparation and implementation of the RP; (iii) identification of any discrepancy between policy requirements and actual implementation of resettlement; (iv) monitoring the resolution of complaints and grievances of affected households; (v) providing recommendations for improving resettlement preparation and implementation including timely resolution of grievances; and (vi) assessment of existing capacity and resources of resettlement committees and local authorities, including project supervision consultants in terms of timing of mobilization, guidance provided and trainings carried out to the resettlement committees and local authorities during RP preparation and implementation. Semi annual reports will be submitted to EA and ADB.

100. EMA's confirmation of substantial compliance in implementing the RP be required with the EAs request to ADB for its "No Objection" to issue the "notice to proceed" on civil works contracts, and subsequent the release of Project loan.

X. IMPLEMENTATION SCHEDULE

101. The results of the IOL, the budget and other information presented in this RP will be validated and finalized during updating of the RP through the conduct of a detailed measurement survey (DMS) following concurrence by GoL and ADB with this RP. Implementation of the RP will commence after MAF receives concurrence from ADB.

102. The MAF/DOI through its NPCO, will not issue a notice-of-possession of site until the head of district resettlement committee confirms in writing that (i) payment has been fully disbursed to the affected persons and rehabilitation measures are in place as set out in the RP agreed between MAF/DOI and ADB; (ii) displaced persons are already compensated; and (iii) the area is free from any encumbrances.

103. Below is a schedule of resettlement-related activities for the project.

No.	Implementation Activities	Months																							
		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	23	24	
I. LARP PREPARATION AND UPDATING																									
1	Demarcation of protection corridor based on detailed design	■																							
2	Subproject disclosure, public meetings and consultations	■																							
3	Conduct of DMS and SES		■																						
4	Conduct of replacement cost survey		■																						
5	Due diligence verifications of ownership on affected lands			■																					
6	Processing the DMS data			■																					
7	Writing the draft final LARP				■																				
8	Confirmation with DPs on compensation and relocation options					■																			
9	Finalize the LARP						■																		
10	Endorsement of LARP to WREA for review							■																	
11	Review and approval of LARP by ADB								■																
II. LARP IMPLEMENTATION																									
12	Issuance of public notice on the implementation of LARP											■													
13	Approval of budget for compensation, allowances and assistance												■												
14	Release of budget and disbursement of payment to DPs													■											
15	Reorganization of houses and structures in remaining lands.														■										
16	Resolution of grievance and redress filed by APs															■									
17	Internal Monitoring																								
18	External Monitoring - Compliance Monitoring and Evaluation						■						■							■				■	
III. POST LAND ACQUISITION AND RESETTLEMENT ACTIVITY																									
19	Publication of invitation to bid for civil works contract																								
20	Evaluation of bids and award of civil works contract																								
21	Mobilization of equipment and hiring of workers																								
22	Implementation of subproject construction																								

ADB = Asian Development Bank, AP = affected person, DMS = detailed measurement survey, RP = resettlement plan, SES = socioeconomic survey.

ANNEXES

Annex 1: Displaced Persons with 10% or more Impacts on their Lands

No	IOL Code No	Village	District	Name of HH head	Area of land occupied (m ²)	Area of affected land (m ²)	Severity	AHs	Affected Pax
1	17-017	Makhio	Park Ngum	Dy	19,022	1,936	10.2%	1	12
2	15-005	Xanghuabo	Xaythani	Konghseng	12,800	1,440	11.3%	1	4
3	17-020	Makhio	Park Ngum	Liengm	7,328	1,240	16.9%	1	4
4	17-016	Makhio	Park Ngum	Bualieng	29,236	5,600	19.2%	1	4
5	15-004	Xanghuabo	Xaythani	Phan	4,800	1,200	25.0%	1	5
6	15-015	Xanghuabo	Xaythani	Tonsuankhambai	2,278	588	25.8%	1	1

Annex 2: Compensation By Impact And Affected APs

1. LAND - AFFECTED HOUSEHOLDS

No	IOL Code No	Village	District	Name of HH head	Area of affected land (m ²)	Unit Cost	Cost	Comment / Assumption	
1	17-003	Makhio	Park Ngum	Banhthao	214	7,500.00	1,608,000	7,500	Assuming LURC is 75% of titled
2	17-008	Makhio	Park Ngum	Bounkong	256	7,500.00	1,920,000	7,500	Assuming LURC is 75% of titled
3	17-015	Makhio	Park Ngum	Bounluph SOUVANHKKHAMH	784	7,500.00	5,880,000	7,500	Assuming LURC is 75% of titled
4	17-016	Makhio	Park Ngum	Bualieng	5,600	7,500.00	42,000,000	7,500	Assuming LURC is 75% of titled
5	17-018	Makhio	Park Ngum	Chidty	232	7,500.00	1,740,000	7,500	Assuming LURC is 75% of titled
6	17-017	Makhio	Park Ngum	Dy	1,936	7,500.00	14,520,000	7,500	Assuming LURC is 75% of titled
7	17-005	Makhio	Park Ngum	Khamhpay	952	7,500.00	7,140,000	7,500	Assuming LURC is 75% of titled
8	17-001	Makhio	Park Ngum	Khamhphanh	1,296	7,500.00	9,720,000	7,500	Assuming LURC is 75% of titled
9	17-009	Makhio	Park Ngum	Kone	128	7,500.00	960,000	7,500	Assuming LURC is 75% of titled
10	17-022	Makhio	Park Ngum	Kong	840	7,500.00	6,300,000	7,500	Assuming LURC is 75% of titled
11	17-019	Makhio	Park Ngum	La	584	7,500.00	4,380,000	7,500	Assuming LURC is 75% of titled
12	17-020	Makhio	Park Ngum	Liengm	1,240	7,500.00	9,300,000	7,500	Assuming LURC is 75% of titled
13	17-002	Makhio	Park Ngum	Meungboomy	624	7,500.00	4,680,000	7,500	Assuming LURC is 75% of titled
14	17-011	Makhio	Park Ngum	Phet	128	7,500.00	960,000	7,500	Assuming LURC is 75% of titled
15	17-004	Makhio	Park Ngum	Phon	1,288	7,500.00	9,660,000	7,500	Assuming LURC is 75% of titled
16	17-007	Makhio	Park Ngum	Phoon	736	7,500.00	5,520,000	7,500	Assuming LURC is 75% of titled
17	17-010	Makhio	Park Ngum	Sahiengm	1,168	7,500.00	8,760,000	7,500	Assuming LURC is 75% of titled
18	17-014	Makhio	Park Ngum	Sai	704	7,500.00	5,280,000	7,500	Assuming LURC is 75% of titled
19	17-013	Makhio	Park Ngum	Sangvan	240	7,500.00	1,800,000	7,500	Assuming LURC is 75% of titled
20	17-012	Makhio	Park Ngum	Thiengh	800	7,500.00	6,000,000	7,500	Assuming LURC is 75% of titled
21	17-006	Makhio	Park Ngum	Veon	1,104	7,500.00	8,280,000	7,500	Assuming LURC is 75% of titled
22	17-021	Makhio	Park Ngum	Viengson	3,904	7,500.00	29,280,000	7,500	Assuming LURC is 75% of titled
23	16-018	Dongkhuauy	Xaythany	Aumphone	1,600	7,500.00	12,000,000	7,500	Assuming LURC is 75% of titled lands
24	16-002	Dongkhuauy	Xaythany	Authai Sengdala	480	7,500.00	3,600,000	7,500	Assuming LURC is 75% of titled lands
25	16-006	Dongkhuauy	Xaythany	Buachanh	1,200	7,500.00	9,000,000	7,500	Assuming LURC is 75% of titled lands
26	16-012	Dongkhuauy	Xaythany	Hompheng	960	7,500.00	7,200,000	7,500	Assuming LURC is 75% of titled lands
27	16-010	Dongkhuauy	Xaythany	Lay	1,440	7,500.00	10,800,000	7,500	Assuming LURC is 75% of titled lands
28	16-014	Dongkhuauy	Xaythany	Manh XAYGNALAD	800	7,500.00	6,000,000	7,500	Assuming LURC is 75% of titled lands
29	16-008	Dongkhuauy	Xaythany	Pheng	240	7,500.00	1,800,000	7,500	Assuming LURC is 75% of titled lands
30	16-004	Dongkhuauy	Xaythany	Samly	400	7,500.00	3,000,000	7,500	Assuming LURC is 75% of titled lands
31	16-016	Dongkhuauy	Xaythany	Sombut	240	7,500.00	1,800,000	7,500	Assuming LURC is 75% of titled lands

