

# Resettlement Plan

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May 2018

## Lao PDR: Greater Mekong Subregion East-West Economic Corridor Towns Development Project

### Dansavanh Road

Prepared by the Ministry of Public Works and Transport, Province of Savannakhet, and Savannakhet Provincial Department of Public Works and Transport for the Asian Development Bank. This is an updated version of the draft originally posted in July 2012 available on available on <http://www.adb.org/projects/43319-022/documents>.

## CURRENCY EQUIVALENTS

(as of 13 March 2017; <http://www.bol.gov.la/english/index1.php>)

Currency unit	–	kip (LAK)
LAK1.00	=	\$0.00012
\$1.00	=	LAK8,200

## ABBREVIATIONS

AH	–	Affected Household
AP	–	Affected Person
CSCS	–	Construction Supervision Consulting Services
DBTZ	–	Dansavanh Border Trade Zone
DBTZA	–	Dansavanh Border Trade Zone Authority
DONRE	–	Department of Natural Resources and Environment
DMS	–	Detailed Measurement Survey
DRC	–	District Resettlement Committee
EA	–	Executing Agency
EMP	–	Environmental Management Plan
EMMP	–	Environmental Management and Monitoring Plan
GAP	–	Gender Action Plan
IA	–	Implementing Agency
IEE	–	Initial Environmental Examination
IP	–	Indigenous People
IR	–	Involuntary Resettlement
LFNC	–	Lao Front for National Construction
LWU	–	Lao Women's Union
MONRE	–	Ministry of Natural Resources and Environment
MPWT	–	Ministry of Public Works and Transport
PAFO	–	Provincial Agriculture and Forestry Office
PDPWT	–	Provincial Department of Public Works and Transport
PMU	–	Project Management Unit (of EA)
PMSCD	–	Project Management Support and Capacity Development
PRC	–	Provincial Resettlement Committee
PSA	–	Poverty and Social Assessment
RP	–	Resettlement Plan
ROW	–	Right-of-Way
SMMP	–	Social Management and Monitoring Plan
TOR	–	Terms of Reference
VRC	–	Village Resettlement Committee

## WEIGHTS AND MEASURES

km	–	kilometer
kg	–	kilogram
ha	–	hectare

## **GLOSSARY**

Affected person	–	Means, as per Decree 192, any person or organization affected by a project, who in the context of acquisition of assets or change in land use, would have their: (i) standard of living adversely affected; (ii) right, title or interest in all or any part of a house, land (including residential, commercial, agricultural, plantations, forest and grazing land) water resources or any other moveable or fixed assets acquired or possessed, in full or in part, permanently or temporarily adversely affected; (iii) business, occupation, place of work or residence areas adversely affected with or without displacement; and/or (iv) community resources adversely affected.
Compensation	–	Means payment in cash or in-kind at replacement cost for an asset to be acquired by the Project.
Cut-off date	–	Means the date that a population record or census, preferably at the project identification stage, serves as an eligibility cut-off date in order to prevent a subsequent influx of encroachers or others who wish to take advantage of such benefits. The cut-off date will be the date when the detailed measurement survey and census is completed.
Land acquisition	–	Means 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 consideration.
Livelihood impacts or economic displacement	–	Means loss of income generating assets or access to income generating assets; or loss of income sources or means of livelihood, whether or not the affected persons must move to another location, and includes loss, or restriction, of access to protected areas resulting in impacts on the livelihoods of the affected persons.
Physical displacement	–	Means the physical relocation or shifting of a person from his/her pre-project place of residence and/or business.
Rehabilitation	–	Means assistance provided to seriously affected people due to the loss of productive assets, incomes, employment or sources of living that require to be compensated in order to improve, or at least achieve full restoration of living standards to pre-project level. 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.
Replacement cost	–	Means the method of valuation of assets that helps determine the amount sufficient to replace lost assets and cover transaction costs. In applying this method of valuation, depreciation of structures and assets is not taken into account). Where domestic law does not meet the standard of compensation at full replacement cost, compensation under domestic law is supplemented by additional measures necessary to meet the replacement cost standard.

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| Significant impact | – ADB’s safeguard policy states that APs are significantly impacted when: (i) physically displaced from housing, and/or (ii) having 10% or more of their productive, income generating assets (livelihood, employment, business, and/or access to community resources) lost. Affected people experiencing significant impacts are referred to as being “severely affected”.  |
| Vulnerable groups  | – Means, as per Decree 192, distinct groups of people who might suffer disproportionately from the loss of fixed and movable assets, other assets and production base or face the risk of being marginalized from the effects of resettlement and specifically include: (i) divorced or widowed female headed households with dependents and low income; (ii) households with disabled or invalid persons; (iii) households with persons falling under the generally accepted indicator for poverty as defined by the Ministry of Labor and Social Welfare, or the landless; and (iv) elderly households with no means of support. |

#### **NOTE**

- (i) In this report, "\$" refers to US dollars.

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## EXECUTIVE SUMMARY

1. This Resettlement Plan (RP) for the Dansavanh Road subproject updates the relevant parts of the RP for Dansavanh, dated July 2012 after completion of the detailed engineering design (DED) and the Contractor's marking of centerline and limit of construction.
2. The subproject involves construction, improvement, and widening of 3.9 km of urban roads, including new road sections and upgrades of existing roads. The roads will be constructed with foot walks and open drains along main roads and closed drainage along access roads. The contract was signed in November 2017 and the construction phase is expected to have a duration of two years.
3. The 2012 RP went through a process of public consultation and was disclosed on the ADB website in July 2012.
4. The update of the RP includes resettlement surveys following the completion of the DED undertaken in 2016 and early 2017 and after the Contractor's marking of centerline and limit of construction. The cut-off date was established on August 31, 2016. The identification of impacts and affected persons was conducted in collaboration with the village head, by the Project Implementation Team (PIT), the Project Management Unit (PMU), and supported by the Project Management Support and Capacity Development (PMSCD) Consultant. This included Inventory of Losses (IOL) and a socio-economic survey.
5. In order to reduce resettlement impacts along road sections the following design changes have been issued to the Contractor:
  - R-1: Adjustment of alignment to the north with 1 meter and reduction of level from current height difference of +2-2.5m to reduce the road embankment and thus prevent resettlement impacts on the right side of the road without increasing those on the left.
  - R-1-1: Reduction of level in line with reduction of R-1 to reduce road embankment.
  - R-2: Alignment to be adjusted 6 meters to the right (west) at the intersection with R1 to follow the boundary of two properties and prevent cutting one property in two.
  - R-6: reduction in total width to 5853 mm to reduce resettlement impacts to structures.
  - R-7: reduction in total width to 5853 mm to reduce resettlement impacts to structures.
  - R-8: Reduction in total width to 6000mm and alignment adjusted to follow existing road to reduce resettlement impact to houses/structures. Limit of construction around station 0+200 to be kept within the space available between the fences/walls.
  - R-9: Adjustment of alignment to the left (west and north) to prevent impact to the house and shop at the inner corner of R-9.
  - R-9-1: Alignment adjusted to the right (south) to prevent resettlement impacts to properties on the left (northern) side of the road.
  - R-12: Reduction in total width to 5853 mm and adjustment of alignment to the right (East) by approximately 2 meters and change of alignment to prevent impact to residential house.
6. These changes were notified to the Contractor in March 2018. This Resettlement Plan considers the above changes in the assessment of resettlement impacts.
7. The subproject will affect 34 households and two companies. There are 193 people in the 34 households as shown in table 1.

**Table 1. Affected households and persons**

Affected household	Affected people
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Female headed	Male headed	Total AHs	Female	Male	Total AP
7	27	34	96	97	193

Source: Resettlement Surveys, 2016-2018

8. In total, there are 10 households that are considered to be vulnerable. Nine of them have an income below the national poverty line and are subsequently classified as vulnerable. One household is a low-income household headed by a divorced woman with dependents.

9. The Dansavanh Road Subproject will affect a total of 11,259 m<sup>2</sup> land, including 291.2 m<sup>2</sup> of residential land, 1,690 m<sup>2</sup> of agricultural land, 9,075 m<sup>2</sup> of garden land, and 203 m<sup>2</sup> of fish ponds, belonging to 29 households. Five households will lose residential land, two households will lose agricultural land, 24 households will lose garden land, and two households will lose parts of their fishponds. Of the affected agricultural and garden land plots, two are productive land.

10. The road improvements will create impacts on 21 structures. The structures include four residential houses, a motorbike scrap storage, a cow stable/enclosure, fences at nine properties, concrete expansion floors towards the road at three properties, and roof extensions at three properties.

11. Four residential houses are impacted and will have to be rebuilt. Three of the houses can be rebuilt on the same plot, while one needs a new plot to be identified. The cow enclosure can be built on the same plot. There is no space to re-build the motorbike scrap storage on the same land plot and the owner has informed that it will not be rebuilt. Households that physically relocate to an alternative site are defined as severely affected, leading to the one relocating household being severely affected and entitled to livelihood restoration measures.

12. There will be impacts on fences, roof extensions, and expansion floors. They will be rebuilt further back on the same property or permanently removed.

**Table 2. Impacts and losses**

Type of IR Impact	Affected Households (AH)
A. Loss of land or use of land (residential and/or agricultural land)	29
B. Loss of crops and trees	2
C. Loss of structures and fixed assets	21
D. Livelihood impacts	
D.1: Business loss of income	1
D.2: Employee loss of income	0
E. Allowances, assistance, and livelihood restoration	
E.1: Transport/relocation assistance	6
E.2: Transition at new site	5
E.3: Impacts on vulnerable households	10
E.4: Re-establishment of productive assets and livelihood base	1

13. The identification of impacts was conducted in consultations with the affected persons and the village head. Consultations and communications with affected households and stakeholders will continue in the implementation of the Resettlement Plan and consultations are planned on the entitlements, compensation unit rates, presentation of identified IR impacts and compensation, dissemination of the Grievance Redress Mechanism, and consultation to present the construction programme.



14. The Grievance Redress Mechanism will operate at various levels including through Village Resettlement Committees, District Resettlement Committees, and Provincial Resettlement Committees, and finally the national court. Each level will have 15 days to process the complaint, and if not solved within the given period it will be transferred to the higher level.

15. The complainant may also have access to the mechanism through the project website and directly with the PMU. The PMU has appointed a Grievance Point Person to represent the PMU in the Provincial Resettlement Committee and to ensure the management and monitoring of the mechanism. The PIT is represented in the District Resettlement Committee.

16. According to the Constitution (1991), land in Lao PDR is a national heritage and the State ensures the right to use, transfer, and inherit land in accordance to the law. The Land Law allows expropriation of land by the Government when it is in the public interest and requires the existing user to be compensated. The same law also provides protection of the rights of land users. Decree 192 (2005) provides a framework for resettlement planning in Lao PDR. The Decree defines principles, rules, and measures to mitigate adverse social impacts and to compensate for involuntary acquisition or repossession of land and fixed or movable assets.

17. The Project is implemented according to national laws and the principles in ADB's SPS (2009). This requires the project to (i) avoid resettlement impacts wherever possible; (ii) minimize impacts by exploring project and design alternatives; (iii) enhance, or at least restore, the livelihoods of all APs in real terms relative to pre-project levels; and (iv) improve the standards of living of the affected poor and other vulnerable. It covers both physical displacement and economic displacement.

18. The project's resettlement policy states that APs will continuously be informed and consulted on compensation alternatives, as well as their rights and options. APs will be invited to participate actively in the identification of mitigation and rehabilitation measures.

19. The project includes entitlements for land and assets, including trees, crops, and structures. APs are entitled to complete replacement cost for all affected property. The compensation will be paid out in cash or in-kind. APs that need to relocate are entitled to additional measures to assist in restoring, rehabilitating their standard of living. Vulnerable AHs are further entitled to allowances and special measures. Vulnerable people are defined in Decree 192 as i) divorced/widowed female headed households with dependents and low income; ii) households with disabled or invalid persons, iii) households with persons falling under the generally accepted indicator for poverty, and iv) elderly households with no means of support.

20. The Government of Lao PDR (EA) is responsible for providing the budget for the compensation and livelihood restoration. The budget has been updated after the detailed engineering design was completed. Construction will not begin until compensation has been paid out to the affected households.

21. The PMU established under the IA, the PDPWT, is responsible for implementing and monitoring the environmental and social safeguards. The PIT team is responsible for overseeing the project implementation on district level and will ensure that social and environmental safeguards are implemented in a timely manner.

22. The RP will be finalized, following the consultations with affected persons. The RP will be submitted to ADB for review and approval. A "no objection" for the RP will be received from ADB prior to implementation of the subproject. Compensation in road sections must have been paid out to all APs before the IA/PMU can issue a notice of possession to the Contractor.

23. The PMU/PIT is responsible for the internal monitoring, but the project will also be monitored by the Construction Supervision Consulting Services (CSCS) that will assist the PMU

with the monitoring and evaluation. The CSCS will review and evaluate the achievements of the resettlement objectives. The two main elements of the resettlement monitoring is that: (i) the resettlement activities have been undertaken in accordance with the RPs and, (ii) APs have at least been able to restore their livelihoods.

24. The cost of the resettlement plan for Dansavanh Road Subproject has been estimated at USD 162,245 (1,330.4 million kip). The table below shows the total estimated cost of mitigating the IR impacts including 10% contingency and added 10% for administrative costs (any RP revisions/updating, consultations, rates appraisal, RP implementation).

**Table 3 Breakdown of Compensation and Livelihood Restoration: Dansavanh Rd Subproject**

No.	Item	Unit	No	AH	Rate	Total US\$
<b>1</b>	<b>Land</b>					
1.1	Residential land (main road)	m <sup>2</sup>	25.2	1	200	5040
1.2	Residential land (urban area)	m <sup>2</sup>	266	4	117	31122
1.3	Agricultural land	m <sup>2</sup>	1689.8	2	0.6	1013.88
1.3	Garden land	m <sup>2</sup>	9074.75	24	1.2	10889.7
1.4	Fish pond	m <sup>2</sup>	203	2	12	2436
<b>2</b>	<b>Crops</b>					
2.1	Agricultural land	AH	2	2	130	260
<b>3</b>	<b>Trees</b>					
3.1	Commercial and fruit trees	No	27	1	30	810
3.2	Banana, mango, other	No	21	3	30	630
<b>4</b>	<b>Structures</b>					
4.1	Wooden house	m <sup>2</sup>	191	3	160	30560
4.2	House with foundation	m <sup>2</sup>	56	1	166	9296
4.3	Cow stable/enclosure	m <sup>2</sup>	32	1	23	736
4.4	Fence	m	525.2	9	22	11554.4
4.5	Concrete expansion floor	m <sup>2</sup>	30	3	100	3000
4.6	Roof extension	m <sup>2</sup>	38	3	30	1140
4.7	Motorbike scrap storage – simple wood structure	m <sup>2</sup>	126.5	1	112	14168
<b>5</b>	<b>Livelihood Restoration, Allowances &amp; Other</b>					
5.1	Business – loss of income	per	1	1	150	150
5.2	Transport/Relocation	AH	6	6	135	810
5.3	Transition assistance	AP (in AH)	31	5	88	2728
5.4	Vulnerable AH support	AP (in AH)	63	10	88	5544
5.5	Restoration support	AP (in AH)	10	1	352	3520
<b>6.0</b>	<b>Subtotal</b>					<b>135,408</b>
	Contingency (10%)					13,541
	Administration charges (10%)					14,895
	<b>TOTAL</b>					<b>163,844</b>

Source: Resettlement Surveys, 2016-2018

## I. INTRODUCTION

25. This Resettlement Plan (RP) for the Dansavanh Road subproject updates the relevant parts of the RP for Dansavanh, dated July 2012 after completion of the detailed engineering design (DED). Following the Contractor's marking of centerline and limit of construction, the resettlement impacts have been reassessed and finalized.

26. The RP, 2012 was prepared under the PPTA in conjunction with Feasibility Studies (FS) for the subproject. During the preparation of the PPTA, field studies were completed including screening and scoping of involuntary resettlement (IR) impacts with the conclusion that, there will be IR impacts as a result of the subprojects. RPs to mitigate IR impacts were prepared in compliance with the ADB's Safeguard Policy Statement (SPS) Safeguard Requirement Involuntary Resettlement and Lao PDR national law - Decree 192 - governing resettlement and compensation and its accompanying Technical Guidelines, revised and updated in March 2010.

27. To update the RP, the PMU supported by the PMSCD has reviewed the DED and undertaken field visits to complete the inventory of loss of assets, identify affected persons and IR impacts. Following the Contractor's marking of centerline and limit of construction, the resettlement impacts have been reassessed and finalized.

28. In order to reduce resettlement impacts along road sections the following design changes have been issued to the Contractor:

- R-1: Adjustment of alignment to the north with 1 meter and reduction of level from current height difference of +2-2.5m to reduce the road embankment and thus prevent resettlement impacts on the right side of the road without increasing those on the left.
- R-1-1: Reduction of level in line with reduction of R-1 to reduce road embankment.
- R-2: Alignment to be adjusted 6 meters to the right (west) at the intersection with R1 to follow the boundary of two properties and prevent cutting one property in two.
- R-6: reduction in total width to 5853 mm to reduce resettlement impacts to structures.
- R-7: reduction in total width to 5853 mm to reduce resettlement impacts to structures.
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- R-9: Adjustment of alignment to the left (west and north) to prevent impact to the house and shop at the inner corner of R-9.
- R-9-1: Alignment adjusted to the right (south) to prevent resettlement impacts to properties on the left (northern) side of the road.
- R-12: Reduction in total width to 5853 mm and adjustment of alignment to the right (East) by approximately 2 meters and change of alignment to prevent impact to residential house.

29. These changes were notified to the Contractor in March 2018. This Resettlement Plan considers the above changes in the assessment of resettlement impacts.

### A. Objectives of the Resettlement Plan

30. In respect of resettlement planning, the over-riding objective is to avoid IR wherever possible; to minimize IR impacts by exploring project and design alternatives; to enhance, or at least restore, the livelihoods of all affected persons (APs) relative to pre-project levels; and to improve the standards of living of poor APs and other vulnerable groups.

31. The basic objectives of the RP are to: (i) serve as a binding document to ensure a fair and disclosed process for participation, identification and mitigation of IR impacts, and payment of compensation and assistance to APs; (ii) guide the EA in clearly identifying, compensating, and restoring the livelihoods of APs; and (iii) provide direction for the IA in updating/finalizing, implementing and monitoring the RP.

32. The RP identifies measures to ensure that APs are (i) informed about, and consulted on, the project and subprojects and agree in principle with the Project; (ii) informed about their options and rights pertaining to IR impacts; (iii) consulted on, offered choices among, and provided with suitable compensation and/or resettlement alternatives; and (iv) provided prompt and effective compensation at full replacement cost for losses of assets attributable directly to the project.

33. The scope and contents of the RP include:

- Section 1 – introduces the project and establishes the objectives of the RP;
- Section 2 – describes the subprojects and provides the engineering and technical details that have been used in the assessment of IR impacts;
- Section 3 – presents the socio-economic information and profile of APs derived from the census and IOL undertaken for the subproject;
- Section 4 – provides the assessment of IR impacts and losses by type for the subproject;
- Section 5 – describes the means and results of consultation and information disclosure undertaken during preparation of the RP;
- Section 6 – sets out the mechanism for resolving grievance and complaints;
- Section 7 – sets out the legal and policy framework for mitigating IR impacts and requirements for compensation and livelihood restoration;
- Section 8 – provides the entitlements, assistance and benefits to be provided under the project;
- Section 9 – establishes the costs estimate (budget) and financial plan;
- Section 10 – describes the institutional arrangements for the project and for resettlement plan preparation, finalization and implementation;
- Section 11 – provides the implementation schedule; and
- Section 12 – describes the process for monitoring and evaluation and sets out indicators.

## **B. Status of Resettlement Plan Update**

34. When the resettlement surveys were conducted in 2016-2017, the road centerline of the designed roads were not indicated on site and no benchmarks were indicated on site. The assessment of resettlement impacts had used the available DED drawings, including cross sections, plan, and profiles and measured from the existing centerline. Following the Contractor's fixing of the centerline and limit of construction on site, it became clear that for some sections the road centerline differs from what was used as basis for the Resettlement Plan. Design changes to reduce resettlement impacts had already been proposed for Road 6, Road 8, and Road 12 and presented at the pre-bid meeting. Together with further design changes with

the objective of reducing resettlement impacts at Road 1, Road 1-1, Road 2, Road 7, Road 9, and Road 9-1, these were formally issued to the Contractor in March 2018.

35. In December 2017, a reassessment of the impacts to the properties identified as impacted in the May 2017 Resettlement Plan was conducted following the Contractor's marking of the centerline and setting out and adjustments to the identified impacts were made and compensation forms signed. The PMU proceeded with the associated compensation payments in December 2017. In January 2018 and February 2018, a reassessment of impacted properties along the entire alignment was conducted considering the marked centerline and setting out. In conjunction here-with, design changes to reduce resettlement impacts were elaborated. The design changes were formally issued to the Contractor in March 2018. The update of the inventory of losses and socio-economic survey included in this Resettlement Plan considers the issued design changes and the marking of the centerline and setting out.

### **C. Status of Compensation Payments**

36. Compensation forms for 24 affected households were signed by the PMU, the District Resettlement Committee, and the affected households in December 2017. Double signatory bank account at BCEL for the 24 affected households with signatory of both spouses was setup in December 2017. The PMU proceeded with compensation payments over two rounds for the 24 households and deposited cash compensation on their accounts on 19 and 25 December 2017. One additional deposit was made to complete land purchase for one of the households, making the total number of bank deposits 25.

37. One impact was canceled in the December 2017 reassessment, land compensation for three properties with the same owner is outstanding, one household has only been partly compensated, and additionally a further 12 properties have not been compensated as presented in the table below. It should be noted that some properties have the same owner. The PMU is proceeding with the compensation payment for the remaining properties and affected households. Payments are expected to be made within May 2018. It should be noted in the below table that some of the properties are owned by the same household or company and one property was identified as not impacted in the reassessment in December 2017. Therefore, the number is greater than the 36 households and companies identified as impacted.

**Table 4 Overview of Status of Compensation Payment**

no. ID	Status - compensation	Sum / USD
1 R1 L4	Compensated	4,982
2 R6R4-R5	Compensated	14,487
3 R6 L2	Compensated	198
4 R6 L3	Compensated	1,200
5 R6 L4	Compensated	900
6 R6 L5-L6	Compensated	900
7 R8 L1	Compensated	180
8 R8 L3-L4	Compensated	888
9 R9 R3-R4+R10 R1-R2	Land compensation not completed	2,214
10 R9 R4	Compensated	89
11 R9 R6-R7	Compensated	13,350
12 R9 R7-R8	Compensated	5,341
13 R9 R8-R9 (ref R9 R3-R4)	Land compensation not completed	1,638
14 R9 R9-R10	Compensated	1,552
15 R9 R10-R11	Compensated	1,576
16 R9 R11-R12	Compensated	3,020
17 R9 R12-R13	Compensated	1,333
18 R9-1 R1-R2	Compensated	104
19 R9-1 R4-R5	Compensated, house under construction	33,783
20 R9-1 R5-R6	Compensated	903
21 R9-1 R6-R7	Compensated	1,138
22 R12 L1-L2	Not impacted	0
23 R12 L2-L3	Compensated	3,732
24 R12 R1-R2	Compensated	14,919
25 R12 /205.54m	Compensated	16,335
26 R2 L2-L3+R10 R0-R1	Compensated	1,760
27 R2 L1-L2	Not compensated	469
28 R10 R2-R3	Partly compensated	1,308
29 R9 L1-L2 (ref R12 R1-R2)	Not compensated	838
30 R9 L1-L2 B	Not compensated	378
31 R9 L2-L3	Not compensated	108
32 R9 L3-L4	Not compensated	122
33 R9 R2-R3	Not compensated	1,328
34 R9-1 R7-R8	Not compensated	338
35 R9-1 R8-R9	Not compensated	444
36 R9-1 R9-R10 (ref R9 L1-L2)	Not compensated	418
37 R9-1-R10-R11	Not compensated	913
38 R9-1 R11-R12	Not compensated	588
39 R13 R6-R7 (ref 9-1 R1-R2)	Not compensated	312
40 R5-R1-R2	Not compensated	1,321

## II. DESCRIPTION OF THE SUBPROJECT

38. The scope of the Dansavanh Road subproject is summarized below:

<b>Dansavanh Road</b>	<ul style="list-style-type: none"> <li>Construction, improvement and widening of about 3.884 km interior urban roads, including 1.739 km of Main Rd and 2.145 km of Access Road to double bituminous surface treatment (DBST) pavements, including a section of the proposed future by-pass to the national highway 9 road that intersects the town. Existing road sections have laterite/gravel surfaces and three road sections are currently footpaths.</li> <li>Drainage, closed U-box along access roads and open drains along main roads and footways.</li> </ul>
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39. The roads will be constructed with sidewalks and open drains along main roads and closed drainage along access roads.

