Land Acquisition and Compensation Report

March 2019

Lao People’s Democratic Republic: Greater Mekong Subregion East-West Economic Corridor Agriculture Infrastructure Sector Project

Prepared by the Department of Irrigation, Ministry of Agriculture and Forestry and the Asian Development Bank.

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ANNEX 7

Land Acquisition and Compensation Plan

Houay Thouat Subproject

March 2019 Based on the Detailed Measurement Survey
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ATTACHMENTS

SELECTED ACRONYMS

1 Executive Summary

1.1 Subproject Houay Thouat

1. The Houay Thouat Subproject is located in Champhon District of Savannakhet Province, at the distance of about 18-25 km North-Eastern of Kengkok (Champhon District Town Center); and some 60-70 km South-Eastern of Kaysone Phomvihane City (Capital of Savannakhet Province). The Houay Thouat Irrigation Scheme was built between the years 2000 and 2007 under the government fund. The scheme is served by a gravity system from a water impounding earth dam on Houay Thouat river. The distribution system comprises a main lined canal of approximately 6.0 km, two secondary lined canals of approximately 8.0 km and 27 tertiary canals made of brick with a total length of approximately 8.1 km. 2. The subproject covers 9 beneficiary villages, including Thouat, Vang Mao, Nong Ka Dok, Lam Taen, Na Khaam, Na Hai Deo, Dong Tabeng, Xieng Xum Nokkok and Sa Khun Tai. These villages are located on the left-hand side of Xe Champhon River and North-Eastern of Champhon Urban Town of the District. 3. The proposed Houay Thouat Subproject would (1) rehabilitate the Houay Thouat Irrigation System and increase the command area to 720 ha, and (2) improve the farm access road into the command area (irrigated field).

1.2 Scope of Land Acquisition and Resettlement Impact

4. This subproject with its components head works, canal, drains water control structures and farm roads involves physical changes through civil works mainly within the existing corridor of impact. However, part of those are outside the existing corridor of impact and require some land acquisition.

5. The detailed measurement survey (DMS) in September 2018 identified that the rehabilitation of the subproject will impact 14,027.0 m² of land. Of these landholdings, 13,611.2 m² are irrigated paddy of 51 AHs and 415.8 m² are rain- fed paddy of 1 AH who also losing the irrigated paddy. All of the affected lands are caused by construction of tertiary canal to the farms, the extension of the scheme. There is no impact on residential land, structures or trees.
6. Improvement of access road is not anticipated any land acquisition and there is no loss of common property.

7. A total of 51 AHs will lose one or more type of land to the subproject. Sixteen of them live in Houay Thouat Village, 14 in Vangmao Village, 11 in Dong Tabang Village, 7 in Sakuan Village and 3 are in Na Hai Diew Village. The 51 AHs are made up of 354 people (182 males and 172 females). Forty AHs are ethnic Lao, 9 are ethnic Makong, and 2 are ethnic Katang. All of them observe Buddhism. 8. There is no household with impact more than 10% of their productive land holding. The subproject has an average impact of 1.46%, minimum of 0.1% and maximum of 3.5%.

9. The project will prepare the budget of 42,081,000 LAK, as a compensation for the losses of asset. However, the actual payment will be based on the compensation agreement which the AHs will make with the project in March 2019.

A7-6

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1.3 Measures to Minimize Impacts and Resettlement

10. Efforts have been made to reduce the width of the corridor of impact to minimize impacts. Likewise, the civil works contractor will restore to pre-project condition damaged access within a month after completion of civil works. The National Project Management Office (NPMO) will ensure that this mitigation measure is followed diligently.

1.4 Legal and Policy Framework

11. The project resettlement policy is articulated in the agreed Project’s Resettlement Framework (RF), May 2013. The resettlement policy has been developed from the laws of the Government of Lao PDR, principally the Constitution (1991), the Land Laws (1997 and 2003), the Road Law (1999), Decree of the Prime Minister on Compensation and Resettlement of People Affected by Development Project, No.192/PM (7 July 2005), as amended by Decree No. 84 (5 April 2016); Regulations for Implementing Decree of the Prime Minister on Compensation and Resettlement of People Affected by Development Project, No.2432/STEA (11 November 2005); Decree on Environmental Assessment (February 2010); updated Technical Guidelines for Implementing Decree 192/PM (March 2010); and ADB’s 2009 Safeguard Policy Statement (SPS). Provisions and principles adopted in the project resettlement policy will supplement the provisions of
relevant decrees currently in force in Lao PDR. Wherever a gap exists, the higher standard will apply. 1.5 Disclosure, Consultation and Participation, And Grievance Mechanisms

12. During the implementation of PMS and DMS, information has been provided to the impacted communities and local governmental authorities (i) through public consultation meetings, (ii) during joint transect walks in the subproject area, (iii) during asset registration and socio-economic survey of individual affected households (SESAH), (iv) meeting with Provincial and District Agriculture and Forestry staff/Provincial and District Project Office staff.

13. During these consultations, residents were informed about the (i) project in general; (ii) conduct of the DMS and socioeconomic survey (SES) in the village; (iii) land acquisition and compensation process; (iv) policy on cut-off-date for eligibility to project entitlements; (v) public consultation and the grievance redress mechanism; and (vi) role of the asset registration and compensation team, the resettlement and compensation committee, and the grievance redress committee. Government and project staff, together with the Loan Implementation Consultant, would consult with and disseminate the information to the Project Affected People (PAPs), make plan whenever project activities would be conducted in the field, report the outcome of the survey and discuss key issues requiring inputs or consensus from the AHs.

14. The inventory of losses was presented to the Provincial Resettlement Committee to review. In March 2019, the finalized inventory of losses and the entitlement matrix will be presented and consulted with the village committees in the Houay Thouat Subproject area. The household by household consultation will be made. They will review the inventory of losses and compensation policy. The Compensation and Entitlement Form would be completed for each AH, where there is joint ownership both spouses would sign. The agreement provides the base for compensation payment. Voluntary donation is allowed, according to the resettlement framework, for those who are direct benefiners of the project, and are not affected severely. The decision on the donation will be upon household decision.

15. Any grievances or concerns of AHs and other stakeholders will pass through 4
levels with the aim of resolving them amicably and expeditiously. The process starts from the village level, followed by the district level, then the provincial level, and finally the central (Ministry) level. Nevertheless, affected people are entitled to lodge complaints regarding any aspect of the subproject preparation and implementation, without prejudice to their right to file complaints with the court of law at any point in the process.

1.6 Vulnerability

16. The DMS found that no affected households reported of having their income below the poverty line. That is in line with the village records supporting the government programs on poverty eradication. However, there are 24 AHs fall into one or more factors of vulnerability. Among those, 15 AHs are headed by women, 14 AHs are headed by those who are elderly, 65 or over, and 11 are belong to non-major ethnic in Lao PDR (9 AHs are Makong and 2 AHs are Katang). The project will provide assistance support for the amount of 180,000,000 LAK to the vulnerable AHs bases on their factor of vulnerability. According to the Project’s resettlement framework, one factor of vulnerability account for 4,500,000 LAK, or 50,000 LAK/day for 3 months of support.

1.7 Planning, Implementing and Monitoring

17. The Ministry of Agriculture and Forestry (MAF) is the executing agency for the subproject with the responsibility for overall project coordination and management vested with Department of Irrigation (DoI) which has established the National Project Management Office (NPMO) for day-to-day management of the Project.

