

SUMMARY OF THE RESETTLEMENT FRAMEWORK

A. Project Description

1. Under the Greater Mekong Subregion (GMS) Biodiversity Conservation Corridors Initiative (BCI) Phase II aims to result in climate resilient transboundary biodiversity conservation corridors sustaining livelihoods and investments in Cambodia, Lao PDR, and Viet Nam. It is envisaged that by 2017, the GMS Biodiversity Conservation Corridors are established with supportive policy and regulatory framework in the three countries that maintain ecosystem connectivity and services. The project has four components, (i) Institutional and community strengthening for biodiversity corridor management, (ii) Biodiversity corridors restoration, ecosystem services protection, and sustainable management by local resource managers, (iii) Livelihood improvement and small scale infrastructure support in target villages and communes/ clusters, and (iv) Project management and support services.
2. Direct beneficiaries of the project are 35,000 households among upland poor farmers, indigenous peoples households, and women living in and dependent on forest ecosystems in 56 communes and 69 villages in remote, mountainous areas of Cambodia, Lao PDR and Viet Nam.
3. BCI 2 builds on experiences of BCI Pilot Phase 1 that has been assessed to be a pro-poor, pro-indigenous peoples project focused on remote mountain areas. Under BCI 2, biodiversity corridors or multiple use areas will allow for current, existing forest blocks as allocated by the three Governments to remain protected as they are under various status of state protection. Connectivity between forest-blocks will be restored as a result of broad community support generated through appropriate consultation and participation modalities. Stakeholder guidance will be imperative for establishment of (i) linear forest links or (ii) stepping stone forest blocks to establish connectivity in the corridors.
4. Intensive capacity building across project cycle, and ensuring broad community support in subproject prioritization, planning, selection, and implementation will be observed. Zoning will primarily protect the existing forest resources and indigenous peoples' rights to access NTFPs from economic developments that are fast encroaching, in an unplanned manner on the last remaining natural forests. The Project will facilitate the provision of tenurial security to indigenous peoples. BCI aims at providing incentives, funding, and technical assistance enabling local people to grow trees of their choice in their homestead plantations and community forests for subsistence needs as well as for fuelwood consumption and construction. Small loan schemes for micro and small enterprises are to be encouraged for local (wood and nonwood) primary processing to emerge or existing ones to become vibrant. The establishment of management regimes in the corridors shall create jobs for local people.

B. Anticipated Involuntary Resettlement

5. Social assessment was conducted in sample villages and communes in the three countries from mid-May to July to 2010, which resulted in the identification of facets that trigger involuntary resettlement under the Safeguards Policy Statement of ADB (2009), as follows:
 - (i) Component 1: Institutional and community strengthening for biodiversity conservation
 - Will entail management planning, corridor delineation and demarcation; Special corridor guidelines and rules will be issued and made public. If affected persons are not safeguarded, the exercise may result in restriction to access for marginalized members of the commune or even loss of assets and livelihood.

- (ii) Component 2: Biodiversity corridors restoration, ecosystem services protection, and sustainable management by local resource managers through forest restoration, enrichment planting, NTFP planting and agroforestry. There is also possibility for restriction to access for marginalized members of the village/commune or even loss of assets and livelihood.
- (iii) Component 3: Livelihood improvement and small-scale infrastructure support - Each selected village/commune has a block allocation for livelihood improvements in addition to seed capital for a V/CDF, which will provide micro-credit facilities to households to borrow for their projects of choice. Aside from livelihood enhancement support, selected villages/communes will receive small scale infrastructure support that is expected focus on (a) village/commune based potable water schemes, (b) provision of rural toilet and sanitation facilitations, (c) improvement / upgrading of rural access road from village/commune to main road or market, and (d) any other infrastructure prioritized by beneficiaries.

6. Possible livelihood support activities proposed by prospective beneficiaries are small-holder fishponds, rattan plantation establishment, and even forest restoration and enrichment planting. Again, if not sensitively attended to may result in displacement and restriction to other village/commune members. As regards small infrastructure, resettlement impacts may occur when land is acquired for small-scale infrastructure improvement/rehabilitation or for storing construction materials or other temporary impacts caused by construction activities. However, any land needed or other temporary impacts caused by construction activities will be in agreement with the beneficiaries voluntary consensus as the small scale infrastructure will only be undertaken by project on a demand basis and not as a matter of project necessity.