40. The duration of project phases is 2 years for the construction phase and 1 year for the Defects Liability Period.

41. The length and width of sections are presented below.

Table 5. Length and width of the Dansavanh Roads

Road	Length in meters		Width in meters				
	Length	Total	Road	Motorbike	Footway	Drainage	Total
Main Road	1,739	3,884	2 x 3.5	-	2 x 1.15	open	14.2
Access Road	2,145		2 x 2.5	-	2 x 1.065	closed	7.85

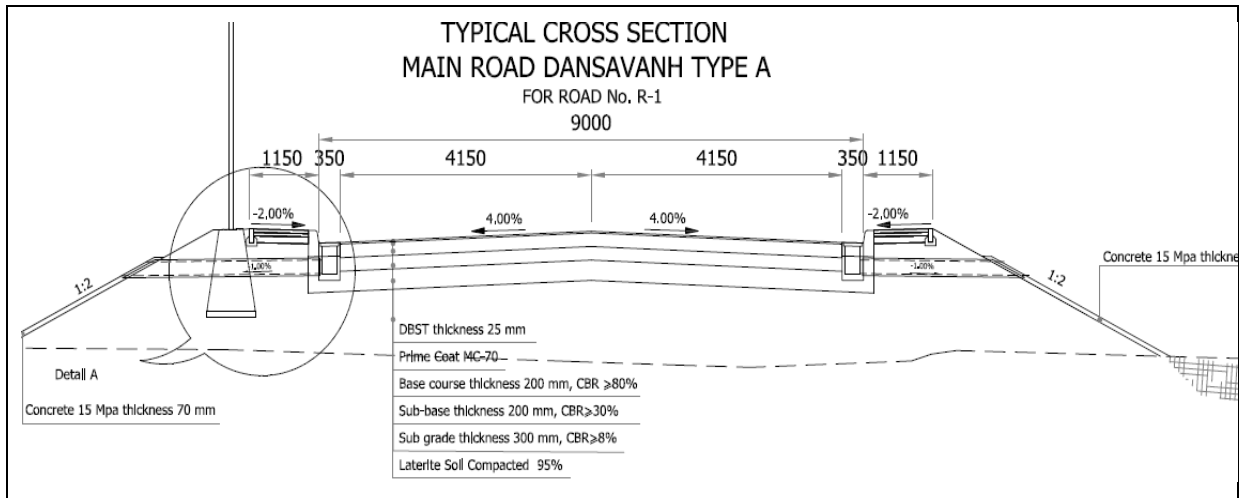
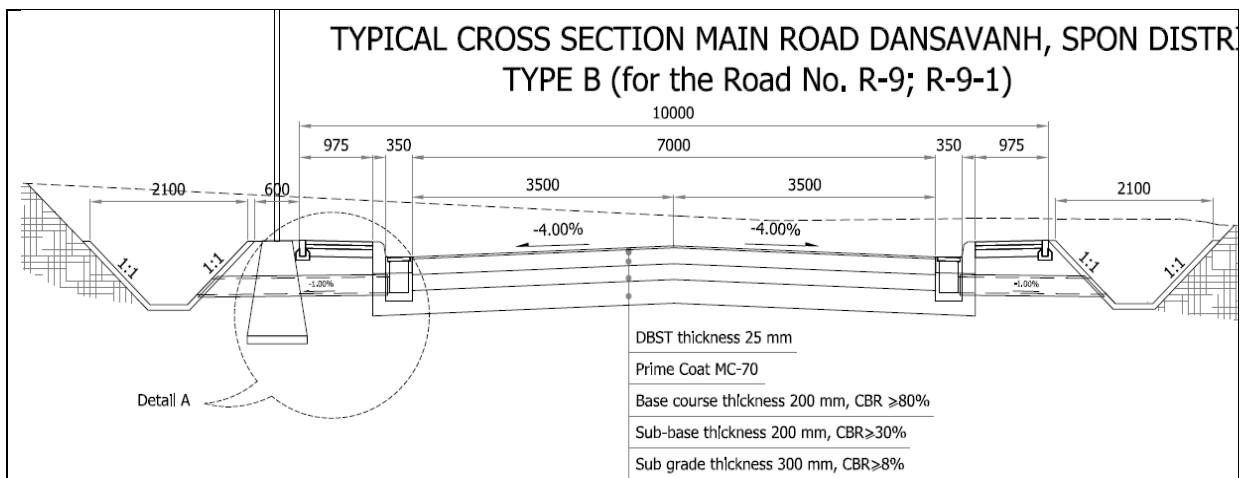
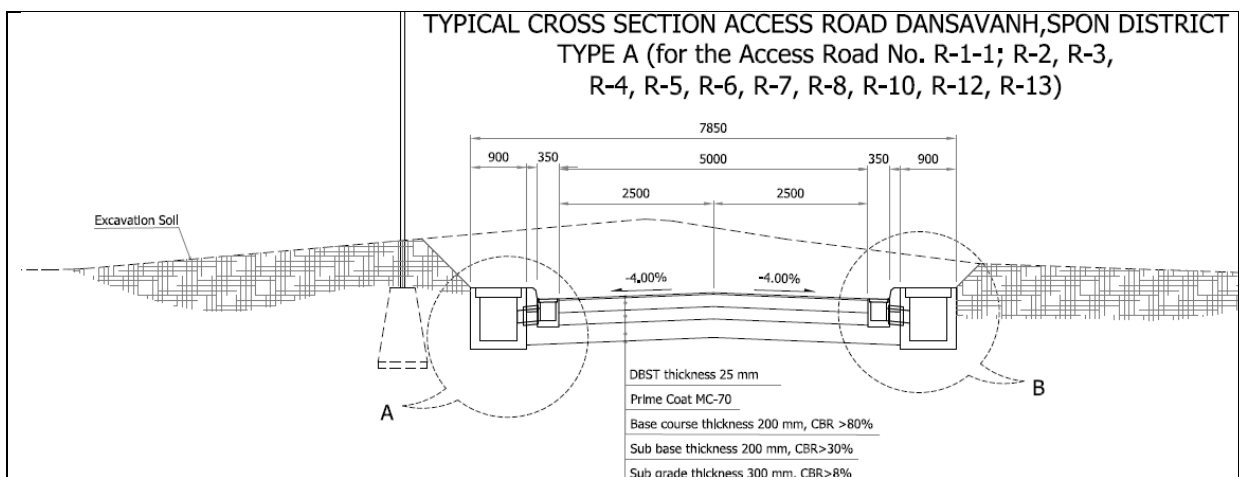
42. The Dansavanh Rd subproject consists of a number of subsections of access road and main road. The sections are presented in the figure below.





**Figure 1. Dansavanh Road**

43. The typical cross sections used in the design as included in the Technical Design Report are presented below.

**Figure 2. Typical cross-section of Main Road Dansavanh Type A****Figure 3. Typical cross-section of Dansavanh Main Road Type B****Figure 4. Typical cross-section of Dansavanh Access Road**



44. In order to reduce resettlement impacts along road sections the following design changes have been issued to the Contractor:

- R-1: Adjustment of alignment to the north with 1 meter and reduction of level from current height difference of +2-2.5m to reduce the road embankment and thus prevent resettlement impacts on the right side of the road without increasing those on the left.
- R-1-1: Reduction of level in line with reduction of R-1 to reduce road embankment.
- R-2: Alignment to be adjusted 6 meters to the right (west) at the intersection with R1 to follow the boundary of two properties and prevent cutting one property in two.
- R-6: reduction in total width to 5853 mm to reduce resettlement impacts to structures.
- R-7: reduction in total width to 5853 mm to reduce resettlement impacts to structures.
- R-8: Reduction in total width to 6000mm and alignment adjusted to follow existing road to reduce resettlement impact to houses/structures. Limit of construction around station 0+200 to be kept within the space available between the fences/walls.
- R-9: Adjustment of alignment to the left (west and north) to prevent impact to the house and shop at the inner corner of R-9.
- R-9-1: Alignment adjusted to the right (south) to prevent resettlement impacts to properties on the left (northern) side of the road.
- R-12: Reduction in total width to 5853 mm and adjustment of alignment to the right (East) by approximately 2 meters and change of alignment to prevent impact to residential house.

45. These changes were notified to the Contractor in March 2018. The redesign of the road sections Road 6, Road 8, and Road 12 included reduction of the width and hence the limit of construction and impacts along these road sections. In addition, the alignment of Road 12 has been shifted eastwards to avoid impact to a residential house at the corner of the National Highway. The shift in alignment of the R12 has in addition reduced the impact to fishponds significantly. The following designs have been prepared for these road sections.

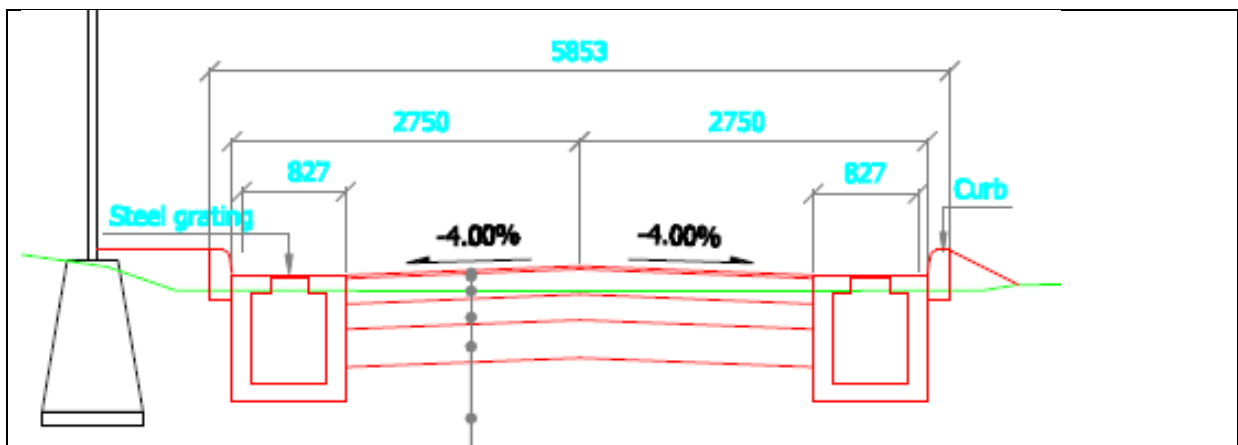


Figure 5. Updated design for cross-section of access road, Road 6 and Road 12

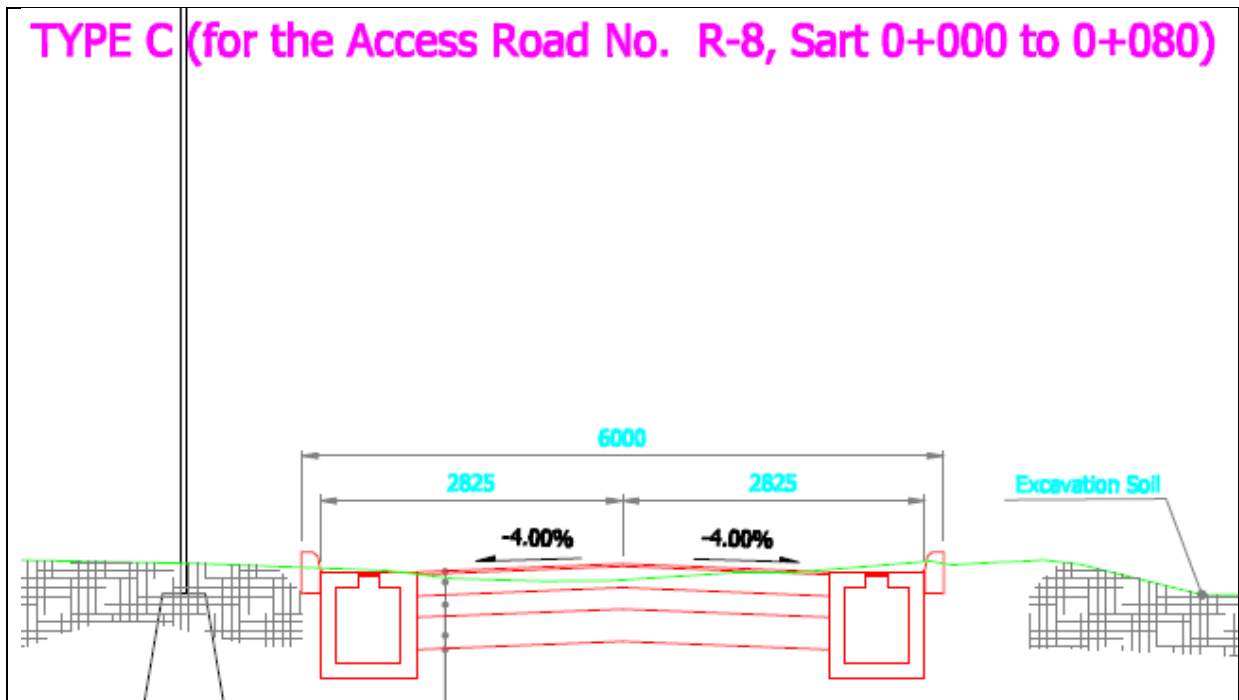


Figure 6. Updated design for cross-section of access road, Road 8

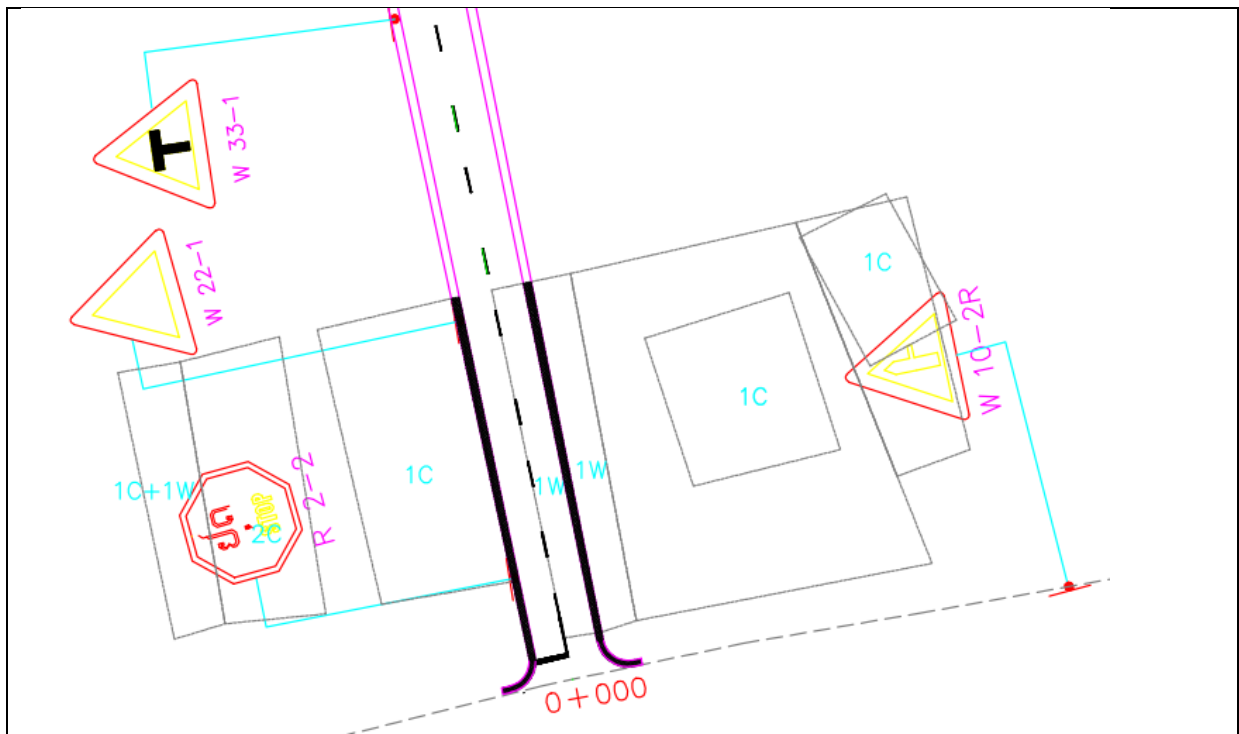


Figure 7. Alignment of R12 shifted eastwards to avoid impact to the residence

#### A. Engineering and Technical Details Used in the Assessment of IR Impacts

46. To assess IR impacts Plan and Profiles of road sections as well as cross sections prepared for every 20 meters of the road sections were reviewed. The Plan and Profiles indicates location of fences, buildings, access roads, and trees at the time of surveying for preparation of the design. Based on the cross sections prepared for every 20 meters of the road sections a

tabled overview of the limit of construction as measured from the centerline was prepared. Using the tabled overview of the limit of construction as well as the Plan and Profiles the actual situation on site was reviewed and land, structures, and trees located within the limit of construction was identified.

47. When the resettlement surveys were conducted in 2016-2017, the road centerline of the designed roads were not indicated on site and no benchmarks were indicated on site. Following the Contractor's fixing of the centerline and limit of construction on site, it became clear that for some sections the road centerline differs from what was used as basis for the Resettlement Plan. Following the Contractor's marking of centerline and limit of construction, the resettlement impacts have been reassessed and finalized. In this process various design changes were elaborated and issued to the Contractor as described above.

### III. SOCIO-ECONOMIC INFORMATION AND PROFILE

#### A. Impact Areas and Affected Households

48. The Dansavanh Road Subproject will affect 34 households and two companies. The two companies are not included as a household with information about its members. Therefore, the following socio-economic profile of the household composition consists of the 34 affected households in Dansavanh.

49. An overview of the affected households is presented in the table below.

**Table 6 Affected Households and People in Dansavanh**

	Affected household			Affected people		
	Female headed	Male headed	Total	Female	Male	Total
Total	7	27	34	96	97	193

Source: Resettlement Surveys, 2016-2018

50. The following description of the characteristics of the affected households is based on the information provided during the socio-economic survey undertaken during the Inventory of Losses and the Resettlement Surveys in 2016-2018. Information is presented based on gender of head of household, or vulnerability or poverty level, where those factors are relevant.

#### B. Characteristics of Affected Households

##### 1. Size and Composition of Households

51. The average size of AHs is 5.7 people, with the smallest household consisting of two persons and the largest consisting of ten members. 12% of the households have three or less household members, 62% of the households consists of four to six members, and 26% of them have seven or more household members.

52. Out of the 34 households seven are headed by a woman, this is 21% of the affected households. As shown in Table 7, the biggest proportion of the female headed households comprise of six members. Almost 30% of the female households have two to three members, and 57% have six or more members. One of the largest households is a female headed household consisting of ten members.

53. There are 27 male headed households. Only about 7% of the male headed households comprise of two to three members, 63% of the households consist of four to six members, and 30% of the households have seven or more members.

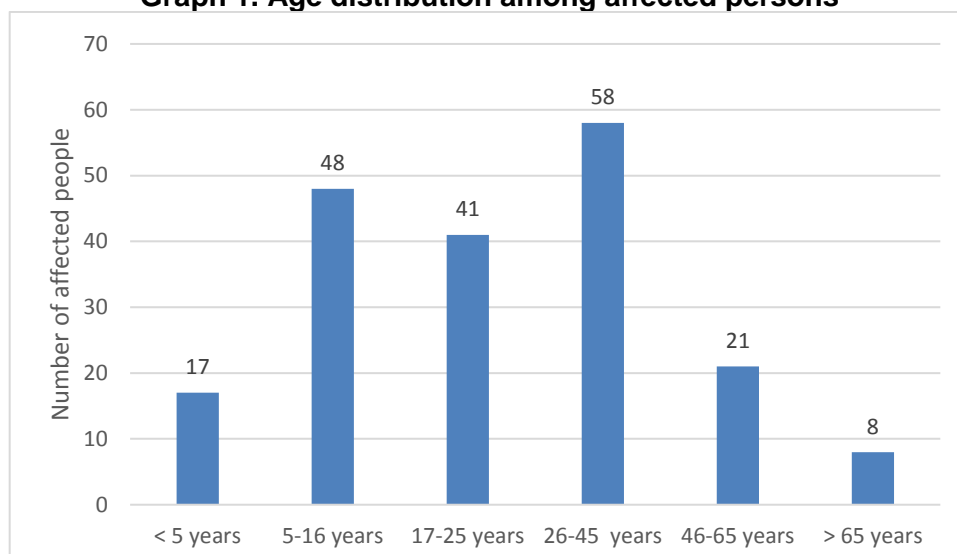
**Table 7 Household Size by Sex of Household Head**

Sex of Head of HH	Households with corresponding household size						
	1	2	3	4	5	6	≥7
Female	0	1 (14.3%)	1 (14.3%)	1 (14.3%)	0 (0%)	3 (42.8%)	1 (14.3%)
Male	0 (0%)	0 (0%)	2 (7.4%)	7 (25.9%)	5 (18.5%)	5 (18.5%)	8 (29.6%)
Total	0 (0%)	1 (2.9%)	3 (8.8%)	8 (23.5%)	5 (14.7%)	8 (23.5%)	9 (26.5%)

Source: Resettlement Surveys, 2016-2018

54. The overall age distribution of the people that make up the affected households is 25% being 16 years old or younger, 21% being between 17 and 25 years, 30% aged between 26 and 45 years, 11% aged between 46 and 65 years, and 4% being 66 years or older.

**Graph 1. Age distribution among affected persons**



Source: Resettlement Surveys, 2016-2018

55. The AHs are predominantly Lao, making up the majority (71%) of AHs and 24% of the affected households belong to the ethnic minority Tri<sup>1</sup>. In addition, one household indicated that they belonged to the ethnic group Ta Oy and one household indicated Phutai. The ethnic group Tri belongs to the Mon-Khmer language family.

**Table 8. Ethnicity of Affected Households**

	AH by ethnic group			
	Lao	Tri	Ta Oy	Phutai
Dansavanh	24	8	1	1

Source: Resettlement Surveys, 2016-2018

56. All affected households state that they own the residential land they are living on and are not renting. Most of the affected households identified in the survey have land use certificates, while few have land titles.

## 2. Age, Marital Status and Education of Head of Household

57. As shown in Table 9, the vast majority (more than 82%) of the households are headed by a person aged between 31 and 60 years old. No households are headed by a person younger than 30 years old. Only male-headed households are represented in the oldest category with two AHs' heads being older than 75 years. There are however, only one male headed AH in the age group 61 to 75 years. In comparison, the female headed HHs have 43% of its head of households in the group 31 to 45 years, and the same number of people are in the group 61 to 75 years.

<sup>1</sup> In the Resettlement Plan from 2012 the ethnic composition was as follows: 81.9% Phoutai, 16.2% Mangkong, and 1.9% Lao.

**Table 9. Age of Head of Affected Households**

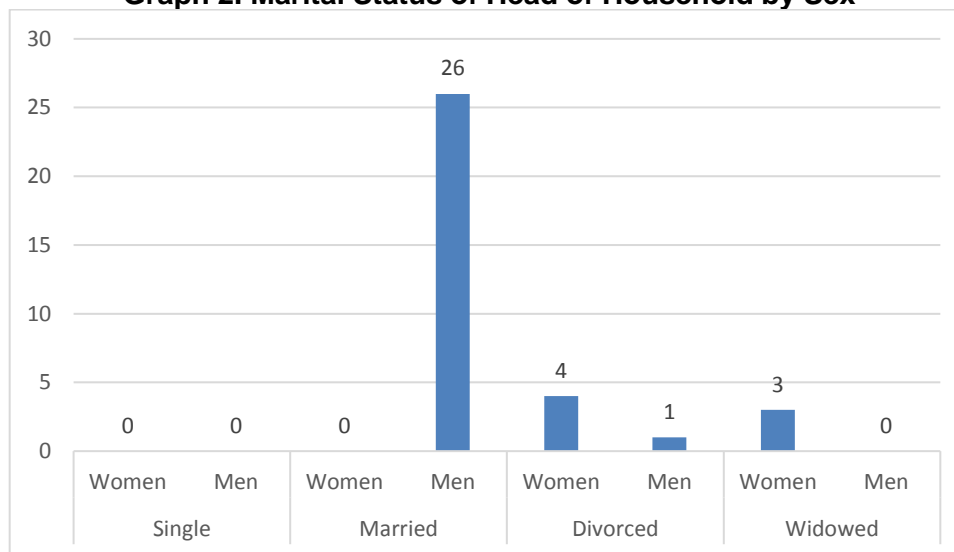
Sex of head of household	Age group in years				
	≤30	31 to 45	46 to 60	61 to 75	>75
Female	0 (0%)	3 (42.9%)	1 (14.3)	3 (42.9%)	0 (0%)
Male	0 (0%)	10 (37.0%)	14 (51.9%)	1 (3.7%)	2 (7.4%)
Total	0 (0%)	13 (38.2%)	15 (44.1%)	4 (11.8%)	2 (5.9%)

Source: Resettlement Surveys, 2016-2018

58. For most affected households (76%), the head of household is married, while the remaining affected households are headed by a divorcee (15%), or widowed (9%). Disaggregating marital status by the gender of household head, as shown in Graph 2, illustrates that the married households are all headed by a man. There has not been an option to choose both partners as head of the household. This shows that if households must choose one to be head of the household, then it is more likely that the male partner is chosen.

59. The female headed HHs can be found among the divorced and widowed. The majority (four HHs) of the female headed AH are divorced and the remaining three households are widows.

60. The strong majority (96%) of the male headed households are married, and there is only one man that stands out by being divorced.

**Graph 2. Marital Status of Head of Household by Sex**

Source: Resettlement Surveys, 2016-2018

61. Nearly a third of all heads of AHs have a secondary education or higher and have completed high school or have a higher education than high school. 24% have secondary school as their highest education level, while 12% have primary school as their highest educational level. A third have none or only some primary education.

62. Table 10 shows that the female head of households among the affected population is generally less educated compared to their male counterpart; 86% of the female heads compared with 19% of male heads have not completed primary school. 14% of the women compared with

67% of the men have completed secondary school. No female head of households have completed high school, while 41% of the male head of households have high school or higher. Most significantly 57% of female heads compared with 7% of male head of households have no formal education.

**Table 10. Level of Education**

Sex of head of HH	Educational level					
	None	Some primary	Complete primary	Secondary school	High school	Above high school
<b>Female</b>	4 (57.1%)	2 (28.6%)	0 (0%)	1 (14.3%)	0 (0%)	0 (0%)
<b>Male</b>	2 (7.4%)	3 (11.1%)	4 (14.8%)	7 (25.9%)	7 (25.9%)	4 (14.8%)
<b>Total</b>	6 (17.6%)	5 (14.7%)	4 (11.8%)	8 (23.5%)	7 (20.5%)	4 (11.8%)

Source: Resettlement Surveys, 2016-2018

### 3. Livelihoods, Poverty and Vulnerability

#### a. Income Levels and Poverty

63. The total household income has been based on the collected data in the inventory of loss and resettlement surveys.

64. The average household income is about 2.6 million kip per month and the average monthly income per capita is 520,000 kip. The income of the affected population has been divided into four quartiles, illustrating a great income variation within the population with a minimum of 100,000 kip per month to the maximum of 1,667,000 kip per month.

**Table 11. Monthly Per Capita Income Quartiles**

Income quartile	Monthly per capita income (kip)		
	Minimum	Maximum	Average
1st	100,000	219,000	140,000
2nd	219,000	431,000	330,000
3rd	431,000	625,000	532,000
4th	625,000	1,667,000	1,153,000

Source: Resettlement Surveys, 2016-2018

65. The first quartile includes all the people living below the urban national poverty line, which is 240,000 kip. The second quartile consist nearly entirely of people above the poverty line, but is still assessed to be a low-income group which is sensitive to economic shocks. The third and fourth quartile belongs to the mid- and high-income group and are considered to be equipped to handle potential shocks and the fourth quartile is assessed to be comparatively wealthy.

66. Poverty can be defined as the lack of ability to fulfill basic needs. This includes aspects such as insufficient food provision (less than 2,100 calories per day/capita), insufficient provision of clothing and shelter, inability to meet health or school expenses, and lack of access to transport routes. There can be poverty indicators at the household, village, and district levels.

