

Resettlement Framework

Lao PDR: Sustainable Tourism Development Project

March 2008

Prepared by: Lao National Tourism Administration

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

CURRENCY EQUIVALENTS

1USD = 9,100 Kip

ABBREVIATIONS

ADB	Asian Development Bank
AP	Affected persons
DMS	Detailed Measurement Survey
DRC	District Resettlement Committee
EA	Executing Agency
EG	Ethnic Groups
GMS	Greater Mekong Subregion
GoL	Government of Lao PDR
IP	Indigenous Peoples
IR	Involuntary Resettlement
Lao PDR	Lao People's Democratic Republic
LNTA	Lao National Tourism Administration
LWU	Lao Women's Union
PCU	Project Coordination Unit
PIU	Project Implementation Unit
PIB	Public Information Booklet
PRC	Provincial Resettlement Committee
RC	Resettlement Committee
RF	Resettlement Framework
RP	Resettlement Plan
SES	Socioeconomic Survey
VRC	Village Resettlement Committee
WREA	Water Resource and Environment Administration

DEFINITION OF TERMS

Project Affected People (APs) includes any person, entity or organization affected by the Project, who, on account of the involuntary acquisition of assets in support of the implementation of the Project, would have their (i) standard of living adversely affected; (ii) right, title or interest in all or any part of a house and buildings, land (including residential, commercial, agricultural, plantations, forest and grazing land) water resources, fish ponds, communal fishing grounds, annual or perennial crops and trees, or any other moveable or fixed assets acquired or possessed, in full or in part, permanently or temporarily; and (iii) business, profession, work or source of income and livelihood lost partly or totally, permanently or temporarily.

Compensation is payment in cash or in-kind at replacement cost for an asset to be acquired by the Project.

Cut-Off Date means the date prior to which the occupation or use of the project area makes residents/users of the project area eligible to be categorized as APs. The cut-off date for this Project will be the final day of the detailed measurement survey (DMS) in each subproject.

Entitlement means a range of measures comprising compensation in cash or in kind, relocation cost, income rehabilitation assistance, transfer assistance, income substitution, and business restoration which are due to APs, depending on the type and degree of their losses, to restore their social and economic base.

Household means all persons living and eating together as a single social unit. The census used this definition and the data generated by the census forms the basis for identifying the household unit.

Income restoration means re-establishing income sources and livelihoods of APs to their pre-project levels.

Land Acquisition is the process whereby a person is compelled by the Government through the Executing Agency of the Project to alienate all or part of the land s/he owns or possesses in favor of the State in the implementation of the Project or any of its components in return for fair compensation.

Rehabilitation means assistance provided to severely affected APs due to the loss of 10% or more productive assets (i.e., farmland, fishpond, vegetable garden, etc.), incomes, employment or sources of living such as shops and place of employment have to be reconstructed and/or relocated. The livelihood support may be given in cash or in kind or a combination of the two in order to improve, or at least achieve full restoration of living standards to pre-project levels.

Relocation is the physical shifting of an AP from his/her pre-project place of residence and/or business.

Replacement Cost is the amount in cash or in-kind needed to replace an asset and is the value determined as compensation for:

- a. Agricultural land and fishpond based on market prices that reflect recent land sales prior to the commencement of subproject construction or displacement, and in the absence of such recent sales, based on productive value;
- b. Residential land based on market prices that reflect recent land sales prior to the commencement of subproject construction or displacement, and in the absence of such recent land sales, based on similar location attributes;

- c. Houses and other related structures based on current market prices of materials and labour without depreciation nor deductions for salvaged building materials;
- d. Annual crops based equivalent to the highest production of crop over last three years multiplied by the current market value of crops;
- e. Perennials crops and trees and other based on current market value based on type, age, diameter at breast height and productive capacity; and
- f. Other assets (i.e., cultural, aesthetic) current market value for repairing and/or replacing assets or the cost of mitigating measures.

Resettlement refers to all measures taken by the Project proponents to mitigate any and all adverse social impacts of the Project on the APs, including compensation for lost assets and incomes, and the provision of other entitlements, income restoration assistance, and relocation as needed.

Severely Affected Person means a person who will (i) lose 10% or more of their productive assets, such as agriculture/aquaculture land holding, and/or (ii) physically displaced from housing and/or (iii) lose 10% or more of total income sources due to the Project.

Vulnerable Groups are distinct groups of people who might suffer disproportionately or face 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 threshold, (iii) the landless, and (iv) indigenous peoples and ethnic minorities.

CONTENTS

I.	INTRODUCTION	1
A.	Project	1
B.	Scope and Scale of Resettlement	1
II.	LEGAL FRAMEWORK, POLICIES AND GUIDELINES	2
A.	Government Laws, Decrees, and Guidelines	2
B.	ADB Policies	2
C.	Resolving Inconsistencies	4
III.	PROJECT PRINCIPLES, ELIGIBILITY AND ENTITLEMENTS	4
A.	Project Principles	4
B.	Eligibility and Entitlements	6
IV.	RELOCATION AND INCOME RESTORATION STRATEGY	10
V.	VULNERABILITY, GENDER AND ETHNICITY	10
A.	Indigenous Peoples Specific Actions	10
B.	Gender Strategies	11
VI.	PREPARATION AND IMPLEMENTATION OF RPs	13
A.	Screening	13
B.	RP Preparation	13
C.	RP Implementation	14
VII.	INSTITUTIONAL FRAMEWORK	15
A.	Lao National Tourism Administration	15
B.	Urban Development Administration Authority	15
C.	Resettlement Committees	15
D.	Water Resource and Environment Administration	16
E.	Project Implementation Consultants	16
VIII.	CONSULTATION, GRIEVANCE REDRESS, AND DISCLOSURE	17
A.	Consultation and Disclosure	17
B.	Grievance Redress	17
C.	Disclosure	19
IX.	MONITORING AND EVALUATION	19
A.	Internal Monitoring	19
B.	External Monitoring	21
X.	BUDGET	22
	ATTACHMENT 1 Involuntary Resettlement Categorization Form	25
	ATTACHMENT 2 Voluntary Contribution Form for Strips of Residential Land	27
	ATTACHMENT 3 Sample Public Information Booklet	28

I. Introduction

A. Project

1. The regional Sustainable Tourism Development Project (the Project) will contribute to the implementation of the Greater Mekong Subregion (GMS) Tourism Sector Strategy and the provision of livelihood opportunities for GMS citizens. The Project outcome will be the development of a sustainable, culturally and environmentally sound pro-poor tourism approach for the GMS. It will have five outputs: (i) model sustainable tourism development projects protecting natural, cultural and urban heritage sites of importance to tourism are operational; (ii) pro-poor community-based and supply-chain tourism projects are developed and operational; (iii) community-operated facilities along the GMS economic corridors bringing economic benefits to local communities improved; (iv) human resource capacity of public and private tourism stakeholders are developed; and (v) efficient project management services are fully operational.

B Scope and Scale of Resettlement

2. A short Resettlement Plan (RP) has been prepared for the infrastructure improvements in Siphandone Wetlands, Champasak Province where a total of 25 stall owners in Naksang village will be temporarily affected from having to relocate while the new market is constructed and 3 persons will have to move their shops from the riverbank to the new market.

3. No RP is necessary for the infrastructure improvements in Vang Vieng Town, as it will not cause any resettlement or land acquisition impact. However, for the solid waste trap in Muong Song village the project coordinating unit (PCU) must conduct due diligence after the subproject design is finalized to ensure that the water will not be diverted to block the access road to the river. In the unlikely event of impacts on the road or that land must be acquired, any impacts will be addressed in accordance with this framework.

Table SAB1.1: Summary Initial Assessment of Land Acquisition and Resettlement Issues

Project site	Estimated Land Acquisition (m2)	Affected Persons	Affected population	Households to be relocated	APs losing 10% or more of productive assets	Other Impacts
Market Area, Naksang village	District land	25	126	0	0	Temporary relocation for 30 stall owners
Riverbank, Naksang village	District land	3	15	0	0	Temporary relocation of shops to temporary market during reconstruction if needed.

4. For the pro-poor community-based and supply chain tourism projects, the Lao National Tourism Administration (LNTA) has proposed interventions in 6 provinces. Interventions will also be identified and prioritized along the North-South and East-West Economic Corridors. The prioritization and selection of the interventions for inclusion in components 2 and 3 will follow a sector approach and will be done during project implementation. Therefore, this Resettlement Framework (RF) has been prepared to guide in preparation and implementation of RPs and due

diligence for all of these interventions. It is envisaged that since these interventions will be small-scale and priority will be given to avoiding or minimizing resettlement, resettlement impacts will not be significant. Few if any people will be severely affected by land acquisition. Some minimal resettlement or land acquisition may be necessary, such as relocation of a few households, effects on farmland or garden plots and crops, the utilization of public or communal land for the construction of small markets, parking lots, covered bus stops, river landings and stairs, embankment protection, cultural and interpretation centers, refreshment stands, and in scenic spots, walkways, foot bridges, sanitary toilets with water supply, ticket booths, lodges, prayer pavilions, and signage. As all impacts are expected to be minimal, it is likely that only short RPs will be prepared for this Project. Screening forms to be used for each subproject are included in Appendix 1 and 2.