C. Rationale for Resettlement Framework

7. Technically and ideally, BCI 2 promotes a sequential and sector-like approach at implementation. The necessary land use and capability assessment, and participatory management planning have to be in place prior to subproject implementation. However, it is recognized that planning is an ongoing facet of natural resource management and as such, some subprojects may be ready for implementation within the whole planning phase for the landscape. Specifically under Component 1 (Institutional and community strengthening), the Project aims to secure forest areas for the local communities against further outside pressure/economic concessions by delineating and demarcating community forest areas and protected forest areas. It will provide tenure instruments to communities that are found peripheral to protected areas, which by law have defined uses. Communities will craft restrictions appropriate to their concerns and needs in order to protect their rights to the land and the natural resources therein and in so doing, protect the biodiversity. Capacity building leading to community empowerment is built in to address the need for balancing resource use and protection and eventually, within this context, any activity will be the choice of participating communities.

8. Affected persons cannot be determined as land use zones and priority subproject investments have yet to be identified, under the sequential or simultaneous approach, after the conduct of Components 1 and 2. However, an indicative menu of options for Component 3 (livelihood improvement and small scale infrastructure support in target communes/clusters) was identified by stakeholders. Technical inputs for land use planning will be provided for executing and implementing agencies, local government units, relevant Indigenous Peoples/Ethnic Minority Offices, Women's Affairs (Cambodia), and Women's Union (Lao PDR and Viet Nam). Community ownership to subprojects is still subject to processing for and

documentation of broad community support imperative not only for subproject investments, but on a higher plane, to ensure sustainability towards biodiversity conservation and protection. All these are processed during Component 1 geared at strengthening local institutions. Owing to the beneficiary process-driven approach, subproject resettlement plans cannot be prepared before project appraisal. The Resettlement Framework is therefore prepared in the event that any economic or physical displacement might occur in the course of project implementation.

D. Objective of the Resettlement Framework

9. While resettlement impacts may be limited, this Resettlement Framework (RF) is prepared in the event resettlement impacts do occur that will require appropriate planning and implementation. This RF shall likewise serve as guide to provide protocols for due diligence in cases of voluntary acquisition and restrictions. The RF provides (i) harmonization of the policy and legal framework of Cambodia, the Lao PDR and Viet Nam with the Asian Development Bank (ADB) Safeguards Policy Statement (2009); (ii) the compensation policy to be applied to all subprojects under the Project; and (iii) procedures to be followed during the subproject preparation, appraisal, and implementation. The Framework will be translated into Khmer, Lao, and Vietnamese where applicable, and distributed to the central and local agencies, companies and agencies contracted to carry out subproject feasibility study, and other individuals responsible for subproject preparation and implementation, and also submitted to the ADB for review and posting on the ADB website.

E. Legal Foundation

10. The objectives of the ADB social safeguards policy are to avoid involuntary resettlement whenever possible; to minimize involuntary resettlement by exploring project and design alternatives; and to enhance, or at least restore, the livelihoods of all displaced and vulnerable persons in real terms relative to pre-project levels; and to improve the standards of living of the displaced poor and other vulnerable groups. The policy indicates four important elements in involuntary resettlement:

- (i) Mitigate the need for resettlement and compensation as much as possible;
- (ii) Compensate for lost assets and loss of livelihood and income;
- (iii) Assist in relocation including provision of relocation sites with appropriate facilities and services, and,
- (iv) Assist with rehabilitation so as to achieve at least the same level of well-being with the Project as before.

11. The policy further stipulates that the absence of legal title to land cannot be considered an obstacle to compensation and rehabilitation privileges. All persons affected by the Project, especially the poor, landless, and semi-landless persons should be included in the compensation, resettlement, and rehabilitation package. The Safeguard Policy Statement stipulates that those APs who are unable to demonstrate a legal or legally recognizable claim to the land being acquired will be eligible for compensation with respect to non-land assets only, and not the land itself. They will however be provided with other benefits and allowances as provided other APs.