No	IOL Code No	Village	District	Name of HH head	Area of affected land (m ²)	Unit Cost	Cost	Comment / Assumption	
32	16-001	Dongkhuauy	Xaythany	Sonkhamh	480.00	7,500.00	3,600,000	7,500	Assuming LURC is 75% of titled lands
33	16-026	Dongkhuauy	Xaythany	Sonkhamh Southiphong	400	7,500.00	3,000,000	7,500	Assuming LURC is 75% of titled lands
34	16-024	Dongkhuauy	Xaythany	Thonghlieng	5,600	7,500.00	42,000,000	7,500	Assuming LURC is 75% of titled lands
35	16-020	Dongkhuauy	Xaythany	Thonglai Silittham	800	7,500.00	6,000,000	7,500	Assuming LURC is 75% of titled lands
36	16-022	Dongkhuauy	Xaythany	Xaygnaphone	960	7,500.00	7,200,000	7,500	Assuming LURC is 75% of titled lands
37	15-023	Xanghuabo	Xaythani	Banh	2,400	18,750.00	45,000,000	18,750	Assuming LURC is 75% of titled lands
38	15-008	Xanghuabo	Xaythani	Bounluph	1,200	18,750.00	22,500,000	18,750	Assuming LURC is 75% of titled lands
39	15-001	Xanghuabo	Xaythani	Bounta	1,200	18,750.00	22,500,000	18,750	Assuming LURC is 75% of titled lands
40	15-009	Xanghuabo	Xaythani	Bountanh	408	18,750.00	7,650,000	18,750	Assuming LURC is 75% of titled lands
41	15-022	Xanghuabo	Xaythani	Bualy	2,240	18,750.00	42,000,000	18,750	Assuming LURC is 75% of titled lands
42	15-024	Xanghuabo	Xaythani	Chanxengh	424	18,750.00	7,950,000	18,750	Assuming LURC is 75% of titled lands
43	15-021	Xanghuabo	Xaythani	Deng	640	18,750.00	12,000,000	18,750	Assuming LURC is 75% of titled lands
44	15-006	Xanghuabo	Xaythani	Don	960	18,750.00	18,000,000	18,750	Assuming LURC is 75% of titled lands
45	15-013	Xanghuabo	Xaythani	Gnee	800	18,750.00	15,000,000	18,750	Assuming LURC is 75% of titled lands
46	15-003	Xanghuabo	Xaythani	Hrai	2,000	18,750.00	37,500,000	18,750	Assuming LURC is 75% of titled lands
47	15-012	Xanghuabo	Xaythani	Khamhpheng SENGMANY	80	18,750.00	1,500,000	18,750	Assuming LURC is 75% of titled lands
48	15-007	Xanghuabo	Xaythani	Khamphou	1,200	18,750.00	22,500,000	18,750	Assuming LURC is 75% of titled lands
49	15-005	Xanghuabo	Xaythani	Konghseng	1,440	18,750.00	27,000,000	18,750	Assuming LURC is 75% of titled lands
50	15-017	Xanghuabo	Xaythani	My	6,264	18,750.00	117,450,000	18,750	Assuming LURC is 75% of titled lands
51	15-019	Xanghuabo	Xaythani	Phady	2,712	18,750.00	50,850,000	18,750	Assuming LURC is 75% of titled lands
52	15-004	Xanghuabo	Xaythani	Phan	1,200	18,750.00	22,500,000	18,750	Assuming LURC is 75% of titled lands
53	15-002	Xanghuabo	Xaythani	Phanh	1,760	18,750.00	33,000,000	18,750	Assuming LURC is 75% of titled lands
54	15-020	Xanghuabo	Xaythani	Sengchanh	400	18,750.00	7,500,000	18,750	Assuming LURC is 75% of titled lands
55	15-016	Xanghuabo	Xaythani	Somboun THOUXAYGNA	344	18,750.00	6,450,000	18,750	Assuming LURC is 75% of titled lands
56	15-010	Xanghuabo	Xaythani	Soukanhkenchanh	2,080	18,750.00	39,000,000	18,750	Assuming LURC is 75% of titled lands
57	15-011	Xanghuabo	Xaythani	Thidly	1,760	18,750.00	33,000,000	18,750	Assuming LURC is 75% of titled lands
58	15-015	Xanghuabo	Xaythani	Tonsuankhamhbai	588	18,750.00	11,025,000	18,750	Assuming LURC is 75% of titled lands
59	15-014	Xanghuabo	Xaythani	Vanhдаласouk	1,120	18,750.00	21,000,000	18,750	Assuming LURC is 75% of titled lands
60	15-018	Xanghuabo	Xaythani	Von	480	18,750.00	9,000,000	18,750	Assuming LURC is 75% of titled lands