II. Legal Framework, Policies and Guidelines

5. This RF is developed from the laws and decrees of the Government of Lao (GoL) People's Democratic Republic (PDR) and Asian Development Bank's (ADB's) relevant policies and guidelines. Provisions and principles adopted in this RF will supplement the provisions of relevant decrees currently in force in Lao PDR wherever a gap exists.

A. Government Laws, Decrees, and Guidelines

6. In Lao PDR, compensation principles and policy framework for land acquisition and resettlement are governed by the following laws, decrees and regulations: (a) The Constitution (1991), (b) the Land Law (2003)¹, (c) Road Law (1999), (d) Decree of the Prime Minister on Compensation and Resettlement of People Affected by Development Project (No.192/PM, dated 7 July 2005), and (e) Regulations for Implementing Decree of the Prime Minister on Compensation and Resettlement of People Affected by Development Project (No.2432/STEA, dated 11 November 2005).

B. ADB Policies

7. The aim of the ADB **Policy on Involuntary Resettlement** (ADB, 1995) is to avoid or minimize the impacts on people, households, businesses and others affected by the land acquisition required by a project. Where resettlement is not avoidable, the overall goal of the ADB policy is to compensate and assist affected people (AP) to restore their living standards to levels equal to, if not better than, that they had before the Project.

8. The main objectives and principles of the ADB Policy on Involuntary Resettlement (IR) are as follows:

- (i) IR should be avoided where feasible;
- (ii) Where population displacement is unavoidable, it should be minimized by exploring all viable project options;
- (iii) People unavoidably displaced should be compensated and assisted, so that their economic and social future would be generally as favorable as it would have been in the absence of the Project;
- (iv) APs should be informed fully and closely consulted in resettlement and compensation options;
- (v) Existing social and cultural institutions of APs who must relocate should be supported and used to the greatest extent possible, and APs should be integrated economically and socially into host communities;

¹ The Land Law 04/NA of 21 October 2003 supersedes the earlier Law 01/NA 12 April 1997.

- (vi) Lack of legal rights to the assets lost or adversely affected will not prevent APs from entitlement to compensation and rehabilitation measures. Those without legal title to land occupied or used by them (e.g., non-titled APs) will be entitled to various kinds of resettlement assistance to improve their socioeconomic status;
- (vii) Particular attention must be paid to the needs of the poorest APs and other vulnerable groups that may be at high risk of impoverishment. This may include APs without legal title to land or other assets, households headed by females, the elderly or disabled and other vulnerable groups, particularly indigenous peoples and ethnic minorities. Appropriate assistance must be provided to help them improve their socioeconomic status;
- (viii) All stages of resettlement identification, planning, and management will ensure that gender concerns are incorporated, including gender-specific consultation and information disclosure. This includes special attention to guarantee women's assets, property, and land-use rights; and to ensure the restoration of their income and living standards;
- (ix) As far as possible, IR should be conceived and executed as part of the Project. IR is to be treated as a development opportunity;
- (x) The full costs of resettlement and compensation should be included in the presentation of project costs and benefits;
- (xi) The costs of resettlement and compensation may be funded by counterpart funds and/or considered for inclusion in the Bank loan for financing of the Project.

9. The ADB **Policy on Indigenous Peoples** (ADB, 1998) defines indigenous or ethnic minority peoples as "those with a social or cultural identity distinct from the dominant or mainstream society, which makes them vulnerable to being disadvantaged in the processes of development." The Policy recognizes the potential vulnerability of indigenous peoples (IPs) in the development process; that IPs must be afforded opportunities to participate in and benefit from development equally with other segments of society; and, have a role and be able to participate in the design of development interventions that affect them. The anticipated impact (positive and negative) and mitigation measures are incorporated in the Project's Ethnic Groups Development Framework. Social analysis of a project or subproject will assess whether indigenous or ethnic groups (EGs) are likely to be affected by the Project or subproject. If a project or subproject is likely to have impacts caused by land acquisition only, specific action for IPs, specified in the Project or subproject RP is required to address the impacts. If IPs population affected by a subproject exceeds 20% of all the APs, small-scale livelihood activities, which shall be prepared in consultation with indigenous peoples populations, shall be incorporated in subproject RPs as a special rehabilitation program.

10. The ADB **Policy on Gender and Development** (ADB, 1998) adopts gender mainstreaming as a key strategy for promoting gender equity, and for ensuring that women participate and that their needs are explicitly addressed in the decision-making process for development activities. For projects that have the potential to have substantial gender impacts, a gender plan is prepared to identify strategies to address gender concerns and the involvement of women in the design, implementation and monitoring of the Project. ADB's Operations Manual (OM) F2/OP requires that the findings of a gender analysis be included in the RP, and at all stages, resettlement identification, planning, and management will ensure that gender concerns are incorporated, including gender-specific consultation and information disclosure. This includes special attention to guarantee women's assets, property, and land-use rights; and to ensure the restoration of their income and living standards.

11. The ADB **Public Communications Policy** (ADB, 2005) seeks to encourage the participation and understanding of stakeholders and people affected by ADB-assisted activities. Information on ADB-funded projects should start early in the preparation phase and continue throughout all stages of project development, in order to facilitate dialogue with affected people and other stakeholders. The Executing Agency (EA) should, as necessary, develop a project communications plan and designate a focal point to maintain contact with AP. With respect to land acquisition, compensation and resettlement, information should be distributed to (APs) and publicly in the following manner: (i) the draft RP prior to loan appraisal; (ii) the final RP following its completion; and, (iii) the revised RP, following any revisions. This information can be in the form of brochures, leaflets or booklets, in the local language(s) as well as English, the working language of the ADB. When APs include non-literate people, other appropriate methods of communications will be used. The policy also requires disclosure of social monitoring reports.

C. Resolving Inconsistencies

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

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

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

III. Project Principles, Eligibility and Entitlements

A. Project Principles

15. The basic principles of this project are the following:

- (i) IR and impacts on land, structures and other fixed assets will be avoided or minimized where possible by exploring all alternative options;
- (ii) APs residing, working, doing business and cultivating land within the required project area as of the completion date of the census and detailed measurement survey (DMS) will be entitled to compensation and rehabilitation assistance to assist them in improving, or at least maintaining their pre-project living standards and productive capacities. The Project will ensure that APs are able to find alternative sites or income sources;
- (iii) Lack of formal legal title or rights will not be a bar to eligibility for compensation and assistance under the Project. APs will not be displaced from affected land

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

- (xvi) Voluntary donation will not be applied for any assets except very minor losses of residential land. Voluntary donation of small strips of residential land will be according to the following criteria that will be strictly complied with, i.e., (i) the AP's total residential land area is not less than 300 m²; (ii) if the AP's total residential land area is more than 300 m², the strip of land that can be donated cannot be more than 5% of the total land area; and (iii) there are no houses, structures or fixed assets on the affected portion of land;
- (xvii) Civil works contracts will not be awarded for a specific subproject or geographic area until (i) compensation payment and relocation to new sites have been satisfactorily completed for that subproject or geographic area, (ii) agreed rehabilitation program is in place, and (iii) the area is free from all encumbrances as per approved RP;
- (xviii) Cash compensation or replacement land for affected households losing entire residential land will be made available well ahead of civil works to allow the affected households sufficient lead time to reconstruct their houses; and
- (xix) No demolition of assets and/or entry to properties will be done until the affected household is fully compensated and relocated.

B. Eligibility and Entitlements

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

17. **Entitlements.** The entitlement matrix in Table 3 includes the main types of losses and the corresponding nature and scope of entitlements. Following detailed design, DMS and socioeconomic surveys (SES) will be the basis for determining actual impacts, and replacement cost surveys will be carried out to determine actual replacement costs and rates.

18. Voluntary donation will not be applied for any assets except very minor losses of residential land. For small strips of residential land, the following criteria will be strictly complied with:

- (i) The AP's total residential land area is not less than 300 m²;
- (ii) If the AP's total residential land area is more than 300 m², the strip of land that can be donated cannot be more than 5% of the total land area; and
- (iii) There are no houses, structures or fixed assets on the affected portion of land.

19. Voluntary donation according to these criteria will follow the process in accordance with ADB's (OM) F2, which is the same as the Government's Decree 192/PM/2005.

20. The entitlement matrix may not cover all types of impacts but can be enhanced in the RPs based on the findings of the social assessment and subproject impacts. Standards described will not be lowered but can be enhanced in the subproject RPs as required.