18. The implementing agency is the Savannakhet Provincial Agriculture and Forestry Offices (PAFO) which is responsible for financial management at provincial level, and coordination, management and implementation of subprojects. To assist implementation of the Project at the district level, the Songkhon District Coordinating Office (DCO) has been established to assist with the coordination and supervision of subproject activities.

19. During implementation and operation phase the internal and external Monitoring and Evaluation would be carried out to elaborate on performance and impacts of the subproject's activities.

1.8 Resettlement Cost

20. The total budget for resettlement cost and cash assistance support, inclusive of 10% contingency is calculated at 244,289,100 LAK. The resettlement budget reflects
total value of compensation for the loss of assets of 42,081,000 LAK. These comprise of the cost for the loss of the irrigated paddy 40,833,600 LAK, and that for the rain-fed paddy 1,247,400 LAK. Additionally, The Project will also provide cash assistance support of 180.0 million LAK to the vulnerable AHs as described above. This budget does not include administrative costs involved in the preparation of the LACP, preparation of compensation documents, and

21. Nevertheless, according to the RF, those who are not severely affected or not poor can choose to donate the compensation for their losses of asset to the projects. The decision will be made during the consultation with individual households during signing of the compensation agreement. Thereafter, the project will provide the compensation and assistance accordingly. The indicative schedule for preparing and implementing the LACP is provided below.

**Table A7.1: Schedule of LACP Preparation and Implementation**

<table>
<thead>
<tr>
<th>Activities Schedule</th>
<th>Schedule</th>
</tr>
</thead>
<tbody>
<tr>
<td>Establishment of the cut-off-date</td>
<td>March 2018</td>
</tr>
<tr>
<td>Detailed measurement survey</td>
<td>September 2018</td>
</tr>
<tr>
<td>Consultation and dissemination of the compensation policy</td>
<td>September 2018</td>
</tr>
<tr>
<td>Individual AH meetings to disclose project impacts, its entitlements and make the compensation agreement</td>
<td>March 2019</td>
</tr>
<tr>
<td>Submission of the LACP to ADB</td>
<td>March 2019</td>
</tr>
<tr>
<td>Payment of compensation and allowances</td>
<td>April 2019</td>
</tr>
<tr>
<td>Clearing of the COI</td>
<td>April 2019</td>
</tr>
<tr>
<td>Start of civil works</td>
<td>April 2019</td>
</tr>
</tbody>
</table>

22. Houay Thouat Subproject

Houay Thouat irrigation scheme is located in Champhon District (Figure A7.1 below), at a distance of about 22 km northeastern of Champhon District Center and 75 km southeastern of Kaisone Phomvihan City (Savannakhet Provincial Capital).

23. It was originally constructed in between 2000 to 2007 under the government fund through a joint initiative between the Provincial Agriculture and Forestry Office (PAFO) through the Department of Irrigation (DOI), and the local Water Users Group (WUG). It is a gravity irrigation scheme served by a water-impounding reservoir that was built...
across the Houay Thouat River and distribute through gravity fed canal system.

24. The existing Houay Thouat Gravity Irrigation System benefits 26% (323 households, with the population of 2,251 people) of households reside in 9 villages of the area (1,237 HHs - 8,135 people). Proportion of irrigation users by village ranges from 0.6% - 61% including Thouat 41% (74 HHs), Vang Mao 37% (32HHs), Lam Taen 1.2% (4HHs), Na Khaam 61% (33HHs), Dong Ta Beng 15% (50HHs), Sa Khun Tai 19% (62HHs), Na Hai Deo 40% (33 HHs), Xieng Xum 14% (33 HHs) and Nong Ka Dok 0.6% (2HHs).¹

Figure A7.1: Project Provinces and Subproject District

¹ Number of beneficiary households from the WUG representatives, April 2016.
25. The total existing dry season irrigable area (command area) is in the order of 467 ha and dry season irrigated rice and diversified crops are currently grown on about 392 ha and 30 ha respectively. Improvements are to enable the dry season cropping area to meet the expectation of 720 ha producing a wet and a dry season crop, and serving 323 households.

2.3.1 Present Condition and Characteristics of the Scheme

26. The Houay Thouat Irrigation Scheme is served by a gravity system from a water impounding earth dam on Houay Thouat river. The distribution system comprises a main lined canal of approximately 6.0 km, two secondary lined canals (N1 and N2) of approximately 8.0 km and 27 tertiary canals made of brick with a total length of approximately 8.1 km. 27. The scheme water source is the Houay Thouat River which is a perennial river with regular fluctuations in water level throughout the year. The scheme layout has a branch and spur configuration to isolated irrigated land pockets. Typical conditions in the scheme are shown in Figure A7.3. The impounding reservoir headwork is a homogeneous earth dam with a side spillway and a pressurized outlet structure. Water is released from the intake structure on the right bank of the dam through an outlet conduit under the dam embankment into a control house and a distribution structure from where it discharges into left and right main canals. The flow is distributed by gravity through the main canals to farmer's field blocks either directly from the main canals or via secondary and tertiary canals. 28. The estimated total length of main, secondary and tertiary canals is 6.0 km, 7.8 km and 3.3 km respectively. Water discharges from the outlet distribution structure to left and right main canals. The lined sections of the main canals are reinforced concrete trapezoidal sections and the unlined sections previously trapezoidal have lost their shape with eroded side slopes. The canals are in cut and inverts too low in relation to surrounding paddy land reducing the efficiency and effectiveness of the water distribution. Flow in the canals is unregulated and the scheme is free running apart from some temporary measures used to route flow into specific farm units. The canals are not functioning efficiently due to poor operation and maintenance; heavy waste deposit and weed growth were found along the whole length of the canals. Serious soil erosion was also observed in the deep cut section. Seepage loss in the canal is significantly high and was estimated at about 30 per cent of water supply. As a consequence, scheme efficiency is low and therefore only half of the area can be cropped in dry season. 29. Three sections of the laterite access road from the provincial Road No. 6317 to Thouat village and a local market will be rehabilitated with a 4m wide concrete pavement. The
first road section was built in 1962, and the next two sections were built in 1980. These roads were built by the community itself with the original width of 5 meters for the first one and 4 meters for the latters. Later, the road maintenance and improvement stretch them out to 6-9 meters.

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Figure A7.2: Impressions from Houay Thouat existing irrigation scheme

Access road, typical paddy fields, and landscape conditions

Typical conditions of irrigation infrastructures (intake house, main canal, secondary canal)

2.3.2 Improvements

30. The rehabilitation plan aims at improving the efficiency of both intake and the water distribution system. It will restore the original command through the rehabilitation of headwork and canal system with related water control structures.

31. Headwork: improve the top of embankment (Dam Crest), the upstream slope with gravel bedding or concrete; improve the downstream slope (eroded section) and fix the water gate with necessary regulator; 32. Canal system: the project rehabilitation
will replace the broken concrete lining plates, remove the existing water stop joint and refill it between concrete lining plates, install and/or improve the necessary water regulators and distribution structures (along main, secondary and tertiary canals), extension of existing tertiary canals as possible into the field to have more command areas and serve more beneficiaries, construction of tertiary canals as possible into the new command area (more paddy fields).