2. STRUCTURES – AFFECTED HOUSEHOLDS WITH FENCE

No	IOL Code No	Village	District	Name of HH head	Aff structure	Lm	Unit Cost	Cost	Comment
1	15-023	Xanghuabo	Xaythani	Banh	Fence	75.00	250,000.00	18,750,000.00	Enums used averages
2	15-008	Xanghuabo	Xaythani	Bounluph	Fence	75.00	250,001.00	18,750,075.00	Enums used averages
3	15-001	Xanghuabo	Xaythani	Bounta	Fence	75.00	250,002.00	18,750,150.00	Enums used averages
4	15-009	Xanghuabo	Xaythani	Bountanh	Fence	75.00	250,003.00	18,750,225.00	Enums used averages
5	15-022	Xanghuabo	Xaythani	Bualy	Fence	75.00	250,004.00	18,750,300.00	Enums used averages
6	15-024	Xanghuabo	Xaythani	Chanhxengh	Fence	75.00	250,005.00	18,750,375.00	Enums used averages
7	15-021	Xanghuabo	Xaythani	Deng	Fence	75.00	250,006.00	18,750,450.00	Enums used averages
8	15-006	Xanghuabo	Xaythani	Don	Fence	75.00	250,007.00	18,750,525.00	Enums used averages
9	15-013	Xanghuabo	Xaythani	Gnee	Fence	75.00	250,008.00	18,750,600.00	Enums used averages
10	15-003	Xanghuabo	Xaythani	Hrai	Fence	75.00	250,009.00	18,750,675.00	Enums used averages
11	15-012	Xanghuabo	Xaythani	Khamhpheng SENGMANY	Fence	75.00	250,010.00	18,750,750.00	Enums used averages
12	15-007	Xanghuabo	Xaythani	Khamphou	Fence	75.00	250,011.00	18,750,825.00	Enums used averages
13	15-005	Xanghuabo	Xaythani	Konghseng	Fence	75.00	250,012.00	18,750,900.00	Enums used averages
14	15-017	Xanghuabo	Xaythani	My	Fence	75.00	250,013.00	18,750,975.00	Enums used averages
15	15-019	Xanghuabo	Xaythani	Phady	Fence	75.00	250,014.00	18,751,050.00	Enums used averages
16	15-004	Xanghuabo	Xaythani	Phan	Fence	75.00	250,015.00	18,751,125.00	Enums used averages
17	15-002	Xanghuabo	Xaythani	Phanh	Fence	75.00	250,016.00	18,751,200.00	Enums used averages
18	15-020	Xanghuabo	Xaythani	Sengchanh	Fence	75.00	250,017.00	18,751,275.00	Enums used averages
19	15-016	Xanghuabo	Xaythani	Somboun THOUXAYGNA	Fence	75.00	250,018.00	18,751,350.00	Enums used averages
20	15-010	Xanghuabo	Xaythani	Soukanhkenchanh	Fence	75.00	250,019.00	18,751,425.00	Enums used averages
21	15-011	Xanghuabo	Xaythani	Thidly	Fence	75.00	250,020.00	18,751,500.00	Enums used averages
22	15-015	Xanghuabo	Xaythani	Tonsuankhamhbai	Fence	75.00	250,021.00	18,751,575.00	Enums used averages
23	15-014	Xanghuabo	Xaythani	Vanhдалasouk	Fence	75.00	250,022.00	18,751,650.00	Enums used averages
24	15-018	Xanghuabo	Xaythani	Von	Fence	75.00	250,023.00	18,751,725.00	Enums used averages

3. TREES OF AFFECTED HOUSEHOLDS

No	IOL Code No	Total Pax	Village	District	Name of HH	# of Trees Planted	Unit Cot	Cost	Asumption
1	16-010	5	Dongkhuauy	Xaythany	Lay	1	300,000	300,000	Assuming coconuts
2	15-022	3	Xanghuabo	Xaythany	Bualy	60	300,000	18,000,000	Assuming coconuts
3	15-007	6	Xanghuabo	Xaythany	Khamphou	6	300,000	1,800,000	Assuming coconuts

4. DISRUPTED BUSINESS AMONG AFFECTED HOUSEHOLDS

No	IOL Code No	Village	District	Name of HH head	HH Size	Total monthly income of HH (Kips)	Daily	Assistance for Disturbance
1	17-017	Makhio	Park Ngum	Dy	12	5,775,000	20,000.00	600,000.00
2	17-002	Makhio	Park Ngum	Meungboomy	6	2,500,000	16,666.67	500,000.00
3	16-002	Dongkhuauy	Xaythany	Authai Sengdala	4	5,830,000	166,666.67	5,000,000.00

5. VULNERABLE AFFECTED HOUSEHOLDS

No	IOL Code No	Village	District	Name of HH head	HH Size	Elderly HH	Female HH	No of HH below Poverty line: < \$1.25/day	Cost
1	17-019	Makhio	Park Ngum	La	4	1	1	1	1,920,000
2	17-001	Makhio	Park Ngum	Khamhphanh	7		1	1	3,360,000
3	17-010	Makhio	Park Ngum	Sahiengm	6		1		2,880,000
4	17-008	Makhio	Park Ngum	Bounkong	4	1		1	1,920,000
5	17-015	Makhio	Park Ngum	Bounluph SOUVANHKHAMH	6	1			2,880,000
6	17-022	Makhio	Park Ngum	Kong	7	1			3,360,000
7	17-016	Makhio	Park Ngum	Bualieng	4	1			1,920,000
8	17-009	Makhio	Park Ngum	Kone	7			1	3,360,000
9	17-020	Makhio	Park Ngum	Liengm	4			1	1,920,000
10	17-019	Makhio	Park Ngum	La	4.00	1	1	1	1,920,000
11	17-001	Makhio	Park Ngum	Khamhphanh	7.00		1	1	3,360,000
12	17-010	Makhio	Park Ngum	Sahiengm	6.00		1		2,880,000
13	17-008	Makhio	Park Ngum	Bounkong	4.00	1		1	1,920,000
14	17-015	Makhio	Park Ngum	Bounluph SOUVANHKHAMH	6.00	1			2,880,000
15	17-022	Makhio	Park Ngum	Kong	7.00	1			3,360,000
16	17-016	Makhio	Park Ngum	Bualieng	4.00	1			1,920,000
17	17-009	Makhio	Park Ngum	Kone	7.00			1	3,360,000
18	17-020	Makhio	Park Ngum	Liengm	4.00			1	1,920,000

19	17-018	Makhio	Park Ngum	Chidty	5.00			1	2,400,000
20	17-006	Makhio	Park Ngum	Veon	6			1	2,880,000
21	17-018	Makhio	Park Ngum	Chidty	5			1	2,400,000
22	17-006	Makhio	Park Ngum	Veon	6			1	2,880,000
23	16-026	Dongkhuauy	Xaythany	Sonkhamh Southiphong	5.00		1		2,400,000
24	16-008	Dongkhuauy	Xaythany	Pheng	8.00		1		3,840,000
25	16-010	Dongkhuauy	Xaythany	Lay	5.00		1		2,400,000
26	16-012	Dongkhuauy	Xaythany	Hompheng	4.00			1	1,920,000
27	16-004	Dongkhuauy	Xaythany	Samly	5.00			2	2,400,000
28	15-009	Xanghuabo	Xaythani	Bountanh	7	1	1		3,360,000
29	15-019	Xanghuabo	Xaythani	Phady	8	1	1		3,840,000
30	15-006	Xanghuabo	Xaythani	Don	4.00	1	1		1,920,000
31	15-018	Xanghuabo	Xaythani	Von	6.00		1	1	2,880,000
32	15-003	Xanghuabo	Xaythani	Hrai	7.00		1		3,360,000
33	15-021	Xanghuabo	Xaythani	Deng	7.00		1		3,360,000
34	15-002	Xanghuabo	Xaythani	Phanh	4.00		1		1,920,000
35	15-022	Xanghuabo	Xaythani	Bualy	3.00		1		1,440,000
36	15-017	Xanghuabo	Xaythani	My	4.00		1		1,920,000
37	15-007	Xanghuabo	Xaythani	Khamphou	6.00		1		2,880,000
38	15-023	Xanghuabo	Xaythani	Banh	6.00	1			2,880,000
39	15-004	Xanghuabo	Xaythani	Phan	5.00	1			2,400,000
40	15-014	Xanghuabo	Xaythani	Vanhдалasouk	12.00	1			5,760,000
41	15-011	Xanghuabo	Xaythani	Thidly	7.00	1			3,360,000
42	15-020	Xanghuabo	Xaythani	Sengchanh	8.00			1	3,840,000
43	15-013	Xanghuabo	Xaythani	Gnee	7.00			1	3,360,000