Table SAB1.3: Project Entitlement Matrix

Type of Losses	Entitled Persons	Entitlements	Implementation Issues
Productive Land	Legal owner or occupant identified during DMS.	<ul style="list-style-type: none"> For marginal loss of land, cash compensation at replacement cost which is equivalent to the current market value of land within the village, of similar type, category and productive capacity, free from transaction costs (taxes, administration fees), If the impacts on the total productive land is 10 % or more, as a priority, replacement land of similar type, category and productive capacity of land within the village, OR, at the request of AP, cash compensation at replacement cost plus assistance to purchase and register land 	<ul style="list-style-type: none"> Voluntary donation of productive land will not be allowed by the Project.
Residential Land	Legal owner or occupant identified during DMS.	<ul style="list-style-type: none"> <u>With</u> remaining land sufficient to rebuild houses/structures: (i) Cash compensation at replacement cost which is equivalent to the current market value of land of similar type and category, and free from transaction costs (taxes, administration fees) and (ii) Project contractor to improve remaining residential land at no cost to APs (e.g. filling and leveling) so APs can move back on remaining plot. <u>Without</u> remaining land sufficient to rebuild houses/structures: (i) Replacement land equal in area, same type and category, without charge for taxes, registration and land transfer OR (ii) cash compensation at replacement cost which is equivalent to the current market value of land of similar type and category, free from transaction costs (taxes, administration fees) plus assistance to purchase and register land. 	<ul style="list-style-type: none"> Voluntary donation of minor strips of residential land will only be allowed by the Project provided that the following criteria are strictly complied with: (i) the AP's total residential land area is not less than 300 m²; (ii) if the AP's total residential land area is more than 300 m², the strip of land that can be donated cannot be more than 5% of the total land area; and (iii) there are no houses, structures or fixed assets on the affected portion of land. Voluntary donation according to these criteria will follow the process in accordance with ADB's Operations Manual (OM) F2.
Fish Pond	Owner of affected fishpond	<ul style="list-style-type: none"> Cash compensation of affected portion at replacement cost which is equivalent to the current market value of fishpond, labour and rent of equipment to excavate fishpond, free from transaction costs (taxes, administration fees) If the currently held fish stocks will not be harvested before the Project takes possession of the fishpond, then cash compensation for the projected mature value of fish stock held at the time of compensation. Construction contractor to 	<ul style="list-style-type: none"> Adequate time provided for AP to harvest fish stocks Voluntary donation of fishpond land, will not be allowed by the Project

Type of Losses	Entitled Persons	Entitlements	Implementation Issues
		restore/repair remaining fishpond. If support cannot be provided by the contractor, the AP will be entitled to cash assistance to cover for payment of labour and rent of equipment to restore/repair fishpond.	
Totally Affected Houses/Shops, and Secondary Structures (kitchen, rice bins) Partially Affected Houses/Shops but no longer viable (Will require relocation)	Owners of affected houses whether or not land is owned	<ul style="list-style-type: none"> • Cash compensation at replacement cost for the entire structure equivalent to current market prices of (i) materials, with no deduction for depreciation of the structure or salvageable materials; (ii) materials transport; and (iii) labour cost to cover cost for dismantling, transfer and rebuild; and • Excluding those who will move back to their residual land, timely provision of dump trucks for hauling personal belongings at no cost to the APs. 	<ul style="list-style-type: none"> • Adequate time provided for APs to rebuild/repair their structures • Affected houses and shops that are no longer viable are those whose remaining affected portion are no longer usable/habitable.
Temporary Use of Land	Legal owner or occupant	<ul style="list-style-type: none"> • For agricultural and residential land to be used by the civil works contractor as by-pass routes or for contractor's working space, (i) rent to be agreed between the landowner and the civil works contractor but should not be less than the unrealized income and revenue that could be generated by the property during the period of temporary use of the land; (ii) cash compensation at replacement cost for affected fixed assets (e.g., structures, trees, crops); and (iii) restoration of the temporarily used land within 1 month after closure of the by-pass route or removal of equipment and materials from contractor's working space subject to the conditions agreed between the landowner and the civil works contractor. 	<ul style="list-style-type: none"> • The construction supervision consultant will ensure that the (i) location and alignment of the by-pass route to be proposed by the civil works will have the least adverse social impacts; (ii) that the landowner is adequately informed of his/her rights and entitlements as per the Project resettlement policy; and (iii) agreement reached between the landowner and the civil works contractor are carried out.
Partially Affected Houses and Shops and secondary structures (Will not require relocation)	Owners of affected houses whether or not land is owned	<ul style="list-style-type: none"> • Cash compensation at replacement cost for the affected portion of structure equivalent to current market prices of (i) materials and labour, with no deduction for depreciation of the structure or for salvageable materials; (ii) materials transport; and (iii) cost of repair of the unaffected portion. 	
Loss of business income due to temporary relocation of shops and stalls	Owners of shops and stalls	<ul style="list-style-type: none"> • Cash compensation equivalent to the average daily profit multiplied by the number of days of business disruption (2 days). • First and last month of market fees waived during the temporary 	The rates have been verified through interviews with informal shop owners to get an estimate of daily net profit.

Type of Losses	Entitled Persons	Entitlements	Implementation Issues
		relocation period. <ul style="list-style-type: none"> Guaranteed stall of similar size in the new market. Subsidy over 24 months to compensate for any increased stall rentals after market reconstruction: 1st year subsidy of 100%, 2nd year subsidy of 50%. 	
Loss of business income during relocation or during dismantling/repair of affected portion (without relocation)	Owners of shops	<ul style="list-style-type: none"> Cash compensation equivalent to the average daily profit multiplied by the number of days of business disruption (2 days). 	The rates have been verified through interviews with informal shop owners to get an estimate of daily net profit.
Crops and Trees	Owner of crops and trees whether or not land is owned	<ul style="list-style-type: none"> If standing annual crops are ripening and cannot be harvested, cash compensation at replacement cost equivalent to the highest production of crop over the last three years multiplied by the current market value of crops. For perennial crops and 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 (DBH) of trees. 	
Electricity Poles	Electricity Companies	<ul style="list-style-type: none"> Cash compensation for cost to dismantle, transfer and rebuild. 	
Transition subsistence allowance	Relocating households – relocating on residual land or to other sites Severely affected APs losing 10% or more of their productive land	<ul style="list-style-type: none"> Relocating APs without any impact on business or source of incomes will be provided with cash or in-kind assistance equivalent to 16 kg of rice at current market value for 3 months per household member. Relocating APs with main source of income affected (i.e., from businesses) or APs losing more than 10% of their productive land will be provided with cash or in-kind assistance equivalent to 16 kg of rice at current market value for 6 months per household member. 	
Transportation allowance	Relocating households – to other sites	Provision of dump trucks to haul all old and new building materials and personal possessions.	APs may also opt for cash assistance. The amount (cost of labour and distance from relocation site) to be determined during implementation.

Type of Losses	Entitled Persons	Entitlements	Implementation Issues
Severe impacts on vulnerable APs (Relocating APs and those losing 10% or more of their productive assets)	Severely affected vulnerable APs such as the poorest, or households headed by women, the elderly or disabled, and ethnic minorities	<ul style="list-style-type: none"> An additional allowance of 1 month supply of rice per person in the household. The contractors will make all reasonable efforts to recruit severely affected and vulnerable APs as labourers civil works. 	The poorest will be those below the national poverty line (urban or rural as applicable).

IV. Relocation and Income Restoration Strategy

21. Households that have to relocate will participate in identifying and selecting options to relocate on their existing plots, to move to plots provided by the district, or to receive cash compensation and to make their own arrangements for relocation. In the case that any businesses have to relocate, they will be assisted to find viable new sites. Households who are severely affected through the loss of 10% or more productive assets will be provided with replacement land, assisted to purchase replacement land or receive cash compensation. APs will also be compensated for losses of harvest and receive transition subsistence allowances. Severely affected vulnerable APs will receive additional allowances equal to 1 month supply of rice per person in the household. If needed, appropriate livelihood restoration programs will be designed and implemented during project implementation in consultation with APs. APs will not be displaced until the village allocates land within the same or neighboring village.

V. Vulnerability, Gender and Ethnicity

22. The RF recognizes that certain social groups may be less able to restore their living conditions, livelihoods and income levels; and therefore, at greater risk of impoverishment when their land and other assets are affected. The Project will identify any specific needs or concerns that need to be considered for the IPs groups/EGs and other vulnerable groups such as landless, poor, and households headed by women, disabled, elderly or children without means of support. A gender strategy and EGs specific actions will be included in the RP if applicable.

A. Indigenous Peoples Specific Actions

23. To ensure that the IPs/EGs APs receive full benefit of resettlement activities, land acquisition and compensation, the following specific activities will be integral to the RP:

- (i) In villages with IPs/EGs, one man and one woman representative from each group will be included in each of the RCs [District (DRC) and Village (VRC)] level; During the final DMS both men and women, and female-headed EGs households will participate in the DMS, and will be accompanied by a DRC or VRC member who will provide translation as needed to ensure APs understand and are in agreement with the DMS results;
- (ii) Compensation will be given to both men and women from EGs households; Where EGs households are required to rebuild or relocate, rehabilitation options and sites will be acceptable to the household and ensure they are able to continue their existing livelihood and lifestyle, and remain within their community (if they so choose);

- (iii) Where land is allocated or use rights assigned, registration will be in the name of husband or wife if the affected land was acquired prior to marriage and joint registration in the names of both husband and wife if the land was acquired by both husband and wife;
- (iv) All public information and consultation meetings will include local translation in EGs' languages so that information and exchange of views is facilitated for all men and women APs. Village meetings will be held to raise AP awareness and understanding of resettlement related issues such as project timing, entitlements, compensation determination and payments, grievance process, support for relocation/ rebuilding etc., and specific women focus groups will also be held to cover the same issues;
- (v) Rehabilitation measures for businesses will ensure that EGs households and/or female headed households as well as other APs are treated equitably in terms of assistance to find and/or get allocation of replacement land, and in the provision of allowances (including business income loss, transition and vulnerability allowances);
- (vi) Where EGs households live within villages of another ethnicity, RCs will pay special attention to their compensation and transition. External monitoring will also review these cases;
- (vii) Monitoring of RP preparation, consultation and awareness, implementation, and AP rehabilitation and satisfaction will all be undertaken using ethnicity disaggregated data;
- (viii) Internal monitoring will ensure consultation incorporates translation to EGs languages in minority villages and for minorities living in villages of other ethnicity; and
- (ix) Both male and female EGs members will be able to participate in the jobs that are created during subproject construction and maintenance in the project area.