33. Access road: the project planned to improve the access road from Thouat to Vangmao villages 0.5 Km by clearing and improve the traffic surface from existing 4 to 5 m width, cleaning and improve access roads along the improved canals (main, secondary and tertiary canals) by paving or gravelly as appropriate and Construct bridges (8 bridges are needed). The irrigation service roads along the main and secondary canals are 4.0m wide; while tertiary canals have no service roads. There are a number of farm bridges across the canals; but not sufficient to make full access to the agricultural area. Although, local ingenuity invariably solves the challenge with locally fabricated bridges structures.

Figure A7.3: Subproject Concept Engineering Design Layout Houay Thouat Irrigation Scheme

Figure A7.4: Concept Engineering Design: Schematic Layout

Figure A7.5: Typical cross sections of each canal
3 Project Impact

34. The project impact has been confirmed by several fieldworks, starting from the initial fact finding during 21-27 October 2016, the Preliminary Measurement Survey (PMS) in 22-27 October 2017, and the Detailed Measurement Survey (DMS) in September 2018. 35. Prior to DMS, the team held a workshop on the project’s resettlement policy, and procedure potential acquisition of assets, mitigation plan,
compensation policy, entitlements of affected-households as set out in the entitlements matrix, including the grievance redress mechanism. Potential extent and location of asset acquisition were presented. 36. The workshop was followed by village level consultations where villagers were reminded about the cut-off-date, and informed about the process of the land acquisition, compensation policy and the grievance mechanism. 37. The requirements for land acquisition measured during the DMS are based upon the engineering design layout for the subproject. The design follows Right of Way (RoW) of existing concrete and earth canals, follows RoW of existing roads, and follows existing boundaries between two or more land owners or users. Despite these efforts impacts on private assets have been observed and hence the need for acquisition of these asset arises. 38. The DMS surveys were conducted by joint transect walk of participating AH members, village and a composite team from the Department of Irrigation (DoI), in charge and representing the Provincial Resettlement Committee (PRC), the Provincial Project Coordinating Office (PPMO), the District Coordinating Office (DCO), the Village Resettlement Committee (VRC), and engineers of the Project Implementing Consultants (PIC). The staffs measured, GPS tagged and photographed the affected assets. Each completed DMS questionnaire was signed or thumb-printed by members of the survey group, the asset owners and the representative of the VRC and PRC. At the conclusion of the DMS, the survey group encoded the DMS questionnaires onto an asset registration form. 3.1 Permanent Land Acquisition

39. The subproject will acquire a total of 14,027.0 m² (1.4 hectares) of agricultural land belonging to 51 AHs. Of these landholdings, 13,611.2 m² are irrigated paddy of 51 AHs and 415.8 m² are rain-fed paddy of 1 AH who also losing the irrigated paddy. 40. There is no household with impact more than 10% of their productive land. The subproject has an average impact of 1.46%, minimum of 0.1% and maximum of 3.5% (see more details in the Attachment xx). Table A7.2: Affected Landholdings

<table>
<thead>
<tr>
<th>Village HH</th>
<th>Land Type</th>
<th>Affected Area (m²)</th>
<th>Total Land Own (m²)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dong Tabang</td>
<td>Irrigated Paddy</td>
<td>3,881.88</td>
<td>210,760.00</td>
</tr>
<tr>
<td>Na Hai Deaw</td>
<td>Irrigated Paddy</td>
<td>2018.00</td>
<td>125,000.00</td>
</tr>
<tr>
<td>1* Rain-fed Paddy</td>
<td>415.80</td>
<td>36,930.00</td>
<td></td>
</tr>
</tbody>
</table>
3.2 Temporary Land Acquisition

1. Temporary land acquisition cannot be determined at this stage; however, it is expected that contractor/s would have a need for temporary site installation, camps, storage and temporary access road. The contractor would have to propose for the acquisition of this land in a “Site Installation and Access Plan”, and obtain approval on this plan. Where possible, public and/or government land would be used for temporary land use. Through a transparent and contractual approach, the NPMO (the Executing Agency) would provide the contractor with the project’s land acquisition and compensation principles to ensure that (i) replacement cost rates are applied, (ii) reinstatement of affected assets contractually defined, (iii) consultation taking place, (iv) grievance mechanism followed, (v) Environmental Management Plan (EMP) applied, (vi) and other items specified, in compliance with the Project RF.

3.3 Impact on Structures or Trees

2. The Houay Thouat Subproject does not cause any impact on structures or trees.

3.4 Affected Population

3. A total of 51 AHs of 5 villages will lose one or more type of land to the subproject. Sixteen of them live in Thouat Village, 14 in Vang Meo Village, 11 in Dong Tabang Village, 7 in Sakhun Village and 3 in Na Hai Deaw Village. The 51 AHs are made up of 354 people (182 males and 172 females). (See Attachment A7.11 for the master list of AHs)

3.5 Unforeseen Impacts

4. Any new AHs/APs arise in the course of project implementation (for example, due to changes in alignment), will be provided the same entitlements as those of the other AHs/APs in the project.

3.6 summary of Impacts
5. Table below show a summary of the assets that AHs will lose on the account of the subproject.

Table A7.3: Summary of Impacts

<table>
<thead>
<tr>
<th>Land Type</th>
<th>HH Affected Area (m²)</th>
<th>Total Land Own (m²)</th>
<th>Irrigated Paddy</th>
<th>Rain-fed Paddy</th>
<th>Grand Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>51</td>
<td>13,611.20</td>
<td>1,283,490.00</td>
<td></td>
<td>1,320,420.00</td>
</tr>
</tbody>
</table>

6. Along with the DMS socio-economic survey of affected households was carried out during September 2018. A questionnaire was used in the survey. (See Attachment A7.8 for an English translation of the survey form used).

4.1 Socio-Economic Baseline

7. A total of 51 AHs are affected by the subproject. Sixteen of them live in Thouat Village, 14 in Vangmao Village, 11 in Dong Tabaeng Village, 7 in Sakhun Village and 3 in Na Hai Daew. Fifteen (29.4%) of the 51 AHs are female headed. The youngest age among the AH heads is 37 while the oldest age is 78. The average age among the AH heads is 55.6. Forty of the heads of AHs are Lao, whereas 9 are Makong and 2 are Katang. All of them speak Lao. Additionally, those with the ethnicity speak their respective language within their families. All of them observe Buddhism.

8. Almost all (48) of the AH Heads are farmers, rice farming as their main occupation. Among these, 37 AH heads rely on animal husbandry, 6 AH heads rely on labour services as their secondary occupation. The rest of the AH heads trade or open grocery shops as their secondary occupation. Three heads of the AHs are government officers. All of them have the rice farming as their secondary occupation.

Table A7.4: Occupation of the AH heads

<table>
<thead>
<tr>
<th>Main Occupation HH</th>
<th>Secondary Occupation HH</th>
<th>AH Rice Farmer</th>
<th>Animal Husbandry</th>
<th>General Labour</th>
<th>Government - Head of Village</th>
<th>Grocery Shop</th>
<th>Not-specify</th>
<th>Government - Teacher</th>
</tr>
</thead>
<tbody>
<tr>
<td>48</td>
<td>37</td>
<td></td>
<td></td>
<td>6</td>
<td>1</td>
<td>3</td>
<td>1</td>
<td></td>
</tr>
</tbody>
</table>
4.2 Household Size

9. The 51 AHs are made up of 354 people (182 males and 172 females). Among the affected people, 62 (18%) are under 18 years old, 126 (36%) are between 18-30, 91 (26%) are between 31-45, 57 (16%) are between 46-64, and 18 (5%) are 65 or over.