Villages are considered to be poor depending on the proportion of poor households and households without access to schools, health facilities, safe water supply, and roads.

67. In this survey, a household is defined as poor if its monthly income fails to meet the urban poverty line. In 2009, the poverty line was established based on data from the Fourth Lao Expenditure and Consumption Survey as 240,000 kip per person per month for urban households and 180,000 kip per person per month for rural households. For this project, we are using the poverty line of 240,000 kip per person per month.

68. Nine households (26%) among the affected population have an income below the poverty line. Three of the poor households are headed by women, which means that a large share of the female headed households are poor since there are only seven female headed HHs. The female headed HHs has an average income of 358,000 kip per person per month, with the lowest income being 139,000 kip and the highest 1,250,000 kip. Six of the female headed HHs have a low income with less than about 313,000 kip per person per month, and the remaining one household has an income of 1,250,000 kip.

69. The income per person varies greatly among the affected male headed HHs. The household with the lowest income per person has 100,000 kip per month, while the wealthiest has 1.67 million kip per month. About 18% of the male headed HHs are living below the poverty line. The average income among the affected male HHs is 563,000 kip, which is nearly twice that of the female headed HHs average income.

#### **b. Vulnerability**

70. Vulnerable households, as defined by Decree 192, include those who might suffer disproportionately from the loss of fixed and movable assets, other assets and production base, or face the risk of being marginalized from the effects of resettlement, and specifically include:

- Households with persons falling under the generally accepted indicator for poverty as defined by the Ministry of Labor and Social Welfare (already discussed above), or the landless;
- Divorced or widowed female headed households with dependents and low income;
- Households with disabled or invalid persons; and
- Elderly households with no means of support.

71. As discussed above nine households (26%) fall below the official urban poverty line and subsequently qualifies as vulnerable according to Decree 192.

72. Divorced or widowed female headed households with low income and dependents are also classified as vulnerable. There is one household headed by a divorced woman with two dependents that is included in this group.

73. Based on the collected information one affected household has a disabled or invalid person as a household member.

74. There are two elderly headed households in the group defined as poor and thus already defined as vulnerable due to income level. One further household headed by an elderly person has members in the working age and in the upper middle-income group and is therefore not considered vulnerable.

75. The landless, including those without land and without any permanent and sustainable means of support are considered to be vulnerable. There are no landless households among the affected households according to this definition.



76. In total, there are 10 vulnerable households (29%) according to the definition of vulnerability stated above. Table 12 shows the number of households falling into each classification of vulnerability.

**Table 12. Vulnerability of Households**

<b>Category of vulnerability</b>	<b>No. of AHs</b>
Households falling below the urban poverty line	9
Low income AHs headed by single female headed HH (excl. HH below poverty line)	1
Households with disabled members (excl. HH below poverty line)	1
Elderly with no means of support	0
Landless	0
Total	10*

Source: Resettlement Surveys, 2016-2018, \*One household is in two categories

## **C. Gender Issues**

### **1. Gender Issues and Disaggregation of IOL Data**

77. The assessment of gender-specific resettlement issues and gender mainstreaming strategy adopted for the Project is based on Lao law and is consistent with the Country Gender Strategy, requiring gender equitable participation and opportunity. Gender issues must be considered in the various stages of the project cycle. Decree 192 specifically addresses gender issues in resettlement in Article 15 where it states that “Collecting gender disaggregated data is the first and most crucial step for ensuring that the needs and concerns of women are addressed in the resettlement plan.”

78. Gender has a significant imprint on the resettlement process. Women's relative low levels of education, access to information, additional work burdens, and limited public representation result in women suffering disproportionately, compared to men, in resettlement. Therefore, it is important to identify and take into account the different needs of women and men. In order to deal with the practical impacts of local gender norms and roles, resettlement planning needs to provide for basic needs for women in addition to those of men.

79. The surveys have been conducted on the principle of equality in land rights. Household and farming assets, in general, belong to both the female and the male heads of household. However, in some cases only one spouse owns the land, or in female headed households, the ownership can be in the name of the oldest male. In respect of providing new title to land, if the lost land was originally in the name of one spouse only, the replacement title will be provided in the name of both spouses automatically to protect the partners' rights to be equally acknowledged.

### **2. Gender Awareness in Training Delivery**

80. Gender sensitive approaches require people to receive appropriate training, awareness of, and capacity to, mainstream gender issues into daily activities. Gender training and awareness raising will be conducted during project implementation to assist the resettlement process for the project.

81. Providing this training and awareness raising early at the commencement of project implementation will ensure that implementers are better able to identify and address the different

needs of women and men in the resettlement and livelihood restoration and development process.

82. Gender training has been provided continuously during the project, and will continue to do so. There is a general need to improve skills on gender mainstreaming, and focus has been put on strengthening the capacity on gender of core institutions involved in project implementation, government partners, and local NGO representatives. The aim is to increase the awareness on gender and other social considerations, and to increase stakeholder capacity and involvement in gender mainstreaming.

### 3. Gender Specific Resettlement Issues

83. Gender specific issues in resettlement was identified in the Resettlement Plan from 2012. The relevance of gender issues to the affected household has changed as we have identified the female-headed households and their socio-economic profile.

84. It should be kept in mind when comparing across gender, that the female headed AHs is a much smaller group than the male-headed AHs. Since the samples are not of the same size, one observation in the samples will not stand for the same proportion.

**Table 13. Summary of Gender Specific Resettlement Issues**

Gender Issues Identified	Relevance to Affected Households
Lack of land ownership and property rights can limit women's equal access to compensation. Compensation, resettlement, and rehabilitation are often based on legal ownership of land and property. Women may not have legal rights to land and property, even though they may have enjoyed usage rights or been dependent on the land. Hence, they may not be eligible for compensation and other benefits that is available.	The entitlement matrix ensures that all people losing land and resources are eligible for compensation, regardless of gender or whether they have legal title to land they are using or not. Socio-economic data on AHs has been disaggregated by gender to discern the differences between households headed by women and men in order to identify specific measures for vulnerable groups of women. All female headed AHs state that they own their property.
Low levels of training and education among women limit their livelihood opportunities. Choices for exploring alternatives and livelihood options for women are limited because of low levels of skills and education. Planning occupational and livelihood options for women is important.	The resettlement survey indicates lower education levels for women than men among the head of households, as there is a larger proportion of women without any education compared with men. Among the female headed HHs 86% has not completed primary school, compared to the 19% of the male head of HHs. For HHs with more than a 10% impact on their productive assets or that are physically relocated to another plot, special livelihood restoration measures will be made which include efforts to improve the households' skills to diversify their sources of income. There is one AH that will need to relocate to another site. This household qualifies for livelihood restoration measures.
Involuntary relocation could increase the burden on women. Generally, women are responsible for livelihood activities for the household as well as cash generating activities, the survey undertaken for the PSA indicates larger numbers of women being engaged for more hours per day in non-paid work.	The project will have effects on residential and agricultural land. Some households can continue to utilize their current plot while others will need relocation. Sites to be identified for relocation must have similar potential for income generation for those businesses engaged in trade or small household business.
Social impact of dislocation tends to affect women more than men. Breakdown of community and	Households affected by relocation will receive support to find their own land or relocate to the

<p>other social networks as a direct result of dislocation can affect women more than men because many women rely on the community and other social networks for support, such as taking care of children. Dislocation can be traumatic if these networks are under pressure.</p>	<p>identified sites. Transition support and relocation allowances included as part of the package for relocating AHs will help in restoration of livelihoods at the new site.</p>
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#### IV. INVOLUNTARY RESETTLEMENT IMPACTS AND LOSSES

##### A. Land: Impact and Losses

85. The Dansavanh Road Subproject will affect a total of 11,259 m<sup>2</sup> land, including 291.2 m<sup>2</sup> of residential land, 1,690 m<sup>2</sup> of agricultural land, 9,075 m<sup>2</sup> of garden land, and 203 m<sup>2</sup> of fish ponds, belonging to 29 households. Five households will lose residential land, two households will lose agricultural land, 24 households will lose garden land, and two households will lose parts of their fishponds. Of the affected agricultural and garden land plots, two are productive land and at none of these more than 10% of the productive assets of the household are affected.

86. The impacts to land are mostly along the new Road 12 as well as Road 9, Road 9-1, and Road 1 where the limit of construction is significant compared with current road width. In addition, there are impact at Road 6, which currently is a fairly narrow road.

**Table 14 Impact and Losses of Land**

Impact		Affected households		
Land category	Area (m <sup>2</sup> )	AH & companies	<10% of productive assets	>10% of productive assets affected
Residential land	291	5	-	-
Agricultural land	1,690	2	2	0
Garden land	9,075	24	24	0
Fish ponds	203	2	2	0
<b>Total</b>	<b>11,259</b>	<b>29*</b>	<b>29</b>	<b>0</b>

\*Overlap as some households lose more than one category of land

Source: Resettlement surveys, 2016-2018

##### B. Impact on Crops and Trees

87. The Dansavanh subproject will affect trees on the affected plots. Based on the resettlement surveys, 2016-2018, the following trees will be affected in Dansavanh.

**Table 15 Trees Affected**

Impact		Affected households	
Tree	No.	AH	ID
Banana, mango	21	3	R9 R3-R4; R9 R11-R12; R9-1 R5-R6
Commercial	27	1	R9-1 R7-R8
<b>Total</b>	<b>48</b>	<b>4</b>	

Source: Resettlement surveys, 2016-2018

88. Affected crops will include any crops on the agricultural and garden land affected by the project. This includes rice and other agricultural crops on 1,690 m<sup>2</sup> of agricultural land. A cash compensation per household with potentially affected crops has been included.

##### C. Impact on Structures

89. In total, the Dansavanh Road Subproject affects the structures belonging to 20 households. The structures include three residential houses, a motorbike scrap storage, a cow stable, fences at nine properties, concrete expansion floor towards the road at 3 properties, and

roof extension at three properties. The affected structures and households are presented in the table below.

**Table 16. Affected structures**

Structures	No. AH & companies	Unit	No	ID
Residential house, wooden	3	m <sup>2</sup>	191	R6 R4-R5; R9 R6-R7; R9-1 R4-R5
Residential house	1	m <sup>2</sup>	56	R12 /205.54m
Cow enclosure	1	m <sup>2</sup>	32	R12 L2-L3
Fence	9	m	525	R1 L4; R6 L2; R9R8-R9; R9 R9-R10; R9 R10-R11; R9 R11-R12; R9 R12-R13; R13 R6-R7; R5-R1-R2
Concrete expansion floor	3	m <sup>2</sup>	30	R6 L3; R6 L4; R6 L5-L6
Extension roof / stall with tin roof	3	m <sup>2</sup>	38	R8 L1; R8 L3-L4; R10 R2-R3
Motorbike scrap storage	1	m <sup>2</sup>	126.5	R12 R1-R2
<b>Total</b>	<b>20</b>			

Source: Resettlement Surveys, 2016-2018

90. Four residential houses will require rebuilding of the houses. Three of the houses can be rebuilt further back on the same plot, while there is not enough space on the plot at R9-1 R4-R5 and the affected household informed that they do not have other residential land to build on. The village authorities have identified one site for replacement land and a separate site where-to the household at R9-1 can be resettled. The identified replacement land will be presented at the consultation, while the site where-to the household from R9-1 can resettle to has already been presented to the household. For the household at R6 R4-R5, the area of the remaining plot is 279 m<sup>2</sup>, for the household at R9 R6-R7 the area of the remaining plot is 114 m<sup>2</sup>, and for the household at R12 /205.54m the area of the remaining plot is 244 m<sup>2</sup>. At R9-1 R4-R5 the area of the remaining plot is 64 m<sup>2</sup> and not sufficient in size to rebuild the house.

91. There will be no further space on the plot for the motorbike scrap storage at National Highway 9 to the right, R12. The owner informed that the scrap storage will not be rebuilt. The cow enclosure at R12 can be moved to another location on the plot. The cow enclosure is a simple structure and will therefore not require any relocation allowance. The stall with tin roof can be rebuilt at the same plot.

92. The other structures affected by the Dansavanh subproject, including fences at nine properties, concrete expansion floor at three properties, and roof extensions can either be rebuilt further back on the plots or will be permanently impacted.

**Table 17. Impacts on buildings**

Building	No	To be fully rebuilt	At same plot	Other plot to be identified
Residential house	4	4	3	1
Motorbike scrap storage	1	0	0	(will not be rebuilt)
Cow enclosure	1	1	1	0
Stall with tin roof	1	1	1	0
<b>Total</b>	<b>7</b>	<b>6</b>	<b>5</b>	<b>1</b>

Source: Resettlement surveys, 2016-2018

93. The 2012 RP identified the following re-construction periods on the basis of consultations:

- Residential houses: 2-3 months
- Shops/kiosks: 1-2 weeks (depending on size 12 m<sup>2</sup> to 75 m<sup>2</sup>)
- Walls and fences: 1-2 days

94. For the smaller structures including the cow stable, concrete expansion floor, and roof extensions similar re-construction periods as the shops/kiosks have been assumed.

#### **D. Livelihood Impacts, Restoration and Allowances**

95. The livelihood impacts include the following types of impacts:

- Registered and non-registered businesses that have to relocate or close permanently or temporarily due to the project implementation.
- Formal and informal employees in these businesses or that lose their job due to the implementation of the project.
- Severely affected persons or households where 10% or more of productive assets are affected by the project or who are physically displaced.

96. The livelihood impact that will result from the project, include the following:

- A combined residence/small shop at Road 9 will need to rebuild further back on the plot.
- A number of households will lose productive assets, including agricultural land, garden land, and fish ponds. For all affected households, the share of the affected area out of their total productive assets is less than 10% and hence they are not classified as severely impacted.
- A household on R9-1 will be physically displaced. This household is therefore severely affected by the project.

97. A number of households are entitled to restoration and allowances as specified in the table below.

**Table 18. Impacts on livelihood, restoration, and allowances**

Livelihood impact	No. AH	Unit	No	ID
Business loss of income	1	AH	1	R9R6-R7
Transport/Relocation allowance	6	AH	6	R6R4-R5; R9R6-R7; R12/205.54m; R12 R1-R2; R9-1 R4-R5; R10 R2-R3
Restoration/Transition assistance	5	AP	31	R6R4-R5; R9R6-R7; R12/205.54m; R12 R1-R2; R9-1 R4-R5
Vulnerable AH support	10	AP	63	R8 L3-L4; R9 R9-R10; R9 R10-R11; R9 R11-R12; R9-1 R4-R5; R9-1 R5-R6; R9-1R6-R7; R9-1-R10-R11; R9-1 R11-R12; R10 R2-R3
Livelihood restoration	1	AP	10	R9-1 R4-R5

Source: Resettlement surveys, 2016-2018

98. As can be observed in the table above, the six households with affected buildings are entitled to cash compensation for the structure, relocation allowance to move the building to the new location, and transition assistance to support their livelihood during the relocation period. One of these is a combined business/residence and is additionally entitled to compensation for business loss of income. Households physically relocating to another location (plot) are

considered severely impacted and are thus entitled to livelihood restoration support. In this case, there is one household that will relocate to another plot.

99. There are 10 vulnerable households with a total of 63 members who will receive vulnerable household support, see E3 in the entitlement matrix. There is one household with a disabled family member, while no households are considered landless among the affected.

## **V. CONSULTATION, PARTICIPATION AND DISCLOSURE**

### **A. General**

100. General consultations have been undertaken at various stages of the project. A summary of those undertaken during the PPTA are reported in the 2012 RP.

101. With respect to the resettlement process, consultation with, and participation of, APs is essential to ensure a comprehensive relocation and rehabilitation program that suits the needs and priorities of the APs. In this respect the objectives of consultation are:

- To share fully information on the proposed project, its components, and its activities, with the APs;
- To obtain information about the opinions, needs and priorities of APs, as well as their reactions to proposed mitigation measures, compensation and livelihood restoration activities;
- To encourage the participation of APs in resettlement activities such as the IOL, identification of livelihood restoration activities, and monitoring of resettlement plans;
- To inform APs and host communities about various options of relocation (if required) and rehabilitation measures available to APs and local authorities concerned;
- To obtain the cooperation of APs and communities in activities required to be undertaken for project planning and implementation;
- To establish a clear, easily accessible and effective complaints and grievance procedure; and
- To ensure transparency in all activities related to land acquisition, resettlement, compensation, and rehabilitation.

### **B. Consultation undertaken during Resettlement Plan Preparation**

102. The 2012 RP reports that the IOL was conducted in a participatory manner, with the head of the household and spouse of the household head assisting in identification of affected assets and other IR impacts. In addition to discussions held with each AH during the undertaking of the IOL, consultations by way of meetings in affected areas were undertaken specifically to discuss IR impacts of the subprojects and mitigation measures.

103. The 2012 RP reports that the following points<sup>2</sup> were raised during consultations with affected households along the road sections:

- There is general support for the project, the AHs are also town residents and can see the benefits of upgrading the road network. They noted they suffer from excessive dust during the dry season and muddy/inaccessible roads during the rainy season;
- The potential effects are acceptable provided that adequate compensation is provided for any land or assets taken. The compensation should be further discussed and made available to AHs prior to them giving up their lands;
- There are high levels of frustration amongst the villagers because many road improvement proposals, including a new bridge, have been discussed in the past (for about ten years) and nothing has happened;

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<sup>2</sup> In the consultations, the households also raised various points related to the bridge, which has been taken out of Phase 1. As these comments are no longer relevant they are not repeated here (refer RP 2012).



- Due to uncertainty concerning the road widening some people have not developed their land or built the houses they wanted. Other households have been accumulating construction materials to upgrade their houses and build latrines but they have put this off as they are unsure of the impacts on their land;
- Discussions about the availability of land were held with the village head to determine where alternative plots for the households losing their residential plots may relocate to. The village head noted that there is unused and currently unallocated state land that could be used for relocation of households. The village head and district officials confirmed there would be sufficient land to provide plots of land to the relocating AHs, with an area of land at least equal to, if not larger, than their current land;
- Households that were to relocate based on the preliminary design (2012), stated that they wanted to be relocated on replacement land as close as possible to the existing village and the town. The households affected by relocation stated they would need assistance to restore their livelihoods at the new plots, subsistence allowance while they re-established their new homes, and transportation allowance sufficient to cover the cost of moving their physical household effects and assets. It was explained, that all of these requirements are covered by the existing entitlements, and a summary of what each relocating household would receive as compensation and relocation assistance was provided.

104. The update of the IOL following the finalization of the detailed design has been conducted in a similar participatory manner by the PIT teams and the village chiefs supported by the PMU and the PMSCD and in consultation with the AH to identify potentially affected assets and IR impacts.

105. The cut-off date was notified in the Dansavanh village 31 August 2016.

### C. Planned and Ongoing Consultations

106. Consultations and communications with affected households and stakeholders will continue in the implementation of the Resettlement Plan. Consultations with affected households are conducted on the following topics:

- Entitlement Matrix
- Compensation unit rates
- Presentation of identified IR impacts and compensation
- Grievance Redress Mechanism dissemination
- Consultation on construction programme

107. The Dansavanh Road subproject will have impacts on one village. Two consultations for the village is planned to take place before the construction of the road will commence.

108. The number, location, content, and expected outcome of consultations are presented in the table below.

**Table 19. Consultations**

No.	Timing	Location	Content	Outcome
1.	Following approval of the RP	Dansavanh	<ul style="list-style-type: none"> <li>• Entitlement Matrix</li> <li>• Compensation unit rates</li> </ul>	<ul style="list-style-type: none"> <li>• APs understands entitlements</li> <li>• APs can raise comments on compensation unit rates</li> </ul>

			<ul style="list-style-type: none"> <li>• Presentation of identified IR impacts and compensation</li> <li>• Grievance Redress Mechanism dissemination</li> </ul>	<ul style="list-style-type: none"> <li>• APs are informed of anticipated IR impacts</li> <li>• APs understand the GRM and their access to it</li> </ul>
2.	Prior to construction,	Dansavanh	<ul style="list-style-type: none"> <li>• Consultation to present construction programme</li> </ul>	<ul style="list-style-type: none"> <li>• APs are informed of construction programme, timing of clearances, etc.</li> <li>• Reiteration of the GRM and their access to it</li> <li>• APs becomes familiar with the Contractor company</li> </ul>

109. The first consultation will cover the top four topics stated in the list above. The background and purpose of the project will be further explained, as well as the anticipated impacts and the measures that will be made in order to address those impacts. This will help the local community understand the project and how it will affect and benefit the community. The consultation will include a full session dedicated to the compensation rates and payment of compensation. This will include full disclosure of the detailed compensation rates for loss in land, crops, structures, and livelihood, as well as a thorough description of the entitlement matrix, which defines what the project is required to compensate. This will lead to clear expectations of what will be lost and how it will be compensated. The methods of payment of compensation will also be clarified, as the households have the option to choose between cash compensation and in-kind compensation. The GRM will be described thoroughly in order for the community to get knowledge of the grievance process and how people can raise any issues and concerns to the resettlement committee. It is important that all affected households are aware of the grievance mechanism and its functions, so all the problems the villagers are experiencing with the project are reported and dealt with.

110. The second consultation will present the construction programme. This includes time frames for road construction, dismantlement of structures, and re-construction of structures. The consultation will also clarify any question which the community might have in relation to the project, the grievance redress mechanism, and the contractor.

111. All consultative meetings will highlight the ADB rules and regulations for resettlement, and provide information on ADB's Safeguards Policy Statement.

#### **D. Disclosure**

112. The RP (or its summary), overall implementation schedule and any updates made on these documents will be available in central offices of MONRE, MPWT, and provincial and district government offices.

113. In addition, the RP will be disclosed on the project website and by ADB on the ADB website.

114. The 2012 RP has been disclosed on ADB's website, July 2012. Following the update, the following documents will be submitted to ADB for disclosure on ADB's website:

- The final RP endorsed by the Government after the census of APs has been completed;
- Any RP revisions, RP updates, or corrective action plans prepared during project implementation, if any; and
- The resettlement monitoring reports.

## VI. GRIEVANCE REDRESS

115. This section described the Grievance Redress Mechanism (GRM) that will be applied under the project with respect to resettlement issues. It updates the GRM that was presented in the RP 2012 considering the Decree 192 and accompanying Technical Guidelines as well as project developments since the project preparation stage.

116. With respect to the update of the Grievance Redress Mechanism, the main points that have been considered are as described below:

- The Decree 192 and the Technical Guidelines specifies that Grievance Committees should be established, while these are generally referred to as Resettlement Committees in common use in Lao PDR and in the RP 2012. The two are here used interchangeably.
- The 2012 RP specifies that the Village Resettlement Committee (VRC) is the first point of entry for an AP or claimant. However, VRCs are not required under the Decree 192 and its Technical Guidelines, which require committees established at district level with village representatives. As it is customary in Lao PDR that APs will lodge grievances at the village level to village authorities, this RP has maintained the organization with grievance redress at village level through VRCs.
- District and Provincial Resettlement Committees have been established May 2015, while the Village Resettlement Committee in Dansavanh has been established February 2017. These committees will, as is customary in Lao PDR, at the same time function as the Grievance Redress Committees. Considering the requirements to the Grievance Redress Committees as per Decree 192 and the Technical Guidelines, the committee representatives needs to revised to also comprise village heads, representatives of affected households, other than village heads, village elders, NGO representatives, and document that they are adequately constituted to deal with gender issues. The committees established have representatives of the armed forces and of the police, which is not required in the regulation.
- The PMU will appoint a Grievance Point Person to ensure that Village Resettlement Committees are properly instructed on grievance procedures and documentation requirements, to ensure PMU participation in the District and Province Committees, and to ensure registration and reporting on grievance redress.
- The Project has established a project website<sup>3</sup> and will make it possible for claimants to lodge grievances via the website. These grievances will be received centrally at the PMU. The PMU may also receive complaints/grievances centrally in written or other form. Depending on the nature and content of such grievances/complaints they may be referred to the VRC, DRC, or the PRC.

117. If an AP, AH or group is not satisfied with, or has a complaint about, an aspect of the resettlement or compensation package, or if for any reason the compensation does not materialize according to the procedures set out in the RP and as agreed between the AP and implementing agency, he or she has the right to make a claim through the GRM. The claimant is at no point obliged to follow the GRM procedure and can at any point directly address the national court system according to Lao laws.

118. The steps in the grievance redress procedure setup to manage resettlement related complaints and grievances are as described below.

Step One - the typical first step is for the AP or a group of households to approach the village chief / village authorities and present the grievance. With the establishment of village resettlement committees (VRC) the grievance will be addressed through the VRC

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<sup>3</sup> The project website has the address: [www.svk-gms-ewec.org](http://www.svk-gms-ewec.org)

that will convene a meeting within a reasonable timeline in keeping with the Decree 192. The meeting will be held in public and will be open to other APs and villagers to discuss the grievance and mediate. Meeting minutes will be prepared and signed by participants and any decisions, conclusions, as well as disagreements will be noted. A copy of the meeting minutes will be forwarded to the PMU (GPP) for recording of the grievance.

119. If the complaint or grievance cannot be resolved at village level, or if the claimant is not satisfied with the decision, the claimant or the VRC on his/her behalf may refer the case to the district level.

Step Two - the next step is to present the grievance or complaint at the district level. This will be to the district resettlement committee (DRC). At district level the grievance should be addressed within the timeframe set in the Lao regulation. The DRC will convene a meeting with participation of the PMU representative as well as claimant. Meeting minutes and report on the discussion and decisions made by the DRC will be in writing and signed by the committee members. The DRC will keep a log of all grievances and decisions.

120. If the DRC cannot resolve the matter or the AP is not satisfied with the proposal of the DRC, the AP may take the case to the next level.

Step Three - the third step is for the case to be presented to the Provincial Resettlement Committee (PRC). At the provincial level the EA and/or PMU along with the IA would be primary witnesses in order to both: (i) respond to the claimants grievance in terms of prior activities undertaken, etc; and, (ii) ensure that the claim is reviewed within the context of the existing policy, regulations, procedures and entitlement limits, and that the compensation awarded does not go beyond established matter of practice. The findings of the committee will be obligatory. The PRC must maintain a public book showing all complaints and grievances received and the decisions made. The PRC cannot award compensation in excess of what is established as a matter of practice, or not within budgets within which they are operating. The PRC must respond to any complaint or claim in line with the timeframe established in the Lao PDR regulations.

121. If the above action does not yield satisfactory results, the claimant may present their case to the courts. The claimant is at no point obliged to follow the GRM procedure and can at any point directly address the national court system according to Lao laws.