B. Gender Strategies

24. A number of strategies will be adopted to ensure gender-sensitive resettlement and rehabilitation measures and, to engage women actively in the planning and implementation of the resettlement program as well as other programs. The RCs, resettlement specialists and social and gender specialists will be directly involved in all aspects of the development and implementation of the gender strategy, to ensure that these measures are adequately implemented.

25. The strategies for APs that will relocate from, or rebuild on residential and/or commercial land they occupy in the subproject areas will be made gender-sensitive in the following ways:

- (i) The RCs will make concerted efforts to consult with female APs (household heads and women in AP households). This will be done through individual and women focus group discussions. The role of local Lao Women's Union (LWU) representatives will be crucial in facilitating these consultations and ensuring women's specific needs are met;
- (ii) In addition to village forums, specific women's focus group meetings will be held to raise awareness and understanding of resettlement related issues such as project timing, entitlements, compensation determination and payments, grievance process, support for relocation/rebuilding etc;
- (iii) Women will be consulted specifically to establish criteria for replacement land or improvements to existing lands, particularly in relation to the planning of available lands and maintenance of the household utility areas, as well as issues relating

- to access to community services and facilities such as schools, health facilities and markets, as well as their economic activities;
- (iv) Consultations with APs regarding arrangements for secure tenure will ensure that women including women-headed households and other female household members understand clearly what their options and obligations are; and, that the views of women are considered in making decisions;
- (v) New land registrations will be made in both spouse's names if the land acquired by the Project was acquired by husband and wife during marriage, or in the case of female headed households, in the women's name;
- (vi) Compensation payments will be signed off by both spouses, or in the case of female headed households, by the women;
- (vii) The civil works contracts will include employment targets for the poor, and women from the Project affected villages and local area. They will also include commitments to gender equity including: (i) ensuring that no child labour or trafficked labour will be used, (ii) no discrimination against the employment of qualified women, and (iii) no differential wages paid to men and women for work of equal value;
- (viii) Special measures will be taken in disseminating information to and consulting with women to ensure that they understand clearly the policies, entitlements and other procedures of the resettlement program, and are able to make informed decisions;
- (ix) The LWU in affected villages will monitor vulnerable APs, including female headed households for signs of stress or health impacts due to resettlement activities. If noted, these will be reported to the RCs and PIU for assistance;
- (x) The resettlement information system for the Project will ensure that all databases and monitoring indicators are disaggregated by gender;
- (xi) The PIU will provide training for all RCs to build capacity in resettlement administration and to enhance gender and ethnicity sensitivity in resettlement management.

26. Women who are heads and/or members of AP households as well as other women in the communities will be encouraged and assisted to participate fully in the planning and implementation of the project resettlement program, by drawing on their knowledge, skills and interests. Actions contained in the RP aim to facilitate this participation including, among others:

- (i) Female members of RCs will be supported in their roles through local exchanges with women in RCs from other areas to learn from the experiences in other villages;
- (ii) Female APs (heads and/or members of AP households) will be involved with local officials in the identification, review and selection of replacement land for individual residential and/or commercial land, as well as for resettlement sites. Women will also be consulted about resettlement site development;
- (iii) Women will be consulted in the plan for relocation or replacement of village affected structures;
- (iv) Female APs and other women in local communities will be involved in the planning of local resettlement activities, and will be assisted by them to develop plans for their own households, including, as necessary, coordinating technical, construction and relocation advice and support from the village and the district officials; and

- (v) Female APs and other women in local communities will be involved in other initiatives to address the social and environmental impacts of the Project, such as prevention programs for HIV/AIDS/STI and trafficking of women and children.

VI. Preparation and Implementation of RPs

27. This chapter provides the guidelines for screening and RP preparation and implementation.

A. Screening

28. Resettlement screening for subprojects will be carried out as soon as the sub-projects are finally selected for inclusion in the Project. The concerned RCs and project staff will determine the requirements for preparation of RPs. The RCs and project staff will use the screening and categorization form in Appendix 1 to determine the nature and significance of resettlement effects.

29. The screening criteria based on the degree of resettlement impacts are:

- (i) Not significant (Category B) - as a result of the subproject, fewer than 200 people will be physically displaced from housing or lose less than 10% of their productive (income-generating) assets. A short RP will be required; or
- (ii) No resettlement effect (Category C) - the subproject does not require temporary or permanent land acquisition, and there are no impacts involving the loss of land, structures, crops and trees, businesses or income. No RP is required.

B. RP Preparation

30. If resettlement impacts are unavoidable and preparation of a RP is therefore required, a short RP will be prepared using the following procedures:

- (i) Undertake a census of all APs;
- (ii) Undertake DMS² of all losses of all APs. At the same time, inform potential APs (without discrimination) of the subproject, its likely impacts, and principles and entitlements as per the RF;
- (iii) Undertake a SES³ of at least 10% of all APs, 20% of severely affected APs and IPs population;
- (iv) Undertake a replacement cost survey for various types of affected assets as a basis for determining compensation rates at replacement cost. Determine the losses in accordance with the entitlement matrix⁴;
- (v) Provide project and resettlement information to all persons affected in a form and language that are understandable to them, and closely consult them on compensation and resettlement options, including relocation sites and economic rehabilitation;

² Data will be gender and indigenous peoples disaggregated.

³ It will include gender analysis and data will be gender and ethnic minority disaggregated.

⁴ If there are new categories of APs and/or losses identified during the DMS (other than those described in the entitlement matrix), the entitlements will be derived in accordance with ADB's policy and guidelines.

- (vi) Prepare the draft RP with time-bound implementation schedule, procedures for grievance mechanism and monitoring and evaluation, and a budget;
- (vii) Finalize the subproject RP and translate to local language;
- (viii) Disclose the draft and final RP in accordance with ADB's policy on public communications⁵ to the affected communities and on ADB's website. The draft RP will be disclosed to APs prior to submission to ADB for approval. The final RP will be disclosed after approval.

Table SAB1.4 : Surveys for RP Preparation

Detailed Measurement Survey (DMS)	<p>The census and detailed measurement survey (DMS) of lost assets will collect data on the affected assets from 100% of APs following detailed engineering design. The data collected during the DMS will constitute the formal basis for determining affected persons (AP) entitlements and levels of compensation. For each AP, the scope of the data will include:</p> <ul style="list-style-type: none"> • Total and affected areas of land, by type of land assets; • Total and affected areas of structures, by type of structure (main or secondary); • Legal status of affected land and structure assets, and duration of tenure and ownership; • Quantity and types of affected crops and trees; • Quantity of other losses, e.g., business or other income, jobs or other productive assets; estimated daily net income from informal shops; • Quantity/area of affected common property, community or public assets, by type; • Summary data on AP households, by ethnicity, gender of head of household, household size, primary and secondary source of household income viz-a-viz poverty line, income level, whether household is headed by women, elderly, disabled, poor or indigenous peoples; • Identify whether affected land or source of income is primary source of income; and • AP knowledge of the subproject and preferences for compensation and, as required, relocation sites and rehabilitation measures.
Socioeconomic Survey	<p>At a minimum, the socioeconomic survey (SES) will collect information from a sample of 10% of affected people and 20% of severely affected APs, disaggregated by gender and ethnicity. The purpose of the SES is to provide baseline data on APs to assess resettlement impacts, and to be sure proposed entitlements are appropriate, and to be used for resettlement monitoring. The scope of data to be collected includes:</p> <ul style="list-style-type: none"> A. Household head: name, sex, age, livelihood or occupation, income, education and ethnicity; B. Household members: number, livelihood or occupation, school age children and school attendance, and literacy, disaggregated by gender; C. Living conditions: access to water, sanitation and energy for cooking and lighting; ownership of durable goods; and D. Access to basic services and facilities.
Replacement Cost Survey	<p>The replacement cost survey (RCS) will be done in parallel with DMS and SES activities by collecting information from both secondary sources and primary sources (direct interviews with people in the affected area, material suppliers, house contractors), and from both those affected and those not affected. The government rates will be adjusted, as necessary, based on the findings of a RCS. Compensation rates will be continuously updated to ensure that APs receive compensation at replacement cost at the time of compensation payment.</p>

C. RP Implementation

31. Land acquisition, compensation and relocation of APs cannot commence until the RP has been reviewed and approved by ADB. Commencement of civil works may commence in sections where there are no resettlement impacts. All resettlement activities will be coordinated with the civil works schedule. ADB will not allow construction activities in specific sites until all resettlement activities have been satisfactorily completed, agreed rehabilitation assistance is in place, and the site is free of all encumbrances.

⁵ ADB, 2005, Public Communications Policy. Manila.