Table A7.5: Demography of the affected people

<table>
<thead>
<tr>
<th>Village</th>
<th>AH Size</th>
<th>Family Size</th>
<th>Male</th>
<th>Female</th>
<th>&lt;18</th>
<th>18-30</th>
<th>31-45</th>
<th>46-64</th>
<th>&gt;65</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dong Tabang</td>
<td>11</td>
<td>91</td>
<td>54</td>
<td>37</td>
<td>10</td>
<td>43</td>
<td>19</td>
<td>16</td>
<td>3</td>
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<tr>
<td>Thouat</td>
<td>16</td>
<td>108</td>
<td>48</td>
<td>60</td>
<td>22</td>
<td>41</td>
<td>17</td>
<td>23</td>
<td>5</td>
</tr>
<tr>
<td>Na Hai Deaw</td>
<td>3</td>
<td>25</td>
<td>12</td>
<td>13</td>
<td>6</td>
<td>10</td>
<td>4</td>
<td>3</td>
<td>2</td>
</tr>
<tr>
<td>Sakhun</td>
<td>7</td>
<td>44</td>
<td>26</td>
<td>18</td>
<td>14</td>
<td>11</td>
<td>15</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>Vang Mao</td>
<td>14</td>
<td>86</td>
<td>42</td>
<td>44</td>
<td>10</td>
<td>21</td>
<td>36</td>
<td>13</td>
<td>6</td>
</tr>
<tr>
<td>Grand Total</td>
<td>51</td>
<td>354</td>
<td>182</td>
<td>172</td>
<td>62</td>
<td>126</td>
<td>91</td>
<td>57</td>
<td>18</td>
</tr>
</tbody>
</table>

10. Almost in equal number of the affected people 112 (31.6%) received primary school education, and 111 (31.4%) received lower secondary school education. Fifty-nine of them (16.7%) received higher secondary school education. Thirty of them (8.5%) received college or university education. On the other hand, 37 (10.5%) do not have formal education.

Table A7.6: Education of the affected people

<table>
<thead>
<tr>
<th>Village</th>
<th>Not Attending School</th>
<th>Primary School</th>
<th>Secondary School Lower</th>
<th>Secondary School Higher</th>
<th>College/University</th>
<th>No Formal Education</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dong Tabang</td>
<td>1</td>
<td>11</td>
<td>17</td>
<td>8</td>
<td>14</td>
<td>4</td>
</tr>
<tr>
<td>Thouat</td>
<td>2</td>
<td>22</td>
<td>15</td>
<td>8</td>
<td>15</td>
<td>18</td>
</tr>
<tr>
<td>Na Hai Deaw</td>
<td>6</td>
<td>6</td>
<td>2</td>
<td>8</td>
<td>4</td>
<td>3</td>
</tr>
<tr>
<td>Sakhun</td>
<td>2</td>
<td>5</td>
<td>10</td>
<td>9</td>
<td>3</td>
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</tr>
<tr>
<td>Vang Mao</td>
<td>17</td>
<td>23</td>
<td>16</td>
<td>14</td>
<td>4</td>
<td>6</td>
</tr>
<tr>
<td>Total</td>
<td>2</td>
<td>3</td>
<td>51</td>
<td>61</td>
<td>58</td>
<td>24</td>
</tr>
</tbody>
</table>

4.3 Income

11. All the AHs (100%) earn their income from agriculture. The second source of their income is from livestock (90%). The third and fourth source of income are from other source (39%) and manual labour (35%) respectively. Salary or wages, non-timber forest product, business and trade, provide services, and fishery are the minor sources of their income.

12. Their reported incomes of all AHs are above the poverty line. This is in line with the long-term record of the village in respond to the poverty eradication programs of the government. An average monthly income per capita is 491,000 LAK, with the maximum of 1,700,000 LAK and the minimum of 204,000 LAK. Twenty-one AHs have average monthly income between 2-400,000 LAK and 17 of the AHs have average monthly income between 4-600,000 LAK per capita.

Table A7.7: Average Income of the Affected Household
Average Income (LAK) Number of HH under 200,000 - 2-400,000 21 4-600,000 17 6-800,000 5 8-1,000,000 4 over 1,000,000 4


Table A7.8: Income Source of the AHs

<table>
<thead>
<tr>
<th>HH ID</th>
<th>Family Size</th>
<th>Monthly Annual Income</th>
<th>Income per</th>
</tr>
</thead>
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<tr>
<td>A7-20</td>
<td>8</td>
<td>50,000,000</td>
<td>Manual</td>
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<td></td>
<td></td>
<td>520,833</td>
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</tr>
</tbody>
</table>
4.4 Vulnerability

13. The DMS found that no affected households reported of having their income below the poverty line. That is in line with the village records supporting the government programs on poverty eradication. However, there are 24 AHs fall into one or more factors of vulnerability. Among those, 15 AHs are headed by women, 14 AHs are headed by those who are elderly, 65 or over, and 11 are belong to non-major ethnic in Lao PDR (9 AHs are Makong and 2 AHs are Katang).

Table A7.9: Vulnerability of the AHs

HH ID Owners
A7-22

HT 001 Mrs Kaisone 1 1
HT 002 Mr. Phouvone,Mrs. Pathoum 0
HT 003 Mr. Add,Mrs Tun 0
HT 004 Mrs. Larn 1 1
HT 005 Mr. Ben,Mrs.Karn 0
HT 006 Mr. Pound,Mrs Phanomohone 0
HT 007 Mr. Aeanoi,Mrs.Noii 0
HT 008 Mrs. Pheng 1 1
HT 009 Mrs. Phone 1 69 2
HT 010 Mr. Vieng,Mrs.
HT 011 Mr. Phouvi,Mrs. Mueang 0
HT 012 Mr. Lo,Mrs. Aek 0
HT 013 Mr.
5 Information Disclosure, Consultation and Participation

5.1 Requirements

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

5.2 Before and During DMS

15. The disclosure of information, consultation, and participation to villagers and stakeholders in the subproject area started with a fieldwork during February 4 and 9, 2016. A team from NPMO/ PPMO/ DCO and LIC carrying out technical and
engineering surveys together with village authorities and WUG members. The survey inspected existing agriculture infrastructure and made initial estimation of the needed for renovation and rehabilitation works.

16. During February 9, 2016, a detailed layout of the concept design selected by stakeholders was presented to the village authorities for dissemination and discussion. Potential impact from land acquisition and resettlement was presented and reviewed at the survey wrap-up meeting.

17. NPMO/PPMO/DCO Social Safeguards Policy and Practice Training was arranged in April 2016 and again in July 2017. Consultations in the subproject villages, and with PPMO, DCO on the resettlement and compensation, SES and GRM were conducted in October 2016, March 2017.

18. The NPMO, the international, and the national resettlement and ethnic group specialists had a mission during March 5, 2017. It is confirmed of that the contacted villagers have good understanding about the subproject and its land acquisition related aspects. They (i) show repeatedly an open attitude and a confirmed very supportive attitude towards the subproject as irrigation and road improvement are topics of high interest, and (ii) did not raise serious concerns or issues.