Annex 3: Minutes of Public Consultations

Food and Drought Risk Mitigation and Management Project

MINUTES OF THE CONSULTATION MEETING

Park Ngum District, 30 September 2010

1. The objectives of the meeting were to inform the public that one of the six subprojects of Flood and Drought Risk Management and Mitigation Project (FDRMMP) shall be implemented in their area for the reparation and strengthening of canal embankments and to get the opinions of the participants that shall be considered in the subproject design.
2. The Public Consultation Meeting was opened at 10:20 a.m. at the meeting room of DAFO Park Ngum District which was jointly chaired by Mr. Cheuva Xayton, District Leader and Mr. Amphone, Deputy to DG of Vientiane PAFO. A total of 35 participants from 16 villages have attended the meeting and were given 60 copies of the Project Information Booklet written in Lao language.
3. After Mr. Cheuva Xayton, District Leader gave his opening remarks, Mr. Saykham, Deputy to Irrigation Section Head presented the technique and design of the Subproject. He was followed by Mr. Nilinda, National Environment Specialist, who presented the methods and processes of the survey regarding the environmental impacts of activities during the construction of the subproject, such as on air, water, noise, soil, plants and etc... Ms. Duangchith Viravongsa, National Social Safeguards Specialist, talked about the definition of development. Development means to improve the old thing or bad thing to be better and it has positive and negative affects. These can be determined through the survey in the subproject areas by conducting SPA interview and IOL and SES.
4. Following the presentation, the meeting was opened for open forum. The comments of the participants are mostly on the irrigation system repair and maintenance. No issues or comments were raised against the impacts on environment, social and resettlement. Shown below are the comments and issues raised by the participants and the responses by the Chairman.

Issues / Comments from the Participants:

- (a) Mr. Khmaphouy, Nonsay Village Leader: their village is flooding every year because Phanieng River has no water gate. They want to know exactly the project boundary if their village will be covered in the subproject?
- (b) Mr. Xuanekeota, Ban Vangpho Village Leader: Water gate is broken and cause soil erosion. The people of the village have already reported it to the higher authority and who were advised to wait for the budget. Is the water gate a part of this subproject?
- (c) Mr. Khamsing, Party Secretary of Ban Nark Nao Tay: He is happy about the project. According to Mr. Khamsing, water gate at the Mai River is old which needs improvement. He proposed for the rehabilitation of water gate at Nam Ngum for the storage of water for dry season.
- (d) Ms. Khamphet, Ban Park Ngum LWU Leader: She agrees to the project, and she wanted to know if her village is covered by the subproject boundary because her village is also flooding
- (e) Ms. Somone, Ban Done-Tay LWU+ Deputy to Village Leader: The purpose of the project is for flood projection, what about for drought? The pipe of the water pump in her village is being extended because water level in Mekong River is getting lower every year.
- (f) Mr. Khamla, Ban Done Yeng Leader: Is the project intended for river bank protection? Ban Done Yeng is facing big problem on soil erosion. On the part of the south of their village, the residents have done the bank protection by themselves. They also need assistance from the project for the bank protection on north of their village. The absence of access road is also an issue in their village.

- (g) Mrs. Noulab Ban Thinthieng representative: Rice paddies in their village are flooded the whole year. She proposed for the construction of water distribution canal from paddy to Houy Khame (Khame river) and village could be will contributed labour and fuel
5. The Public Consultation Chairman informed to the participants that the objective of the Project is to rehabilitate the existing flood protection dike by increasing the road elevation, and control gates at road crossing. It will not involve in the provision of access road and the repair water pump because these are responsibilities of the Irrigation Department.
 6. Before the end of the meeting, the Consultation Chairman has reminded the participants that this is first of the consultations with community that shall be held to make the village people aware of the subproject, its purpose and the surveys to be conducted and how they will cooperate with the ADB Consultants:
 - 1) Village Authorities should be aware that the Flood and Drought Risk Management and Mitigation Project will only involve in the reparation and strengthening of canal embankments but not in the provision of water pump and construction of access road;
 - 2) The ADB Consultants will conduct surveys in the villages that should be given strong support and assistance by district authorities on data collection. On the affected persons, the village authorities should explain for their awareness and cooperation to the project
 - 3) District authorities should be ready to cooperate and send official letters to the concerned village authorities to assist the ADB Consultants.
 - 4) Many houses are constructed along the river bank and in areas prohibited for settlement. The houses and structures constructed along these areas need to be relocated
 7. The public consultation was adjourned at 11:40 a.m.

Sample Photos during Public Consultations



Representatives of 16 villages in Park Ngum District who attended the joint Project disclosure and public consultation meeting on 30 September 2010.

I. On Afternoon FRIDAY, 11 MAY 2012 at District Governors Office, Park Ngum District

PEOPLES PRESENT DURING CONSULTATION:

From the Implementing Agencies:

3. Mr. Vongdeuane – Vice District Governor, Park Ngum
4. Mr. Pkammai Vongstiane-DOI-MAF
5. Mr. Soukhaserm – DoW, Ministry of Public work and Transport
6. Mr. Somphath – Irrigation Technique, Department of Agriculture and Forestry Office, Vientiane Capital
7. Mr. Phimmason STTC, Vientiane Capital
8. Mr. Khamphay Misay- Deputy to the District Director of DAFO, Park Ngum
9. Mr. Kham Seane - Irrigation Technique- District Director of DAFO, Park Ngum

From Consultants:

Maan/Duangchith

From the Stakeholders: Refer to attendance sheet 2

Issues Raised by the Public

No	Issue Raised		Responses from the meeting	
	By	Issue	By	Response
1	Duangchith	According to Lao Law on compensation that is land by land, we just to know that where is the Land for compensate to APs on Land acquisition	Vice District Governor:	Normally Government arranged resettlement site at Km 21 in Xaythani District; totally 18 ha. For compensation of previous development project in VTe Capital, but now a day it seems to be problem with the implementation term. From this we consider for common Land within district for compensation to APs on Land acquisition
			Village Head of Ban Markhio	there flood during rainy season and dry during dry season, we can not plant any thing if no irrigation. The compensation cost is very low if compare to benefit as we will receive from project
2	Khamsane DAFO-Park Ngum	Regard to embankment alignment, DAFO Requests to project to extension the length of the dike from Mar Hio to Mak Nao village. If not, there is still flood again	Khammai	It is may consider for next phase

There having no other matters to be discussed, public consultation was adjourned at 15:50

II. On Morning Saturday, 12 May 2012 at Dongkouay Village office, Saythany District

PEOPLES PRESENT DURING CONSULTATION:

From the Implementing Agencies:

1. Mr. Khammai Vongsatiane, DOI
2. Mr. Thongsouk Boualykhanh, Governor representative- DAFO

From Consultants:

Maan/Duangchith

From the Stakeholders: Refer to attendance sheet 3

Issues Raised by the Public

	By	Issue	By	Response
1	Mr. Khampoun, villager from Ban Dongkhoy	We are waiting for long time, Will we receive support from ADB for irrigation? And how we know on the progress of the project	Duangchith up date to participants on project implementation arrangement	<p>The Ministry of Agriculture and Forestry (MAF) is the executing agency for the Project. MAF will delegate the responsibility for overall project coordination and management to the Department of Irrigation (DOI). In turn, DOI will establish a National Project Coordination Office (NPCO) responsible for project coordination and management.</p> <p>The Implementing Agencies (IAs) will be the Provincial Agricultural and Forestry Office (PAFO) of Vientiane Capital with supervision from DOI; Department of Waterways (DOW) of the Ministry of Public Works; and Department of Meteorology and Hydrology (DMH) through the National Early Warning Center (NEWC) in Headquarters. NPCO will be responsible for coordinating and overseeing the implementation of resettlement activities in partnership with local government units.</p>
2	District Governor-DAFO Head	What are you filling on your Land that was Acquired	Mr. Souvanh-Village Head	In 2010, we conduct consultation with villagers, all of them agreed and ready to contributed their land for irrigation canal, because we aware that irrigation development well bring benefit to them. It is long time ago, they may change their mind because the cost of the land now very high and high demand for market
	District Governor-DAFO Head	Do you have register sheet of the meeting	Khampoun	Yes, especially who are APs
3	Duangchith	To support question above, In PIB put Cut-of date for APs is 24 October 2010.	Mr. Souvanh, villagers and District Governor-DAFO Head	We are accepted of cut-of date and happy to this because we have more supported documentation

There having no other matters to be discussed, public consultation was adjourned at 11:50

Prepared by:Duangchith

III. On Afternoon FRIDAY, 25 MAY 2012 at Dongkouay Village office, Saythany District

PEOPLES PRESENT DURING CONSULTATION:

From the Implementing Agencies:

3. Mr. Khammai Vongsatiane, DOI
4. Mr. Thongsouck Boualykhanh, Governor representative- Deputy DAFO Head
5. Mr. Soukhaserm – DoW, Ministry of Public work and Transport
6. Mr. Chanthnom– Irrigation Technique, Department of Agriculture and Forestry, Vientiane Capital
7. Mr. Phimmasone STTC , Vientiane Capital
8. Mr. Khmsane, Pargnum DAFO

From Consultants:

Maan/Duangchith/Thasany

From the Stakeholders: 30 people from both Saythany and Pargnum District, Refer to attendance sheet 2

Issues Raised by the Public

	By	Issue	By	Response
1	Khammai	How about cut-off-date as indicted in the PIB	Mr. Bounma, from Ban Dongbouay	He is the one who biggest affected, nevertheless he has no objection on this, but request to project that, <ul style="list-style-type: none"> - should provide rice seed with good species, - How to sustainable of O&M - Second or third canal of the irrigation should be constructed in order to distribute water in all area - Project please start ASAP, irrigation is most needed for rice planting in this area - In term of compensation, project will replacement or not he don't mind, we already to contribute of such land for irrigation canal
			Mr. Chanelong, Dongkouy village	<ul style="list-style-type: none"> - We aware that in this area is flood during the rainy season, and dry during dry season; we all have no objection, and project please start soon. - Along irrigation aliment has no structure and tree, the project can start any time
3	Mr. Thongsouck	In case of some AP has small piece of land, but affected by the project, how to do?	Mr. Bounlap-Ban Harkhio	All APs has big land and very small affected, and we have been done the consultation among APs on irrigation canal alignment
5	Mr. Khamsane DAFO Pargnum	Project will successful if there early participants of village specifically participate in project design		

6	Mr. Thongsouck	Worry that after complete irrigation construction, people will build the house, shop or sell the land along the irrigation canal rather than planting the rice. Please noted this is irrigation for agriculture, it is not the road, therefore, request to village authority do the land use planning for this area and do not allow people use the land in irrigation area for another purpose.		
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There having no other matters to be discussed, public consultation was adjourned at 16:00

Prepared by: Duangchith

Annex 4: Project Information Booklet Presented During 2012 Consultations

1. QUESTION: What are the objectives of this public consultation?

ANSWER: The main objective of this consultation is to inform public that the national government of Lao PDR shall implement the Flood and Drought Risk Management and Mitigation Project (FDRMMP) and that Project management desires to seek your opinion on the Project for further consideration in the final design of the Sub-Projects.

2. QUESTION: What is FDRMMP?

ANSWER: The Flood and Drought Risk Management and Mitigation Project or FDRMMP is a regional project within the Mekong Sub-region as assisted by the Asian Development Bank (ADB) covering Laos, Cambodia and Viet Nam where each country has identified priority local areas for subproject implementation.

Specific to Lao PDR, the project will support: (i) Enhanced Regional Data, Information, and Knowledge Base for the Management of Flood and Droughts; (ii) Upgrade Water Management Infrastructure; (iii) Enhanced Capacity of Community Based Disaster Risk Management; and (iv) Effective Project Implementation. The subprojects are the Vientiane Flood Protection Embankment and the Irrigation Development Subproject in Vientiane Capital.

3. QUESTION: What are the affected areas?

ANSWER: Project-affected districts in Vientiane are (i) Hadxayfong, (ii) Xaythany, and (iii) Paknguem.

Subproject	District	Commune	Village
I. Vientiane Flood Protection Embankment	A. Hadxayfong	1. SaKNham	i. Nongheo
		2. Thadeua	ii. Dongphosy
			iii. Thamuang
			iv. Pava
			v. Thadeua
			vi. Thintom
		3. Thapha	vii. Thanaleng
			viii. Thapha
			ix. Thinthane
			x. Parkpeng
II. Irrigation Development Subproject in Vientiane Capital	B. Xaythany	4. Semmano	xi. Khouaydeng
			xii. Simmano Neua
			xiii. Simmano Tay
	C. Pakngum <i>3 districts</i>	5. Huahxieng	xv. Xanghuabo
		6. Dongkaluem	xvi. Dongkhuay
			xvii. Makhio
			<i>17 villages</i>
		<i>6 communes</i>	

4. QUESTION: Who is responsible for the Project?

ANSWER: The Ministry of Agriculture and Forestry (MAF) is the executing agency for the Project. MAF will delegate the responsibility for overall project coordination and management to the Department of Irrigation (DOI). In turn, DOI will establish a National Project Coordination Office (NPCO) responsible for project coordination and management.

The Implementing Agencies (IAs) will be the Provincial Agricultural and Forestry Office (PAFO) of Vientiane Capital with supervision from DOI; Department of Waterways (DOW) of the Ministry of Public Works; and Department of Meteorology and Hydrology (DMH) through the National Early Warning Center (NEWC) in Headquarters. NPCO will be responsible for coordinating and overseeing the implementation of resettlement activities in partnership with local government units.