VII. Institutional Framework

32. Responsibility for resettlement spans various levels of government and project contractors, and these include the Lao National Tourism Administration, Urban Development Administration Authority/Department of Public Works and Transport (Vang Vieng), Water Resource and Environment Administration (WREA) Project implementation consultants, and specifically formed provincial, district and village resettlement committees. The role and functions of each of these organizations is detailed in this section.

A. Lao National Tourism Administration

33. The Lao National Tourism Administration (LNTA) will be the EA for the Project. It will be responsible for the overall technical supervision and execution of the Project and will establish a central Project Coordination Unit (PCU). The PCU will be responsible for the day-to-day management and monitoring of all project activities including coordination with the PCU in Vietnam and the Mekong Tourism Coordination Office (MTCO), the PCU in Vang Vieng and the Provincial Implementation Units. The PCU will be headed by a project director and eight permanent staff, including a project manager, a financial controller, a tourism development specialist, a natural and cultural heritage specialist, an environment specialist, a social development specialist, a marketing specialist and a monitoring and evaluation specialist. It will be supported by international and national consultants.

34. LNTA will establish a PCU in Vang Vieng and Provincial Project Implementation Units (PIUs) at the provincial level to undertake the actual delivery of the subprojects. The PIUs will be headed by a project director and staffed by a project manager, a tourism development and training specialist, a social development specialist, an environmental specialist, and a construction supervisor. The PIUs will be responsible for implementing, coordinating, monitoring, and reporting activities at the Provincial level under PCU instruction and guidance.

35. LNTA will be responsible for the overall coordination of organizations involved in resettlement and for RP preparation and updating, supervision and management of RP implementation. It will further be overall responsible for ensuring that RP updating and implementation activities are consistent with those described in the RP and will also be responsible for internal monitoring of resettlement activities. The LNTA will appoint a Social Development Specialist who will be primarily responsible for resettlement for this Project. LNTA will provide overall guidance and technical support to the provincial and DRCs.

B. Urban Development Administration Authority/Department of Public Works and Transport

36. For the Vang Vieng subproject under Output 1, the Implementing Agency (IA) will be the urban development administration authority (UDAA) or the Department of Public Works and Transport (DPWT) of the province (to be decided during appraisal). The PCU in Vang Vieng will be headed by a project director and staffed by a project manager, an environmental engineer, an accountant and a part-time education officer.

C. Resettlement Committees

37. Local authorities will assist the Project in various resettlement planning and implementation activities. In project areas where there will be resettlement, this support will be formalized into RCs established at the Province, District and Village level.

38. The Provincial Resettlement Committees (PRCs) will undertake critical roles, including: (i) undertaking consultation meetings with APs, (ii) establishing compensation rates (replacement costs) for affected assets; (iii) review and confirmation of final DMS data; (iv) undertake final agreement with APs on compensation; and (v) manage funds disbursed from the Provincial Department of Finance for disbursement to APs, (v) monitor and report on all RP activities; (v) act as grievance officers. The PRCs will be supported by the DRC and VRC who will assist in all local activities.

39. The DRC will be composed of local authorities, representatives of mass organizations, village elders/traditional leaders and APs. The District governor chairs the DRC while members are from the Lao Women's Union (LWU), and APs (including women APs) and IP representatives.

40. In villages where resettlement is needed a VRC will also be formed. The VRC will include APs (apart from the Village Chief and Deputy Chief) and women (in addition to the LWU representative). VRCs and DRCs responsible for villages with AP indigenous peoples populations will include traditional minority leaders, both men and women in their committees. The main responsibilities of the DRCs and VRCs will be to facilitate various activities including: (i) facilitation of public information and consultation by ensuring village and AP awareness at all stages of project planning and implementation; (ii) assisting in the identification of alternative land for relocating APs; (iii) assisting in the identification of productive land (paddy, teak plantation) or land that can be developed to make it productive for APs losing productive land / source of income; (iv) leading the organization of village level support (labor and materials) for relocated people and those rebuilding onsite and for APs requiring assistance to develop land to make it productive; (v) assisting in the identification of special needs of vulnerable APs and providing timely assistance; (vi) assisting/overseeing implementation of the DMS and confirmation of the results; and (vii) provide first point of contact in the Grievance Mechanism, and record all grievances.

41. The DRCs and VRCs may not have experience in many of the requirements of the RP, and as such they require some training beyond simple instruction. A project implementation consultant will design and implement the necessary capacity building for the DRCs and VRCs.

D. Water Resource and Environment Administration

42. WREA will review and approve the RP. WREA is also responsible for monitoring of resettlement activities. WREA will review all internal and external monitoring reports and undertake periodic inspections.

E. Project Implementation Consultants

43. The Project will contract an international resettlement specialist for 2 person-months to support the PCU in handling resettlement issues. The consultant will also be responsible for training the local social development consultant and the PCU social development specialist in resettlement planning, implementation, monitoring, and evaluation. The resettlement consultant will have experience in both planning and implementation of RPs in Lao PDR.

44. In addition to the resettlement specialist, one international and one national social and gender specialist will be mobilized for 6 person-months and 18 person-months, respectively. The specific tasks of these consultants include:

- (i) Ensuring that due diligence is carried out for all subprojects;

- (ii) Operationalize the gender strategy; develop capacity building training modules and conduct workshop and capacity building training on resettlement activities for the RCs, Women's Union, Youth Union;
- (iii) Conduct workshop/training for men and women from AP households on: (i) village level consultation process; (ii) leadership skills; (iii) resettlement, rehabilitation and relocation-related issues;
- (iv) Ensure that men and women from indigenous peoples groups, affected women headed households are consulted effectively and have access to fair compensation and timely compensation;
- (v) Monitor grievance process for the women from the affected households;
- (vi) Develop disaggregated monitoring indicators by gender (together with Monitoring & Evaluation specialist);
- (vii) Prepare progress report on gender strategy as part of the quarterly progress report on resettlement;
- (viii) Ensure that representatives of EGs are included in the RCs;
- (ix) Ensure that appropriate consultation process is carried out for EGs AP households;
- (x) Ensure that EGs AP households receive capacity building training/workshop on resettlement related activities;
- (xi) Ensure that EGs AP households receive fair compensation and land title or land use certificates where applicable;
- (xii) Ensure that EGs AP households have access to fair grievance process;
- (xiii) Provide inputs to gender specialist and M&E specialist on disaggregated monitoring indicators by EGs;
- (xiv) Prepare progress report on EGs specific actions as part of the quarterly progress report on resettlement.

VIII. Consultation, Grievance Redress and Disclosure

A. Consultation and Disclosure

45. Consultation with the AP will be carried out as soon as the PIUs are mobilized so that their needs and preferences can be incorporated into the design arrangements. They will also participate in the various RP processes: DMS, RCS, identification of sites, hand over of entitlements, monitoring of impacts and benefits, and discussion and settlement of grievances. The scope of information to be provided to APs includes: (i) description of project and overall schedule; (b) DMS and RCS results, (c) policy principles and entitlements and special provisions, (d) grievance procedures, (e) timing for payments and displacement schedule, and (f) institutional responsibilities.

46. The RCs and PIUs will be responsible for the disclosure of the RP to the APs prior to submission to ADB. ADB will upload the final RP on ADB's resettlement website. Monitoring reports on any resettlement will also be uploaded on ADB's website.

B. Grievance Redress

47. Article 13 of Decree 192/PM requires the Project to establish an effective mechanism for grievance resolution. Lao legal requirements for this mechanism are further described in Part VI of the Decree's Implementing Regulations, and in detail in the Technical Guidelines.

48. The objectives of this mechanism are to ensure AP satisfaction with implementation of the RP, and in effect provide for on the ground monitoring by APs of the adequate implementation of the RP.

49. Decree 192/PM determines that the prime responsibility for grievance resolution is the Project proponent, i.e., LNTA. As they are responsible for carrying out project works which are likely the source of grievances (such as the DMS, establishing replacement costs, determining other allowances) they are best placed to respond to and resolve grievances in the most timely and acceptable method. However, should APs remain dissatisfied, they may bring up their complaints through other avenues as described below.

50. At the central level LNTA, a committee will be established to receive and resolve complaints/grievances or act upon reports from stakeholders on misuse of funds and other irregularities, including grievances due to resettlement and environmental issues. The committee will (i) make public of the existence of this Grievance Redress Mechanism, through public awareness campaign; (ii) review and address grievances of stakeholders of the Project, in relation to either the Project, any of the service providers, or any person responsible for carrying out any aspect of the Project; and (iii) proactively and constructively responding to them. The social development and environment specialists will be responsible for the resettlement and environment-related grievances.

51. The RCs at the district and provincial levels, composed of concerned departments, local officials, village chiefs, AP representatives, women representatives, and mass organizations will also act as grievance officers. Hence, a separate grievance redress committee at each district will no longer be established for this Project.

52. The project grievance redress procedure for this Project will operate as follows:

(a) **Step 1 – Village Level.** Initial points of contact will be between APs and their village officials. The PIU staff will maintain regular contact with all village offices and represent the Project in consultations with aggrieved parties. All complaints and grievances will be properly documented by both the village offices and the project staff and addressed through consultations in a transparent manner aimed at resolving matters through consensus. All meetings between the village officials, project staff and complainants will take place in a public place and include participation of representatives of APs, local non-benefit organizations, and village heads to ensure transparency. Where the complaint is verbal, the VRC or project staff (whichever is first contacted) is responsible for keeping a written record of the grievance.