12. Full country RF documents have been prepared taking into account the uniqueness of country systems in the three countries as harmonized with the ADB-SPS on involuntary resettlement and indigenous peoples, as well as the ADB Policy on Gender and Development, and the ADB Public Communications Policy.

F. Project Resettlement Objectives and Principles

13. The project resettlement policy harmonizes relevant Government laws and procedures of the three countries with those of the ADB-SPS of 2009. The RF provides (i) the policy and legal framework of the three Governments and Asian Development Bank (ADB); (ii) the compensation policy to be applied to all subprojects under the Project; and (iii) procedures to be followed during the subproject preparation, appraisal, and implementation.

14. The basic principles of this RF are as follows: (i) Avoid involuntary resettlement by reviewing alternatives to the project design. Where involuntary resettlement is unavoidable, affected people particularly those identified as vulnerable and marginalized should be assisted to restore/ improve their quality of life with reference to pre-project conditions; (ii) Ensure meaningful consultations with affected persons, host communities, and concerned nongovernment organizations across project cycle. A grievance redress mechanism shall be crafted and observed; (iii) Appropriate and culturally sensitive procedures shall be upheld for Indigenous Peoples affected by the project; (iv) Observe gender equality and equity throughout policy application; (v) Compensation for loss of land, structures, other assets and income should be based on full replacement cost and paid promptly to include for transaction costs. Replacement of land and cash compensation should be options for compensation in the case of loss of land for displaced persons; (vi) Resettlement should be planned and implemented with full participation of affected people and appropriate local government units pertinent to those considered as displaced and as host communities. Participatory measures have to be designed and implemented; (vii) Access to social services should be provided to project-affected people; (viii) Displaced persons who do not have documented title to land should receive fair and just compensation and assistance; and (ix) BCI 2 shall bear the full costs of preparing RPs, income restoration, and when applicable, compensation and resettlement.

G. Avoiding / Minimizing Involuntary Resettlement

15. Avoiding or minimizing involuntary resettlement impacts is built into the subproject/sector activity selection criteria. Subprojects/sector activities will be screened based on the following:

- (i) Identified as one of the top three priorities by beneficiaries in the commune and documented through participatory, multistakeholder consultations conducted by the project;
- (ii) Affordable within the block allocation set aside for the commune;
- (iii) Fulfills all social safeguard criteria as laid out in subproject eligibility section (see PAM);
- (iv) Compliant with all environmental safeguard issues as described in safeguards section in the PAM;
- (v) In conformity with land use plans in the commune and the biodiversity corridor;
- (vi) Households in target communes benefit in the form of income generation or cost savings in terms of money, time, and effort and benefits households in the target communes (men, women, or both, and/or families/households);
- (vii) Technically feasible and satisfies preference for mountainous area community-based small scale rural infrastructure interventions; and
- (viii) Arrangements satisfactory to the project have been made for undertaking operations and maintenance (O&M) if applicable.

16. The subprojects will avoid resettlement, land acquisition, and physical displacement or denial of access to resources currently under use by the beneficiaries without prior and informed consent. Small-scale infrastructure investments will only be undertaken on the basis of demand

and agreement of the beneficiaries to in-kind contribution (e.g. labor, land, right of way, and willingness to undertake O&M etc.).

17. Resettlement impacts will be minimized by observing the following: (i) improvement of small-scale infrastructure designs will be along existing rights of way or following existing alignments; (ii) ensure no subproject with the ADB's Category A resettlement criteria is financed under the Project; (iii) local stakeholders will be actively engaged during consultation to ensure the subproject designs are with minimized or no land acquisition.

18. Further, intensive capacity building across project cycle, and ensuring broad community support in subproject prioritization, planning, selection, and implementation will be observed. Zoning will primarily protect the existing forest resources and Indigenous Peoples' rights to access NTFPs. Fast paced economic developments, if conducted in an unplanned manner, will heavily impact on the last remaining natural forests, ecosystem services, and forest based livelihoods. The Project will facilitate the provision of tenurial security to Indigenous Peoples. BCI aims at providing incentives, funding, and technical assistance enabling local people to grow trees of their choice in their homestead plantations and community forests for subsistence needs as well as for fuelwood consumption and construction. Micro credit schemes for village/commune level enterprises are to be encouraged for local (wood and nonwood) primary processing to emerge or existing ones to become vibrant. The establishment of management regimes in the corridors shall create jobs for local people.