5. QUESTION: Is the improvement of the embankment and irrigation canal intended to benefit us?

ANSWER: Yes. There are many benefits that you should expect from the improved embankment and irrigation canals, such as the following: (i) reduced floods; (ii) minimized losses of crops; (iii) availability of water for farms; (iv) prevent loss of lives during rainy season; and (v) prevention of water-borne diseases. The Project will indirectly help the people in reducing poverty from these anticipated benefits.

6. QUESTION: How will this Project affect us?

ANSWER: The flood and drought risk management and mitigation improvement will involve the repair and strengthening of embankments and irrigation canals. Houses and structures along these areas need to be relocated, permanently or temporarily. Vegetables planted on embankments or canals need to be cleared to facilitate the movement of workers during repair or construction. An updated survey will be conducted of all affected persons and the people in your communities will be consulted to solicit their opinions on how the impacts of the subprojects shall be minimized.

Persons whose houses, structures and/or crops and even communal properties that will be affected will be properly compensated in cash or in kind. Project Management will ensure that affected households will be to restore lost assets, resources or incomes. Rehabilitation assistance will also be provided to affected persons (APs) who will be required to relocate in another location.

7. QUESTION: What if my land nearest the embankment or irrigation canal will be affected?

ANSWER: In case of land nearest the embankment or irrigation canal is affected, compensation can be in the form of replacement land or cash at current market value. If land has been the agreed form of compensation between APs and the Project, the replacement land should be of equal or better productive capacity of the lost land acceptable to the APs.

8. QUESTION: Do we need to have a land title in order to be compensated?

ANSWER: No. The lack of formal legal rights to the land does not prevent any AP from receiving compensation and rehabilitation assistance. However, in order to become eligible to receive compensation and rehabilitation assistance, they should have been included in the census and in the conduct of inventory of losses (IOL) as limited by the cut-off date that will be determined by the IA. The APs will be validated during the updated resettlement plan (RP) when the FDRMMP has been approved by ADB for implementation.

9. QUESTION: Does compensation apply to my affected houses or structures?

ANSWER: Yes. The affected houses and structures shall be compensated at replacement cost without deduction for depreciation or salvageable materials, plus provision of labor cost for dismantling and reconstruction. By this, the APs will be able to build a replacement house or structure.

10. QUESTION: What about my crops and trees?

ANSWER: For annual crops, APs will be given 2 months notice that the land on which their crops are planted will be used by the Project and that they must harvest their crops in time. If standing crops are ripening and cannot be harvested, eligible APs shall be compensated for the loss of un-harvested crops at their current market values.

For perennial crops, APs will be compensated for the loss of fruit and timber trees planted on the embankments/irrigation canal. The value will be calculated as the annual produce value multiplied by a five-year factor. This will compensate for lost income until the newly planted seedlings bear fruit.

11. QUESTION: In case there will be relocation of houses or small businesses, how can the Project help in rebuilding my house during relocation?

ANSWER: Houses or other property, which have to be relocated or demolished, will be paid for at the cost of rebuilding with new materials. Apart from the compensation for loss of land

and other assets at replacement costs, the Project will ensure that the standard of living of APs are maintained or better improved after the Project. Therefore, the Project will provide mitigation and subsistence allowance to relocating APs and will ensure that any movement of houses will be assisted. Shops or stalls will be within only a short distance of the existing structures. Shops and stalls will be relocated in consultation with the owners and with community representatives.

12. QUESTION: When is the cut-off date for affected households?

ANSWER: The project shall maintain the original cut-off dates taken from the last day the original survey was conducted in 2010 as follows:

Village	Cut-Off Date
Thanaleng and Parkpeng	16 October 2010
Thamuang	17 October 2010
Pava and Thinthane	18 October 2010
Khouaydeng	19 October 2010
Thadeua, Thapha and Thintom	20 October 2010
Nongheo	22 October 2010
Dongkhuauy	24 October 2010
Dongphosy	28 October 2010
Simmano Neua and Xanghuabo	29 October 2010
Simmano Tay and Nalong	02 November 2010
Makhio	03 November 2010

13. QUESTION: When will the updated surveys be conducted?

ANSWER: The updated surveys will be carried out soon after this consultation. The activities will be carried out in the presence of APs, local authorities and representatives of the IA.

14. QUESTION: If there will be disagreements or problems that arise during project implementation such as compensation, technical and general project-related disputes, do I have the right to voice out my complaint?

ANSWER: Yes. The procedures of filing a grievance is provided:

Stage	Activities / Procedures
1 - Filing of complaints at subproject official's level	All complaints and grievances must be properly documented by subproject officials. Complaints will be investigated through consultations aimed at resolving matters at the sub-project level. The objective is to resolve disagreements through consensus wherever possible without being referred to the district-level GRC. All meetings between the IA and complainants will be held in public place with participation by representatives of the AHs, local non-benefit organizations, mass organizations and village head to ensure transparency. The subproject IA must propose a resolution within 15 days from the filing of the complaint.
2 - Filing of complaints at GRC level	If a resolution proposed by IA is not reached to the satisfaction of the community or AH, the complaints will be forwarded to GRC.
3 - Stage 3: Filing of complaints at IA Head Office IA and NPCO level	If the AH does not receive a satisfactory response from GRC within 20 days of filing the complaint, or if the matter is not resolved to the satisfaction of the AH, the representative of AHs, local non-benefit organization or mass organization will, on behalf of the AH, submit the complaint to the head office of the IA and the NPCO.
4. Stage 4. Elevating complaints to Court of law	If the complaint or grievance is still unresolved within 20 days of receipt by the IA and NPCO, the representatives of the local non-benefit organization and mass organization will, upon request of the AH, forward the complaint to the Court of Law and follow-up with relevant authorities. Filing of complaints with the Court of Law may be done separately and independent of the project organized grievance resolution process at any stage of the process. The decision of the Court of Law is final.

AH = affected household, GRC = Grievance Redress Committee, IA = Implementing Agency, MAF = Ministry of Agriculture and Forestry, NPCO = National Project Coordinating Office

APs will be exempted from all taxes, administrative and legal fees.

15. QUESTION: When will the Project be implemented?

ANSWER: FDRMMP shall be implemented in 2012/3.

If you have further queries and suggestions, please contact us at:

National Project Coordinator

National Project Coordinating Office

Dept. Of Irrigation, Ministry of Agriculture and Forestry

Vientiane Capital, Lao PDR

Annex 5: Replacement Cost Survey Report (2010)

A. INTRODUCTION

1. The Ministry Agriculture and Forestry (MAF) of the Government of Lao PDR will invest on the structural and the non-structural components for the proposed Flood and Drought Risk and Mitigation and Management Project under the Great Mekong Sub-region (GMS). Preparation of the Project was undertaken through RETA No. 6456 from Asian Development Bank (ADB). The MAF has three (3) structural subprojects being proposed in the south of Vientiane Capital and Saravanh provinces such as follows

- (i) Flood Protection and Drought Mitigation Project, Vientiane
- (ii) Irrigation Development Project, Na Lek-Taopoun, Saravane
- (iii) Water Control Gates Project, Sedone River, Khongsedone, Saravane

2. The above subprojects will require land acquisition or land recovery during implementation and shall displace people and their properties. As a commitment to Asian Development Bank (ADB), MAF will prepare a Resettlement Plan (RP) for any subproject that would displace people. The RP shall be prepared based on the relevant legislation in Laos and the policy requirements of ADB on involuntary resettlement. A section on the RP document will discuss on the budget for compensation to affected properties and other assets of affected persons (APs). The amount of compensation and relocation of APs should be ideal so that MAF could provide an adequate financial support during the implementation of the RP. As such, MAF has commissioned a replacement cost survey (RCS) in order to determine the budget for compensation of the APs.