(b) If within 5 days of lodging the grievance, participants are not able to reach an amicable decision, or complainants are not satisfied with the Project's decision, the complaint will be forwarded to the DRC. APs and local mass organizations may forward their grievance directly to the DRC or do so with the assistance of the project staff. It will be the role of the project staff to ensure that any unresolved grievance is forwarded in a timely manner to the DRC.

(c) **Step 2. District Level –** If APs are not satisfied with, or do not receive a response from the DRC within 10 days of their complaint being lodged with the DRC, then the complaint can be forwarded to the PRC. Again, elevation of the complaint to these bodies can be undertaken by the AP or with the assistance of the project staff. It will be the role of the project staff to ensure that any unresolved grievance from the DRC is forwarded in a timely manner to the PRC.

(d) **Step 3 – Provincial Level -** If the complaint still remains unresolved within 10 days of being lodged to PRC, APs and local mass organizations may forward their grievance directly to the LNTA.

(e) **Step 4 – Central Level.** LNTA will ensure to review and resolve all complaints within 10 days.

53. The complaint, as a last resort, will be lodged with the Court of Law whose decision would be final. Although the technical guidelines for resettlement designate this elevating of the complaint to the local mass organizations, non-benefit organizations and AP representatives, in order to ensure the availability of adequate resources to carry out this procedure, the LNTA will be responsible for forwarding the complaint and ensuring its process in the courts.

54. All legal and administrative costs incurred by APs and their representatives are to be covered by the Project.

55. The RCs will provide quarterly reports to the LNTA on grievances received, including names and pertinent information about the APs, nature of complaint, dates the complaints are lodged, and resolutions. Grievances not resolved will also be recorded, detailing negotiations and proposals which could not be agreed on, and the date of these negotiations.

56. If APs are still not satisfied with the resolution of their complaints at the Project and central level they may also (or permit representatives to on their behalf) raise their concern or complaint with the ADB Southeast Asia Department, Social Sector Division, through the ADB Resident Mission office in Vientiane.

C. Disclosure

57. The PIUs will disclose to the APs (i) draft RPs prior to submission for review and approval by ADB; (ii) final RPs approved by WREA and ADB, and (iii) any revisions to the RPs as a result of changes in scope or design layout. Key information in the RPs to be disclosed to the affected households, will include (i) compensation, relocation and rehabilitation options, (ii) DMS results, (iii) detailed asset valuations, (iv) entitlements and special provisions, (v) grievance procedures, (vi) timing of payments, and (vii) displacement schedule. The information will be made publicly available in Project offices and provided to the affected households in the form of an information leaflet or brochure, or RP - all in a form and language that can be readily understood by those affected. Social monitoring reports will also be made available to affected households and will be uploaded on ADB website.

IX. Monitoring and Evaluation

58. Monitoring and evaluation of the RP allows project owners to ensure smooth progress of RP implementation, by providing for a review of information on the progress of implementation of RP activities. Importantly, monitoring must also address the degree to which the resettlement activities have achieved their desired outcomes, particularly where this involves the rehabilitation of AP's housing, livelihoods and lifestyles.

59. These two monitoring objectives will be addressed through two mechanisms: (a) internal monitoring by the LNTA and PRCs, and (b) external monitoring and evaluation by an independent monitor.

A. Internal Monitoring

60. The role of internal monitoring and evaluation is to ensure that resettlement institutions are well-functioning during the course of project implementation, and that resettlement activities

are undertaken in accordance with the implementation schedule described in the RP. In this way, the protection of APs' interests and the schedule for civil works can be assured.

61. Primary responsibility for internal monitoring lies with LNTA as the project executing agency. LNTA will be responsible for overseeing the formation, function, and activities of the implementing agencies, and through quarterly monitoring reports, summarize this progress. The LNTA will ensure that information on resettlement progress flows from PRCs, DRCs, VRCs and the staff working with the resettlement consultants. All monitoring data will be collected to ensure gender and ethnicity disaggregation. The quarterly progress reports will also include resettlement audit statements to show disbursement of loan funds for resettlement.

62. The indicators that will be monitored regularly will include:

Table SAB1.5: Monitoring and Evaluation Indicators

Type	Indicator	Examples of Variables
INPUTS INDICATORS	Staffing and Equipment	<ul style="list-style-type: none"> • Number of project dedicated LNTA staff • Confirmation of each PRC, DRC and VRC • Number of PRC and DRC members and job function • Adequate equipment for performing functions (including grievance recording) • Trainings undertaken • External monitor contracted and mobilized • Construction Contractor meeting local employment targets for unskilled labour
	Finance	<ul style="list-style-type: none"> • Funds disbursed to APs in a timely manner (compensation for non-land assets and allowances) • Funds disbursed to develop relocation sites, improvement of land to make it productive; administration costs; external monitoring • Government funds disbursed to APs in a timely manner (land acquisition)
PROCESS INDICATORS	Consultation, Participation, and Grievance Resolution	<ul style="list-style-type: none"> • Distribution of PIB to all APs • Summary RP available in all districts • Translation of materials in indigenous peoples villages and for individual minority APs in villages of other ethnicity • Consultations and participation undertaken as scheduled in the RP • Grievances by type and resolution • Number of local-based organizations participating in project
OUTPUT INDICATORS	Acquisition of Land	<ul style="list-style-type: none"> • Area of cultivation land acquired • Area of residential land acquired • Fishponds acquired
	Buildings	<ul style="list-style-type: none"> • Number, type and size of private houses/structures acquired • Number, type and size of community buildings acquired • Number, type and size of government assets affected
	Trees and Crops	<ul style="list-style-type: none"> • Number and type of private trees acquired • Number and type of government/community trees acquired • Number and type of crops acquired • Crops destroyed by area, type and number of owners

Type	Indicator	Examples of Variables
	Compensation and Rehabilitation	<ul style="list-style-type: none"> • Number of households affected (land, buildings, trees, crops) • Number of owners compensated by type of loss • Amount compensated by type and owner • Number and amount of payment paid • Compensation payments made on time • Compensation payments according to agreed rates • Number of houses demolished • Number of porches/kitchens dismantled • Number of replacement houses built by APs on the same plot • Number of replacement houses built by APs on other plots they own • Number of replacement houses built by APs on allocated plots • Number of replacement businesses constructed by APs • Number of owners requesting assistance for additional replacement land • Number of replacement land purchases effected • Number of land titles and land survey certificates issued • Number of vulnerable groups provided additional assistance
	Reestablishment of Community Resources	<ul style="list-style-type: none"> • Number of community buildings repaired or replaced • Number of seedlings supplied by type

B. External Monitoring

63. While internal monitoring focuses on the implementation of scheduled tasks, external monitoring provides an independent avenue to verify these results, and also to take a more qualitative assessment of the success of these measures to meet their intended objectives. As such, the external monitor is required to ascertain whether APs have been able to restore their living standards and their livelihoods, and have not become worse off due to the Project. All monitoring data will be collected so as to allow disaggregation by gender and ethnicity.

64. The indicators and the mechanisms used to measure them are detailed in 6 below. Importantly, the external monitor will be required to review plans for and implementation of the Contractors' involvement in providing civil works support for replacement land improvement.

65. The external monitor will come from an independent organization, such as an academic or research institute or consultant firm in Laos, with experience in resettlement monitoring and social assessment. They will be contracted by LNTA and commence in advance of resettlement implementation, so as to assess the process of the DMS and RP updating and develop the formats for their monitoring missions. They will further conduct monitoring missions at end of project. The final report will be a post-evaluation report to be prepared 6 months following completion of resettlement activities. These reports will be provided to the LNTA and to the ADB for uploading on ADB's resettlement website.

66. The external monitor's reports will include any identified issues and recommendations for rectifying outstanding matters. The monitor will also highlight any significant successes and commendable approaches or methods used in the project which may provide a learning opportunity to the LNTA and other projects encountering resettlement.