19. March 5, 2018, the cut-off-date and the compensation policy were issued by the Champhon District based on the proposal of the subproject resettlement committee.

20. Later, during July 5, 2018, there were several rounds of coordination meeting between LIC/NPMO and PPMO/DCO including meeting with villagers in the Houay Thouat subproject area. The meeting discussed the cut-off-date, project resettlement policy, potential acquisition of assets, mitigation plan, compensation policy, entitlements of affected-households as set out in the entitlements matrix, including the grievance redress mechanism. Potential extent and location of asset acquisition were presented. Villagers were informed about overall process of the land acquisition.

21. The DMS and SESAH were carried out in September 2018. Prior to the start of the surveys, a meeting was held with PPMO/DCO staff, members of the WUG and village government to discuss the survey program and subsequently on-the- job training was held for enumerators from the PPMO and DCO to familiarize them with the methodology.
for the surveys including the questionnaire for the SESAH. The training covered Lao Government regulations and decrees on resettlement, ADB policies on Social Safeguards (resettlement and ethnic groups), roles and responsibilities of resettlement officers, the Project’s entitlements matrix, scheduling sequence of implementation - preliminary measurement survey, socio-economic survey of affected-households, inventory of losses, detailed measurement survey – grievance redress mechanism, Public Information Booklet and the cut-off date.

22. The dissemination and consultation activities are performed as an integral part of the resettlement planning process to inform the concerned villages about LACP items through (i) village meeting/s and (ii) individual clarifications, in addition to (iii) joint transect walks. During DMS fieldwork, the EA, IAs and consultants initially provided information about participation of affected people in land acquisition activities, the involvement of district and village leaders in the overall process, choices of compensation and mitigation measures.

Table A7.10: List of Key Consultation Meetings, Houay Thouat Subproject

<table>
<thead>
<tr>
<th>Activities</th>
<th>Date</th>
<th>Location</th>
<th>Attendees</th>
</tr>
</thead>
<tbody>
<tr>
<td>Meetings in villages and transect walks along proposed infrastructure alignment by officials, land owners, WUG and consultants. Project information, work plan, process of the subproject.</td>
<td>4 Feb 2016</td>
<td>Thouat Village Group, Three Builds Office</td>
<td>30</td>
</tr>
<tr>
<td>Dissemination the result of technical design survey, selection of alternative choices</td>
<td>9 Feb 2016</td>
<td>Education office of Champon District</td>
<td>33 NPMO/PPMO/DCO Social Safeguards Policy and Practice</td>
</tr>
<tr>
<td>Training</td>
<td>26 April 2016</td>
<td>Champhon District</td>
<td>14 PPMO</td>
</tr>
</tbody>
</table>
Compensation process, social safeguard policy, gender etc. Ethnic Group 27-30

consultant made field June visit and 2016 consultations
5 GRM establishment 5 Sept Champhon 2016 District

The DRC and GRC have established by the District governor

Agriculture Infrastructure Sector Project Annex 7 Draft Feasibility Study Houay Thouat Subproject Land Acquisition and Compensation Plan

Activities Date Location Attendees 7-26

Key Agenda/Issue
6

Consultation in villages and implementation of PMS, SESAH, and GRM

Village VGRM has established and disseminated during the consultation meeting
7

22-27 Oct 2016

Thouat Village Group, Three Builds Office 16

21 Oct Coordination 2016 and Thouat Village Group, Three 16 Discuss about Houay Thouat SP, and site visit, to review Meetings between Builds Office

the project affected area LIC/NPMO and PPMO/DCO or IR 1 Nov and IP 2016

Meeting and discussion on the Resettlement and implementation on IR IP on Houay Thouat and Gnot

Consultation on water user group and gender

Governor Office, Champhon District 8 20 Jan 2017 Houay Thouat Village Office 70 Establishment and of WUG for Houay Thouat Irrigation sub project

9

It is confirmed of that the contacted villagers have good understanding about the subproject and its land acquisition related aspects. They (i) show repeatedly an open attitude and a confirmed very supportive attitude towards the subproject as irrigation and road improvement are topics of high interest, and (ii) did not raise serious concerns or issues.

10

The National and International and Ethnic Group consultants and NPMO field visit, consultation meeting about the progress of the project, compensation process, GRM

05 March 2017
Houay Thouat, village group 35

Update of the progress of the Training on Resettlement, Compensation, Ethnicity, Vulnerability, Gender, Grievance of AISP; and the semi-annual work plan Project and its goal in 2017. Train PPMO, DCO staffs on resettlement, compensation, vulnerability, gender and grievance. Train PPMO, DCO staffs on their semi-annual work plan based on the Objective and Key Results technique

11 Establishment cut-off-date of the 18-19 July 2017

Savannakhet, PAFO 52 (22 female)

05 March 2018

Issue the cut-off-date, compensation policy

12 Champhon District Lao Government regulations and decrees on resettlement, ADB policies on Social Safeguards (resettlement and ethnic groups), roles and responsibilities of resettlement officers, the Project’s Dissemination of the entitlements matrix, cut-off-date; detailed scheduling sequence of design, process of implementation - preliminary the DMS measurement survey, socio-economic survey of affected-households, inventory of losses, detailed measurement survey – grievance redress mechanism, Public Information Booklet and the cut-off date.

13 Data collection – DMS & SESAH 05 July 2018

Houay Thouat Temple Sep Houay Thouat 2018 Subproject

92 (41 female)

(i) the policy on cut-off-date for eligibility to project entitlements; (ii) land

Agriculture Infrastructure Sector Project Annex 7 Draft Feasibility Study Houay Thouat Subproject Land Acquisition and Compensation Plan

Activities Date Location Attendants A7-27

Key Agenda/Issue

acquisition and compensation process; (iii) roles of the DMS and compensation team, the resettlement and compensation committee, and the grievance redress committee; (iv) need for public consultation and participation; (v) the grievance redress mechanism; and (vi) schedule and process of the DMS and socioeconomic survey (SES), including filling-up of the asset registration form.
5.3 After the DMS
23. After the DMS, the finalized inventory of losses and the entitlement matrix will be presented and consulted with the village committees in the Houay Thouat Subproject area. The household by household consultation will be made. They will review the inventory of losses and compensation policy. The Compensation Entitlements Form (CEF), will be completed and signed by the head(s) of the affect-household, their spouse and counter-signed by appropriate village, district and provincial government. Records of discussions with AH during the compensation negotiations will be maintained and any grievances will be recorded in the subproject grievance redress log along with actions to address the complaint.
24. After the agreement is made, the Project would allocate the budget from the government and arrange the money transfer or cash payment accordingly. Following the compensation disbursement, the Land Acquisition and Compensation Report (LACR) will be prepared and submitted to ADB.

Agriculture Infrastructure Sector Project Annex 7 Draft Feasibility Study Houay Thouat Subproject Land Acquisition and Compensation Plan

6 Complaints and Grievance Redress Mechanisms

6.1 Requirements
25. These mechanisms are defined in the Project’s Resettlement Framework aiming at the participation of APs throughout the various stages of LACP planning and implementation of subprojects. The information for APs about entitlements, compensation and supportive mitigation options and grievance mechanisms haven been and shall continue to be provided by the Project’s relevant agencies and committees. Meetings with APs also allow the implementing agencies to identify the needs and preferences of APs pertaining to compensation and rehabilitation assistance and to reduce any negative potential impacts caused by the proposed subproject.