Step Four - The fourth step is access to the court system. In the first instance, the case or grievance will be presented to Provincial Court. It will be in the interest of the EA and IA, PRC, and affected parties to resolve issues before they are brought to the Provincial Court. If the grievance can still not be resolved, or the AP is not yet satisfied with the findings, the second instance is for the claimant to present the case at National Court.

122. The EA will be responsible for meeting the administrative and legal costs that will be incurred in the resolution of complaints and grievances. Following Decree 192, APs are exempt from administrative and legal fees and that costs for pursuing cases in the court of law must be borne by the project.

123. Grievances related to resettlement issues received centrally by the PMU through the project website or through other ways will depending on the nature and content of these grievances/complaints be referred to the VRC, DRC, or the PRC.

## VII. LEGAL AND POLICY FRAMEWORK

124. The policy framework for land acquisition and resettlement in Lao PDR comprises the following principal laws, decrees, and regulations: the Constitution (1991), the Land Law (1997, amended 2003), the Road Law (1999), Decree 192/PM on Compensation and Resettlement of Development Projects (July 2005), the Regulations for Implementing Decree 192/PM issued by the Science, Technology and Environment Agency (November 2005) and the Technical Guidelines for Compensation and Resettlement of People Affected by Development Projects (updated on March 2010).

125. In respect of land ownership and use, the Constitution (1991) provides the following relevant articles: (i) Article 16 - the State protects and promotes all forms of state, collective, and individual ownership; and (ii) Article 17 - land in Lao PDR is a national heritage and the State ensures the right to use, transfer, and inherit it in accordance with the laws.

126. The Land Law (No. 01/97 1997, as amended by Law No. No. 04/NA October 2003), is the principal legislation by which the Government exercises its constitutional responsibility for the management, preservation, and use of land. The Land Law outlines land definitions, land titles and the responsible authorities, which vary for each category of land use or administration. The Law also specifies compensation entitlement in Articles 68 – 72.

127. The Land Law allows for expropriation of land by the Government when it is in the public interest. Importantly, the Land Law requires the land user to be compensated, and this compensation is determined by an inter-agency committee. The articles of particular importance to resettlement are summarized below:

Article 3 - land within Lao PDR is the property of the national community (as stated in Article 17 of the Constitution) for whom the Government is the uniform central administrative representative throughout the country. Individuals can be assigned, and use, land, only non-forest land<sup>4</sup> can be held in private title or under a long-term lease which can be transferred;

Article 5 - provides for protection of the rights of efficient, regular and long-term land users;

Article 6 – states that individuals have the duty to preserve land in good condition;

Article 7 – prohibits individuals or organizations from squatting on land, and that any use of land must be approved by the State;

Article 13 – provides for Lao citizens to lease state land for a maximum period of 30 years (with extensions on a case-by-case basis);

Article 43 - land registration is to certify the legal use of land to individuals and organizations;

Article 52 - rights to the use of land can be achieved through delegation by the State, transfer, or inheritance;

Article 63 – termination of land use rights can be affected by voluntary liberation of rights by the possessor, or through expropriation by the State for use of the land in the interests of the public;

Article 71 – requires that when it is necessary to use an individual's land in the public interest, the State shall make appropriate compensation for losses, which could be in-

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<sup>4</sup> The Forestry Law (as updated by No.6/NA in December 2007) in Article 4 specifies that natural forests and forest lands are the property of the national community and represented by the Government in respect of administration and allocation for individual use. Individuals and organizations shall have the right to possess and use trees, natural forests and forest land only when authorized by the authoritative agencies.

kind compensation with land kept as reserve for such compensation (5% of total land is kept in reserve for such compensation); and

Article 72 – requires that in determining compensation, there must be a committee comprised of representatives of interested parties to determine the value of the losses.

128. The Land Law defines land title as the only document, which is evidence of permanent land use rights (Article 49). Land titles are issued by Land Management Authorities (Article 10).

129. In places where land titling has not been undertaken, APs may only have Land Certificates or Land Use Rights Certificates (Form 01), Land Tax Payment Receipts and/or Residency Certificates. Form 01 are considered evidence of land use right, but not considered as legal title. For the purposes of the project any such documentation will provide evidence that the user is the recognized or “rightful” user of land and they will be compensated as if they had a land title.

130. For agricultural and forest land, APs may also hold temporary Land Certificates, which according to the Land Law has a validity of three years. After which the land user can apply for long term use rights. APs may also hold Temporary Use Certificates issued by the District Agricultural and Forestry Office (DAFO). People without proof of ownership and/or certificates are considered “unregistered” users. These users differ from “illegal” users. In case of acquisition, those who hold the above documents as well as those who are granted customary land use rights or are considered unregistered users are entitled to receive compensation under the Land Law.

#### **A. Decree on Resettlement and Compensation**

131. Decree 192/PM on the Compensation and Resettlement of Development Projects was adopted in July 2005, and together with its Regulation on Implementation (November 2005) and Technical Guidelines (as updated in March 2010), provides a comprehensive framework for resettlement planning in Lao PDR. The Decree applies<sup>5</sup> to projects that require acquisition of land or land use rights or rights to possess fixed or immovable assets, or require changes in land use or restrictions on the use of resources that affect livelihoods.

132. The main provisions of the Decree aim to: (i) help integrate social dimensions in development projects; (ii) address measures to mitigate adverse social impacts, with a particular focus on vulnerable groups; and (iii) provide for a comprehensive approach in addressing social issues in development projects. The Decree also aims to ensure that mitigation measures, including compensation, relocation, and economic restoration of APs are carried out in accordance with the provisions and stipulations of the Constitution.

133. The Decree defines principles, rules, and measures to mitigate adverse social impacts and to compensate for involuntary acquisition or repossession of land and fixed or movable assets, including change in land use, restriction of access to community or natural resources affecting community livelihood and income sources.

134. The Decree comprises six parts and 19 articles, as described below.

Part I sets out the objective and fundamental principle for compensation, and relocation of project affected people. It also provides instructions and measurement procedure for mitigation and compensation for all potential negative socio-economic impacts of affected persons (APs) within or in the vicinity of the project areas;

Part II establishes eligibility and defines the right of affected person in receiving compensation;

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<sup>5</sup> The Decree 192/PM (2005) has been replaced by Decree 84/PM (2016).

Part III defines the requirement and procedures for compensation assistance measures during relocation, resettlement and livelihood restoration;

Part IV defines resettlement and compensation components which states and emphasizes the significant of local culture and tradition, community participation in the process, grievance measure and budget considerations;

Part V refers to enforcement procedures for both violator and complier; and

Part VI sets out the implementation procedure as well as establishing the institutional framework and responsibility for implementation.

135. The articles of the Decree with most relevance to creation of IR impacts under this project are noted below.

Article 4 - describes the obligations of a developer to address adverse social impacts and their responsibility to carry out necessary surveys and field investigations, identify affected communities and determine entitlement to mitigation measures including compensation for affected assets;

Article 5 - deals with eligibility for compensation and states that all individuals and entities residing or making a living within the area to be acquired for a project as of the formally recognized cut-off date will be considered as APs for purposes of entitlements to compensation, resettlement and rehabilitation assistance;

Article 6 - states that developers shall compensate APs for their lost rights to use land as well as for any lost assets (affected in full or in part) at replacement cost;

Article 8 – states that APs are entitled to economic rehabilitation measures if more than 20% of their income generating assets (livelihood, employment, business, and/or access to community resources) are lost due to a development project;

Article 10 – establishes the requirements for resettlement sites or replacement land, which shall be as close as possible to the land that was lost and be acceptable to APs. Replacement agricultural land must be of equivalent size and of productive potential at least equivalent to the old site;

Article 12 – requires developers to prepare and implement a resettlement program in a participatory manner, ensuring that APs, local authorities, and other stakeholders, are fully informed and consulted;

Article 13 – requires project owners to establish a Grievance Redress Mechanism and a Grievance Redress Committee in consultation with the concerned government authorities. It also stipulates that APs are exempt from administrative and legal fees and that costs for pursuing cases in the court of law must be borne by the project;

Article 14 - describes how the project owner shall prepare a resettlement plan with detailed cost estimates for compensation and other resettlement entitlements and relocation of APs; and

136. The Regulation (2005) and Technical Guidelines (March 2010) provide the framework for implementation of Decree 192 and specifically provide guidance for project developers in addressing social issues through comprehensive social assessment, and preparation and implementation of RPs.

## **B. ADB Safeguard 2: Involuntary Resettlement**

137. The ADB's SPS (June 2009) requires ADB-assisted projects to (i) avoid resettlement impacts wherever possible; (ii) minimize impacts by exploring project and design alternatives;

(iii) enhance, or at least restore, the livelihoods of all APs in real terms relative to pre-project levels; and (iv) improve the standards of living of the affected poor and other vulnerable. It covers both physical displacement and economic displacement.

138. The key principles of the ADB safeguard policy on IR are as follows:

Screen the project early on to identify past, present, and future IR impacts and risks. Determine the scope of resettlement planning through a survey and/or census of displaced persons, including a gender analysis, specifically related to resettlement impacts and risks;

Carry out meaningful consultations with affected persons, host communities, and concerned NGOs. Inform all displaced persons of their entitlements and resettlement options. Ensure their participation in planning, implementation, and monitoring and evaluation of resettlement programs. Pay particular attention to the needs of vulnerable groups, especially those below the poverty line, the landless, the elderly, women and children, and Indigenous Peoples, and those without legal title to land, and ensure their participation in consultations. Establish a grievance redress mechanism to receive and facilitate resolution of the affected persons' concerns. Support the social and cultural institutions of displaced persons and their host population. Where involuntary resettlement impacts and risks are highly complex and sensitive, compensation and resettlement decisions should be preceded by a social preparation phase;

Improve, or at least restore, the livelihoods of all displaced persons through (i) land-based resettlement strategies when affected livelihoods are land based where possible or cash compensation at replacement value for land when the loss of land does not undermine livelihoods, (ii) prompt replacement of assets with access to assets of equal or higher value, (iii) prompt compensation at full replacement cost for assets that cannot be restored, and (iv) additional revenues and services through benefit sharing schemes where possible;

Provide physically and economically displaced persons with needed assistance, including the following: (i) if there is relocation, secured tenure to relocation land, better housing at resettlement sites with comparable access to employment and production opportunities, integration of resettled persons economically and socially into their host communities, and extension of project benefits to host communities; (ii) transitional support and development assistance, such as land development, credit facilities, training, or employment opportunities; and (iii) civic infrastructure and community services, as required;

Improve the standards of living of the displaced poor and other vulnerable groups, including women, to at least national minimum standards. In rural areas provide them with legal and affordable access to land and resources, and in urban areas provide them with appropriate income sources and legal and affordable access to adequate housing;

Develop procedures in a transparent, consistent, and equitable manner if land acquisition is through negotiated settlement to ensure that those people who enter into negotiated settlements will maintain the same or better income and livelihood status;

Ensure that displaced persons without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land assets;

Prepare a RP elaborating on displaced persons' entitlements, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time-bound implementation schedule.

Disclose a draft RP, including documentation of the consultation process in a timely manner, before project appraisal, in an accessible place and a form and language(s)



understandable to affected persons and other stakeholders. Disclose the final resettlement plan and its updates to affected persons and other stakeholders.

Conceive and execute involuntary resettlement as part of a development project or program. Include the full costs of resettlement in the presentation of project's costs and benefits. For a project with significant IR impacts, consider implementing the involuntary resettlement component of the project as a stand-alone operation;

Pay compensation and provide other resettlement entitlements before physical or economic displacement;

Implement the RP under close supervision throughout project implementation; and

Monitor and assess resettlement outcomes, their impacts on the standards of living of displaced persons, and whether the objectives of the resettlement plan have been achieved by taking into account the baseline conditions and the results of resettlement monitoring. Disclose monitoring reports.

### **C. National Law and ADB Policy Gap Analysis**

139. This section compares and analyses gaps between the Lao national resettlement regulations and the ADB safeguards for involuntary resettlement. Where gaps are identified, occur between Lao National Law and ADB's policy, the one with higher standards will apply.

140. The Decree 192, similar to ADB's Safeguard Policy 2: Involuntary Resettlement, requires that APs are compensated and assisted to improve or maintain their pre-project incomes and living standards, and are not worse off than they would have been without the project.

141. Both Lao Law and ADB policies entitle APs to compensation for affected land and non-land assets at replacement cost. However, the definition of severely affected APs varies between ADB's policy at 10% and the Government's Decree 192/PM (Article 8) at 20% of productive and/or income generating assets affected. Following the RP 2012, the definition of severely affected as people losing 10% or more of their productive or income generating assets will be adopted as part of the Project's resettlement policy.

142. Also, 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.

143. 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.

144. Both the Decree 192 and ADB policy require that if non-titled APs are required to relocate, the project will ensure they are provided replacement land at no cost to the APs, or monetary compensation sufficient to purchase replacement land.

## **VIII. ENTITLEMENTS, ASSISTANCE, AND BENEFITS**

145. The resettlement policy and principles concerning entitlements, assistance, and benefits for the project was developed at the PPTA stage and presented in the 2012 RPs. The Entitlement Matrix, presented at the end of this section, has been updated on various points, including:

- A2 Permanent loss of agricultural or garden land: The definition of affected persons has been broadened so as not to exclude relocating or severely affected persons.
- B Loss of Crops and Trees: The 2012 RP indicated one set of entitlements in the Matrix, but used another set of entitlements in the estimates, referring to lumpsum rates for crops and trees based on published rates. The entitlements have been rationalized in line with the use of lumpsum rates according to published rates by the District and PAFO/DAFO. The lumpsum rates used in the calculation of compensation are estimates of the typical/expected value of the crops and trees the entitlements would translate into.
- D1 Livelihood impact, including impact on small business or shop: It has been specified that compensation for loss of income is provided during the transition or re-establishment period and up to a maximum of for 12 months.
- D2 Livelihood impacts incl. impact on waged employees working in small business or shops: It has been specified that compensation for loss of income is provided during the transition or re-establishment period and up to a maximum of for 12 months. In line with the Lao labour law, it has been specified that for formal employees the compensation is for a minimum of three months in case of permanent loss of job. For part-time informal employees a cash compensation based on minimum wage per month in respective district for 1 month is provided.
- E2 Transition at the new site: The entitlement has been revised to cash only rather than part rice and part cash.
- E4 Re-establishment of productive assets and livelihood base: Definition of affected person has been broadened to include all severely affected with reference to the definition of severely affected as those losing more than 10% of productive assets. The entitlements has been revised to specify that the allowance should be sufficient to restore livelihood to pre-project level and that it at a minimum should be equivalent to the value of the poverty line, while the in kind items, 20 kg husked rice per month and veterinary service, have been deleted.

### **A. Objectives**

146. The over-riding objective of resettlement planning is to ensure that all APs will be compensated for their losses at replacement cost, and provided with livelihood impact mitigation and rehabilitation measures to assist them to improve, or at least maintain, their pre-project living standards. Consistent with national law and ADB's policy, the objectives of the RP are (i) to avoid IR impacts wherever feasible; (ii) to minimize impacts where displacement (physical or economic) is unavoidable by choosing alternative viable project options; and (iii) where IR impacts are unavoidable, to enhance, or at least restore, the livelihoods of all APs in real terms relative to pre-project levels; and to improve the standards of living of the displaced poor and other vulnerable groups.

## B. Resettlement Policies and Principles

147. The resettlement policy is based on those formulated for other similar projects in Lao PDR which have been accepted by Government and ADB,<sup>6</sup> and the entitlements set out in Technical Guidelines on Compensation and Resettlement of People Affected by Development Projects (as revised in March 2010). The principles for mitigating IR impacts that will apply to the project are set out below.

- APs will be systematically informed and consulted on compensation and/or resettlement options, including relocation options/sites, and socio-economic rehabilitation measures, the acquisition of lands, assets and possible impacts on their livelihoods. They will be informed of their rights and options and be invited to participate actively in the identification of mitigation and rehabilitation measures;
- The APs are to be identified and recorded as early as possible in order to establish their eligibility;
- Eligible APs are entitled to compensation and livelihood rehabilitation measures sufficient to assist them to improve or at least maintain their pre-subproject living standards, income earning capacity and production levels;
- In the consultation process, representatives of local governments, village heads, other community leaders and civil society organizations such as non-government organizations (NGOs) will be included. The customs and traditions, as well as the religious practices of all APs, will be respected and protected;
- Lack of formal legal rights to assets lost will not deprive any AP from receiving compensation and entitlements. Distinctions should not be made between APs “with” and “without” formal legal title;
- The institutions of APs, and, where relevant of their hosts, are to be protected and supported. APs are to be assisted to integrate economically and socially into host communities so that adverse impacts on the host communities are minimized and social harmony is promoted;
- Particular attention must be paid to the needs of vulnerable APs. This group of APs may include those without legal or recognizable title to the land or other assets, households headed by females, the elderly or disabled, and other vulnerable groups. Appropriate assistance must be provided to help them improve their socio-economic status;
- An independent grievance redress mechanism, linked with existing traditional formal and informal systems (and cognisant of any cultural requirements), will be established to resolve IR related disputes and complaints from APs;
- Compensation rates for physical assets, i.e. land, houses, crops/trees, buildings and other structures, and non-physical assets such as lost income from productive assets or jobs, will be calculated at replacement cost and included in the RP, these costs will be updated and adjusted as required at the time of compensation and consultations with the affected people on the compensation rates will be held. Refer chapter IX.B for a description of how the replacement cost has been established;

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<sup>6</sup> The entitlement matrix includes a wider range of impacts than those likely to be incurred by the priority subprojects that are the subject of this RP because the entitlement matrix is for the Project and covers impacts created by subprojects being implemented in the other two towns and which must also be covered by the entitlement matrix.

- APs who stand to lose only part of their physical assets will not be left with a proportion inadequate to sustain their current standard of living. Such a minimum size will be identified and agreed upon during the resettlement planning process;
- If the IR impacts are considered to be minor and do not undermine the livelihoods of APs, cash compensation at replacement costs will be offered. For severely affected people (i.e. those APs experiencing significant impacts) additional measures to ensure livelihood restoration, on top of compensation payments, will be identified in conjunction with APs;
- The full cost of IR will be included in the project cost and adequate budgetary support shall be made available during implementation;
- Land acquisition will be completed, compensation in full provided, the livelihood income restoration programs commenced, and the subproject areas cleared of all obstructions before the commencement of civil works; and
- Finally, physical works for subprojects with IR impacts will not commence before a RP has been prepared and approved. The general process of which includes:
  - Consultation – with APs and relevant stakeholders, and whenever necessary, assistance of relevant institutions to ensure effective consultations. Consultations should assess whether there is broad community support for the subproject;
  - Undertake a participatory IOL that will be updated during a detailed measurement survey (DMS) following the detailed design;
  - When necessary, identification of livelihood restoration programs acceptable to the local community to be put in place to help people improve, or at least restore, incomes to pre-project levels;
  - Determination of replacement cost – for APs losing assets (land, physical assets, means of livelihood, or social support systems), they will be compensated and assisted by replacement land, housing, infrastructure, resources, income sources, and services, in cash or in kind depending on the type of loss to ensure that their economic and social circumstances will be at least restored to the pre-project level. Compensation will be at replacement cost;
  - Preparing a cost estimate and budget – including the costs of compensation, relocation and rehabilitation, social preparation and livelihood restoration programs. The budget will also include the costs for planning, management, supervision, monitoring and evaluation, physical and price contingencies, and implementation;
  - Inclusion of a monitoring system - appropriate reporting and monitoring and evaluation will be established as part of the resettlement management system.

### **C. Affected Persons and Eligibility**

148. The definition of APs and AHs for the project is as per Decree 192 and ADB's SPS which includes any person, household, entity or organization, affected by a project, who in the context of acquisition of assets, or change in land use, would have their: (i) standard of living adversely affected; (ii) right, title or interest in all or any part of a house, land (including residential, commercial, agricultural, plantations, forest, and grazing land), water resources, or any other moveable or fixed assets acquired or possessed, in full or in part, permanently or temporarily adversely affected; (iii) business, occupation, place of work or residence areas adversely affected with or without displacement; or (iv) community resources adversely affected.

149. Under Decree 192, all individuals and entities residing, or making a living, within an area to be acquired for a subproject - as of the formally recognized cut-off date - would be considered as eligible for entitlement to compensation, resettlement and livelihood restoration/rehabilitation assistance. People who are not living within the subproject area, but have land and/or buildings or other assets in the subproject area, are also considered to be entitled to compensation, resettlement and rehabilitation assistance.

150. The APs eligible for compensation and assistance under the project include the following:

- Those APs whose land is affected (permanently or temporarily) by a subproject, whether they own or have title to the land or not including; (a) those who have formal legal rights to land (including customary and traditional rights recognized under the laws of the country); (b) those who do not have formal legal rights to land at the time the census, but have a claim to such land or assets - provided that such claims are recognized under the laws of the country or become recognized through a process identified in the resettlement plan; and (c) those who have no recognizable legal right or claim to the land they are occupying (non-titled users);
- Those APs whose houses or structures are in part, or in total, affected temporarily or permanently by a subproject;
- Those APs whose businesses are affected in part, or in total, (temporarily or permanently) by a subproject;
- Those APs whose livelihoods, employment or hired labor is affected, temporarily or permanently, by a subproject; and
- Those APs whose crops (annual and perennial) and/or trees are affected in part, or in total, by a subproject.

151. By definition, it is these APs and/or AHs who are entitled to compensation and rehabilitation. However, acquisition, or restrictions placed on use, of particular land or assets may affect more than one AH. For example, when the land is owned by one AH but used to gain a livelihood by another different AH (who is usually paying some type of rent to the owner) then there are two eligible AHs for this one asset. Thus, eligibility is based on: (a) ownership; and (b) use.

#### **D. Entitlements**

152. The Entitlements that will apply for the project are set out below. These includes basic entitlements for land and assets, including trees, crops, and structures as well as special assistance and allowances and special measures for poor and vulnerable people.

153. The entitlements to compensation and assistance to be provided under the project are consistent with those accepted by the Government in other ODA projects developed in Lao PDR in recent years.

154. As set out above, absence of legal or formal title to land is not a bar to compensation. Both male and female APs will be equally consulted and their rights recognized. Negotiations, compensation payments, and livelihood restoration, will be with/to both male and female head of each household. APs who do not have formal legal rights or customary or recognizable rights to land are not eligible for compensation for land acquired under the project, but will receive compensation for assets attached to land and other assistance as required. Poor and vulnerable households will be eligible for further assistance to fully mitigate project impacts.

## **1. Basic Entitlements**

155. Compensation for land, wherever possible and practicable, will be based on the principle of “land-for-land” of equal size and/or productive capacity, as satisfactory to APs. However, at the request of APs, compensation for loss of land can also be paid in cash equivalent to the current market value of lost land. Where a significant loss (more than 10%) of productive land is compensated in cash, a reasonable plan for the expenditure will be prepared towards income generating activities and financial/money management training offered. Cash compensation for significant loss of productive land is however not provided to vulnerable AHs in order to prevent the AHs from becoming food insecure.

156. If the head of household is married, land title for new land will be issued in the names of both the husband and wife. APs will not be charged for taxes, registration, land transfer costs, or any other transaction costs.

157. Any assets (structure, crops, trees etc.) requiring removal by a subproject will be compensated at replacement cost, which will include the cost of harvest foregone, and replacement cost for any structures (including houses, shops/stalls etc.) requiring removal. The value of any timber or fruit from trees or items from structures that can be salvaged (bricks, wood, timber, corrugated iron etc.) will not be deducted from the compensation the AP is entitled to. APs will also be given advance notice to harvest crops and trees.

## **2. Special Assistance and Allowances**

158. In addition to compensation at replacement cost for lost and affected assets, APs will be entitled to additional measures to assist in restoring, rehabilitating, and if possible, improving, their standard of living and well-being.

159. As set out in Articles 7 and 8 of Decree 192, such additional assistance may come in the form of:

### **i. Relocation Assistance and Transition Support**

160. Any APs to be displaced and/or affected due to the loss of income and livelihood shall be provided the following assistance until their income levels and living conditions can be stabilized:

- a) transport allowance or assistance in-kind to transfer to the new site (or place of their choice);
- b) food allowance, in cash or in-kind (to be provided on a monthly basis), to compensate for income lost, during the transition period;
- c) suitable development assistance after displacement until AHs are able to restore their incomes and living standards, or reach the targeted level of household incomes on a sustainable basis.

### **ii. Economic Rehabilitation**

161. APs will be entitled to assistance to ensure economic rehabilitation/restoration and livelihood development support in cases where compensation for lost assets alone would not be adequate to restore income and/or livelihoods to pre-project livelihood levels. Rehabilitation measures should focus on vulnerable groups and will be available to:

- a) all APs severely affected by the project due to loss of 10% or more of productive income generating assets (loss of agricultural, industrial or commercial land), means of

- livelihood, employment or business, and access to community resources;
- b) all households physically relocating to another plot as a result of the project;
- c) for displaced persons whose land-based livelihoods are affected due to the project, preference shall be given to land-based resettlement strategies, or where land is not available, options built around opportunities for employment or self-employment;
- d) for displaced persons whose businesses are affected due to the project, in addition to compensation for lost land, structures, and income, assistance shall be given to finding replacement sites for business as appropriate.

162. Adequate assistance, in addition to compensation for affected assets and other allowances, shall be provided to enable such APs to achieve household income targets set above the national poverty line. The assistance, restoration measures, and allowances that will apply to the Project are included in the entitlement matrix below.

### **3. Special Measures for Poor and Vulnerable People**

163. Decree 192 defines vulnerable groups to include:

- Divorced or widowed female headed households with dependents and low income;
- Households with disabled or invalid persons;
- Households with persons falling under the generally accepted indicator for poverty as defined by the Ministry of Labor and Social Welfare<sup>7</sup>, or the landless; and
- Elderly households with no means of support.

164. Decree 192 requires that where a project is likely to adversely affect households living in poverty and other vulnerable groups, the RP should specify measures, additional to the compensation entitlements, aimed to improve their status to bring them up to an acceptable level above the poverty line.

165. The PSAs and RPs have identified the households defined as vulnerable as per the foregoing categories.

166. The various entitlements for losses anticipated under the project are set out in the following entitlement matrix.

### **4. The Entitlement Matrix**

167. The Entitlement Matrix is presented overleaf. It has been updated based on the Entitlement Matrix included in the 2012 RP.

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<sup>7</sup> The most recent official poverty rate was defined by Prime Ministerial Decree in October 2009. The poverty line in urban areas is set at 240,000 kip per person per month.