H. Project Resettlement Eligibility and Entitlements

19. **Eligibilities.** Eligibility will be determined with regards to the cut-off date, which is taken to be the date of completing DMS for which land and/or assets affected by the subproject are measured. The APs will be informed of the cut-off date for each subproject component, and any people who settle in the subproject area after the cut-off date will not be entitled to compensation and assistance under the subproject. Legal rights to the land concerned determine the extent of eligibility for compensation in regards to land. If APs have land legal rights, full compensation and assistance for lands and assets upon land will be made. Should APs have no land legal rights or the affected land cannot be legalized, compensation for assets upon lands will be provided but not for the land. However, resettlement assistance shall be provided as well as social support to improve or at least restore their pre-project living standards and income level. APs without legal right status will be entitled to benefit schemes of the BCI 2 and directly engaged in the Component 3 of the Projects - Livelihood improvement and small scale infrastructure support in target villages and communes/ clusters.

20. **Entitlements.** In cases of restriction to land use and/or livelihood sources, impacts of which are determined to be minor and the affected households do not want to receive compensation for the impacts; the procedures will be applied following the same for those with voluntary donation of affected land and or assets upon lands. If the impacts are significant as can be finalized during the consultations with the affected households, the compensation and options for assistance must be discussed with the affected households and presented in the RP. The affected households shall be automatically included in the benefit schemes of the BCI 2 Project.

21. **Compensation and Assistance.** Compensation and assistance will be provided to ensure that the economic and social futures of APs are at least as favorable as they were before the Project. The compensation policy, which encompasses compensation for all affected assets, along with rehabilitation measures, will ensure that all APs are able to, at minimum,

restore their incomes, standards of living, and productive capacities to pre-project levels if not better. Specific measures to ensure restoration of incomes and living standards of APs include compensation for lost assets based on (i) as a priority, land-for-land of equivalent productive capacity and at a location suitable and acceptable to the APs, or (ii) in case of the lack of available suitable same-use land or, at the request of an APs who have been informed regarding the options, cash for land or a combination of the two. Compensation will be based on results of the replacement cost survey. The following forms of compensation and assistance will be extended: (i) Compensation and assistance for lands; (ii) Compensation for loss of standing trees and crops; (iii) Compensation for loss of Structures, and (iv) Relocation of registered and unregistered business.

22. **Resettlement.** Under unavoidable situations, if there is insufficient residential land remaining after acquisition, the AP must relocate resettlement. For implementation of resettlement, the following basic principles have been adopted for the Project:

- (i) Physical displacement to resettlement sites will not take place until such time as the sites are ready and equipped with fully functioning infrastructure.
- (ii) In the case of population relocation, efforts shall be made for the existing social and cultural institutions of the people being resettled and host community to be maintained to the extent possible.
- (iii) Preparation of RPs and resettlement sites will be carried out with the full participation of affected people. APs' comments and suggestions will be duly taken into account during the design and implementation phases of the resettlement plans and in preparing the resettlement sites.
- (iv) Adequate budgetary support will be fully committed and be made available to cover the costs of land acquisition, resettlement site preparation, and AP relocation and rehabilitation within the agreed implementation period.

23. ADB shall not approve of any civil works contract for any subproject to be financed from the loan proceeds unless the concerned Government has completed satisfactorily and in accordance with the approved RP for that subproject compensation payment and relocation to new sites, and ensured rehabilitation assistance is in place prior to obtaining possession and rights to the land

24. **Income Restoration.** The objectives of income/livelihood restoration is to ensure the improvement of the socioeconomic conditions of APs or at least to bring back the pre-project income and living standards of affected families at the project sites. The different country-RFs provide measures of addressing this concern in order to develop sustainable income restoration and rehabilitation strategies that are appropriate for the cultural background and practices of the APs in Project sites. BCI 2 strategies for income and livelihood restoration are consistent with the overall BCI framework as stipulated under Component 3.