Table SAB1.6: External Monitoring Indicators, Methods and Schedule

Indicators	Variables	Mechanism for Assessment	Timing of Assessment
RP Implementation	<ul style="list-style-type: none"> • Resettlement staffing • Compensation Disbursements 	<ul style="list-style-type: none"> • Review of internal monitoring reports 	<ul style="list-style-type: none"> • Every monitoring mission

Indicators	Variables	Mechanism for Assessment	Timing of Assessment
	<ul style="list-style-type: none"> Land and assets acquired Preparation of replacement land Loan funds disbursement Government funds disbursement Public information and consultation AP asset replacement 	<ul style="list-style-type: none"> Review Contractor plans and actions Interviews with and observation of implementing agencies at each level Random sample of interviews with APs 	
Restoration of Living Standards and Livelihoods	<ul style="list-style-type: none"> Compensation at replacement cost Compensation with no depreciation or fees/taxes Adequacy and suitability of replacement land Adequacy of moving costs Adequate timing for asset acquisition/replacement Tenure security of APs 	<ul style="list-style-type: none"> Interviews with APs – stratified sample for those relocating, and those being allocated land, indigenous peoples and women Review of internal monitoring reports Review of revised compensation costs and materials costs Interviews with Provincial Lands Departments for land records 	<ul style="list-style-type: none"> Every monitoring mission
	<ul style="list-style-type: none"> Changes in AP income levels, and sources of income Changes in AP access to services and utilities AP participation in community organizations AP participation in associated social action programs related to the project Vulnerable groups rehabilitation 	<ul style="list-style-type: none"> Replicate socioeconomic survey of a sample of APs Comparison with original socioeconomic survey and with later results Village level focus group discussions, including women and indigenous peoples Interviews with vulnerable APs 	<ul style="list-style-type: none"> At the commencement of resettlement implementation and project completion
AP Satisfaction	<ul style="list-style-type: none"> AP awareness of resettlement procedures and entitlements AP awareness and use of grievance system AP satisfaction with the resettlement process 	<ul style="list-style-type: none"> Review records of grievance lodging and redress Random sample of interviews with APs Community meetings Focus Groups discussions with various categories of APs 	<ul style="list-style-type: none"> Every monitoring mission
Effectiveness of Resettlement Planning	<ul style="list-style-type: none"> Accuracy of DMS for AP and asset loss recoding and planning Adequacy of budget for implementation Adequacy of implementation schedule to undertake required tasks Occurrence of unforeseen problems 	<ul style="list-style-type: none"> Review records of grievances and redress Random sample of interviews with APs Interviews with implementing agencies at each level 	<ul style="list-style-type: none"> Every monitoring mission
Resettlement Impacts	<ul style="list-style-type: none"> Re-occupation of cleared land Migration to the project area 	<ul style="list-style-type: none"> Village chief meetings Random AP interviews Observation 	<ul style="list-style-type: none"> Every monitoring mission

X. Budget and Implementation Schedule

67. Adequate budgetary support will be fully committed and made available to cover the costs of land acquisition and resettlement within the agreed implementation period. The budget will cover compensation costs, allowances and rehabilitation measures, administration costs,

and contingency. Land acquisition will be part of the Government's counterpart fund. The Ministry of Finance will be responsible for the disbursement of funds. The Government will ensure timely provision of counterpart funds for resettlement to meet any unforeseen obligations in excess of the resettlement budget estimates in order to satisfy resettlement requirements and objectives.

68. Government funds will be utilized for compensation for non-land assets, provision of necessary allowances, special assistance to be provided to vulnerable APs, development of individual replacement plots, and administration costs. The RPs will identify key activities for which funds will be used, any disbursement milestones and auditing requirements that will facilitate appropriate and timely delivery.

69. The Project will be for a period of 5 years from 2008.

Table SAB.7: Implementation Schedule

RP Updating Activities	Schedule
Consultation, DMS, SES and Disclosure by subproject	Quarter 1 and 2, 2009
Approval of updated subproject RP by ADB	Quarter 2, 2009
Implementation of Updated subproject RP	Quarter 3, 2009 onwards
Award of civil works contracts for subproject or geographic area	Quarter 4, 2009
Internal monitoring	Continuous
Clearance of acquired land	Quarter 3, 2009
Handover of site to contractors, start of civil works	Quarter 1, 2010 - onwards

Lao National Tourism Administration
INVOLUNTARY RESETTLEMENT CATEGORIZATION

A. Introduction

1. Each sub-project is assigned an involuntary resettlement category depending on the **significance** of the probable involuntary resettlement impacts.

B. Information on sub-project

- a. **Name of subproject:** _____
- b. **Location:** _____
- c. **Technical Description:** _____

C. Screening Questions for Resettlement Categorization

2. Initial screening for involuntary resettlement is to be conducted following detailed design.

Involuntary Resettlement Effects	Yes	No	Remarks
Does the sub-project include upgrading or rehabilitation of existing physical facilities?			
Will it require permanent land acquisition?			
Is the ownership status and current usage of the land known?			
Are there any non-titled people who live or earn their livelihood at the site or within the Right of Way?			
Will there be loss of housing?			
Will there be loss of agricultural plots?			
Will there be losses of crops, trees, and fixed assets?			
Will there be loss of businesses or enterprises?			
Will there be loss of incomes and livelihoods?			
Will people lose access to facilities, services, or natural resources?			
Will any social or economic activities be affected by land use-related changes?			

D. Involuntary Resettlement Category

3. After reviewing the answers above, the Resettlement Committee and the project agree subject to confirmation, that the project is a:

- ☐ Category B, Not Significant* IR impact, a short Resettlement Plan is required and will be submitted to ADB by _____ 2008.

* Not Significant - Less than 200 people will experience major impacts which are defined as being physically displaced from housing or losing 10% or more of their productive assets (income generating).

- ☐ Category C, No IR impact, no resettlement report is required.

If Category B: Please provide information on Affected Persons
1. Any estimate of the likely number of households that will be affected by the Project? <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> N/A. If yes, approximately how many? _____
2. Are any of them poor, female-heads of households, or vulnerable to poverty risks? <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> N/A. If yes, please briefly describe their situation.
3. Are any APs from indigenous or ethnic minority groups? <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> N/A. If yes, please briefly describe their situation:

Prepared By:	Verified by:
Signature:	Signature:
Name:	Name:
Position:	Position:
Date:	Date:

VOLUNTARY CONTRIBUTION FORM FOR STRIPS OF RESIDENTIAL LAND (Sample)

Date: _____

I am fully aware that I/We will be affected by the _____ project and that the Project staff and local authorities have informed me/us of my/our right to receive compensation at replacement cost for all my/our affected assets, i.e., land, house, structures, trees and crops.

The total compensation payment that I/we will be receiving is _____ kip.

However, I/We voluntary donate a strip of my/our residential land (_____ sq.m) because the impacts on my/our land will be minor. Furthermore, I/we confirm that:

- ☐ My/Our residential land is not less than 300 m² (Total residential land is _____ m²);
- ☐ the strip of land that will be donated is not more than 5% of my/our total residential land;
- ☐ there are no houses, structures or fixed assets on the land to be donated; and
- ☐ the equivalent amount in cash of the land that will be donated is _____ kip.

I hereby certify that the information stated herein

- ☐ was read and explained to me carefully by the project staff and local authorities
- ☐ I read it myself.

Name and Signature (or thumb mark) : _____

Village : _____

Date : _____

If land being donated is conjugal property, spouse to sign below:

Name and signature/ thumb mark of spouse : _____

Witnessed By : _____
Signature over printed name Position/Organization

Name & Signature of Village Chief : _____ Date: _____

Name & Signature of Project Staff : _____ Date: _____

Resettlement Plan
Sample Public Information Booklet
Sustainable Tourism Development Project
Lao National Tourism Administration
Nakasang Village, Champassak province

What is the Sustainable Tourism Development Project?

The proposed Sustainable Tourism Development Project will develop sustainable, culturally and environmentally sound pro-poor tourism approaches in Laos and Vietnam. In the Siphandone wetlands the Project will: (i) prepare a heritage-based tourism zoning plan and tourism structure and management plan for the wetlands area; (ii) upgrade a 4 kilometer (km) access road that connects Route 13 to the boat landing at Nakasang Village; (iii) improve the existing pathways on Don Det and Don Kone Islands; (iv) environmental improvements at Ban Nakasang, Don Det and Done Kone, including the area along the riverbank and better waste management at the market and in the village; (v) construct a visitor information and interpretation center on the Nakasang Village side of the Wetlands; (vi) construct fully interpreted access trails at Nakasang, Don Det, Done Kone and other smaller islands; and (vii) provide training and livelihood support programs for local communities, especially women, youth and ethnic groups. The Lao National Tourism Administration (LNTA) is implementing the Project, with financing assistance from the Asian Development Bank (ADB).

How extensive is the need to acquire land and other assets for the Project?

The Project will acquire some district owned land for the improvement of the riverbank, the reconstruction of the market and the reconstruction of the Nakasang parking lot. The people operating their businesses in these areas will be temporarily affected by the construction.

What will happen to the people losing assets and sources of livelihood?

Compensation will be paid at **replacement cost** in cash or in-kind (for example, structure-for-structure) for all assets affected, including sources of livelihood. Other forms of assistance will also be provided to households depending on the severity of project impacts.

What is “replacement cost”?

This is the amount needed to replace an affected asset without deductions for taxes or costs of transactions. Replacement costs relevant for this Project are calculated as follows:

- (i) Residential land based on market prices that reflect recent land sales, and in the absence of such recent land sales, based on similar location attributes;
- (ii) Houses and other related structures based on current market prices of materials and labor without depreciation nor deductions for salvaged building materials.

What are the key principles for helping affected households under the Project?

- (i) Avoid, if not minimize, land acquisition and relocation, and impacts on sources of livelihoods of people;
- (ii) Restore the standard of living of affected households;
- (iii) Replace and compensate lost assets at replacement cost, on top of providing allowances and income restoration support, as warranted;
- (iv) Inform and consult the affected households about the Project, impacts, options for compensation and assistance, and grievance redress mechanism;
- (v) Protect social/cultural institutions;

- (vi) Non-titled affected households (those who have no title to the land or customary rights) have rights to receive Project entitlements provided that they meet the cut-off date for eligibility;
- (vii) Identify and assist vulnerable groups at high risk of impoverishment, such as female-headed households with dependents, disabled household heads, households falling under the generally accepted indicator for poverty, children and the elderly households who are landless and with no other means of support, landless households, and ethnic minorities; and
- (viii) No demolition of assets/entry to properties will be done until the affected household is fully compensated and relocated.