Table 20 Entitlement Matrix

Impact	Application	Definition of AP	Entitlement	Expected Results
<b>A. LOSS OF LAND OR USE OF LAND</b>				
A.1: PERMANENT loss of RESIDENTIAL or HOMESTEAD land	Land other than productive land belonging to households and/or families	Owner or occupant	(i) For non-relocating households - cash compensation for the affected portion of the land (any affected structures will be compensated as per Item C); For relocating households – cash compensation at replacement cost is conditioned on confirmation that the AHs have obtained new residence or replacement land equivalent to the size or productive value of the land lost, to be prepared suitable for house and other buildings with construction at the expense of the Project; (ii) Cash compensation for difference in area/size of land lost and new plot issued; (iii) Replacement land with title in name of husband and wife will be given to the AH; (iv) Registration and/or land transfer fees will be paid by Project; (vi) Relocating APs will receive a transportation allowance (household effects and salvaged materials etc) plus other allowances as per Item E.	Compensation provided or suitable replacement land provided; Security of tenure through title to land (in names of both husband and wife); APs entitled to compensation for structures as per item C; Relocating APs entitled to allowances as per Item E.
A.2: PERMANENT loss of AGRICULTURAL or GARDEN land	Productive land from which APs or AHs derive a livelihood through either cash income or subsistence	AHs and affected owners (incl. village administration) who lose productive (cash and imputed income generating) land assets	(i) If preferred by the APs, cash compensation for the lost portion of the land at current market value. Where a significant loss (more than 10%) of productive land is compensated in cash, a reasonable plan for the expenditure will be prepared towards income generating activities, e.g. inputs to intensify production on the remaining land. (ii) For those APs not opting for cash, compensation will be through provision of “land for land” of equal productive capacity and in a location satisfactory to the AP. Land will be cleared, leveled and otherwise prepared for cultivation at the expense of the project; (iii) If crops or trees are lost, then compensation for loss of crops and trees will be in cash at market values and compensation for loss of net income from subsequent crops that cannot be planted as per Item B, compensation for structures will be as per Item C. (iv) AHs with loss of more than 10% of their productive land will receive livelihood restoration support in accordance with E4, including financial management training.	Compensation provided or suitable alternative land identified and prepared for the APs
		AHs and affected legal users of land (renters or lease holders), non-titled land users who lose productive land they are using	(i) No compensation for land; but suitable alternative land identified and negotiated for use by APs; (ii) Any impacts on the use of the land, or income or livelihood derived from land affected by the loss will be compensated up to the value, or according to the utility, of that loss; (iii) If AH has paid rent or lease charges in advance, the Project will reimburse the AH for the period of rent or lease foregone, without deductions. If the AH is charged a penalty for early lapsing of the rent or lease agreement, this will be paid for by the Project; and (iv) If crops or trees are lost, then compensation for loss of crops and trees will be in cash at market values and compensation for loss of net income from subsequent crops that cannot be planted as per Item B, compensation for agricultural structures will be as per Item C.	Suitable alternative land identified and negotiated for use by APs; Land will be prepared for cultivation at Project cost



Impact	Application	Definition of AP	Entitlement	Expected results
<b>B. LOSS OF CROPS AND TREES</b> (lumpsum rates with reference to District and Pafo/Dafo rates established for cash payments according to value of crop / tree)				
B.1: Loss of garden, productive trees, crops, perennials, non-productive trees, and/or ornamental shrubs and plants	Crops, productive trees, non-productive trees, and ornamentals removed.	Owner /user of garden and fields	(i) Compensation for annual crops at farm gate price of typical/expected harvest. (ii) Compensation for perennials at farm gate price of typical/expected harvest times years before maturity of replacements. (iii) Compensation for affected fruit/nut/other productive trees shall be based on average annual value of the produce multiplied by five years; compensation for non-fruit bearing young trees at replacement cost. (iv) Compensation for timber trees at replacement cost. (v) Compensation for ornamental shrubs and plants at replacement costs.	Damaged or lost crops, trees, ornamentals, etc. compensated. APs given advance notice to harvest.

Impact	Application	Definition of AP	Entitlement	Expected results
<b>C. LOSS OF STRUCTURES AND FIXED ASSETS</b>				
C.1: Partial or total removal of structure (house or any other building or structure)	Structures (residential, commercial or other)	Owner of structure (whether custom owners or having legal title to land or not)	(i) For non-relocating households: compensation in cash for all affected structures at 100% of the full replacement cost for materials and labour. The amount will be sufficient to rebuild the structure at current market prices; (ii) Compensation and assistance will be provided in the form of cash without any deductions for depreciation or salvageable materials. The calculation of rates will be based on the actual affected area and not the useable area; (iii) For relocating households: a replacement house of equivalent or better size and standard at the resettlement site, and compensation in cash for additional structures affected and not provided at the new site; (iv) Transport/relocation allowance, as per Item E.	APs compensated for structures and fixed assets at replacement cost
Impact	Application	Definition of AP	Entitlement	Expected results

<b>D. LIVELIHOOD IMPACTS</b>				
D.1: Livelihood impacts incl. impact on small business or shops	Loss of income and business/other productive assets	Owner of the registered business	(i) Provision of alternative business site of equal size and location with good accessibility to customers and satisfactory to the AP; OR (ii) Cash compensation at full replacement value, if suitable replacement land is not available; (iii) Cash compensation for lost business structure reflecting full replacement cost of the structures, without depreciation or deductions for salvaged building material (as per Item C); (iv) Cash compensation for the loss of income during the transition or re-establishment period, based on net monthly income and up to a maximum of 12 months; and (v) Transport/relocation allowance, stabilization allowances as per Item E.	Livelihood restoration; Support during business re-establishment
		Owner of non-registered business	(i) Cash compensation based on minimum wage per month in the district during the transition or re-establishment period and up to a maximum of 12 months. (ii) Compensation for structures at full replacement cost. No deduction shall be made for depreciation or salvageable materials (as per Item C); and (iii) Transportation allowance to move assets to new site, and livelihood Stabilization as per item E.	Livelihood restoration; Support during business re-establishment

D.2: Livelihood impacts incl. impact on waged employees working in small business or shops	Loss of income	Employees or hired labor identified in the resettlement surveys	<p>(i) Informal employees (full time employment) - cash compensation based on minimum wage per month in respective district in the period without job. The compensation will be provided initially for 3 months. Subject to approval by the Resettlement Committee, extension up to 12 months is possible in cases where the affected person is not able to find alternative employment.</p> <p>(ii) Informal employees (part time employment) – cash compensation based on minimum wage per month in respective district for 1 month;</p> <p>(iii) Formal employees - cash compensation based on net monthly wages in the period without job. The compensation will be provided initially for 3 months. Subject to approval by the Resettlement Committee, extension up to 12 months is possible in cases where the affected person is not able to find alternative employment.</p> <p>(iv) Project will encourage businesses to provide severance pay for employees;</p> <p>(v) Assistance in securing new employment including relevant skills training expenses if required, and priority for wage labour employment in Project activities at locally pertaining equitable wage rates. This will apply on a needs basis for those employees who are not able to secure alternative employment within 3 months.</p>	Support while AP seeks alternative employment or waits for business to re-establish
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Impact	Application	Definition of AP	Entitlement	Expected results
<b>E. ALLOWANCES, ASSISTANCE, AND LIVELIHOOD RESTORATION</b>				
E.1: Relocation to the new site	Transport and relocation allowance	Relocating AHs and small business APs	All AHs relocating (residential or small business) shall receive a lump sum allowance equivalent to actual costs of relocation and shifting household or business assets to the new site (transport hires, labour etc)	AHs do not bear the cost of physical relocation
E.2: Transition at new site	Food (subsistence) allowance – AHs required to relocate to resettlement site or other	Relocating AHs and small business APs	<p>(i) All relocating APs shall receive a food or subsistence allowance for a period of up to three months. In some cases, as determined in consultation with city/district officials, the allowance may be provided for longer;</p> <p>(ii) The grant shall be in cash equivalent to the most recent poverty line (240,000 kip per person per month for urban households) per person per relocating household;</p> <p>(iii) Entitlement to economic rehabilitation measures E.4</p>	Support during initial transition, livelihoods restored, if not improved
E.3: Impacts on vulnerable APs	Any loss or impact on APs	Vulnerable households;	<p>(i) Cash grant equivalent to the value of the poverty line (240,000 kip per person per month) for a period of three months to head of affected households. In some cases, as determined in consultation with villages/district officials, the allowance may be provided for longer;</p> <p>(ii) Priority for employment in the Project construction work, if available;</p> <p>(iii) Significantly affected AHs may also participate in livelihood restoration and development activities [refer item E.4 (iv)]</p>	Improved livelihoods of vulnerable APs

E.4: Re-establishment of productive assets and livelihood base	Livelihood restoration package (allowance, access to services, training) – suitable development assistance (as per Decree 192)	Severely affected persons (whether relocating or not), losing 10 % or more of productive income generating assets. Households physically relocating to another plot.	<p>(i) All severely affected AHs are subject to a livelihood restoration programme to secure full restoration of livelihood to pre-project level.</p> <p>(ii) The AHs will receive an allowance to secure full restoration of livelihood to pre-project levels in the restoration period up to a maximum of 12 months that is at the minimum equivalent to the urban poverty line (240,000 kip) per person per month.</p> <p>(iii) The allowance shall partly or fully be used by the household to make livelihood investments to upgrade their livelihood in the way best suitable for each severely affected household to restore their livelihood to the pre-project level. These activities may involve trainings for alternative livelihood activities or enhancement of current livelihoods based on the individual preference of the affected household; on-farm activities such as change to more productive crops, aquaculture, upgrade of unused land to productive land, upgrade of productive land to higher yield, inputs to intensify production on the remaining land; off-farm activities such as support to start a business, employment in the construction works or other priority for employment in project-related jobs, occupational skills development, vocational training, or education.</p> <p>(iv) The AHs will be offered participation in financial/money management training.</p>	Livelihood restoration, integrated programs providing support and assistance to relocating and significantly AHs; Support during re-establishment of productive assets at new site, livelihoods restored, if not improved
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\*Poverty line: 240,000 kip per month per person in the household

## **IX. BUDGETS AND FINANCIAL PLAN**

### **A. Requirements**

168. The RP includes a budget for implementation which identifies where the funds will come from and an implementation schedule linked with the design and civil works. Construction civil works in road sections will not commence until compensation has been paid to APs. The budget is required to identify the costs of resettlement including: compensation, describing the valuation of land and assets and how replacement value or cost will be achieved; livelihood restoration, where this is required; costs of implementing the plan (including administration charges and contingency); and, monitoring.

169. The budget for resettlement activities has been updated following the reassessment of resettlement impacts that was carried out following the marking of centerline and the limit of construction. Through the PRC, the government will release sufficient budget for implementation of compensation, resettlement and livelihood restoration activities in an appropriate and timely manner.

### **B. Update of Compensation Unit Rates**

170. In line with ADB policy and Decree 192, land and assets lost as a result of the project development are compensated at replacement cost. The rates included in the 2012 RP were established on the basis of the published rates of the MPWT and Savannakhet provincial government, verified by replacement cost and market appraisal. Where the market appraisal identified significant differences between official rates and market rates, the 2012 RP proposed the rates to be adopted for approval by the MPWT, as EA.

171. To ensure that the compensation unit rates reflected current market rates and considered any changes to market prices since 2012, the PMU conducted an update of the compensation unit rates in cooperation with the PITs in November and December 2016. The rates were developed with reference to the compensation categories of the 2012 RP that were established on the basis of published rates of the MPWT and Savannakhet provincial government, verified by replacement cost and market appraisal. A meeting was convened in the District with participation of 12 representatives of the DOPWT, the PMU, the Planning, Finance, and Agriculture District Offices, DoNRE, the Lao Women Union, the Head of Police, and the Village Administration. With reference to the unit rates of the original RP each participant commented on and defined the present rate with reference to the current market price for the items. Based on the rates identified by the participants, an average rate was established, which was presented in the proposal for unit rates, forwarded to the District Governor for approval.

172. The updated rates were recommended by the PWT to the District Governor for approval on 23 November 2016 and the District Governor signed 22 December 2016.

173. Consultations with the affected people on the replacement unit costs included in this updated RP will be held as part of the public consultations. Refer chapter V.C.

174. In order to translate the entitlements as per the Entitlement Matrix into operational compensation unit rates, the following adjustments have been made:

- B1: Loss of crops and trees: In line with the 2012 RP, removal of crops and trees will be compensated based on the published schedules of the Provincial and/or District governments and PAFO/DAFO for root crops and tree crops, plantation trees and wood/timber. The lumpsum rates used in the calculation of compensation are estimates

of the typical/expected value of the crops and trees the entitlements would translate into. Impacts to crops had only been identified in the 2012 RP for Kaysone Phomvihane (not in Dansavanh and Phine) and these were identified as a rate per affected household for vegetables, while agricultural land for rice production was compensated per area. To rationalize the compensation unit rates, a rate per household has been used for both agricultural land (rice production) and garden land (vegetables).

- D.1: Livelihood impacts incl. impact on small business or shops: Following the Kaysone Phomvihane RP, 2012 the average estimated impact duration of 1.5 months (the expected maximum length of construction work in anyone location and for businesses to reestablish) is used for calculating the expected impact period. The Entitlement Matrix distinguishes between registered and non-registered businesses, while in the update of compensation rates it was decided to use average rates reflecting size and type of business. The actual duration and magnitude of the negative impact on the income of the businesses may turn out to be greater in the implementation. In such case, the business will have the possibility of claiming additional compensation if justified in the Entitlement Matrix.
- D.2: Livelihood impacts incl. impact on waged employees working in small businesses or shops: average rates reflecting typical monthly salary level have been established and are used in the calculation of compensation as three months for fulltime employees and one month for part time/temporary employees. The actual period without job as a result of the project may turn out to be of longer duration and the actual salary level may at higher level in which case the employee will have the possibility of claiming additional compensation if justified in the Entitlement Matrix.
- E.1: Relocation to new site: Lumpsum rates deemed to be sufficient to cover the actual costs of relocation and shifting household or business to new site (transport, labour, etc.) have been established and are used in the compensation calculation.
- E.2: Transition at new site: The allowance was revised to a cash only allowance and set at the value of the poverty line (240,000 kip per person) in the household per month for three months.
- E.3: Impacts on vulnerable APs: The allowance was maintained at the value of the poverty line (240,000 kip per person) in the household per month for three months.
- E4 Re-establishment of productive assets and livelihood base: The definition of affected person was revised to include all severely affected (those losing more than 10% of productive assets) and the entitlement revised to cash compensation to restore livelihood with a minimum allowance equivalent to the value of the poverty line (240,000 kip per person per month) in the period affected.

175. The above adjustments were made for purpose of compensation calculations and with consideration of the entitlements and based on the assessed impacts. Should the actual impact turn out to be more significant than those assessed the affected persons will have the possibility of claiming additional compensation if justified in the Entitlement Matrix. Should the affected person assess the compensation differently and higher than what has been calculated the person will have the possibility of claiming additional compensation if justified in the Entitlement Matrix.

## **C. Source and Flow of Funds**

176. As part of the counterpart contribution, the Government of Lao PDR (EA) is responsible for providing the budget for the compensation and livelihood restoration.

177. According to the arrangements made during the PPTA and as presented in the 2012 RP, the finalized resettlement budget will be approved by Government of Lao PDR and released to MPWT as the EA who will transfer the funds for compensation and assistance to the project bank account held by the PDPWT/PMU.

178. Following receipt of the compensation funds, the PDPWT/PMU will release the funds for payment of compensation and purchase of in-kind compensation assets. Compensation payments will be in two different forms, namely cash compensation via bank transfer and in-kind compensation as described below.

### **1. Cash Compensation via Bank Transfer**

179. Based on the final compensation calculation a compensation payment form will be prepared detailing the compensation, its elements and the corresponding amounts, and the total. The compensation form will require the affected household to sign for agreement to the compensation amount

180. When preparing the forms, each affected household will be interviewed and requested to designate a bank account if they have one. If not, one will be set up by the project and the details will be provided on the form. The bank accounts will be opened at a local branch. For married couples, payments will be made in the name of both spouses and with both signing the receipt of compensation.

181. Following the signature by the affected household, the form will be signed by the PMU as designated representative of the EA authorizing the payment and the transfer to the bank account of the affected person.

182. Documentary proof of the transfer will be obtained by the PMU and will be annexed to the compensation form when it is provided to the affected household for signing to verify that transfer is complete and that the full amount has been received.

### **2. Compensation Payment via In-kind Compensation**

183. In case of in-kind compensation, a similar compensation form will be prepared clearly describing the affected property and the replacement property and annexing relevant documentation such as land title, etc. The compensation form will specify the handover date and the responsibilities of the affected household after the handover date. As for cash compensation via bank transfer, the affected household will be required to sign the compensation form for agreement to the compensation.

184. Following the signature by the affected household, the form will be signed by the PMU as designated representative of the EA authorizing the transfer of ownership to the affected person.

185. Documentary proof of the transfer of ownership will be obtained by the PMU and will be annexed to the compensation form when it is provided to the affected household for signing to verify that transfer is complete and that the full compensation has been received.

## D. Cost of Mitigating IR Impacts of the Dansavanh Road Subproject

186. The cost for compensation of lost assets (land, structures, and trees) and livelihood impact restoration and support measures for vulnerable households are presented below, including 10% contingency and added 10% for administrative costs (any RP revisions/updating, consultations, rates appraisal, RP implementation).

**Table 21 Breakdown of Compensation and Livelihood Restoration: Dansavanh Rd Subproject**

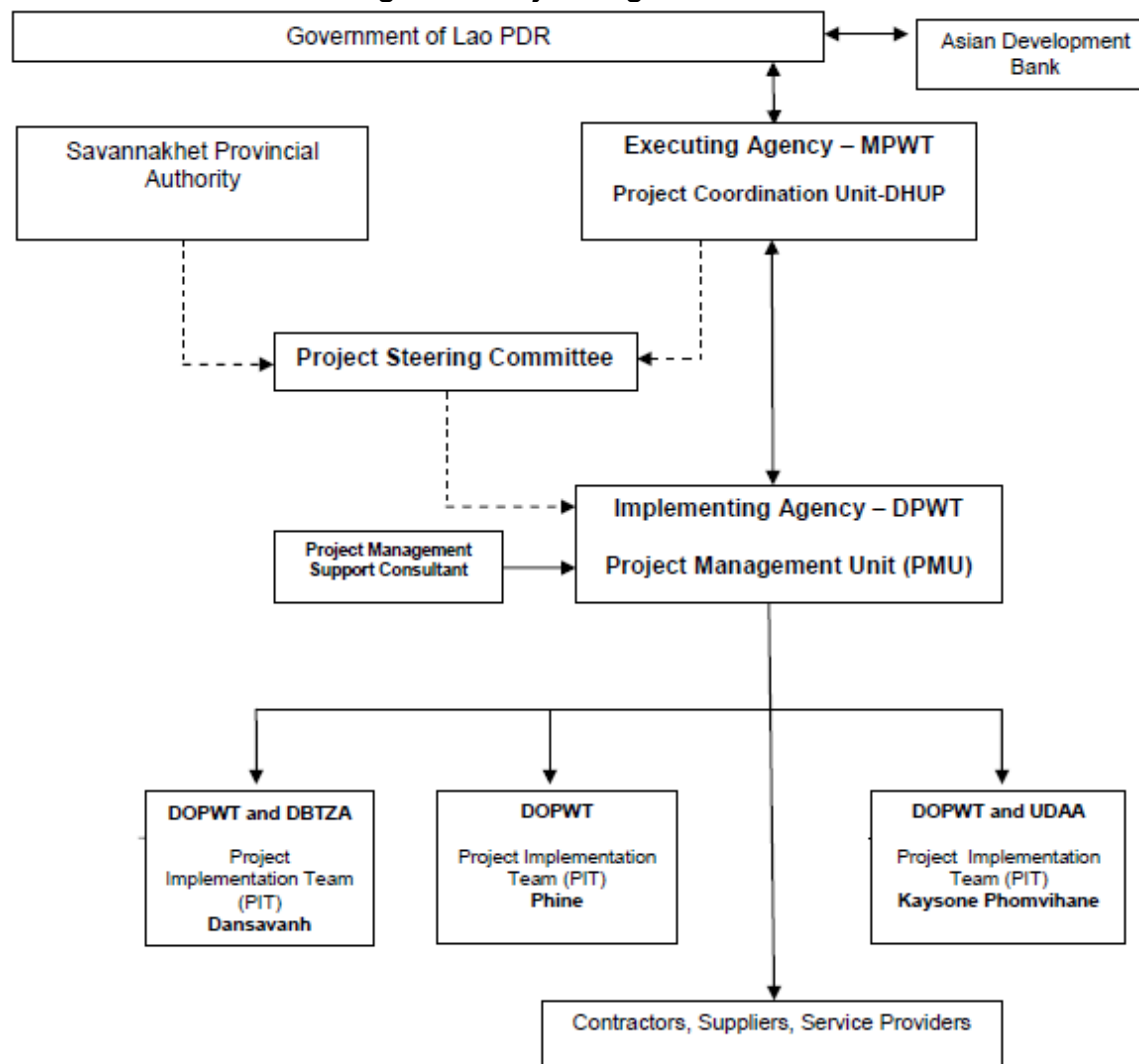
No.	Item	Unit	No	AH	Rate	Total US\$
<b>1</b>	<b>Land</b>					
1.1	Residential land (main road)	m <sup>2</sup>	25.2	1	200	5040
1.2	Residential land (urban area)	m <sup>2</sup>	266	4	117	31122
1.3	Agricultural land	m <sup>2</sup>	1689.8	2	0.6	1013.88
1.3	Garden land	m <sup>2</sup>	8762.15	23	1.2	10514.58
1.4	Fish pond	m <sup>2</sup>	203	2	12	2436
<b>2</b>	<b>Crops</b>					
2.1	Agricultural land	AH	2	2	130	260
<b>3</b>	<b>Trees</b>					
3.1	Commercial and fruit trees	No	27	1	30	810
3.2	Banana, mango, other	No	21	3	30	630
<b>4</b>	<b>Structures</b>					
4.1	Wooden house	m <sup>2</sup>	191	3	160	30560
4.2	House with foundation	m <sup>2</sup>	56	1	166	9296
4.3	Cow stable/enclosure	m <sup>2</sup>	32	1	23	736
4.4	Fence	m	482.2	8	22	10608.4
4.5	Concrete expansion floor	m <sup>2</sup>	30	3	100	3000
4.6	Roof extension	m <sup>2</sup>	38	3	30	1140
4.7	Motorbike scrap storage – simple wood structure	m <sup>2</sup>	126.5	1	112	14168
<b>5</b>	<b>Livelihood Restoration, Allowances &amp; Other</b>					
5.1	Business – loss of income	per	1	1	150	150
5.2	Transport/Relocation	AH	6	6	135	810
5.3	Transition assistance	AP (in AH)	31	5	88	2728
5.4	Vulnerable AH support	AP (in AH)	63	10	88	5544
5.5	Restoration support	AP (in AH)	10	1	352	3520
<b>6.0</b>	<b>Subtotal</b>					<b>134,087</b>
	Contingency (10%)					13,409
	Administration charges (10%)					14,750
	<b>TOTAL</b>					<b>162,245</b>

Source: Resettlement Surveys, 2016-2018

## X. INSTITUTIONAL ARRANGEMENTS

187. The overall structure of the organizational and institutional arrangements for the project is given in the figure below.

**Figure 8: Project Organization Structure**



DBTZA = Dansavanh Border Trade Zone Authority, DHUP = Department of Housing and Urban Planning, DOPWT = District Office of Public Works and Transport, DPWT = (Provincial) Department of Public Works and Transport, LAO PDR = Lao People's Democratic Republic, MPWT = Ministry of Public Works and Transport, UDAA = Urban Development Administration Authority.

Source: Asian Development Bank.

----- Supporting/Strengthening lines

————> Reporting/Coordination lines

### A. Executing Agency: Ministry of Public Works and Transport

188. The MPWT is the EA for the Project. The MPWT is responsible for the planning and construction of public works and transport sector projects. At the central level, within the MPWT, the line departments, including the Department of Housing and Urban Planning (DHUP), play an important role supporting MPWT in terms of studies, planning, and macro management of housing, urban planning, urban development and urban water supplies activities. A project



coordination unit (PCU) will be established within the EA to coordinate project activities at the national level.

189. Following completion of the RPs, the MPWT is required to review and endorse the documents that will be formally approved by the Ministry of Natural Resources and Environment (MONRE) or as delegated to Department of Natural Resources and Environment (DONRE).

## **B. Project Management Unit**

190. The IA for the project is the PDPWT. A project management unit (PMU) will be established within the IA, and is responsible for assessment, implementation and monitoring of environmental and social safeguards. The responsibilities of the IA/PMU are summarized below:

- Overall responsibility for project implementation and coordination of project activities;
- Supervise the activities of the Project Implementation Teams organized within the District Authorities;
- Undertake procurement of goods, works and services including recruitment of consultants for project management support, capacity development and training, independent audit and safeguards monitoring;
- Develop and adapt a project performance management system in monitoring project activities using indicators and parameters in the design and monitoring framework;
- Obtain necessary approvals and clearances of environment and resettlement from MONRE prior to awarding of civil works contracts;
- Manage separate project financial records and accounts, and prepare financial reports; Supervise the implementation of social and environmental safeguards and including timely disclosure of safeguards documents;
- Supervise the implementation of the Consultation and Participation Plan, Gender Action Plan, and Stakeholder Communication Strategy;
- Supervise the implementation of the resettlement plans including adequate measures to mitigate adverse resettlement impacts;
- Ensure that environment management plans and gender considerations are incorporated in the detailed engineering designs and included in the civil works contracts;
- Undertake regular quality control inspection of project facilities;
- Manage the handover of project facilities to agencies responsible for operation and maintenance;
- Prepare and submit quarterly and annual physical and financial progress reports to the EA; and
- Undertake monitoring of compliance of social and environmental safeguards.

191. The PMU will be responsible for overall planning and implementation of environmental and social management (including RP) for the Project, as well facilitating consultation activities, and coordination with local authorities, AHs, NGOs/civil society organizations (CSOs) and other stakeholders. The PMU will monitor and report on the effectiveness of implementation of the EMMPs and RPs and coordinate activities during construction and post-construction aimed at improving the environmental and social performance of the Project.