6.2 Grievance Redress Mechanism
26. The main steps outlined in Table A7.11 serve as an orientation for the grievance redress mechanism. For each step detail, has been described, agreed and explained to both responsible grievance committees and the residents of affected villages.

27. However, APs, or any member of the communities, are entitled to lodge complaints regarding any aspect of the preparation and implementation of this LACP without prejudice to their right to file complaints with the court of law at any point in the process. The implementing agencies would shoulder all administrative and legal fees
that would be incurred in the resolution of grievances and complaints.

28. It is recognized that members of AHs might not have writing skills or ability to articulate their grievances verbally, then AHs are encouraged to seek assistance from the subproject and/or nominated local non-governmental organizations and/or other family members, village heads to have their grievances recorded in writing and to have access to the LARC documentation, and to any survey or valuation of assets, to ensure that where disputes do occur all the details have been recorded accurately enabling all parties to be treated fairly. 29. Any member of the local community can express a complaint to the grievance committee, or following people; village women union, AISP village coordinator, member of WUG, village senior advisor, construction site supervisor, contractor engineer, and district project coordinator. The complaint can be filed first at the village level and can be elevated from village to subproject to district, to province and ultimately national court level if the complainant is not satisfied with the decisions made by the committees on the respective levels. The complainant would be exempted from all taxes, administrative and legal fees associated with their claims and grievance redress.

30. All formal complaints and resolutions would be properly documented by the relevant authority at each step in the process and be available for (i) the public and (ii) review for monitoring purposes. A specimen of a GRM register is presented in Attachment A7.9.

<table>
<thead>
<tr>
<th>Steps, Actions and Levels of Intervention Time</th>
<th>V I L A G E</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.1 Complainant explains problem/issue verbally or in writing to one of the following; village mediation committees (VMCs), village women union, AISP village coordinator, member of WUG, village senior advisor, construction site supervisor, contractor engineer, and district project coordinator. They would be the first contact for affected persons (APs) to address their concerns.</td>
<td></td>
</tr>
</tbody>
</table>
10 days

▼ SUB–PROJECT

2

If not solved before: 2.1 Complainant presents complaint/s or grievance/s verbally or in writing. 2.2 A sub-project grievance committee (SPGC) would be the second contact for affected people (APs) to address their concerns. 2.3 Registration of the complaint by SPGC. 2.4 In collaboration with VMC and AP this SPGC would elaborate on the complaint. 2.5 This mediation aims at a sub-project internal amicable solution. If the complaint cannot be solved at this stage, the next step is to apply.

Further 10 days

▼ DISTRICT

3

If not solved before: 3.1 APs would address their complaints to the Grievance Redress Committee (GRC). 3.2 Involvement of authorities and departments 3.3 Collaboration with APs, SPGC and village committee. 3.4 This mediation aims at a mutual arrangement to solve the complaint. If the complaint cannot be solved at this stage, the next step is to apply.

Further 10 days

▼ PROVINCE

4

If not solved before: 4.1 APs with or without support from CSO/NGO, but with assistance from the sub-project would address their complaints to the provincial departments and possibly governor’s office. 4.2 Shall involve GRC. 4.3 Can involve independent, external advice on the issues of the complaint. 4.4 At this level, a formal agreement would be the objective to agree upon. 4.5 Before applying step 5, provincial and district staff should make final efforts to find an agreement with the AP. If the complaint cannot be solved at this stage, the next step is to apply.

Further 10 days

▼ COUNTRY

5

If not solved before:

Open, 5.1 Final step to solve land acquisition, boundary and/or but compensation issue.

Further 5.2 Court will take note and register the case. 20 5.3 Court to provide final juristic decision.

Steps, Actions and Levels of Intervention Time

5.4 In case of required actions, the complainant and/or sub-project proponent have to follow.
6.3 Implementation Progress

31. Concept of the grievance redress mechanism of the Project was presented to Savannakhet PPMO and Champhon DCO, on April 26, 2016.

32. Governor of Champhon District appointed the Steering Committee and the Grievance Redress Committee for the Project at district level, on September 5, 2016. Then, the governor also appointed the Grievance Redress Committee for the Houay Thouat subproject at village level, on September 19, 2016.

33. Grievance Redress Mechanism was part of the training on Resettlement, Compensation, Ethnicity, Vulnerability, Gender, Grievance of AISP conducted during July 18-19, 2017 at the meeting hall, PAFO, Savannakhet Province. There were 52 (female 22) social AISP staffs of NPMO, PPMO and DCO attended. 34. A Grievance Redress Mechanism Register has been developed and copies distributed to the PPMOs and DCOs for each step in the process - village, subproject, district, provincial and national level. Then, this information was disseminated in subsequent consultation meetings. Implementation of the grievance redress will regularly be reported as part of the monitoring program.
7 Legal Framework

7.1 Lao Requirements

35. The Project's Resettlement Framework (2013) describes the legal framework. Each subproject has to follow relevant Lao PDR laws, decrees and regulations including but not limited to the:

- Lao PDR Constitution, dated 1991 and updated in 2015, describing very generally among others the (i) socio-economic system, (ii) fundamental rights and duties of citizens, (iii) local administrations, (iv) judicial organs;

- Lao National Land Law, dated 2003, currently in the process of being updated, including among others (i) defining land use and land ownership, (ii) describing land tenure system, (iii) providing the regulation framework for compensation of land but also including relocation of people that are affected by development schemes;

- Lao National Forestry Law, dated 1999, including among others (i) defining
policies on forest and watershed management, and (ii) promoting conservation and rehabilitation of forest resources;

- Lao National Water and Water Resources Law, dated 1996, including among others (i) principles/rules defining exploitation of the water and water resources, (ii) management regulations for protection and preservation of the water and water resources, (iii) outlining water resources classification systems including the use of water resources;

- Lao National Road Law dated 1999, including among other (i) describing public roads and road activities, (ii) defining management and land use for roads, (c) explanations to construction of roads and monitoring of roads’ conditions;

- Decree No.192/PM of the Prime Minister, dated 7 July 2005, concerning the compensation and resettlement of people affected by development projects. This decree has been replaced by a new improved Decree No.699/PMO of the Prime Minister Office 12 March 2010 on Compensation and Resettlement of Development Projects;

- Regulations for Implementing the Decree of the Prime Minister on Compensation and Resettlement of People Affected by Development Projects (No.2432/STEA, dated 11 November 2005), are currently assumed remaining valid and to be applied;

- Decree 84/PM, dated 05 April 2016, Compensation and Resettlement Management in Development Projects, incorporating Decree 192 and Regulation No. 2432/STEA; and


7.2 ADB Regulations

36. In general, the national Lao policies on land acquisition, compensation, assistance and resettlement are aligned with the ADB’s key guidelines for involuntary resettlement such as:

- Safeguard Policy Statement, dated June, 2009; and
- Operational Manual Section F1/OP, dated October, 2013. In case of differences/gaps
between national legislation and ADB standards, the stricter standard would be applied.