25. **Voluntary Donation.** In the event APs who had long been utilizing resources that are eventually zoned off will be restricted to access said areas, resettlement and compensation entitlements will be provided following the consultations with them during the RP preparations. These APs will be automatically engaged in the Project components and entitled to BCI 2 benefit schemes. Since small-scale infrastructure constructions will positively impact on the incomes and livelihoods of local people, following priorities and consensual agreement of the local people and considering that the scale of impact is very minor, the voluntary land acquisition for the BCI 2 subproject can be applied using the Voluntary Land Donation Form (provided in Appendix of full document) following the principles set forth:

- (i) Subproject site is selected in full consultation with landowners and any nontitled

- affected people;
- (ii) Voluntary donations do not severely affect the living standards of affected people and the amount of agricultural or other productive land to be acquired from each AP does not exceed 5% of the total productive landholdings of the household;
- (iii) Land donations are linked directly to benefits for the affected people;
- (iv) Any voluntary 'donation' will be confirmed through written record and verified by an independent third party such as Independent Monitoring Organization;
- (v) There is an adequate grievance process;
- (vi) No AP will be displaced from housing and severely affected;
- (vii) Vulnerable AP(s) will directly benefit from Components 2 and 3 of the Project.

I. Ethnic Minority and Gender Issues

26. Inasmuch as the Project beneficiaries are 85% members of ethnic minority groups, any resettlement issues shall strictly refer to the BCI 2 Indigenous Peoples/Ethnic Minorities/Groups Development Framework for guidance. Similarly, the Project Gender Action Plan (GAP) will serve as reference as regards gender concerns.

J. Socioeconomic Information

27. The Resettlement Framework provides guidelines on acceptable methodologies to be used for socioeconomic surveys, censuses, inventories of losses, and assessments of land losses as pertinent information will be necessary in the eventual preparation of the RPs.

28. **Census of Affected Persons.** Alongside the above impacts (IOL/DMS) survey, a complete enumeration of all affected households and their assets through household interview schedule will be conducted to establish the following:

- (i) Complete inventory of APs and their assets as a basis for compensation
- (ii) Determine non-entitled persons
- (iii) Minimize impact of later influx of "outsiders" to project area

29. **Socioeconomic Survey.** Aside from the IOL/DMS and census, a socioeconomic survey (SES) will be conducted to establish a baseline of demographic and socioeconomic conditions of people affected by the subproject. The sampling for the SES includes 20% of APs that will be severely affected due to loss of 10% or more of their productive land and/or other productive assets; and, at least 10% of all other APs.

30. The SES data shall include information on the demographic characteristics of all AP household members, ownership of land and other assets, household living conditions and sources and levels of household income. Data will be disaggregated and analyzed by gender, ethnic group and income group. It also includes the socioeconomic conditions of specific AP groups. Results of the SES will be accessible for external monitoring.

31. **Impacts Survey: Detailed Measurement Survey.** An inventory of loss (IOL) survey or detailed measurement survey (DMS) will be conducted following the detailed design of a subproject and if needed, a demarcation of land acquisition. APs will be notified at least a month before the conduct of the IOL/DMS and requested to participate in the survey. The IOL/DMS will survey 100% of APs and collect data on (i) total landholdings and tenure; (ii) land, structures and other assets entirely or partially affected by land acquisition for the subproject; and, (iii) basic household information. Other relevant information will include: (i) technical drawing of structures; (ii) exact measurements of land and other fixed assets; (iii) detailed descriptions and

specifications of building materials; and, (iv) photographs of each structure. The DMS will be carried out in the presence of respective members or household heads and completed DMS forms would be duly endorsed by household head or members. Endorsement of DMS forms at the time of DMS survey will preclude any complaints by APs on the inaccuracy of inventory details at a later stage. The Survey method will be updated and finetuned at implementation.

32. The data derived from this survey will constitute the basis for valuation of losses at replacement cost, calculate compensation amounts and determine compensation packages. The data shall then be encoded and maintained by the implementing agency, accessible for external monitoring.