192. The PMU will prepare all documentation and reports concerning the environmental and social aspects of the Project including resettlement progress reports to be submitted to ADB and DONRE during the implementation period. The PMU will appoint resettlement specialists to support resettlement activities, including update of each RP.

193. The PMU will implement resettlement activities under the supervision of the PRC and retain qualified and experienced experts to verify the internal monitoring information (refer to Section 12) and the extent to which they have implemented according to the RP, Government policy and regulations and ADB's safeguard policies.

194. The PMU will appoint an experienced staff member to serve as EA/PMU representative on the PRC and to be the first point of contact for the PRC.

195. The PMU will also appoint a Grievance Point Person (GPP) that will receive all complaints and grievances arising in the course of implementation of any EMMP, SMMP or RP, and resolve them as far as it can with the concerned parties. If the complainant is not satisfied, the matter will be resolved through appeal and tracking through the grievance redress procedure.

196. The PMU will be responsible for updating and implementing the RPs, implementing required livelihood restoration activities/measures, as well as monitoring. They will also be responsible for managing the relocation process for those households requiring relocation as a result of any particular subproject. The resettlement specialists will report directly to the PMU and work closely with the Government staff as required, including PRC.

### **C. Project Implementation Team**

197. At the district level, project implementation teams (PIT) will be established to oversee the implementation of the project, including environmental and social safeguards, at the project towns.

198. The responsibilities of the PIT are summarized below:

- Coordinate the implementation of project activities at the district level;
- Ensure the implementation of the approved work plans and program of activities;
- Prepare and submit regular quarterly and annual physical and financial progress reports to the PMU;
- Oversee and coordinate civil works and construction activities;
- Ensure the implementation of social and environmental safeguards and including timely disclosure of safeguards documents;
- Ensure the implementation of the Consultation and Participation Plan, Gender Action Plan, and Stakeholder Communication Strategy;
- Ensure implementation of resettlement plans including adequate measures to mitigate adverse resettlement impacts;
- Coordinate implementation of environmental management plan, and submit regular monitoring reports to the PMU;
- Coordinate the updating of the resettlement plans and monitor implementation of resettlement activities; and

- Undertake monitoring of project activities based on the indicators and parameters in the DMF and prepare regular reports to the PMU on project achievements.

#### **D. Consultancy Support**

199. To assist and support the EA, IA, PMU and PIT, two consultancy packages are engaged for the purposes of implementation supervision and capacity building to ensure the effective implementation of all aspects of the Project including safeguards, land acquisition and resettlement, GAP, and social development planning and implementation. The consultancy packages comprise the Project Management Support and Capacity Development (PMSCD) consultant and the Construction Supervision Consulting Services (CSCS). Both consultancy packages comprise a team of international and national specialists, including resettlement specialists.

200. In respect of social safeguards, the principal tasks of the PMSCD are:

- To carry out formal and on-the job training on social preparation, social impact assessment, ethnic groups development, and gender and development;
- To assist and support PMU and PIT in implementation of all safeguards activities;
- To assist in the needs and demand assessments for mitigation of adverse effects on ethnic minority communities, identification of specific income restoration measures for ethnic minority households affected directly by land acquisition, and to then assist in the design of the most effective programs; and
- To brief and/or assist in the briefing of social organizations to a) increase their awareness of the project, b) increase their awareness of the project's grievance mechanism for resettlement and land acquisition issues so that they would be enabled to provide support to affected households.

201. Capacity building will be provided by the PMSCD consultant's safeguard specialists to PMU, PIT and all other members of the PMSCD consultant.

202. In respect of social safeguards and resettlement the principal tasks of the CSCS are:

- Review and if necessary update the Project's resettlement plan(s) and supervise their implementation during the construction period;
- Ensure that resettlement activities are consistent with the Resettlement Framework;
- The specialist shall provide advice on any resettlement issues and assist DPWT and other bodies in the processing and resolution of resettlement claims including Farmers;
- Coordinating all social issues and ensuring that all subprojects comply with Government and ADB social safeguards and ADB SPS 2009 (ADB's Safeguard Policy Statement). Preparing and updating Resettlement Plans and new resettlement plans and Indigenous People Development Plans in consultation with DPWT;
- Provide necessary guidance in the classification, and development of all social safeguards documents to DPWT, including the provision of training in the development and implementation of resettlement plans;
- Co-ordinate valuation by the valuation committees and finalization of compensation packages;

- Monitor the work related to dealing with complaints and grievances, and provide updates to the resettlement plan as required to address any recurring problems or complaints;
- Establish procedures and systems for monitoring progress in resettlement implementation and recognizing and addressing any problem areas—the Specialist will also undertake internal monitoring;
- Train Program staff on resettlement-related matters. Conduct internal seminars and training programs to raise the awareness of Program implementation staff on resettlement issues;
- Coordinate and report grievance resolution committee activities;
- Manage aspects relating to communications and disclosure of resettlement aspects under the Project. Report each month to the Project Director regarding the progress of resettlement issues;
- Provide advice on the correct procedures to be followed and prepare a schedule of when actions should be taken relevant to the design and construction program.

## **E. Other Institutions Involved in Resettlement Activities**

### **1. Provincial, District, and Village Resettlement Committees**

203. The planning and implementation of the Project will be undertaken through consultation with, and advice from, provincial and district government agencies, through the establishment of resettlement committees at provincial and district levels. Resettlement committees will also be formed at village level. Consultations with the Provincial Land Department indicated that there is not a standing Provincial Resettlement Committee (PRC) in Savannakhet, but that rather project based PRCs are established. Therefore, a PRC for this project has been formed in May 2015. The PRC simultaneously functions as the District Resettlement Committee (DRC) for Savannakhet District. District Resettlement Committees have been formed for Phine and Sepone (Dansavanh) Districts in May 2015. The PMU is represented on the PRC and respective PITs are represented on the DRCs. Village Resettlement Committees for Savannakhet were established May 2015, while Village Resettlement Committees for Phine and Sepone (Dansavanh) were established in February 2017.

204. As required for the Project, the operational costs of the Resettlement Committees will be supported through counterpart funding.

#### **a. Provincial Resettlement Committee**

205. The PRC is chaired by the Vice-Governor of the Province. Other members include officials from the relevant departments such as Housing and Urban Planning Division, Provincial Lao Front for Consolidation, Lao Women Union (LWU), Provincial Department of Natural Resources and Environment (DONRE) and relevant District Governors, Grievance Point Person of the PMU.

206. The responsibilities of PRC will be as follows:

- Coordination of relevant Provincial Government organizations with PMU to ensure that RPs are properly implemented;

- Ensuring valuation of land and assets (crops, production, market values, etc.) for compensation for APs and resettled people;
- Participate in the determination of the market rate / replacement cost for the kinds of losses incurred and validate that the rates are acceptable to the APs;
- Participation in resolution of, and follow through, of claims or complaints lodged via the established grievance redress procedure. Function as the third step grievance redress organization. For grievances that cannot be resolved at this level, ensure referral to the Central Council.

207. The PRC will meet regularly and operate during the construction of the subprojects and for up to two years after completion of construction activities (to monitor impacts and take action where necessary).

#### **b. District Resettlement Committee**

208. The District Resettlement Committees (DRC) will be chaired by the Deputy District Governor in the respective Districts. DRC members include officials from relevant District Offices, particularly Public Works and Transport Office (PIT), the District Agriculture & Forestry Office, and representatives of the organizations LWU and LFNC.

209. The major responsibilities of the DRC are as follows:

- Organize public participation and publicize resettlement policies;
- Participate in the process of implement, inspect, monitor and record the resettlement activities within its town;
- Participate in the process of compensation payment;
- Report land acquisition compensation and resettlement situation to the PRC and the PMU;
- Coordinate and solve grievances during the resettlement process at District level and refer to the PRC if the issue cannot be solved at the District level. Resolve grievances as the second step grievance redress organization;
- Support the activities of the Village Resettlement Committees (VRCs) if needed.

#### **c. Village Resettlement Committee**

210. The Village Resettlement Committees (VRC) of the affected villages are composed of the Village Chiefs, Deputy Village Chiefs, representatives of Land, Property, and Tax of the Village Administration, and locally based organizations such as LWU and LFNC as well representatives of ethnic minorities if affected.

211. Their responsibilities are as follows:

- Coordinate with PRC and DRC, and PMU/PIT when required, in relation to conducting consultation, surveys and resettlement-related activities;
- Participate in social, economic and project impact survey;
- Organize the public consultation and publicize land acquisition compensation policies;

- Identify replacement land and conduct allocation of replacement land;
- Participant in compensation payment process;
- Report affected people's opinions and suggestions to the superior authorities at district levels and PIT;
- Report the progress of resettlement;
- Provide assistance to vulnerable people affected by land acquisition;
- Acting as "first step" grievance officers and ensure that grievances are resolved;
- Assisting APs during the negotiation and compensation activities;
- Certifying the list of APs.

#### **F. Ministry of Natural Resources and Environment**

212. The Ministry of Natural Resources and Environment (MONRE) is the central environment management agency, which has the mandate to co-ordinate environmental protection efforts of government ministries as well as provincial authorities. MONRE administers the environmental and social assessment system, in collaboration with relevant line agencies, through review of EA/SA reports and issue of a certificate of clearance for project development. MONRE is also responsible for overall guidance on the matters pertaining to inspection of, and compliance with, management and monitoring aspects of projects approved at the central level. At provincial level these matters are handled by the Department of Natural Resources and Environment (DONRE).

213. In the IEE Certificate, 4973/MONRE, 30 July 2012, DONRE was delegated responsibility to monitor, minimize, and mitigate impacts of the project and made responsible for regular reports to MONRE.

214. MONRE (or as delegated to DONRE) will be an observer from the Government, to ensure that Lao PDR environmental policies are satisfied within the context of the project. If satisfied with the EA/SAs prepared, MONRE (or as delegated to DONRE) will provide Government clearance of the EMMPs and RPs prepared for each subproject to be developed under the project.

## **XI. IMPLEMENTATION ARRANGEMENTS**

### **A. Resettlement surveys**

215. Resettlement surveys were conducted on the basis of the detailed engineering design with the following objectives:

- To identify affected persons and households
- To identify the affected persons entitled for additional transitional assistance, etc.
- To identify the land and assets affected by the project

216. The resettlement surveys were conducted in Quarter 3 and 4, 2016 by the PIT teams and a re-check was conducted by the PMU/PIT in December 2016 and January 2017. These included Inventory of Losses (IOL) and socio-economic survey. Following the Contractor's marking of centerline and limit of construction, the resettlement impacts have been reassessed and finalized.

217. Every household, including its members and the head of household along the road section were registered in the socio-economic survey. For those affected by the project additional information was collected, including household income, productive assets, etc. for use in the assessment of entitlements.

218. The Inventory of Losses included registration of assets and used a coding system for each household along the road sections, so each household was given a unique reference. The registration of assets used GPS and measure tape to determine size and location of land and assets, while use of land was identified during the site visit. Where representatives of the households were at home these were involved in the process of registering assets and land.

219. The Inventory of Losses was conducted in close cooperation with the District Authorities and the Village Authorities.

220. The results of the survey will be presented for consultation (refer Consultation section).

### **B. Compensation Payments**

221. Compensation may be in the form of in-kind compensation, labour, or cash compensation. Land may be compensated in kind through land for land, labour may be supported to affected persons to assist removal and replanting of trees and plants, reconstruction of fish pond, or removal of structures, and assets as well as other entitlements may be compensated in cash. The project has reviewed the various measures proposed in the 2012 RP and proposed various changes. Mostly, these changes have centered on clarifying and simplifying the compensation measures while maintaining the principles and the objectives.

#### **1. In Kind Compensation**

222. With respect to compensation for land, the project considered various compensation options. Compensation in kind (or land for land) is the preferred method of compensation in the ADB safeguards and in the Technical Guidelines of the Decree 192 where productive land is lost as a result of the project. However, the affected productive land is generally of a small size both in absolute and relative terms. This means that compensation in kind would provide the affected household a smaller parchment of land at another location than their existing land thus leading to fragmentation. On that basis, the project settled for cash compensation of land as the preferred option, albeit with the affected person having free choice in selecting their preferred form of compensation. Information on the location of the alternative land and the option to choose

between it and cash compensation will be provided in the consultation informing of the Entitlement Matrix and the compensation unit rates.

## **2. Monetary Payments**

223. The measures for payments proposed in the 2012 RP have been reviewed and experience from other projects has also been drawn upon. Based on a review of experiences from other projects it is noted that cash compensation via bank transfers are largely appreciated by affected persons, including non-literates and especially by women. Other advantages of a bank transfer is the traceability and transparency as well as the possibility of double signature accounts to ensure that compensation payments are made to both spouses. On that basis, the project has opted to go for cash compensation via bank transfers.

224. Cash compensation payments will be made to a bank account registered in the name of the spouses (or head of household in case of single status) and requiring double signature/thumbprint. If the affected household does not have a suitable bank account, the project will facilitate the set-up of a bank account. Information on the requirement for a bank account will be made at the consultation meeting, so that affected persons can themselves prepare. The payment process will be documented through photographs collected during the signing of the agreement and receipt.

## **C. Implementation Plan**

225. The RP will be finalized following consultations with affected persons incorporating comments from APs and other stakeholders as relevant. The RP will be endorsed by the MPWT and will be submitted to ADB for review and approval. A “no objection” for the RP will be received from ADB prior to implementation of the subproject.

226. The IA/PMU will not issue a notice of possession to contractors until Head of the PRC has officially confirmed in writing that (i) payment has been fully disbursed to the APs and rehabilitation measures are in place (or are being put in place) as per the Final RP agreed between PMU and ADB.

227. Following preparation of the draft RP, tasks for the RP are divided into (i) updating and final preparation including RP approval and disclosure; (ii) RP implementation including processing and making payment of compensation and allowances and (iii) evaluation of implementation. Public consultation, internal monitoring and grievance redress will be undertaken intermittently throughout the project duration. The milestones include (i) approval of RP, (ii) signing of contract awards, (iii) letter to proceed for civil works construction; and, (iv) start of physical civil works. A post-implementation evaluation will be carried out after completion of RP implementation by the CSCS consultant.

228. The compensations will be paid prior to displacement and commencement of civil works construction.

## **Figure 9. Implementation Plan**





## **XII. MONITORING AND REPORTING**

### **A. Objectives of Monitoring**

229. Monitoring is the continuous process of assessment of sub-project implementation in relation to agreed schedules and requirements. For social impact and resettlement components, the monitoring has two purposes:

- To verify that resettlement activities have been effectively completed including quantity, quality, and timeliness and complies with the plan; and
- To assess whether APs have been able to restore, or improve, their livelihoods to their pre-project status.

230. Regular monitoring of RP updating and implementation will be conducted by the PMU and PIT in cooperation with the PRC.

### **B. Internal Monitoring**

231. Internal monitoring of the implementation of the RPs will be the responsibility of the PMU and PIT. The main indicators that will be monitored regularly are:

- Public information dissemination and consultation procedures; Priority of APs regarding the options offered;
- Payment of compensation to APs in various categories, according to the compensation policy described in subproject RPs;
- Delivery of technical assistance including relocation and payment of allowances;
- If required, delivery of income restoration and rehabilitation assistance entitlements;
- Adherence to grievance procedures and outstanding issues requiring management's attention; and
- Coordination and completion of resettlement activities and permission to commence civil works in relation to the implementation schedule included in the RPs.

232. An electronic archive of resettlement monitoring information regarding the Project will be maintained and updated every month. A folder structure, description of content, and sample of forms are included in Appendix 7.

233. The internal monitoring reports shall include the following topics:

- The number of APs by category of impact, and the status of compensation payment and relocation/income restoration for each category;
- The amount of funds allocated for operations or for compensation and the amount of funds disbursed for each;
- The eventual outcome of complaints and grievances and any outstanding issues requiring action by management;
- Implementation problems; and
- Revised and actual resettlement implementation schedule.

- Gender specific concerns, issues, and inclusiveness.

234. The monitoring reports will be forwarded by the PMU to MONRE, MPWT, and ADB as part of regular Project reporting.

### C. Monitoring by Consultants

235. A CSCS will be engaged for the project, see description of ToR in X.D. The CSCS will evaluate compliance with RPs and therefore will include social (resettlement) assessment specialists. For resettlement aspects, the general objective of monitoring is to provide periodic review and assessment of achievement of resettlement objectives, the changes in living standards and livelihoods, restoration of the economic and social base of the affected people, the organizational effectiveness, impact and sustainability of entitlements, and the need for further mitigation measures if any.

236. Resettlement monitoring verifies two things; (i) the resettlement activities have been undertaken in accordance with the RPs; and, (ii) that APs have at least been able to restore, if not improve, their livelihoods. In respect of resettlement monitoring, the review should start as soon as the RPs have been approved.

237. The types of indicators to be monitored include:

- General and overall compliance of resettlement activities with the RPs, including payment of compensation: (a) full payment to be made to all affected persons sufficiently before land acquisition; (b) adequacy of payment to replace affected assets; and (c) provision of income restoration assistance and restoration of livelihoods/productive assets;
- The level of satisfaction of APs with various aspects of the RPs will be monitored and recorded. The operation of the mechanisms for grievance redress, and the speed of grievance redress will be monitored;
- Public consultation and awareness of compensation policy: (a) APs should be fully informed and consulted about land acquisition, leasing and relocation activities; (b) the monitoring team should attend at least one public consultation meeting to monitor public consultation procedures, problems and issues that arise during the meetings, and solutions that are proposed; (c) public awareness of the compensation policy and entitlements will be assessed among the APs; and (d) assessment of awareness of various options available to APs as provided for in the RPs; and
- Throughout the implementation process, the trends of living standards will be observed and surveyed. Any potential problems in the restoration of living standards will be reported.

238. Suggested indicators are included in the table below.

**Table 22 Indicators for Monitoring**

Aspect	Indicators
RP implementation	<ul style="list-style-type: none"> <li>• General and overall compliance of resettlement activities with the RP, including payment of compensation: (a) full payment to be made to all affected persons sufficiently before land acquisition; (b) adequacy of payment to replace affected assets; and</li> <li>• The level of satisfaction of APs with various aspects of the RP process.</li> </ul>
Consultation, participation, disclosure and grievance redress	<ul style="list-style-type: none"> <li>• Public information dissemination and consultation procedures conform to the process established in the RPs;</li> </ul>

	<ul style="list-style-type: none"> <li>• Participation of AHs in consultations;</li> <li>• Questions raised by stakeholders and affected persons have been addressed;</li> <li>• The disclosure of the updated and detailed plans to affected people for the cultural and language appropriateness of the disclosure methods, and whether APs know their entitlements and whether they have received all of their entitlements; and</li> <li>• Monitor the effectiveness of the grievance mechanism, types of grievances, if and how resolved, and satisfaction of APs with the process.</li> </ul>
Gender issues	<ul style="list-style-type: none"> <li>• The institutional and staffing mechanisms;</li> <li>• Collection and dis-aggregation of gender sensitive data;</li> <li>• Women's representation and participation in the detailed planning and implementation process;</li> <li>• Gender inclusiveness in programs and training to both men and women, rather than segregating awareness for women and training for men, although the programs implemented may be in gender separated groups;</li> <li>• Delivery of land titles in the names of both husband and wife;</li> <li>• Compensation has been delivered to both spouses; and</li> <li>• The effectiveness of resettlement and livelihoods programs for restoring and developing women's income and living standards.</li> </ul>
Vulnerable groups issues	<ul style="list-style-type: none"> <li>• Assessment of the adequacy of the measures taken to address concerns;</li> <li>• Effectiveness of communication methods used; and</li> <li>• Assessment of the appropriateness and effectiveness of various entitlements, programs and activities and methods of delivery for various vulnerable households and groups, and the need for adjustment or additional measures.</li> </ul>
Transparency	<ul style="list-style-type: none"> <li>• How information is distributed and to whom, in order to make sure that all APs have the proper information and access to knowledge. Related to this is the functioning of decision-making bodies and how this information is properly recorded and made available to the population as a whole.</li> </ul>

## D. Evaluation

239. Evaluation is an assessment at a given point of time of the impact of resettlement and whether stated objectives have been achieved. An evaluation of the subproject RPs' process and impact should be undertaken 6 to 12 months after completion of all resettlement activities. The project's achievement in delivering full compensation before the commencement of construction will also be evaluated.

240. The resettlement monitoring to ADB during project implementation will follow the semi-annual reporting schedule for the Integrated Safeguard Monitoring Report.

### XIII. APPENDICES

#### A. Appendix 1 Update of Compensation Rates, 2017

Replacement Cost of Assets/trees lost in Dansavanh Sub-project

ການຊົດໃຊ້ແທນຄືນ ຊັບສົມບັດ ແລະ ຕົ້ນໄມ້ ຂອງ ເມືອງ ເຊໂບນ-ແດຮສະຫວັນ


Source: Dansavanh-Sepon – District 27 Jan  
2017

ລ/ດ	Land and Assets ດິນ ແລະ -ຊັບສົມບັດ	Unit ຫົວໜ່ວຍ	Price in Dansavanh ລາຄາ		Remark ໝາຍເຫດ
			USD	Lao kip ກີບ	
I	Structures ວຽກກໍ່ສ້າງໂຄງລ່າງ				
1	One storey wooden house ເຮືອນໄມ້ຊັ້ນດຽວ	m <sup>2</sup>	150		
2	One storey brick house ເຮືອນກໍ່ຊັ້ນດຽວ	m <sup>2</sup>	166		
3	One storey modern brick house ເຮືອນກໍ່ທັນສະໄໝຊັ້ນດຽວ	m <sup>2</sup>	200		
4	Two storey wooden house ເຮືອນໄມ້ສອງຊັ້ນ	m <sup>2</sup>	160		
5	Two storey wooden-brick house ເຮືອນສອງຊັ້ນ ຊັ້ນລຸ່ມກໍ່ ແລະ ຊັ້ນເທິງໄມ້	m <sup>2</sup>	180		
6	2 storey modern brick house ເຮືອນສອງຊັ້ນ ຊັ້ນລຸ່ມກໍ່ ແລະ ຊັ້ນເທິງໄມ້	m <sup>2</sup>	220		
7	Simple two storey house ເຮືອນກໍ່ສອງຊັ້ນ	m <sup>2</sup>	200		
8	Brick Row house ເຮືອນ ກໍ່ທຳມະດາ	m <sup>2</sup>	150		
9	One storey row house ເຮືອນ ກໍ່ສອງຊັ້ນ	m <sup>2</sup>	160		
10	2-3 brick storey house ເຮືອນສອງ-ສາມຊັ້ນກໍ່ດ້ວຍດິນຈີ	m <sup>2</sup>	160		
11	4-6 brick storey house ເຮືອນ ສີ-ຫົກຊັ້ນກໍ່ດ້ວຍດິນຈີ	m <sup>2</sup>	200		
12	Wooden row house ເຮືອນຫ້ອງແຖວເຮັດດ້ວຍໄມ້	m <sup>2</sup>	160		
13	One storey ສາງເກັບເຄື່ອງໜຶ່ງຊັ້ນ	m <sup>2</sup>	130		
24	ເຮືອນຄົວ Kitchen (rebuild)	m <sup>2</sup>	140		

25	Stall with thatch roofing ຕູບມຸງຫຍ້າ	m <sup>2</sup>	25		
26	Stall with tin roofing ຕູບມຸງສັງກະສີ	m <sup>2</sup>	30		
27	Stall with Fiber cement ຕູບມຸງກະເບື້ອງ	m <sup>2</sup>	30		
31	Wooden fence ຮົ່ວໄມ້	m	22		
32	Barbed wire fence ຮົ່ວໜາມໜາກຈັບ	m	22		
II	<b>ປະເພດດິນ Type of Land</b>				
1	ດິນບຸກສ້າງ ຊານເມືອງ Residential/commercial land in urban area	m <sup>2</sup>	117		
2	ດິນນາ Paddy land	m <sup>2</sup>	0.6		
3	ນານ້ຳຝົນ Paddy land – rainfed	m <sup>2</sup>	0.6		
4	ນາເຮື້ອ Undeveloped paddy land	m <sup>2</sup>	0.25		
5	ດິນບຸກສ້າງ Residential land	m <sup>2</sup>	200		
6	ສວນ Garden	m <sup>2</sup>	1.2		
7	ໜອງປາ Fishpond (7m x 15m)	each	12		Rate per m <sup>2</sup> used in the RP.
8	ດິນຫວ່າງເປົ່າ Undeveloped land	m <sup>2</sup>	1		
9	ດິນປ່າໄມ້ Forest land	m <sup>2</sup>	1		
III	<b>Commercial trees</b>				
IV	<b>Fruit ໝາກໄມ້</b>				
1	Mango ຕົ້ນໝາກມ່ວງ	tree	30		
2	Pawpaw/papaya ຕົ້ນໝາກຫຸ່ງ	tree	30		
3	Banana ຕົ້ນກວ້ຍ	tree	30		
4	Jack fruit ຕົ້ນມັ້	tree	30		
5	Coconut ຕົ້ນຜ້າວ	tree	30		


VI	Vulnerable AH support ຊຸກຍູ້ຄອບຄົວດ້ອຍໂອກາດທີ່ຖືກຜົນກະທົບ				
1	Business – loss of income ສູນເສຍລາຍຮັບຈາກທຸລະກິດ	Per	150		
2	Employee – loss of wages ລູກຈ້າງຂາດລາຍຮັບ	Per	100		
3	Relocation allowance ເງິນອຸດໜູນໃນການຍົກຍ້າຍ	AH	135		Rate per person in AH used in RP.
4	Restoration/transition assistance ຄ່າຊົດເຊີຍ ແລະ ຊ່ວຍເຫຼືອໃນການສ້ອມແປງຕ່າງໆ	AH	171		Rate per person in AH used in RP.
5	Vulnerable AH support ຊຸກຍູ້ຄອບຄົວດ້ອຍໂອກາດທີ່ຖືກຜົນກະທົບ	AH	210		Rate per person in AH used in RP.

1. PMU letter on compensation rates attaching Governor decision and note on meeting to establish compensation unit rates



ສາທາລະນະລັດ ປະຊາທິປະໄຕ ປະຊາຊົນລາວ

ສັນຕິພາບ ເອກະລາດ ປະຊາທິປະໄຕ ເອກະພາບ ວັດທະນາຖາວອນ



ຍທຂ  
PWT

ເລກທີ... 092/.../ຄພຕອ.ສຂ  
ສະຫວັນນະເຂດ, ວັນທີ: 18/05/2017.