7.3 Agreed Key Principles

37. Based on these key references as determined in the RF the Project has defined the following key principles and compensation approach aiming at LARC objectives the subprojects shall achieve, as shown in Tables A7.11, A7.12. Table A7.12: Agreed LACP Key Principles of Project

<table>
<thead>
<tr>
<th>No.</th>
<th>Topic Key Principles</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Owners / Users of Affected Assets</td>
</tr>
<tr>
<td>A7-32 Owners and/or users of affected assets and loss of resources or access to resources shall be entitled for compensation and rehabilitation measures.</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Lack of legal rights to the assets lost would not bar the project affected people from entitlement to such compensation and rehabilitation measures.</td>
</tr>
<tr>
<td>3</td>
<td>Land Acquisition, Compensation and Resettlement (LACP) Planning</td>
</tr>
<tr>
<td>If possible, involuntary resettlement and loss of land, structures and other assets and incomes shall be avoided and minimized by exploring all viable options</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Preparation of resettlement plans and their implementation shall be carried out with participation and consultation of project affected people.</td>
</tr>
<tr>
<td>5</td>
<td>Schedule of budget for resettlement planning (including socio-economic surveys and/or census) and implementation shall be incorporated in project planning and financing.</td>
</tr>
<tr>
<td>6</td>
<td>Compensation for Affected People (APs) and/or Affected Households (AHs)</td>
</tr>
<tr>
<td>Project affected people shall be provided with compensation for their lost assets, incomes and businesses. The provision with rehabilitation measures shall be sufficient to assist project affected people in improving or at least maintaining their pre-project living standards, income levels and productive capacity.</td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>Replacement of affected assets shall be provided following the principle of replacement costs, without deduction for the value of salvaged materials, taxes, transaction costs and depreciation.</td>
</tr>
<tr>
<td>8</td>
<td>Payment of compensation or replacement of affected assets and any resettlement to new locations all concerning project affected people shall be completed prior to the award of civil works contract. Rehabilitation measures must also be in place, but not necessarily completed, as these may be ongoing activities</td>
</tr>
<tr>
<td>9</td>
<td>Compensation and rehabilitation assistance for ethnic minorities, and socially disadvantaged such as households headed by women, the disabled and elderly, the landless and poor would be carried out with respect for their cultural values and specific needs.</td>
</tr>
<tr>
<td>10</td>
<td>Donation</td>
</tr>
<tr>
<td>By</td>
<td>Voluntary contribution of affected owners who would like to contribute to the subproject through donation</td>
</tr>
</tbody>
</table>
of their lost assets. This is a household internal decision. Among APs/AHs there can be vulnerable
groups who

_Agriculture Infrastructure Sector Project Annex 7 Draft Feasibility Study Houay Thouat Subproject Land
Acquisition and Compensation Plan_

**No. Topic Key Principles**

APs/AHs decide to donate voluntarily the affected land without requesting any compensation for which they would be entitled. It must be ensured that voluntary donations do not severely affect the living standards of affected persons*

38. Although the AHs can agree to voluntary donation of their land and trees, there would be (i) some additional support and/or (ii) safety net in case their livelihoods would be affected more than expected. With regard to (i) additional support some priorities for AHs concerning construction related employment and jobs shall be included in contract negotiations with contractors who have to consider these AHs for rehabilitation and construction work related job opportunities. In addition, and if necessary (see item ii) some income restoration activities would be designed in a participatory manner during construction and/or operation phase which could include, among others, any of the following measures: (a) alternative livelihood; (b) improved agricultural production; (c) access to credit facilities for productive endeavors; and (d) appropriate skills training.

**Table A7.13: Project Main Components of Compensation Approaches**

<table>
<thead>
<tr>
<th>Key Item</th>
</tr>
</thead>
<tbody>
<tr>
<td>Internationally</td>
</tr>
<tr>
<td>Lao PDR Applied Best Practice</td>
</tr>
<tr>
<td>Legislation</td>
</tr>
<tr>
<td><strong>EWEC - AISP</strong></td>
</tr>
<tr>
<td>Scope of impact</td>
</tr>
<tr>
<td>A7-33</td>
</tr>
<tr>
<td>Shall include all affected people in residential, agricultural and commercial areas that are: (i) permanently temporarily acquired (ii) construction and O&amp;M related (iii) private and/or public areas</td>
</tr>
<tr>
<td>Definition of assets</td>
</tr>
<tr>
<td>Include all affected people including those affected by construction and operational sites/facilities</td>
</tr>
<tr>
<td>All Listed Key Items Are <strong>Mandatory</strong></td>
</tr>
<tr>
<td>Shall define all assets: (iv) legally acknowledged, and (v) as identified during PMS/DMS and</td>
</tr>
<tr>
<td>SESAH Compensation to formal owners / users of assets</td>
</tr>
<tr>
<td>All fixed and movable assets</td>
</tr>
<tr>
<td>Shall be offered and provided too eligible: (vi) private users (vii) private organizations (WUG, etc.) (viii) public users</td>
</tr>
<tr>
<td>Compensation to informal / unregistered owners / users of assets</td>
</tr>
<tr>
<td>Compensation legally required</td>
</tr>
<tr>
<td>Compensation to be Shall provide to users of assets and resources based on traditional rights be applied to eligible households or individuals: (ix) whose user rights are proven by tax or other formal payments (x) socio-economically surveyed as users of affected assets Special support to ethnic groups using assets Special mitigation measures throughout the project cycle</td>
</tr>
</tbody>
</table>
Shall be for households or individuals: (xi) formally known or acknowledged at community level as related to one

Special support to vulnerable
of these groups (xii) During pre-construction, construct-
ion and post-construction phases

groups
Livelihood restoration
Compensation to be provided in addition to loss of assets, crops etc.
 Shall include, among others: (xiii) Income rehabilitation measures (xiv) Others to be defined
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Key Item
Internationally

Applied Best Practice

A7-34 Lao PDR Legislation EWEC - AISP

Relocation Avoiding displacement physical

 Shall be applied and shown through: (xv) Technical optimized design of proposed infrastructure (xvi) If not avoidable, relocated house- holds shall receive (for no costs or payments) issued land titles for their new compounds
Timing of compensation and support measures
Before start of construction: Before construction
(xvii) Funds made available and proven start of any to be accessible conditional to infrastructure release of construction funds subproject
(xviii) Paid and/or provided to affected individuals/households Note 1: International best practices as applied by ADB, World Bank, others. Note 2: Final resettlement planning shall provide details of these and other items Source: Greater Mekong Subregion East West Economic Corridor Agriculture Infrastructure Project (RRP LAO 44138) Resettlement Framework May 2013

39. These principles all support the ADB’s Safeguard Policy Statement (SPS) principles, in particular principle 3, “Improve, or at least restore, the livelihoods of all displaced people 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.” This policy intends to ensure that the absence of formal and legal titles to land by affected grouped or individual users should not be formal or legal reasons for non-compensation, and that “particular attention should be paid to the needs of the poorest affected people including those without legal title to assets, female-headed households, and other vulnerable groups, such as
indigenous people, and appropriate assistance provided to help them improve their status”. Currently, both ADB guidelines and policies, and Lao PDR national laws and regulations entitle subproject affected people to compensation of private assets including land at replacement costs.

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8 Entitlement, Assistance and Benefits

8.1 Entitled Affected People

40. In general, the subproject defines eligibility as “those people residing, cultivating and/or making a living within the area to be acquired for the project or otherwise impacted by the project activities as of the formally recognized cut-off-date, should be considered as project affected people for the purposes of entitlements to compensation, resettlement and rehabilitation assistance in accordance with the provisions of laws and regulations. A provisional cut-off-date at the start of the IOL has been proposed. Lack of legal land use certificate or any acceptable proof indicating land use right to the land or structure affected by the project should not bar any person from such entitlement/assistance.” In accordance with this definition for the purpose of resettlement planning the Project includes affected people as shown in Table A7.13.