B. OBJECTIVE

3. The objective of RCS is to determine the replacement cost rates that will be applied in calculating the compensation for APs as required in the preparation of sample RP. The conduct of the RCS covered the areas where the Proposed of flood protection in Hadxayfong District and irrigation in Xaythany and Park Ngum District of Vientiane Capital will be undertaken.

C. APPROACHES

1. Team Composition: The RCS team is composed of RCS consultant, Village Representative and accompanies of DAFO-PAFO staffs sometime and with supervise of NSSS.

- Team Leader: Mr. Kheopouthone, RCS consultant; Lao Development Network Consulting Co Ltd., Conduct survey
- Mr. Sompath, Irrigation Technical, PAFO, Irrigation Division Vientiane Capital, Cooperate with Village Authority
- Representative of respective Village, facilitate of the survey
- Duangchith National Social Safeguard Specialist, give supervise

2. Sources of Information

Secondary data: from documents on property declarations at the district government's office and on local publications that advertised the auction on foreclosed properties, DAFO, and District Land Management Authority Office

Primary data: The interviews were conducted by using a pre-developed survey tool. Sample size of respondents was 32 determined by the interviewer:

- 1) Seventeen (17) AP's in 17 villages of three District: Hadxayfong, Xaythani, and Park Ngum
 - 2) Four (4) Non-AP's in Four (4) villages of District: Hadxayfong, Xaythani, and Park Ngum
 - 3) Two (2) traders in 2 villages of District: Hadxayfong,
 - 4) Four (4) Village Chiefs in three District: Hadxayfong, Xaythani, and Park Ngum
 - 5) Five (5) staffs of Vientiane Capital PAFO, Hadxayfong, Saythany and Park Ngum DAFO and Land Management Authority of Hadxayfong
- On the current value of land, the information was obtained from various source totally 9 people were interviewed
 - 1) PAs in Ban Pava, and Thintane, of Hadxayfong District, Ban Xanghouabor in Xaythany District, Ban Markhio of Park Ngum District
 - 2) Non APs, Ban Simmano and Nalong of District Hadxayfong
 - 3) Village Chief Ban Thintane and Pava of Hadxayfong District
 - 4) Head of Land Taxation Unit, Hadxayfong District Land Management Authority Office

Regarding to price gathered from different source has ready different cost such as Government cost is lowest, current market and offered price respectively

- On prices of construction materials, 3 suppliers and four Direct APs were interviewed
 - 1) One construction materials supplier in Hatsayfong District
 - 2) Two construction materials suppliers in Sysatanak district
 - 3) Two Direct APs on effected house
 - 4) Two Direct APs on Fence
- On Electricity Base price: only single source of electricity base price was obtained: Electricity Hadxayfong Office
- On irrigation price: Irrigation Section PAFO, Ban Nalong villagers and Village leader. Unfortunately , no information regarding the price of canal from villagers and leader due to lack of recording system in the village
- On prices of trees: Hadsayfong DAFO, 3 Direct APs in Hadxayfong District were obtained
- On prices of crops:
 - 1) 3 Direct APs and 1 Non-APs in Hadxayfong, Park Ngum and Saythany District were obtained
 - 2) 1 DAFO in Hadxayfong
 - 3) Fruit middlemen (Hounday) on road in Kouydeng of Hadxayfong District,

3. Coverage of the Survey

The survey was conducted in between 25 October- 7 November 2010 covered of 3 districts in Vientiane Capital which total 32 samples were interviewed

RESULTS OF THE RCS

The existing dyke for Mekong river flooded protection is affected starting from Ban.Nongheo-Ban.maknao with length of 25 km, the width of the dyke 7 m has been using as the road

surface, each walking path is 1 m, the total length is 9.00 m. The high of the dyke is 1 m above the flooding level in 2008. Irrigation construction to take the water from Makhoui stream into the 300 Ha, the canal include the main and the secondary canal with the length of 5.200 Km and the installation of the water pump at Makhoui to drain out the water that cover two villages, Ban Xanghoubor and Ban DongKouy, Xaythany District.

The project covers **17** villages in Hadxayfong; 2 villages of Xaythani and one village in Par Ngum District. There is totally **353** households are affected which is **11, 95.46** ha of land; **262** effected village and public's structure; **52** effected business and **11** houses are displacement.

a) Land

Types of Affected Land	Distance from the embankment or road	Unit Prices per Sq. Meter (Kip)		
		Sold in 2007	Sold in 2008	Sold in 2009
➤ Agricultural Land				
• Rice land				
+ Rice Land	5 m from the road	180.000	200.000	225.000
+ Rice Land:	5 m from the road	175.000	210.000	235.000
• Garden				
+ Fruit tree garden Land	5 m from the road	180.000	200.000	230.000
+ Crop garden land	5 m from the road	190.000	220.000	250.000
➤ Residence Land				
+ Housing land:	5 m asphalt road	900.000	1.300.000	1.800.000
+ Housing land:	5 m earth road	600.000	1.000.000	1.600.000
➤ Commercial Land				
+ Within the Town	5 m asphalt road	1.500.000	3.000.000	6.000.000
+ Out site the Town	5 m earth road	1.000.000	1.700.000	2.500.000
➤ Public Land	5 m from the canal	35.000	40.000	50.000

b) House and Structure

There is observed 11 houses along the embankment will be displacement when the project undertaking and there is four types of houses were covered in the RCS:

- Type 1: Bricks and cement 2 floors construction and equipment are high quality
- Type 2: Bricks and cement, concrete floor, galvanized Cpack, construction and equipment are high quality
- Type 3: Bricks and cement, concrete floor, galvanized iron
- Type 4: Galvanized iron, bamboos and wooden poles

Roof	Wall	Floor	Column	Storey	Type	Material Pricing Kip / m ²	Labor Cost Kip / m ²	Unit Cost Kip / m ²
Cpack	Bricks	Concrete	Concrete	Double	1	5.986.000	3.210.000	9.196.000
Roof tile	Bricks	Concrete	Concrete	Single	2	2.250.000	950.000	2.250.000
Zinc	Bricks	Concrete	Concrete	Single	3	1.075.000	450.000	1.225.000
Zinc		Lumber	Wood	Single	4	700.000	250.000	950.000

Pictures Type of effected house



Type 1



Type 2



Type 3



Type 4

c) Fence: There are four types of fence were covered in the RCS:

- Type 1: Brick Wall with 3 m high (100mm)
- Type 2: Bricks - cement and metal
- Type3: Concrete post and barbed wire
- Type4: Concrete post and wood frame



Type 1



Type 2



Type 3



Type 4

d) Irrigation canal:

There is only one type of irrigation canal covered in the survey like earth canal