ກະຊວງໂຍທາທິການ ແລະ ຂົນສົ່ງ  
ພະແນກ ຍທຂ ປະຈຳແຂວງສະຫວັນນະເຂດ  
ໂຄງການພັດທະນາຕົວເມືອງ

**ຂໍ້ຕົກລົງ**

**ຂອງຫົວໜ້າໂຄງການພັດທະນາຕົວເມືອງ**

**ວ່າດ້ວຍ ການນຳໃຊ້ລາຄາຫົວໜ່ວຍເພື່ອທົດແທນຄ່າເສຍຫາຍຊັບສິນທີ່ຖືກກະທົບຍ້ອນການກໍ່ສ້າງ  
ເສັ້ນທາງ ເທດສະບານເມືອງພິນ ແລະ ເສັ້ນທາງບ້ານແດນສະຫວັນ ຂອງເມືອງເຊໂປນ**

- ອີງຕາມຕົກລົງ ຂອງທ່ານ ເຈົ້າແຂວງ ສະຫວັນນະເຂດ ສະບັບເລກທີ 1003/ຈຂ.ສຂ, ລົງວັນທີ 11 /07/ 2016 ວ່າດ້ວຍການແຕ່ງຕັ້ງ ຄະນະຄຸ້ມຄອງໂຄງການ ພັດທະນາຕົວເມືອງ ຕາມແລວທາງເສດຖະກິດ ຕາເວັນອອກ - ຕາເວັນຕົກ ອະນຸພາກພື້ນແມ່ນ້ຳຂອງ.
- ອີງຕາມ ຫຼັກສື່ຮັບຮອງລາຄາຫົວໜ່ວຍ ສະບັບເລກທີ 092 ຍທຂ.ມພ, ລົງວັນທີ 15/12/2016
- ອີງຕາມຫຼັກສື່ຕົກລົງ ຂອງທ່ານເຈົ້າເມືອງ ເຊໂປນ ສະບັບເລກທີ 729/ຈມ.ຊປ, ລົງວັນທີ 22 ທັນວາ 2016 ວ່າດ້ວຍການຮັບຮອງເອົາລາຄາຫົວໜ່ວຍສໍາລັບການທົດແທນຄ່າເສຍຫາຍ ຂອງວຽກຍົກຍ້າຍສິ່ງກົດຂວາງຍ້ອນການກໍ່ສ້າງເສັ້ນທາງຕາຜ້າ ຢູ່ບ້ານໃຫຍ່ແດນສະຫວັນ ເມືອງເຊໂປນ ພາຍໃຕ້ໂຄງການ ພັດທະນາຕົວເມືອງ ຕາມແລວທາງເສດຖະກິດ ຕາເວັນອອກ-ຕາເວັນຕົກ ອະນຸພາກພື້ນແມ່ນ້ຳຂອງ.

**ຫົວໜ້າໂຄງການພັດທະນາຕົວເມືອງ**

ມາດຕາ 1: ເຫັນດີຕາມການຕົກລົງ ຂອງຄະນະກຳມະການຂັ້ນເມືອງ ທີ່ມີຄວາມເປັນເອກະພາບກັນໃນການກຳນົດເອົາລາຄາເວນຄືນຕໍ່ສິ່ງປຸກສ້າງທຸກປະເພດ, ການກະສິກໍາ, ດ້ານສັງຄົມ ແລະ ອື່ນໆ ທີ່ນອນໃນຂອບເຂດຂອງໂຄງການພັດທະນາຕົວເມືອງ.

ມາດຕາ 2: ເຫັນດີນຳໃຊ້ລາຄາຫົວໜ່ວຍ ການເວນຄືນ ແຕ່ລະປະເພດ ທີ່ທາງຄະນະກຳມະການຂັ້ນເມືອງ ກໍ່ຕັ້ງໂຄງການພັດທະນາຕົວເມືອງ ໄດ້ມີຄວາມເປັນເອກະພາບກັນ ເພື່ອນຳໃຊ້ເຂົ້າໃນການຄິດໄລ່ເວນຄືນຕໍ່ຜົນກະທົບ ໃນເຂດເສັ້ນທາງ ເທດສະບານເມືອງພິນ ແລະ ເສັ້ນທາງບ້ານແດນສະຫວັນ ຂອງເມືອງເຊໂປນ ທີ່ນອນໃນຂອບເຂດຂອງໂຄງການພັດທະນາຕົວເມືອງ.

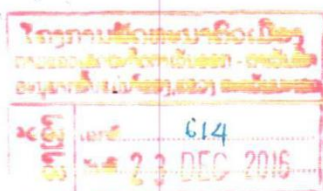
ມາດຕາ 3: ເຫັນດີຮັບຮອງນຳໃຊ້ລາຄາຫົວໜ່ວຍຕາມເອກະສານທີ່ທ່ານເຈົ້າເມືອງ ພິນ ຮັບຮອງ ສະບັບເລກທີ 092 ຍທຂ.ມພ, ລົງວັນທີ 15/12/2016. ແລະ ຫຼັກສື່ຕົກລົງຮັບຮອງ ຂອງທ່ານເຈົ້າເມືອງ ເຊໂປນ ສະບັບເລກທີ 729/ຈມ.ຊປ, ລົງວັນທີ 22 ທັນວາ 2016.

ມາດຕາ 4: ຂໍ້ຕົກລົງສະບັບນີ້ມີຜົນນຳໃຊ້ນັບຕັ້ງແຕ່ມີລົງລາຍເຊັນ ເປັນຕົ້ນໄປ.



ພົມມາ ວົງພະຈິດ  
PHOMMA VONGPHACHIT





ສາທາລະນະລັດ ປະຊາທິປະໄຕ ປະຊາຊົນລາວ  
ສັນຕິພາບ ເອກະລາດ ປະຊາທິປະໄຕ ເອກະພາບ ວັດທະນະຖາວອນ

ເມືອງເຊໂປນ  
ເຈົ້າເມືອງ

7 2 9 / ຈ.ມ.ຊ.ປ.  
ເລກທີ...../ ຈ.ມ.ຊ.ປ.

ເຊໂປນ, ວັນທີ.....

27 DEC 2016

ທັງສິຕິກລິງ

ວ່າດ້ວຍການຮັບຮອງເອົາລາຄາຫົວໜ່ວຍສໍາລັບການທົດແທນຄ່າເສຍຫາຍ

ຂອງວຽກງານຍົກຍ້າຍສິ່ງກົດຂວາງຍ້ອນການກໍ່ສ້າງເສັ້ນທາງຕາເວັນຕົກ ຢູ່ບ້ານໃຫຍ່ ແດນສະຫວັນ ເມືອງເຊໂປນ  
ພາຍໃຕ້ ໂຄງການພັດທະນາຕົວເມືອງ ຕາມແຜນການວິໄນອອກ-ຕາເວັນຕົກ ອະນຸພາກພື້ນເມືອງຂອງລາວ.

- ອີງໃສ່ ກົດໝາຍວ່າດ້ວຍການປົກຄອງທ້ອງຖິ່ນ ແຫ່ງ ສປປ ລາວ ສະບັບປັບປຸງ ເລກທີ 68/ສພຊ ລົງວັນທີ 14 ທັນວາ 2015 ພາກທີ IV ໝວດທີ 4 ມາດຕາ 40 ຂໍ້ 7.
- ອີງໃສ່ ຂໍ້ຕົກລົງ ຂອງທ່ານ ເຈົ້າເມືອງ ໆເຊໂປນ ສະບັບເລກທີ 298/ ຈ.ມ.ຊ.ປ, ວັນທີ 25 ພຶດສະພາ 2015 ວ່າດ້ວຍການແຕ່ງຕັ້ງຄະນະກຳມະການ ຂຶ້ນເມືອງ ຮັບຜິດຊອບການເວນຄືນ ແລະ ຍົກຍ້າຍສິ່ງກົດຂວາງ ຂອງໂຄງການ ພັດທະນາຕົວເມືອງ ຕາມແຜນເສດຖະກິດ ຕາເວັນອອກ-ຕາເວັນຕົກ ອະນຸພາກພື້ນເມືອງຂອງລາວ ສໍາລັບບ້ານ ແດນສະຫວັນ ເມືອງເຊໂປນ.
- ອີງໃສ່ ການຕົກລົງຄືນຄັ້ງ ຂອງຄະນະກຳມະການໄກ່ເກ່ຍ ວຽນຄືນ ຂຶ້ນເມືອງ ໄດ້ຄົ້ນຄວ້າລາຄາ ແຕ່ລະປະເພດ ທີ່ມີຜົນກະທົບ ຄ້າຍກັບເມືອງໄກສອນ ພົມວິຫານ, ເມືອງພິນ ແລະ ເມືອງເຊໂປນ. ແຜນຕາມສະພາບຄວາມເປັນຈິງຂອງເມືອງເຊໂປນເອງ.

ເຈົ້າເມືອງເຊໂປນ ຕົກລົງຮັບຮອງເອົາດັ່ງນີ້:

- ມາດຕາ 01: ເຫັນດີຕາມການຕົກລົງ ຂອງຄະນະກຳມະການຂຶ້ນເມືອງ ທີ່ມີຄວາມເຫັນດີ ເປັນເອກະພາບກັນໃນການກຳນົດເອົາລາຄາວຽນຄືນຕໍ່ສິ່ງປຸກສ້າງທຸກປະເພດ.
- ມາດຕາ 02: ເຫັນດີຕາມການຕົກລົງ ຂອງຄະນະກຳມະການຂຶ້ນເມືອງ ທີ່ມີຄວາມເຫັນດີ ເປັນເອກະພາບກັນໃນການກຳນົດເອົາລາຄາວຽນຄືນຂອງການກະສິກໍາທຸກປະເພດ.
- ມາດຕາ 03: ເຫັນດີຕາມການຕົກລົງ ຂອງຄະນະກຳມະການຂຶ້ນເມືອງ ທີ່ມີຄວາມເຫັນດີ ເປັນເອກະພາບກັນໃນການກຳນົດເອົາລາຄາວຽນຄືນຕໍ່ຜົນກະທົບທາງດ້ານສັງຄົມ ແລະ ອື່ນໆ.
- ມາດຕາ 04: ເຫັນດີໃຫ້ນໍາໃຊ້ລາຄາຫົວໜ່ວຍ ການວຽນຄືນແຕ່ລະປະເພດ ທີ່ທາງຄະນະກຳມະການ ຂຶ້ນແຂວງກໍ່ຕັ້ງໂຄງການ GMS ແລະ ຄະນະກຳມະການ ຂຶ້ນເມືອງ ທີ່ໄດ້ມີຄວາມ ເປັນເອກະພາບກັນ ສັງລວມກັນເປັນບຸລິມະສິດນີ້ແລ້ວ ເພື່ອໃຫ້ນໍາໃຊ້ ເຂົ້າໃນການຄິດໄລ່ວຽນຄືນຕໍ່ຜົນກະທົບ ໃນເຂດບ້ານ ແດນສະຫວັນ ກໍ່ຕັ້ງໃນທ້ວເມືອງເຊໂປນ.
- ມາດຕາ 05: ຂໍ້ຕົກລົງສະບັບນີ້ ເຈົ້າເມືອງເຊໂປນ ເຫັນດີຮັບເອົາ ແລະ ອະນຸມັດໃຫ້ມີສິດນໍາໃຊ້ໄດ້ ນັບແຕ່ມີລົງລາຍເຊັນນີ້ ເປັນຕົ້ນໄປ.  
( ລະອຽດມີບົດບັນທຶກຂອງຄະນະກຳມະການ ຂຶ້ນເມືອງ ແລະ ລາຄາຫົວໜ່ວຍຕິດຄັດມາພ້ອມ )

ເຈົ້າເມືອງ-ເມືອງເຊໂປນ





ສາທາລະນະລັດ ປະຊາທິປະໄຕ ປະຊາຊົນລາວ  
ສັນຕິພາບ ເອກະລາດ ປະຊາທິປະໄຕ ເອກພາບ ວັດທະນາຖາວອນ



ກະຊວງ ໂຍທາທິການ ແລະ ຂົນສົ່ງ  
ພະແນກ ຍທຂ ປະຈຳແຂວງສະຫວັນນະເຂດ  
ໂຄງການພັດທະນາຕົວເມືອງ

### ບົດບັນທຶກ

ກອງປະຊຸມປຶກສາຫາລື ກ່ຽວກັບລາຄາຫົວໜ່ວຍ ສຳລັບການທົດແທນຄ່າເສຍຫາຍ ຂອງວຽກຍົກຍ້າຍ  
ສິ່ງກົດຂວາງ ຍ້ອນການກໍ່ສ້າງເສັ້ນທາງ ບ້ານແດນສະຫວັນ ຂອງເມືອງເຊໂປນ ພາຍໃຕ້ໂຄງການ  
ພັດທະນາຕົວເມືອງ ຕາມແລວທາງເສດຖະກິດ ຕາເວັນອອກ-ຕາເວັນຕົກ ອະນຸພາກພື້ນແມ່ນ້ຳຂອງ.

- ອີງຕາມ ຂໍ້ຕົກລົງ ຂອງທ່ານເຈົ້າແຂວງ ສະຫວັນນະເຂດ ສະບັບເລກທີ 1003/ຈຂ.ສຂ, ລົງວັນທີ 11  
ກໍລະກົດ 2016 ວ່າດ້ວຍການແຕ່ງຕັ້ງຄະນະຄຸ້ມຄອງໂຄງການພັດທະນາຕົວເມືອງ ຕາມແລວທາງ ເສດຖະກິດ  
ຕາເວັນອອກ-ຕາເວັນຕົກ ອະນຸພາກພື້ນແມ່ນ້ຳຂອງ.
- ອີງຕາມ ຂໍ້ຕົກລົງຂອງ ທ່ານ ເຈົ້າເມືອງ ເຊໂປນ ສະບັບເລກທີ 298/ຈມ.ຊປ, ລົງວັນທີ 25/05/2015 ວ່າ  
ດ້ວຍການແຕ່ງຕັ້ງ ຄະນະກຳມະການຂັ້ນເມືອງ ຮັບຜິດຊອບການເວນຄືນ ແລະ ຍົກຍ້າຍສິ່ງກົດຂວາງ ໂຄງການ  
ພັດທະນາຕົວເມືອງ ຕາມແລວທາງ ເສດຖະກິດ ຕາເວັນອອກ-ຕາເວັນຕົກ ອະນຸພາກພື້ນແມ່ນ້ຳຂອງສຳລັບ  
ບ້ານແດນສະຫວັນ ຂອງເມືອງເຊໂປນ.

ໃນຕອນເຊົ້າ ເວລາ 08:00 ໂມງ, ຂອງວັນທີ 23/11/2016 ຢູ່ທີ່ ຫ້ອງການໂຍທາທິການ ແລະ ຂົນສົ່ງ ເມືອງເຊ  
ໂປນ ໄດ້ຈັດກອງປະຊຸມປຶກສາຫາລືກ່ຽວກັບລາຄາຫົວໜ່ວຍ ສຳລັບການທົດແທນຄ່າເສຍຫາຍ ຂອງວຽກຍົກຍ້າຍສິ່ງ  
ກົດຂວາງ, ໂດຍການເປັນປະທານ ຂອງທ່ານ ໄຊຊະນະ ກັດຕິຍະວົງສາ ຫົວໜ້າ ຫ້ອງການ ຍທຂ ເມືອງ ເຊໂປນ ທີ່ໄດ້  
ຮັບການມອບໝາຍ ຈາກທ່ານຮອງເຈົ້າເມືອງ ເຊໂປນ ເປັນປະທານແທນ, ເຊິ່ງມີຜູ້ເຂົ້າຮ່ວມທັງໝົດ 12 ທ່ານ ຍິງ 02  
ທ່ານ ມາຈາກ ຫ້ອງການຊັບພະຍາກອນທຳມະຊາດ ແລະ ສິ່ງເວດລ້ອມເມືອງ, ຫ້ອງການ ປກສ ກຸ່ມ ເມືອງ, ຫ້ອງການ  
ແຜນການ ເມືອງ, ສະຫະພັນແມ່ຍິງເມືອງ, ຫ້ອງການກະສິກຳເມືອງ, ຫ້ອງການ ການເງິນເມືອງ, ຄະນະຄຸ້ມຄອງ  
ໂຄງການ, ນາຍບ້ານ, ແນວໂຮມບ້ານ. (ເຊິ່ງມີລາຍຊື່ຂັດຕິດມາພ້ອມນີ້)

ກອງປະຊຸມໃນຄັ້ງນີ້ໄດ້ຄົ້ນຄວ້າປຶກສາຫາລື ຢ່າງກົງໄປກົງມາ ກ່ຽວກັບລາຄາຫົວໜ່ວຍ ສຳລັບການທົດແທນຄ່າ  
ເສຍຫາຍ ຍ້ອນການກໍ່ສ້າງເສັ້ນທາງ ບ້ານແດນສະຫວັນ ຂອງເມືອງເຊໂປນ ສຳລັບໂຄງການພັດທະນາຕົວເມືອງ ຕາມ  
ແລວທາງເສດຖະກິດ ຕາເວັນອອກ-ຕາເວັນຕົກ ອະນຸພາກພື້ນແມ່ນ້ຳຂອງ ເຫັນດີເປັນເອກກະພາບກັນດັ່ງນີ້:

1. ເຫັນດີໃຫ້ຄະນະກຳມະການແຕ່ລະທ່ານ ໃສ່ລາຄາຂອງດິນ ຕາມແບບພອມທີ່ທາງໂຄງການ ສັງລວມລາຄາມາແລ້ວ (from ABD 2012) ແລ້ວສົ່ງໃຫ້ທາງໂຄງການສັງລວມເອົາລາຄາສະເລ່ຍຂອງແຕ່ລະປະເພດ ໃຫ້ສຳເລັດແລ້ວນຳ ໄປລາຍງານຜູ້ຊີ້ນຳຂັ້ນເມືອງ.
2. ພາຍຫຼັງຜ່ານຄວາມເຫັນດີໃນຂະນະການນຳ ຂັ້ນເມືອງແລ້ວ ສະເໜີເມືອງເຮັດໜັງສືຮັບຮອງ ຫຼື ຂໍ້ຕົກລົງເປັນທາງ ການ ແລ້ວສົ່ງໃຫ້ທາງໂຄງການ ເພື່ອນຳໄປຈັດຕັ້ງປະຕິບັດໃນຂັ້ນຕໍ່ໄປ, ດັ່ງລາຍການລຸ່ມນີ້:

Replacement Cost of Assets/trees lost in Dansavanh  
Districts

ການຊົດໃຊ້ແທນຄົນ ຊັບສົມບັດ ແລະ ຕົ້ນໄມ້ ຂອງ ບ້ານແດນສະຫວັນ)

Source: Dansava – Sepon – District 27 Jan  
2017

ລ/ດ	Land and Assets ດິນ ແລະ ຊັບສົມບັດ	Unit	Price in Dansavanh		Remarks
I	Structure: ວຽກກໍ່ສ້າງໂຄງລ່າງ		USD	Lao kip	
1	One store wooden house ເຮືອນໄມ້ຊັ້ນດຽວ	m2	150		
2	One store brick house ເຮືອນກໍ່ຊັ້ນດຽວ	m2	166		
3	One store modern brick house ເຮືອນກໍ່ທັນສະໄໝຊັ້ນດຽວ	m2	200		
4	Two store wooden house ເຮືອນໄມ້ສອງຊັ້ນ	m2	160		
5	Two store wooden-brick house ເຮືອນສອງຊັ້ນ ຊັ້ນລຸ່ມກໍ່ ແລະ ຊັ້ນເທິງໄມ້	m2	180		
6	2 store modern brick house ເຮືອນສອງຊັ້ນ ຊັ້ນລຸ່ມກໍ່ ແລະ ຊັ້ນເທິງໄມ້	m2	220		
7	Simple two store house ເຮືອນກໍ່ສອງຊັ້ນ	m2	200		
8	Brick Row house ເຮືອນ ກໍ່ທຳມະດາ	m2	150		
9	One store row house ເຮືອນ ກໍ່ສອງຊັ້ນ	m2	160		
10	2-3 brick store house ເຮືອນສອງ-ສາມຊັ້ນກໍ່ດ້ວຍດິນຈີ່	m2	160		
11	4-6 brick store house ເຮືອນ ສີ່-ຫົກຊັ້ນກໍ່ດ້ວຍດິນຈີ່	m2	200		
12	Wooden row house ເຮືອນຫ້ອງແຖວເຮັດດ້ວຍໄມ້	m2	160		
13	One store ສາງເກັບເຄື່ອງໜັງຊັ້ນ	m2	130		
14	ເຮືອນຄົວ Kitchen (rebuild)	m2	140		



15	Stall with thatch roofing ດູບມຸງຫຍ້າ	m2	25		
16	Stall with tin roofing ດູບມຸງສັງກະສີ	m2	30		
17	Stall with Fiber cement ດູບມຸງກະເບື້ອງ	m2	30		
18	Barbed wire fence ຮົ່ວໜາມໝາກຈັບ	m	22		
19	Barbed wire fence ຮົ່ວໜາມໝາກຈັບ	m	22		
II	ປະເພດດິນ Type of Land		-		
1	ດິນບຸກສ້າງ ຊານເມືອງ Residential/commercial land in urban area	m <sup>2</sup>	117		
2	ດິນນາ	m <sup>2</sup>	0.6		
3	ນ້ຳຝົນ	m <sup>2</sup>	0.6		
4	ນ້ຳເຮືອ	m <sup>2</sup>	0.25		
5	ດິນບຸກສ້າງ Resident land	m <sup>2</sup>	200		
6	ສວນ Garden	m <sup>2</sup>	1.2		
7	ໝອງປາ Fishpond (7m x 15m)	ea	12		Rate per m2 used in the RP
8	ດິນຫວ່າງເປົ່າ Undeveloped land	m <sup>2</sup>	1		
9	ດິນປ່າໄມ້ Forest land	m <sup>2</sup>	1		
III	Commercial trees		-		
IV	Fruit ໝາກໄມ້		-		
1	Mango ຕົ້ນໝາກມ່ວງ	tree	30		
2	Pawpaw/papaya ຕົ້ນໝາກກຸ່ງ	tree	30		
3	Banana ຕົ້ນກວ້ຍ	tree	30		
4	Jack fruit ຕົ້ນມັ້ງ	tree	30		

5	Coconut ຕົ້ນພ້າວ	tree	30	
V	<b>Vulnerable AH support ສຸກຍູ້ຄອບຄົວດ້ອຍໂອກາດທີ່ຖືກຜົນກະທົບ</b>			
1	Business – loss of income ສູນເສຍລາຍຮັບຈາກທຸລະກິດ	Per	150	
2	Employee – loss of wages ລູກຈ້າງຂາດລາຍຮັບ	Per	100	
3	Relocation allowance ເງິນອຸດໜູນໃນການຍົກຍ້າຍ	AH	135	
4	Restoration/transition assistance ຄ່າຊົດເຊີຍ ແລະ ຊ່ວຍເຫຼືອໃນການສ້ອມແປງຕ່າງໆ	AH	171	
5	Vulnerable AH support ສຸກຍູ້ຄອບຄົວດ້ອຍໂອກາດທີ່ຖືກຜົນກະທົບ	AH	210	

ໝາຍເຫດ: ການກຳນົດລາຄາທີ່ດິນ, ສິ່ງປຸງສ້າງ, ຕົ້ນໄມ້, ພືດພັນນາໆສະໜິດ ແລະ ອື່ນໆ ແມ່ນໃຊ້ສະເພາະການຊົດໃຊ້ແທນຄົນສຳລັບໂຄງການພັດທະນາຕົວເມືອງ ຕາມແລວທາງ ເສດຖະກິດ ຕາເວັນອອກ-ຕາເວັນຕົກ ອະນຸພາກພື້ນແມ່ນ້ຳຂອງ.

ກອງປະຊຸມໄດ້ປິດລົງໃນເວລາ 11:30 ໂມງ ຂອງວັນດຽວກັນ, ດັ່ງນັ້ນຈຶ່ງເຮັດບົດບັນທຶກສະບັບນີ້ໄວ້ເພື່ອເປັນບ່ອນອີງໃນການນຳສະເໜີ ການນຳຂຶ້ນເມືອງໄດ້ພິຈາລະນາ ໃນແນວທາງຈັດຕັ້ງປະຕິບັດໃນຂັ້ນຕໍ່ໄປ.

ປະທານກອງປະຊຸມ

ສະຖານະ ກັດຕິຍະວົງສາ

ສະຫວັນນະເຂດ, ວັນທີ 23 ພະຈິກ 2016

ຜູ້ບັນທຶກກອງປະຊຸມ



## ສາທາລະນະລັດ ປະຊາທິປະໄຕ ປະຊາຊົນລາວ

ສັນຕິພາບ ເອກະລາດ ປະຊາທິປະໄຕ ເອກະພາບ ວັດທະນະຖາວອນ



ກະຊວງ ໂຍທາທິການ ແລະ ຂົນສົ່ງ

ພະແນກ ຍທຂ ປະຈຳແຂວງສະຫວັນນະເຂດ

ໂຄງການພັດທະນາຕົວເມືອງ

### ບັນຊີລາຍຊື່ຜູ້ເຂົ້າຮ່ວມກອງປະຊຸມ

ກອງປະຊຸມ: ປຶກສາຫາລື ກ່ຽວກັບລາຄາຫົວໜ່ວຍ ສຳລັບການທົດແທນຄ່າເສຍຫາຍ ຍ້ອນການກໍ່ສ້າງເສັ້ນທາງເທດສະບານເມືອງພິນ ສຳລັບໂຄງການພັດທະນາຕົວເມືອງ ຕາມແລ່ນທາງເສດຖະກິດ ຕາເວັນອອກ-ຕາເວັນຕົກ ອະນຸພາກພື້ນແມ່ນ້ຳຂອງ.

ສະຖານທີ່: ຫ້ອງການໂຍທາທິການ ເມືອງເຊໂປນ.