33. **Replacement Cost Study.** An independent property appraiser will be commissioned to conduct a replacement cost study (RCS) in each subproject to establish the unit costs to be used in compensating for affected assets. Said unit costs should be at replacement level and are based on empirical data. The study will be part of project cost.

K. Information Disclosure, Participation, Consultation

34. Information disclosure is an ongoing process beginning early in the project cycle and continuing throughout project preparation and implementation. The process must provide timely information to communities in order that they may meaningfully contribute to project design, decisions and also mitigation. Provision of timely and accurate information will stem misinformation and inaccurate rumors from circulating in communities. During consultations particular attention is given to vulnerable subgroups in the community to ensure their understanding and collective input.

35. Disclosure of the following documents is strongly indicated in the new ADB SPS, to wit; (i) draft resettlement plan and/or resettlement framework endorsed by the borrower/client before project appraisal; (ii) final resettlement plan endorsed by the borrower/client after the census of affected persons has been completed; (iii) new resettlement plan or an updated resettlement plan, and a corrective action plan prepared during project implementation, if any; and (iv) resettlement monitoring reports. IEC materials will be produced in popularized form for all APs across implementation levels. The ADB SPS requirements (SR 2 & 3) as well as the ADB Public Communication Policy will serve as guide. The documents listed above will be uploaded in the BCI 2 management information system for interconnectivity as well as the ADB website.

36. Public consultations will be carried out with a focus on specific activities including assessment of compensation, acquisition of land, and design of rehabilitation assistance planning, and design of resettlement sites. These measures are undertaken to ensure that APs are satisfied with the compensation arrangements and will not object to the disruption and that they will not suffer enduring negative impacts due to the project and be able to fully restore and further improve their livelihoods.

37. IEC modalities will be developed to enhance social preparation activities in particular, to convey the following to APs: (i) Objectives of BCI 2 and the activities to be carried under a specific subproject; (ii) Explain probable adverse impacts; (iii) Solicit ideas and suggestions on how to avoid and/or mitigate adverse project impacts; (iv) Discuss the project resettlement policy; (v) Explain the participatory process, including grievance redress procedures; (vi) Explain the tentative schedule of project preparation and implementation; and (vii) Provide names and contacts for stakeholders to get in touch with for any queries.

L. Grievance Mechanism

38. In order to ensure that all APs' grievances and complaints on any aspect of land acquisition, compensation and resettlement are addressed in a timely and satisfactory manner, and that all possible avenues are available to APs to air their grievances, a well defined grievance redress mechanism needs to be established. All APs can send any questions to implementation agencies about their rights in relation with entitlement of compensation, compensation policy, rates, land acquisition, resettlement, allowance and income restoration. Otherwise, all APs are not ordered to pay any fee during the grievance and complaints at any level of trial and court.

39. Grievance mechanisms provided in each country RF applies existing and appropriate mechanisms acceptable to each.

M. Institutional Arrangements

40. The overall responsibility for enforcement of this RF as well as planning and implementing the RP rests with the Executing and Implementing Agencies of the three countries. They will arrange for adequate and experienced staff assigned to the project to ensure that the RP will be efficiently and effectively implemented. Qualified social safeguards staff, to be capacitated using ADB-SPS standards, shall undertake implementation and oversight functions.

N. Monitoring of Resettlement Planning Implementation

41. Implementation of the RP will be periodically supervised and monitored by the implementing unit in close coordination with the relevant government entities at different administrative units and external monitoring agencies. Results will be recorded in semi-annual reports as furnished to the executing agency and ADB.

42. Project staff will conduct internal monitoring while external monitoring is a function of an independent organization or individual consultant retained by BCI 2 to periodically perform external monitoring and evaluation of the preparation and implementation of the RP. Monitoring reports will be made available to all implementing units, including APs and copies submitted to ADB. Suggested internal and external monitoring indicators are provided.

O. Budget and Financing

43. An itemized budget in the RP is required for all resettlement activities, including compensation for land acquisition. An annual resettlement budget is prepared, showing the budget-scheduled expenditure for key items. Land acquisition and resettlement costs are reflected in the project costs. Income restoration and resettlement costs may be through the project entity. Local contributions to the development of income restoration schemes and resettlement sites and services may be valued and reflected as part of the cost. Fund source will be through the Project and downloaded through the executing agency on to the implementing unit.