Picture of canal:

e) Electricity base: There are two types of electricity base such as villagers and public assets are covered in the survey

Picture of electricity base:

Type 1: Villager's assets compressed concrete
Length 6 ml



Type: Public assets compressed concrete length 8ml

f) Construction Material

No.	TYPE OF ASSETS	UNIT	Unit Cost, Kip
	ELECTRICITY BASE		
1	Family pole (6 ml)	1 Pole	1.200.000

No.	TYPE OF ASSETS	UNIT	Unit Cost, Kip
2	Public pole 98 ml)	1 Pole	2.500.000
	IRRIGATION CANAL		
3	Earth canal	1 ml	2.000.000
	FENCE		
4	Brick Wall with 3m high (100mm)	1 ml	600.000
5	Bricks – cement and metal	1 ml	400.000
6	Concrete post with wire brace	1 ml	250.000
7	Concrete post and wood frame	1 ml	150.000

g) Trees and crops

No	Type of Trees and Crops	Unit (Kip/tree)
	<u>Industrial trees</u>	
01	Eucalyptus	150.000
02	Teak	200.000
03	Pam tree	150.000
04	Pea tree	120.000
05	Gno tree	70.000
06	Pam tree	55.000
07	Kakalao tree	180.000
08	Kapok tree	100.000
09	Ketsana tree	50.000
10	Takob tree	120.000
11	Hampa tree	80.000
12	Fang tree	50.000
13	Champa tree	250.000
14	Samsa tree	50.000
15	Bamboo	70.000
16	Labarum tree	
	<u>Crops</u>	
18	Banana	50.000
19	Papaya	80.000
20	Kha	20.000
21	Sikay	20.000
22	Tea	15.000
23	Lime (Lamon)	50.000
24	Bamboo	150.000
25	Mankone	
	<u>Fruit tree</u>	
26	Guava tree	250.000
27	Jack fruit tree	210.000
28	Papaya tree	70.000
29	Longan tree	120.000
30	Tamanind tree	150.000
31	Monekay tree	180.000
32	Fruit tree	200.000
33	Star gooseberry tree	175.000
34	Coconut tree	300.000
35	Type of mangosteen tree	140.000
36	Carambola tree	150.000
37	Namnom tree	200.000
38	Orange tree	

4. COMPARISON OF REPLACEMENT COSTS

a. Land and Construction material

Affected Property Items	Unit Rates		
	Government Price (Date)	Current Market Value	Proposed Unit Rates
LAND			
Agricultural Land	150.000	300.000	350.000
Resident Land	200.000	1.000.000	1.500.000
Commercial Land	220.000	1.200.000	2.000.000
ELECTRICITY BASE			
Family pole	1.200.000	0	0
Public pole	2.500.000	0	0
IRRIGATION CANAL			
Earth canal	2.000.000	2.400.000	0
FENCE			
Brick Wall with 3m high	250.000	550.000	700.000
Bricks - cement and metal	210.000	350.000	500.000
Concrete post with wire brace	170.000	300.000	400.000
Concrete post and wood frame	100.000	150.000	250.000

b. Trees and Crops

	Affected Property Items	Unit Rates		
		Government Price (Date)	Current Market Value	Proposed Unit Rates
	<u>Industrial trees</u>			
01	Eucalyptus	150.000	165.000	170.000
02	Teak	200.000	215.000	220.000
03	Pam tree	150.000	173.000	175.000
04	Pea tree	120.000	122.000	130.000
05	Gno tree	70.000	85.000	88.000
06	Tao tree	55.000	60.000	65.000
07	Kakalao tree	180.000	185.000	188.000
08	Ngew tree	100.000	110.000	112.000
09	Ketsana tree	50.000	52.000	55.000
10	Takob tree	120.000	123.000	125.000
11	Hampa tree	80.000	83.000	86.000
12	Fang tree	75.000	77.000	80.000
13	Yeanton tree	50.000	58.000	63.000
14	Champa tree	250.000	258.000	265.000
15	Samsa tree	50.000	54.000	56.000
16	Bamboo tree	70.000	75.000	80.000
17	Labernum tree			
	<u>Crop</u>			
18	Banana	50.000	54.000	58.000
19	Papaya	80.000	82.000	84.000
20	Kha	20.000	25.000	32.000
21	Sikay	20.000	22.000	25.000
22	Tea	15.000	17.000	20.000
23	Lime (Lamon)	50.000	65.000	73.000
24	Mankone	150.000	155.000	160.000
	<u>Fruit tree</u>			
25	Guava tree	250.000	275.000	285.000
26	Jack fruit tree	210.000	215.000	220.000
27	Longan tree	120.000	125.000	235.000
28	Tamanind tree	150.000	156.000	160.000
29	Monekay tree	200.000	210.000	220.000

30	Star gooseberry tree	175.000	178.000	180.000
31	Coconut tree	300.000	310.000	320.000
32	Type of mangosteen tree	140.000	143.000	146.000
33	Carambola tree	150.000	165.000	170.000
34	Namnom tree	200.000	210.000	220.000
35	Orange tree			

5. CONCLUSION

Lao Government had set up based cost for Land in Lao PDR, but the main purpose is to collect taxation. The real price of the land in Vientiane capital especially in the project area had big different in each area such as in main town area with good infrastructure and facility the price is more expensive. In contrast in outside of the town the price is lower. The real practice, price of the land is depend on negotiation tactic of buyer and offered of land owner.

In previous project like 450 years project, they use based cost for compensation to land owner who are affected and relocated by the construction of the 450 years road. Affected People mentioned that price quite lower than current market price. This matter should be considered by concerned party when this project is undertaken.

Embankment construction will be effected the canal with 400 ml along the road in Nalong village. It was requested and suggested from villager that the layout of the embankment is possibility shift from right to left about 2 m and could be avoid the damages such of the canal.

Annex 6: Sample Voluntary Contribution Consent Form

LAO PDR

[INSERT NAME] Province
 [INSERT NAME] District
 [INSERT NAME] Village

CERTIFICATE OF LAND TRANSFER

I, [INSERT NAME, AGE, NATIONALITY, OCCUPATION], with residence located in [INSERT NAME] village, [INSERT NAME] district, [INSERT NAME] province, Certify that I have been previously informed by local authority of my right to entitle compensation for any loss of property (house, land and trees) that might be caused by FDRMMP [INSERT IMPROVEMENT] in village [INSERT NAME], district ([INSERT NAME]). I confirm that I voluntarily accept [INSERT TERMS FOR REPLACEMENT]. I also confirm that I do not request any compensation of loss of [INSERT OTHER LOSSES SUCH AS TREES STRUCTURES] and would request the local authority to consider this as my contribution to the Project.

Type of Loss	Area (sqm)	Number of Trees	Unit Rates	Total	Comment
Land					
Total					

Therefore, I prepare and sign this certificate for the proof of my decision.

[INSERT NAME] district
 [INSERT DATE]
 The owner of the land
 [INSERT NAME AND SIGN]

Witnesses:

1. [INSERT NAME]
2. [INSERT NAME]
3. [INSERT NAME]

Certified by the Chief of the Village [INSERT NAME AND SIGN]
 The Chief of [INSERT NAME] district [INSERT NAME AND SIGN]