ຄັງວັນທີ: 23/11/2016

ເວລາ: 08:30 ໂມງ

ລ/ດ	ຊື່ ແລະ ນາມສະກຸນ	ໜ້າທີ່ຮັບຜິດຊອບ	ພາກສ່ວນ	ເບີໂທລະສັບ	ລາຍເຊັນ
1	ທ. ໂຄງຊະນາ ພົມວິໄລຍະວຽກ	ເຈົ້າໜ້າທີ່	ອຸທິພາບ ພາກສ່ວນ	97366899	80
2	ທ. ພົມມະ ວິໄລຍະວຽກ	ອຸທິພາບ	ພາກສ່ວນ	55153166	80
3	ທ. ພົມມະ ວິໄລຍະວຽກ	ອຸທິພາບ	ພາກສ່ວນ	22715812	80
4	ທ. ພົມມະ ວິໄລຍະວຽກ	ອຸທິພາບ	ພາກສ່ວນ	58920444	80
5	ທ. ພົມມະ ວິໄລຍະວຽກ	ອຸທິພາບ	ພາກສ່ວນ	95422311	80
6	ທ. ພົມມະ ວິໄລຍະວຽກ	ອຸທິພາບ	ພາກສ່ວນ	700978844	80
7	ທ. ພົມມະ ວິໄລຍະວຽກ	ອຸທິພາບ	ພາກສ່ວນ	2051900309	80
8	ທ. ພົມມະ ວິໄລຍະວຽກ	ອຸທິພາບ	ພາກສ່ວນ	22793111	80
9	ທ. ພົມມະ ວິໄລຍະວຽກ	ອຸທິພາບ	ພາກສ່ວນ	96987806	80
10	ທ. ພົມມະ ວິໄລຍະວຽກ	ອຸທິພາບ	ພາກສ່ວນ	97723494	80

11	20. ប្រធានាធិការ	អគ្គនាយកដ្ឋាន	អគ្គនាយកដ្ឋាន	PMU	១១/១១/១១	PMU
12	21. អគ្គនាយកដ្ឋាន	អគ្គនាយកដ្ឋាន	អគ្គនាយកដ្ឋាន			
13	22. អគ្គនាយកដ្ឋាន	អគ្គនាយកដ្ឋាន	អគ្គនាយកដ្ឋាន			
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សមាជិកគណៈកម្មាធិការ, ភ្នំពេញ.....

សមាជិក



## B. Appendix 2 Comparison of Compensation Unit Rates, RP 2012 and 2017

**Table 23 Comparison of Compensation Unit Rates Used in the RP 2012 and the RP 2017:  
Dansavanh Rd Subproject**

Item No.	Item	Unit	Cost per unit (US\$), 2012 RP	Cost per unit (US\$), 2017 RP
<b>1</b>	<b>Land</b>			
1.1	Residential land (main road)	m <sup>2</sup>	30	200
1.2	Residential land (urban area)	m <sup>2</sup>	- <sup>1</sup>	117
1.3	Agricultural land	m <sup>2</sup>	0.3	0.6
1.3	Garden land	m <sup>2</sup>	- <sup>1</sup>	1.2
1.4	Fish pond	m <sup>2</sup>	- <sup>1</sup>	12
<b>2</b>	<b>Crops</b>			
2.1	Agricultural land	AH	- <sup>1&amp;2</sup>	130
<b>3</b>	<b>Trees</b>			
3.1	Mango	Tree	30	30
3.2	Banana	Tree	30	30
<b>4</b>	<b>Structures</b>			
4.1	Wooden house	m <sup>2</sup>	80/100	160
4.2	Brick house (tin roofing)	m <sup>2</sup>	80/100	166
4.3	Cow stable/enclosure	m <sup>2</sup>	- <sup>1</sup>	23
4.4	Fence	m	20	22
4.5	Concrete expansion floor	m <sup>2</sup>	- <sup>1</sup>	100
4.6	Roof extension	m <sup>2</sup>	- <sup>1</sup>	30
4.7	Motorbike scrap storage – simple wood structure	m <sup>2</sup>	- <sup>1</sup>	112
<b>5</b>	<b>Livelihood Restoration, Allowances &amp; Other</b>			
5.1	Business – loss of income	per	225	150
5.2	Transport/Relocation	AH	150	135
5.3	Transition assistance	AP (in AH)	477 <sup>3</sup>	88
5.4	Vulnerable AH support	AP (in AH)	239 <sup>3</sup>	88
5.5	Restoration support (3 / 12 months)	AP (in AH)	477 <sup>3</sup>	88 / 352

<sup>1</sup>Not identified in 2012; <sup>2</sup>The RP 2012 for Kaysone Phomvihane used a rate per area for rice (agricultural land) and a rate per household for vegetables (gardens); <sup>3</sup>The rate used in the 2012 RP was for the entire affected household, while the rate in the 2017 RP is per person in affected household for a period of three months.



**C. Appendix 3 – Official Compensation Rates, 2012**

No.	Type of Structure	Price/rate (US\$)		
		Low	Middle	High
	One storey house			
	One storey wooden house	140	160	200
	One storey brick house	150	175	205
	One storey modern brick house	170	200	210
	Two storey house			
	Two storey wooden house	135	150	165
	Two storey wooden-brick house	140	165	180
	2 storey modern brick house	175	200	210
	Simple two storey house	175	185	205
	Brick Row house			
	One storey row house	105	135	170
	2-3 brick storey house	100	140	165
	4-6 brick storey house	110	145	175
	Wooden row house			
	One storey	105	125	155
	Two storey	95	115	135
	Three storey	90	110	125
	Two storey wooden-brick house	100	120	150
	Other Structure			
	School	95	115	135
	Hotel	300	355	380
	Cinema Hall	140	170	185
	Hospital	170	200	220
	Factory	105	130	155
	Rice mill	45	65	85

**D. Appendix 4 – Market Rates Appraisal, 2012**

Land and Assets	Unit	Average market rates in (USD)		
		Kaysone	Phine	Dansavan
Structure:				
Simple (i.e. timber/ bamboo) with thatch roofing	m2	70	60	50
Simple (i.e. timber/ bamboo) with tin roofing	m2	80	70	60
Simple (i.e. timber/ bamboo) with fiber cement	m2	90	80	70
Wooden - rough-sawn with thatch roofing	m2	60	65	70
Wooden - rough-sawn with tin roofing	m2	70	75	80
Wooden - rough-sawn with fiber cement	m2	80	85	90
Wooden - solid milled & treated timber with tin Roofing	m2	95	90	90
Wooden - solid milled & treated timber with fiber Cement	m2	120	100	100
1 story Brick/concrete with tin roofing	m2	150	130	120
1 story Brick/concrete with Fiber cement	m2	180	160	150
1 story Brick/concrete with CPac	m2	200	180	170
Wood/brick with tin roofing	m2	150	130	120
Wood/brick with fiber cement	m2	180	160	150
Wood/brick with CPac	m2	200	180	170
2 story Brick/concrete with tin roofing	m2	400	350	350
2 story Brick/concrete with fiber cement	m2	450	400	400
2 story Brick/concrete with CPac	m2	500	450	450
Expansion with tin roofing	m2	25	25	25
Expansion with Fiber cement	m2	30	30	30
Stall with thatch roofing	m2	20	20	20
Stall with tin roofing	m2	25	25	25
Stall with Fiber cement	m2	30	30	30
Rice bin with thatch roofing	m2	20	20	20
Rice bin with tin roofing	m2	25	25	25
Rice bin with fiber cement	m2	30	30	30
Latrine with tin roofing	m2	80	80	80
Latrine with tin fiber cement	m2	100	100	100
Wall	m	80	80	80
Wooden fence	m	40	40	40
Barbed wire fence	m	20	20	20
Well with rings	ea	160	160	160
Well without rings	ea	55	55	55
Drilled well	ea	400	400	400
Irrigation canal excavation	m	20	20	20
Land				
Residential on main road	m2	300	30	30
Residential on minor road	m2	200	10	10
Paddy with irrigation	ha	6000	4000	4000
Raid fed paddy	ha	5000	3000	3000
Unused paddy	ha	3000	2500	2500
Fishpond about (7m x 15 m)	ea	1000	1000	1000
Tree (mature)	m2	10	10	10
Fruit tree	Tree	80	80	80
Bamboo	Bush	70	70	70
Teak	Tree	70	70	70
Banana	Bush	40	40	40

# E. Appendix 5 – Overview of affected and losses

		Dansavanh subproject																			Livelihood Restoration, Allowances & Other																							
		Land		Residential land (main road)		Residential Land (urban)		Agricultural Land		Garden land		Fish pond		Crops		Agricultural land		Trees		Commercial and fruit trees		Banana, mango, other		Structures		Wooden house		house w foundation		Cow enclosure		Fence		Concrete expansion floor		Extension roof		House/garage - motorbike scrap						
no.	ID		m <sup>2</sup>	m <sup>2</sup>	m <sup>2</sup>	m <sup>2</sup>	m <sup>2</sup>		AH	tree	tree		m <sup>2</sup>	m <sup>2</sup>	m <sup>2</sup>	m	m <sup>2</sup>	m <sup>2</sup>	m <sup>2</sup>		AH	AH	AP	AP	AP																			
1	R1 L4				1194				1							188																												
2	R6R4-R5		25.2										56									1	4																					
3	R6 L2															9																												
4	R6 L3																	12																										
5	R6 L4																	9																										
6	R6 L5-L6																	9																										
7	R8 L1																		6																									
8	R8 L3-L4																		12					6																				
9	R9 R3-R4+R10 R1-R2					1065	63				6																																	
10	R9 R4					74.5																																						
11	R9 R6-R7			21									63								1	1	6																					
12	R9 R7-R8			45		63																																						
13	R9 R8-R9 (ref R9 R3-R4)					192										64																												
14	R9 R9-R10					120										40								6																				
15	R9 R10-R11					360										40								3																				
16	R9 R11-R12					410					8					80								6																				
17	R9 R12-R13					249										47																												
18	R9-1 R1-R2					87																																						
19	R9-1 R4-R5			144									72									1	10	10	10																			
20	R9-1 R5-R6					137.5					7													6																				
21	R9-1 R6-R7					435																		7																				
22	R12 L1-L2																																											
23	R12 L2-L3				496	740	140		1						32																													
24	R12 R1-R2																		126.5																									
25	R12 /205.54m			56										56								1	4																					
26	R2 L2-L3+R10 R0-R1					1466.3																																						
27	R2 L1-L2					391																																						
28	R10 R2-R3					110.5													20					5																				
29	R9 L1-L2 (ref R12 R1-R2)					698.4																																						
30	R9 L1-L2 B					315																																						
31	R9 L2-L3					90																																						
32	R9 L3-L4					102																																						
33	R9 R2-R3					432					27																																	
34	R9-1 R7-R8					282																																						
35	R9-1 R8-R9					370																																						
36	R9-1 R9-R10 (ref R9 L1-L2)					348																																						
37	R9-1 R10-R11					174																		8																				
38	R9-1 R11-R12					50																		6																				
39	R13 R6-R7 (ref 9-1 R1-R2)															14.2																												
40	R5-R1-R2					312.6										43																												
				25.2	266	1690	9074.8	203		2		27	21	191	56	32	525.2	30	38	126.5		1	6	31	63	10																		

Source: Resettlement Surveys, 2016-2018

# F. Appendix 6 – Overview of socio-economic variables

No.	ID Number	Ethnicity	Gender			Civil status				Relation to		Educational level of head of household					Persons in HH		Household members by age						Source of income						Yearly income (kip)	Income per person per month (kip)	Vulnerability								
			Male	Female	Age	Married	Single	Divorced	Widow	Own	Rent	Stay for free	None	Some primary school	Primary school	Secondary school	High school	Above high school	Male	Female	Size of household	< 5 years	5-16 years	17-25 years	26-45 years	46-65 years	> 65 years	Government employee	Private employee	Small business			Tourism	Daily laborer	Agriculture	Other	Poor less than 240,000 kip per person	Low income AHs headed by single female	HH with disability	Elderly with no means of support	Landless
1	R1 L4	Lao		1	56			1	1		1						7	3	10		4	3	2		1			1				30,000,000	250,000	0	0	0	0	0			
2	R6R4-R5	Lao		1	66			1		1			1				1	3	4			2	1		1			1				15,000,000	312,500	0	0	0	0	0			
3	R6 L2	Lao	1		55	1				1				1			4	5	9			3	4	2								50,000,000	462,963	0	0	0	0	0			
4	R6 L3	Lao	1		41	1				1						1	2	2	4	1	1			2					1			30,000,000	625,000	0	0	0	0	0			
5	R6 L4	Lao	1		83	1				1			1				2	2	4				2		2			1				50,000,000	1,041,667	0	0	0	0	0			
6	R6 L5-L6	Lao	1		57	1				1					1		1	2	3		1		2					1				50,000,000	1,388,889	0	0	0	0	0			
7	R8 L1	Lao	1		45	1				1					1		3	3	6		4	2						1				30,000,000	416,667	0	0	0	0	0			
8	R8 L3-L4	Lao		1	72				1	1			1				3	3	6		3	2		1						1		10,000,000	138,889	1	0	0	0	0			
10	R9 R4	Lao	1		33	1				1				1			3	1	4	1	1		2					1				20,000,000	416,667	0	0	0	0	0			
11	R9 R6-R7	Lao	1		57	1				1				1			3	3	6			3	1	2						1		20,000,000	277,778	0	0	0	0	0			
12	R9 R7-R8	Lao	1		45	1				1					1		3	2	5			2	3					1				30,000,000	500,000	0	0	0	0	0			
14	R9 R9-R10	Lao	1		83	1				1					1		4	2	6		1	2	1		2						1	15,000,000	208,333	1	0	0	0	0			
15	R9 R10-R11	Lao		1	35					1					1		2	1	3		2	1						1				10,000,000	277,778	0	1	0	0	0			
16	R9 R11-R12	Lao		1	40				1				1				2	4	6		3	2	1					1				10,000,000	138,889	1	0	0	0	0			
17	R9 R12-R13	Lao	1		41	1				1						1	1	4	5		1	2	2					1				36,000,000	600,000	0	0	0	0	0			
18	R9-1 R1-R2	Tri	1		48	1				1						1	2	2	4			2	1	1				1				30,000,000	625,000	0	0	0	0	0			
19	R9-1 R4-R5	Tri	1		38	1				1				1			6	4	10	4	3	1	2							1		19,800,000	165,000	1	0	0	0	0			
20	R9-1 R5-R6	Tri		1	43				1	1			1				2	4	6		2	3	1							1		10,000,000	138,889	1	0	0	0	0			
21	R9-1 R6-R7	Lao	1		51	1				1				1			5	2	7		1	4	1	1				1				10,000,000	119,048	1	0	0	0	0			
22	R12 L1-L2	Lao	1		52	1				1					1		1	2	3		2			1				1				60,000,000	1,666,667	0	0	0	0	0			
23	R12 L2-L3	Lao		1	63			1		1				1			1	1	2				1	1				1				30,000,000	1,250,000	0	0	0	0	0			
24	R12 R1-R2	Tri	1		58	1				1				1			5	2	7	2	2		1	2				1				100,000,000	1,190,476	0	0	0	0	0			
25	R12 /205.54m	Tri	1		45			1			1						2	2	4	1	1		2	0				1		1		20,000,000	416,667	0	0	0	0	0			
27	R2 L1-L2	Lao	1		60	1				1						1	3	2	5			1	2	2		1						51,600,000	860,000	0	0	0	0	0			
28	R10 R2-R3	Lao	1		63	1				1						1	2	3	5	2	1		2			1						6,000,000	100,000	1	0	0	0	0			
30	R9 L1-L2 B	Lao	1		47	1				1						1	4	2	6	1		2	2	1						1		24,000,000	333,333	0	0	0	0	0			
31	R9 L2-L3	Tri	1		47	1				1				1			5	4	9	1	1	3	3	1						1		48,000,000	444,444	0	0	0	0	0			
32	R9 L3-L4	Lao	1		48	1				1						1	4	3	7		3	1	2	1				1				60,000,000	714,286	0	0	0	0	0			
33	R9R2-R3	Ta Oy	1		57	1				1						1	4	6	10	1	2	2	3	1	1	2			1			60,000,000	500,000	0	0	0	0	0			
34	R9-1 R7-R8	Lao	1		54	1				1						1	1	3	4			1	1	2		1						22,800,000	475,000	0	0	0	0	0			
35	R9-1 R8-R9	Phutai	1		31	1				1						1	1	3	4		2		2			2						36,000,000	750,000	0	0	0	0	0			
37	R91-R10-R11	Tri	1		31	1				1			1				4	4	8	1	4		2	1						1		12,000,000	125,000	1	0	1	0	0			
38	R9-1 R11-R12	Tri	1		33	1				1				1			2	4	6	2	2		2							1		12,000,000	166,667	1	0	0	0	0			
40	R5 R1-R2	Lao	1		46	1				1						1	2	3	5		1	2	2					1				36,000,000	600,000	0	0	0	0	0			
		Total:	27	7	50.7	26	0	5	3	33	0	1	6	5	4	8	7	4	97	96	193	17	48	41	58	21	8	7	0	20	0	4	2	4	31,005,882	520,485.14	9	1	1	0	0

Source: Resettlement Surveys, 2016-2018

**G. Appendix 7 – Folder structure of electronic resettlement archive and forms**

Folder	Notes
1. [Subproject]	
1.1. Resettlement Plan	
1.1.1. Resettlement Plan 2012	
1.1.2. Final Resettlement Plan	
1.1.3. Updates and corrective action plans	
1.2. IOL survey data	
1.2.1. IOL of affected households	Appendix 5 of RP
1.2.2. IOL survey data of all households	Appendix 7.2 of the RP File names: [Road name/number_L/R_ID numbers_version/date]
1.3. Socio-economic survey data	
1.3.1. Socio-economic data of affected households	Appendix 6 of RP
1.3.2. Socio-economic survey data of all households	Appendix 7.3 of the RP File names: [Road name/number_L/R_ID numbers_version/date]
1.4. Record of compensation payments	
1.4.1. Compensation forms	Appendix 7.3 (template)
1.4.2. Receipt of receiving compensation	
1.4.3. Photographic evidence	
1.5. Records of consultations	
1.6. Grievance mechanism	
1.6.1. Incoming correspondence	
1.6.2. Outgoing correspondence	
1.7. Maps of the alignment and households along the alignment	Appendix 7.4 of the RP
2. Monitoring Reports	

## 1. Template Compensation form

Survey ID \_\_\_\_\_ Name \_\_\_\_\_ Name in Lao \_\_\_\_\_ Type of ID \_\_\_\_\_ ID number & date \_\_\_\_\_

House No/ເລື່ອນເລກທີ \_\_\_\_\_, Unit/ຫ້ວຍ: \_\_\_\_\_, Village/ບ້ານ \_\_\_\_\_

I. Compensation for lost assets and allowances / ການຊົດເຊີຍຄ່າເສຍຫາຍ ແລະ ເງິນອຸດໜູນ:

No.	Descriptions/ລາຍການ	Units ຫ້ວຍ/ຫ້ວຍ	Quantities ຈຳນວນ	Rate (USD) ລາຄາ	Total (USD) ລວມທັງຫມົດ
1	Land / ທີ່ດິນ	m <sup>2</sup>	0		0
2	Crops / ຜົນປະກອບ	LS	0		0
3	Trees / ຕົ້ນໄມ້	Tree / ໄມ້	0		0
4	Structures / ສິ່ງປຸກສ້າງ	m <sup>2</sup>	0		0
5.1	Business loss / ທຸລະກິດທີ່ສູນເສຍ	AH / ຄຸກກາ	0		0
5.2	Relocation assistance / ຊ່ວຍໂລຍະປ່ຽນທີ່	AH / ຄຸກກາ	0		0
5.3	Transition assistance / ຊ່ວຍໄລຍະປ່ຽນການ	AP/ຜູ້ຖືກກະທົບ	0		0
5.4	Vulnerable AH support / ຊ່ວຍຄອບຄົວທີ່ຖືກກະທົບ ແລະ ຄ່ອຍໂອກາດ	AP/ຜູ້ຖືກກະທົບ	0		0
5.5	Restoration support / ຊ່ວຍຄ່າຝຶກ	AP/ຜູ້ຖືກກະທົບ	0		0
Total / ລວມທັງ					0

II. Preference of affected household / ຄວາມຕ້ອງການຂອງຜູ້ຖືກກະທົບ

1. Cash compensation / ການຊົດເຊີຍດ້ວຍເງິນສົດ
2. In-kind compensation / ການຊົດເຊີຍດ້ວຍວັດຖຸ
3. Bank details / ການຊົດເຊີຍດ້ວຍການໂອນເງິນເຂົ້າບັນຊີທະນາຄານ

III.a. The undersigned hereby confirms the above offer of compensation and allowances /

ກະລຸນາເຊັນຢູ່ຫ້ອງສ້າງລຸ່ມນີ້ເພື່ອຢືນຢັນວ່າທ່ານໄດ້ຈ່າຍຄ່າຊົດເຊີຍ ແລະ ເງິນອຸດໜູນແລ້ວ

Project Management Unit / ຫ້ອງການຄຸ້ມຄອງໂຄງການ Date / ວັນທີ: Name / ຊື່: Signature / ລາຍເຊັນ:	District Resettlement Committee / ທະນະໄກເກຍສິ່ງກົດລະດັບສູງ Date / ວັນທີ: Name / ຊື່: Signature / ລາຍເຊັນ:
--	---

III.b. The undersigned head of household and spouse hereby confirm the acceptance of the above offer of compensation and allowances/ກະລຸນາເຊັນທັງຜົວ ແລະ ເມຍຢູ່ຫ້ອງສ້າງລຸ່ມນີ້ເພື່ອຢືນຢັນວ່າທ່ານໄດ້ຮັບຄ່າຊົດເຊີຍ ແລະ ເງິນອຸດໜູນແລ້ວ

Head of HH / ຫົວໜ້າຄົວເຮືອນ ID/Family book / ບັ້ນສຳມະໄນຄົວເລກທີ: Phone / ຕີໂທ: Date / ວັນທີ: Name / ຊື່: Signature / ລາຍເຊັນ:	Spouse / ຄູສົມລົດ ID/Family book / ບັ້ນສຳມະໄນຄົວເລກທີ: Phone / ຕີໂທ: Date / ວັນທີ: Name / ຊື່: Signature / ລາຍເຊັນ:
--	--

- Circulation/ການໝູນວຽນເຊັນ: 1. Project Management Unit / ຫ້ອງການຄຸ້ມຄອງໂຄງການ  
2. District Resettlement Committee / ທະນະກຳມະການແກ້ໄຂສິ່ງກົດລະດັບສູງ  
3. Village Resettlement Committee / ທະນະກຳມະການແກ້ໄຂສິ່ງກົດລະດັບບ້ານ  
4. Affected Household / ຄົວເຮືອນທີ່ຖືກກະທົບ (ຄຸກກາ)

23-03-2018 15:54

1\_compensation form\_template\_FINAL

## 2. Example IOL form

ເປີດຖືກກະທົບ Census ID:	KSR 122-123	(ເປີດການສຳຫລວດພົ້ນກະທົບ Insert ID number)
ຊື່ແລະນາມສະກຸນເຈົ້າຂອງ Name and surname:	ທ້າວ ແກ້ວ + ນາງ ຄຳ Mr Keo + Ms Kham	(ຂຽນຊື່ແລະນາມສະກຸນຂອງເຈົ້າຂອງຊັບສິນ Insert name of owner)
ຊື່ຜູ້ຖືກກະທົບ Respondent in case the owner is not present:	ທ້າວ ແກ້ວ Mr Keo	(ຫາກບໍ່ແມ່ນເຈົ້າຂອງໃຫ້ຂຽນຊື່ຜູ້ຢູ່ຫລິ້ນຜູ້ຊື່ຢູ່ If owner not present, insert name of owner's representative)
ໂຄງການຢ່ອຍ Subproject:	ຖະໜົນໄກສອນ Kaysone Phomvihane Road	
ບ້ານ Village:	ດົງດຳດວນ Dongdamduan village	
ເມືອງ Town:	ໄກສອນພົມວິຫານ Kaysone Phomvihane	
ວັນທີສຳຫລວດ Date of survey:	30-06-2016	(ຕົວຢ່າງ Example of how to insert date 01-05-2016)
ເຮືອນ/ຖານທີ່ Affected property:	ເຮືອນແລະຮ້ານ House and shop	(ຕົວຢ່າງ: ເຮືອນ/ຮ້ານ/ຮ້ານຄ້າ/ຊຸດປາງດິນ/ຮ້ານອາຫານ/ອື່ນໆ Example: house/restaurant/shop)
ເບີໂທ Contact no.:	020 2222222	(ເບີໂທ phone number)
ຈັດພິກັດ GPS coordinates:	GPS 1: N 1834680; E 476144	(GPS point 1)
	GPS 2: N 1834639; E 476130	(GPS point 2)

ຂໍ້ມູນສັງລວມ VALUATION SUMMARY															
ລະຫັດ Code	ປະເພດສິ່ງກໍ່ສ້າງ ຖືກກະທົບ Type of affected structure (Choose from list or add)	ປະເພດໄມ້ຖືກກະທົບ Type of affected tree (Choose from list or add)	ປະເພດພັນຍາດິດ ຖືກກະທົບ Type of affected crop (Choose from list or add)	ໄມ້ຫລືພັນຍາດິດ ມາດຕະຖານ Maturity of tree or crop (<1 yr, 1-5 yr, >5yr)	ຂະໜາດ Size (Number of affected items)	ຫົວໜ່ວຍ Unit (m <sup>2</sup> , ha, m)	ລາຄາປ່ຽນແທນ (ກີບ) Scheduled replacement value (LAK)	ລາຄາທົດແທນ (ກີບ) Assessed value (LAK)	ກະທົບຈັກ (ເດືອນ) Construction duration (months)	ສູນເສຍລາຍ ຮັບທຸລະກິດ (ກີບ) Business loss of income (LAK)	ສາມເສຍຄ່າແຮງງານ ຈຳນວນຄົນ ຈຳນວນ Lumpsum ສູນເສຍ ງານ Lost wage			ຄ່າຊຸກຍູ້ ປະກອບອາຊີບ Restoration/transition	ລວມມູນຄ່າ ທັງໝົດ (ກີບ) Total claim assessed
A	ຕິດບໍ່ roof expansion				20	m <sup>2</sup>	50	1000	1.5						1000
B	ກັກແຄງໄມ້ concrete wall				50	m	100	5000							5000
C	ຮົ່ວໄມ້ wooden fence				35	m	28	980							980
D		ຕົ້ນໝາກມ່ວງ mango tree		1-5 yr	4	ຕົ້ນ tree	44	176							176
E		ໄມ້ໃຜ່ bambo		>5 yr	10	ຕົ້ນ tree	120	1200							1200
F			ສາວິ corn	<1 yr	0.5	ຮາ ha	75	37.5							37.5
G								0							0
etc.								0							0
Total								8393.5		0		0	0		8393.5

### 3. Template socio-economic data

[illegible][illegible][illegible]