P. Resettlement Plan Preparation and Updating

44. Procedural requirements are outlined in the ADB Safeguard Policy Statement (2009), and further detail is found in the ADB Operations Manual for Bank Policies (4/3/2010). Scoping

and preparation for resettlement will be part of the updated social assessment. The following general steps will be followed in the formulation of each RP:

- (i) **Step 1:** In further refining of the subproject physical design, consult with potential APs and engineers and environment specialist who are working for BCI 2 to avoid resettlement effects as much as possible to keep the impact minimum.
- (ii) **Step 2:** Carry out a census and socio-economic survey of all the potential APs as part of the social assessment. This should include the socioeconomic data of the APs and the detailed measurement survey that inventories each household's losses.
- (iii) **Step 3:** In parallel with AP census survey, continue consultation with APs to identify their preferences and special needs that the RP needs to address. In addition, information on market prices for land, crops, and other assets need to be collected from respective provincial, district, and commune authorities and the local market, so that the cost estimates for the RP can be done.
- (iv) **Step 4:** Prepare the RP in approved format for the subproject. The Entitlement Matrix in this Framework will be used for each subproject and applied to the inventory of losses obtained from the DMS, specifying the number of APs, the size of land affected, the number of other assets affected, lost, and the compensation amount for each category of loss.
- (v) **Step 5:** Present the draft RP to the ADB and following approval, disseminate the RP at public meetings for the subproject as well as post on the ADB website.

45. The outline of a RP is provided in Appendix 1. The RP must be updated following the completion of the detailed designs and conducting of the DMS. This will provide up to date and accurate figure regarding the scope of impact, identification of APs and severity of impact, as well as an updated compensation calculation. The RP should be reviewed to update any changes in market prices for replacement values and would need to be reviewed again at the time compensation is due for payment.

Q. Resettlement Preparation and Implementation Schedule

46. Implementation details of activities to be undertaken will be included in the RP, with the resettlement implementation schedule clearly linked to civil works or land restriction implementation schedule. Land acquisition and related assets may take place only after compensation has been paid and, if applicable, resettlement sites and moving allowances have been provided to APs. Restriction to access may become effective upon provision of income restoration mechanisms.

Appendix 1: Outline of a Resettlement Plan

1. This outline is part of the Safeguard Requirements 2. A resettlement plan is required for all projects with involuntary resettlement impacts. Its level of detail and comprehensiveness is commensurate with the significance of potential involuntary resettlement impacts and risks. The substantive aspects of the outline will guide the preparation of the resettlement plans, although not necessarily in the order shown.

A. Executive Summary

2. This section provides a concise statement of project scope, key survey findings, entitlements and recommended actions.

B. Project Description

3. This section provides a general description of the project, discusses project components that result in land acquisition, involuntary resettlement, or both and identify the project area. It also describes the alternatives considered to avoid or minimize resettlement. Include a table with quantified data and provide a rationale for the final decision.

C. Scope of Land Acquisition and Resettlement

4. This section: (i) discusses the project's potential impacts, and includes maps of the areas or zone of impact of project components or activities; (ii) describes the scope of land acquisition (provide maps) and explains why it is necessary for the main investment project; (iii) summarizes the key effects in terms of assets acquired and displaced persons; and (iv) provides details of any common property resources that will be acquired.

D. Socioeconomic Information and Profile

5. This section outlines the results of the social impact assessment, the census survey, and other studies, with information and/or data disaggregated by gender, vulnerability, and other social groupings, including: (i) define, identify, and enumerate the people and communities to be affected; (ii) describe the likely impacts of land and asset acquisition on the people and communities affected taking social, cultural, and economic parameters into account; (iii) discuss the project's impacts on the poor, indigenous and/or Indigenous Peoples, and other vulnerable groups; and (iv) identify gender and resettlement impacts, and the socioeconomic situation, impacts, needs, and priorities of women.