Who are eligible to be compensated and assisted under the Project?

All affected people (AP), households, and institutions/organizations that satisfy the **cut-off date for eligibility** are eligible to be compensated and assisted under the Project. The cut-off date coincides with the period the census of APs (regardless of tenure status) and the inventory of losses (IOL) were conducted in March 2008, to be validated and updated later during the detailed measurement survey (DMS). Persons not covered in the census are not eligible for compensation and other entitlements, unless they can show proof that (i) they have been inadvertently missed out during the census and the IOL, or (ii) they have been included among the affected due to changes in project design.

What are the entitlements of affected households?

Project entitlements listed in Table 1 are based on the impacts identified during the census and IOL. Said entitlements will be adjusted and updated, as needed consistent with the project resettlement policy, based on the results of the DMS to reflect a more precise inventory and assessment of impacts on assets and on the people.

Table 1-Summary Project Entitlements

Type of Losses	Entitled Persons	Entitlements	Implementation Issues
Residential Land	Legal owner or occupant identified during DMS.	<ul style="list-style-type: none"> • <u>With</u> remaining land sufficient to rebuild houses/structures: (i) Cash compensation at replacement cost which is equivalent to the current market value of land of similar type and category, and free from transaction costs (taxes, administration fees) and (ii) Project contractor to improve remaining residential land at no cost to APs (e.g. filling and levelling) so APs can move back on remaining plot. • <u>Without</u> remaining land sufficient to rebuild houses/structures: Replacement land equal in area, same type and category, without charge for taxes, registration and land transfer, OR cash compensation at replacement cost which is equivalent to the current market value of land of similar type and category, free from transaction costs (taxes, administration fees) plus assistance to purchase and register land. 	<ul style="list-style-type: none"> • Voluntary donation of minor strips of residential land will only be allowed by the Project provided that the following criteria are strictly complied with: (i) the AP's total residential land area is not less than 300 m²; (ii) if the AP's total residential land area is more than 300 m², the strip of land that can be donated cannot be more than 5% of the total land area; and (iii) there are no houses, structures or fixed assets on the affected portion of land.
Totally Affected Houses/Shops, and Secondary Structures (kitchen,	Owners of affected houses whether or not land is owned	<ul style="list-style-type: none"> • Reconstruction/provision of new structure of same size and value OR cash compensation at replacement cost for the entire structure equivalent to current market prices of (i) materials, 	<ul style="list-style-type: none"> • Adequate time provided for APs to rebuild/repair their structures • Affected houses and shops that are no longer viable are those whose remaining affected portion are no

Type of Losses	Entitled Persons	Entitlements	Implementation Issues
rice bins) Partially Affected Houses/Shops but no longer viable (Will require relocation)		with no deduction for depreciation of the structure or salvageable materials; (ii) materials transport; and (iii) labor cost to cover cost for dismantling, transfer and rebuild.	longer usable/habitable.
Temporary Use of Land	Legal owner or occupant	<ul style="list-style-type: none"> For agricultural and residential land to be used by the civil works contractor as by-pass routes or for contractor's working space, (i) rent to be agreed between the landowner and the civil works contractor but should not be less than the unrealized income and revenue that could be generated by the property during the period of temporary use of the land; (ii) cash compensation at replacement cost for affected fixed assets (e.g., structures, trees, crops); and (iii) restoration of the temporarily used land within 1 month after closure of the by-pass route or removal of equipment and materials from contractor's working space subject to the conditions agreed between the landowner and the civil works contractor. 	<ul style="list-style-type: none"> The construction supervision consultant will ensure that the (i) location and alignment of the by-pass route to be proposed by the civil works will have the least adverse social impacts; (ii) that the landowner is adequately informed of his/her rights and entitlements as per the Project resettlement policy; and (iii) agreement reached between the landowner and the civil works contractor are carried out.
Partially Affected Houses and Shops and secondary structures (Will not require relocation)	Owners of affected houses whether or not land is owned	<ul style="list-style-type: none"> Cash compensation at replacement cost for the affected portion of structure equivalent to current market prices of (i) materials and labour, with no deduction for depreciation of the structure or for salvageable materials; (ii) materials transport; and (iii) cost of repair of the unaffected portion. 	
Loss of business income due to temporary relocation of shops and stalls	Owners of shops and stalls	<ul style="list-style-type: none"> Cash compensation equivalent to the average daily profit multiplied by the number of days of business disruption (2 days). First and last month of market fees waived during the temporary relocation period. Guaranteed stall of similar size in the new market. Subsidy over 24 months to compensate for the increased stall rentals after the market is reconstructed: 1st year subsidy of 100%, 2nd year subsidy of 50%. 	The rates have been verified through interviews with informal shop owners to get an estimate of daily net profit.
Loss of business income during relocation or during dismantling/repair of affected portion (without relocation)	Owners of shops	<ul style="list-style-type: none"> Cash compensation equivalent to the average daily profit multiplied by the number of days of business disruption (2 days). 	The rates have been verified through interviews with informal shop owners to get an estimate of daily net profit.
Transition subsistence allowance	Relocating households – relocating on residual land or to	<ul style="list-style-type: none"> Relocating APs without any impact on business or source of incomes will be provided with cash or in-kind assistance equivalent to 16 kg of rice 	

Type of Losses	Entitled Persons	Entitlements	Implementation Issues
	other sites Severely affected APs losing 10% or more of their productive land	at current market value for 3 months per household member <ul style="list-style-type: none"> Relocating APs with main source of income affected (i.e., from businesses) or APs losing more than 10% of their productive land will be provided with cash or in-kind assistance equivalent to 16 kg of rice at current market value for 6 months per household member . 	
Transportation allowance	Relocating households – to other sites	<ul style="list-style-type: none"> Provision of dump trucks to haul all old and new building materials and personal possessions. 	APs may also opt for cash assistance. The amount (cost of labour and distance from relocation site) to be determined during implementation.
Severe impacts on vulnerable APs (Relocating APs and those losing 10% or more of their productive assets)	Severely affected vulnerable APs such as the poorest, or households headed by women, the elderly, or disabled, and indigenous peoples	<ul style="list-style-type: none"> An additional allowance of 1 month supply of rice per person in the household. First priority in allocation of new stall in the reconstructed market. The contractors will make all reasonable efforts to recruit severely affected and vulnerable APs as labourers civil works. 	The poorest will be those below the national poverty line as defined in the poverty partnership agreement with ADB.

How are the grievances of affected persons (or households) heard and resolved?

An AP (or household) may bring his/her complaint before any member of an established Village Resettlement Committee (VRC), either through the Village Chief, a project staff or directly to the VRC, in writing or verbally. The VRC will meet personally with the aggrieved person (or household) and will have 15 days to resolve the complaint. If the AP (or household) is not satisfied with the action taken by VRC on his/her complaint, the aggrieved person (or household) may bring the case, either in writing or verbally, to any member of the District Resettlement Committee (DRC). The DRC has 15 days to resolve the case. If the affected person (or household) is not satisfied with the action taken by DRC on his/her complaint, the aggrieved person (or household) may bring the case, either in writing or verbally, to any member of the Provincial Resettlement Committee (PRC). The PRC has 15 days to resolve the case. If the affected person (or household) is not satisfied with the action taken by PPC on his/her complaint, the aggrieved person (or household) may bring the case to a court of law for adjudication. All legal and administrative costs incurred by an affected person/household and their representatives are to be covered by the Project.

What is the tentative schedule for implementing resettlement?

Tasks	Schedule
Establish PIUs	January 2009
Undertake consultation and participation programs	February 2009
Establish Compensation and RCs at all Levels	February 2009
Implement internal monitoring activities	Continuous
Mobilize External Monitor (random visits, observations)	February 2009

Carry out joint verification of Assets and detailed measurement survey	February 2009
Update compensation rates and apply Project entitlements	March 2009
Update RP and obtain ADB concurrence	March 2009
Present Compensation Payment to APs	March 2009
Assist in developing new land for APs	March 2009
Start of civil works	April 2009

How can an affected person or household participate in the Project?

All affected persons or households are encouraged to participate in all consultation meetings and other project related activities in order to ensure that they are fully informed and consulted. Their active participation during the DMS and implementation of the Resettlement Plan will help LNTA determine the appropriate measures to mitigate impacts, identify problems or potentials problems, and identify ways of responding expeditiously to solve any problems.

Where can affected households get additional information about resettlement related information?

The full RP, detailed project entitlements and compensation unit rates are available from the VRC, DRC, and PRC, and from the office of the Provincial Implementation Unit.

Who might be contacted for any inquiries about the Project?

Mr. Thaviphet, Lao National Tourism Administration. Phone number:

Provincial/District/Village

Asian Development Bank (Manila, Philippines)

Social Sector Division, Southeast Asia Department, Tel. +63-2-632-4444

Asian Development Bank, Lao Resident Mission

Corner of Lanexang Av. and Samsenthai Rd. P.O. Box 9724 Vientiane, Lao PDR, Tel: +856 21 250444