E. Information Disclosure, Consultation, and Participation

6. This section: (i) identifies project stakeholders, especially primary stakeholders; (ii) describes the consultation and participation mechanisms to be used during the different stages of the project cycle; (iii) describes the activities undertaken to disseminate project and resettlement information during project design and preparation for engaging stakeholders; (iv) summarizes the results of consultations with affected persons (including host communities), and discusses how concerns raised and recommendations made were addressed in the resettlement plan; (v) confirms disclosure of the draft resettlement plan to affected persons and includes arrangements to disclose any subsequent plans; and (vi) describes the planned information disclosure measures (including the type of information to be disseminated and the

method of dissemination) and the process for consultation with affected persons during project implementation.

F. Grievance Redress Mechanisms

7. This section describes mechanisms to receive and facilitate the resolution of affected persons' concerns and grievances. It explains how the procedures are accessible to affected persons and gender sensitive.

G. Legal Framework

8. This section: (i) describes national and local laws and regulations that apply to the project and identify gaps between local laws and ADB's policy requirements; and discuss how any gaps will be addressed. (ii) describes the legal and policy commitments from the executing agency for all types of displaced persons; (iii) outlines the principles and methodologies used for determining valuations and compensation rates at replacement cost for assets, incomes, and livelihoods; and set out the compensation and assistance eligibility criteria and how and when compensation and assistance will be provided. (iv) describes the land acquisition process and prepare a schedule for meeting key procedural requirements.

H. Entitlements, Assistance and Benefits

9. This section: (i) Defines displaced persons' entitlements and eligibility, and describes all resettlement assistance measures (includes an entitlement matrix); (ii) Specifies all assistance to vulnerable groups, including women, and other special groups; and, (iii) Outlines opportunities for affected persons to derive appropriate development benefits from the project.

I. Relocation of Housing and Settlements

10. This section: (i) describes options for relocating housing and other structures, including replacement housing, replacement cash compensation, and/or self-selection (ensure that gender concerns and support to vulnerable groups are identified); (ii) describes alternative relocation sites considered; community consultations conducted; and justification for selected sites, including details about location, environmental assessment of sites, and development needs; (iii) provides timetables for site preparation and transfer; (iv) describes the legal arrangements to regularize tenure and transfer titles to resettled persons; (v) outlines measures to assist displaced persons with their transfer and establishment at new sites; (vi) describes plans to provide civic infrastructure; and (vii) explains how integration with host populations will be carried out.

J. Income Restoration and Rehabilitation

11. This section: (i) identifies livelihood risks and prepare disaggregated tables based on demographic data and livelihood sources; (ii) describes income restoration programs, including multiple options for restoring all types of livelihoods (examples include project benefit sharing, revenue sharing arrangements, joint stock for equity contributions such as land, discuss sustainability and safety nets); (iii) outlines measures to provide social safety net through social insurance and/or project special funds; (iv) describes special measures to support vulnerable groups; (v) explains gender considerations; and (vi) describes training programs.

K. Resettlement Budget and Financing Plan

12. This section: (i) provides an itemized budget for all resettlement activities, including for the resettlement unit, staff training, monitoring and evaluation, and preparation of resettlement plans during loan implementation. (ii) describes the flow of funds (the annual resettlement budget should show the budget-scheduled expenditure for key items). (iii) includes a justification for all assumptions made in calculating compensation rates and other cost estimates (taking into account both physical and cost contingencies), plus replacement costs. (iv) includes information about the source of funding for the resettlement plan budget.

L. Institutional Arrangements

13. This section: (i) describes institutional arrangement responsibilities and mechanisms for carrying out the measures of the resettlement plan; (ii) includes institutional capacity building program, including technical assistance, if required; (iii) describes role of NGOs, if involved, and organizations of affected persons in resettlement planning and management; and (iv) describes how women's groups will be involved in resettlement planning and management,

M. Implementation Schedule

14. This section includes a detailed, time bound, implementation schedule for all key resettlement and rehabilitation activities. The implementation schedule should cover all aspects of resettlement activities synchronized with the project schedule of civil works construction, and provide land acquisition process and timeline.

N. Monitoring and Reporting

15. This section describes the mechanisms and benchmarks appropriate to the project for monitoring and evaluating the implementation of the resettlement plan. It specifies arrangements for participation of affected persons in the monitoring process. This section will also describe reporting procedures.