Table A7.14: Project Categories of Entitled Affected People

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

8.2 Project’s Entitlement Matrix

Table A7.15: Project’s Entitlement Matrix

<table>
<thead>
<tr>
<th>Type of Loss</th>
<th>Entitled Persons</th>
<th>Compensation and Rehabilitation Measures</th>
</tr>
</thead>
<tbody>
<tr>
<td>I. LOSS OF LAND</td>
<td>A1. Temporarily Affected Agricultural, Land</td>
<td></td>
</tr>
</tbody>
</table>
Tillers and legal owners identified during the census.

a) Cash compensation for cost of soil restoration  
b) Compensation for improvements on the land (i.e., crops, structures) as specified below

If temporary disturbance is more than one (1) year, legal owners may (i) let go of their land in exchange for land with the same size and productive capacity, or (ii) sell the land to the proposed Project at replacement cost or current market value which will be assessed during resettlement plan preparation.

A2. Temporarily Affected Residential or Commercial Land

Occupants and legal owners identified during the census.

c) Compensation for improvements on the land (i.e., crops, structures) as specified below

If temporary disturbance is more than one (1) year, legal owners may (i) let go of their land in exchange for land with the same size and value, or (ii) sell the land to the proposed Project at replacement cost or current market value which will be assessed during resettlement plan preparation.

Permanent Affected Agricultural, Residential or Commercial Land

Legal owners identified during the census. (51 AHs, 14,027.0 m²)

d) As a priority, compensation will be through “land for land arrangements” satisfactory to APs (for agricultural land – equal size and productive capacity; for residential land - equivalent size; and for commercial land – equal size and accessibility to customers).

e) Compensation for improvements on the land (i.e., crops, structures) as specified below

If the impact on land is minor or less than 10% of the total landholdings, APs may opt for cash compensation for the affected land

II. LOSS OF STRUCTURES Houses and Structures

Owners identified during the census. Tenants renting houses/structures.

f) For permanent houses and structures, cash compensation equivalent to replacement cost without depreciation and without deduction for salvageable materials.

g) For temporary or moveable structures, APs will receive a lump sum of LAK2 million for damages and reconstruction.

h) Tenants renting structures are entitled to three months’ rent at prevailing market rate in the area and assistance to identify alternative accommodation and transport allowance and transition allowance.

All relocating affected household with permanent or temporary houses/structures are entitled to a shifting allowance.

APs that are required to move back or relocate to other areas

Materials Transport Allowance: i) For large houses, a lump sum of LAK7.0 million. j) For small houses, a lump sum of LAK6.0 million.

k) Others to be defined for specific cases.

Housing Transition Allowance: l) Lump-sum of LAK2.5 million (equivalent to 30 days wages)

Applies to all APs with either permanent or temporary (moveable) houses/structures. For relocating APs, the PAFOs, with the help of the concerned resettlement committees, will calculate the amount for the transport of household effects, salvaged and new building materials to new sites.

III. LOSS OF CROPS AND TREES Crops and Trees
Owner or person with customary usage rights.

m) Cash compensation for loss of crop at current market value. (1) Cash compensation in full replacement cost, or (2) compensation in kind for
APs will be identified by the village head. Compensation will be based on the type and age and productivity for trees while crops will be based on the anticipated
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Type of
Entitled Persons
Compensation A7-37 and Rehabilitation Measures
Other Considerations
n) Restoration of affected community properties to at least previous condition; OR o) Replacement in areas identified in consultation with affected communities and relevant authorities. p) If income loss is expected (e.g. irrigation, community forest, community grazing land), the village is entitled to compensation for the total production loss (over 3 years).
The compensation will be used collectively for income restoration and/or new infrastructure.
IV. LOSS OF COMMON PROPERTY RESOURCES Common Property Resources
Affected community or concerned government agencies.
n) Restoration of affected community properties to at least previous condition; OR o) Replacement in areas identified in consultation with affected communities and relevant authorities. p) If income loss is expected (e.g. irrigation, community forest, community grazing land), the village is entitled to compensation for the total production loss (over 3 years).
The compensation will be used collectively for income restoration and/or new infrastructure.
V. LOSS OF INCOME Business or Income
Owners of business and employees identified during census
q) Lump sum of LAK3 million to compensate for loss of small business and restoration of income. For bigger business shops income related compensation will have to be calculated r) For employees, cash compensation for lost salary/wages for each day they cannot work while business is reorganizing at new site.
For relocating small businesses such as shops or small restaurants, the PPTA calculated a lump sum of LAK1.5 million during the transition period. For big businesses, the amount will be calculated based on the business income statement that they could provide.
VI. SPECIAL ASSISTANCE FOR SOCIALLY OR ECONOMICALLY VULNERABLE HOUSEHOLDS
APs belonging to vulnerable groups including the very poor headed by the aged, women, disabled, and ethnic minorities.
s) A LAK50,000/day for 90 days special allowance plus additional cash and other assistance based on identified needs and priorities, households with more than one factor of vulnerability being entitled to a LAK50,000 /day for 90 days allowance for each factor. In addition food supply shall be provided (0.5 kg rice/day/person for 90 days) t) In addition APs will receive any necessary support to obtain replacement land and resettlement.
For example, households being very poor and with an elderly household head would be entitled to LAK100,000 /day for 90 days.
Vulnerable households
u) Vulnerable households should participate in an income restoration program

3 A very poor Vulnerable Affected Household (VAH) is the VAH that does not have rice sufficiency for year-round
consumption. Rice support will be provided at 0.5 kg of milled rice/day/person up to 90 days based on actual needs of each VAH.

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Type of Loss

Entitled Persons

Compensation A7-38 and Rehabilitation Measures

Other Considerations

Severely affected households (losing 10% or more of their total productive assets).

v) Participation in an income restoration program

Note: The shown costs in LAK are indicative only to ensure that a budget for support and mitigation measures has to be planned and made available. During implementation phase the individual costs for the shown items in this table have to be defined and calculated in detail.

41. Eligible people are entitled to be provided with compensation and rehabilitation measures sufficient to assist them to improve or at least maintain their pre-project living standards, income earning capacity and production levels. 42. Voluntary land acquisition for this Project can be applied following some principles: (i) The subproject site is selected in full consultation with landowners and any nontitle affected people. (ii) Voluntary donations do not severely affect the living standards of APs and the amount of agricultural or other productive land to be acquired from each AP should not exceed 10% of the total productive landholdings of the household. (iii) Land donations are linked directly to benefits for the APs. (iv) Any voluntary donation will be confirmed through written record and verified by an independent third party such as the external/independent monitoring entity. (v) The grievance process is applied. (vi) No AP will be displaced from housing and severely affected. (vii) Vulnerable APs will directly benefit from IRP of the Project.

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9 Resettlement Preliminary Budget

9.1 Resettlement Cost

43. The resettlement budget presented below reflect total value of compensation cost. However, according to the RF, those who are not severely affected or not poor can choose to donate the compensation to the projects. The decision will be made during the consultation with individual households during signing of the compensation agreement. Thereafter, the project will provide the compensation and assistance accordingly. The list of inventory of losses can be found in the Attachment A7.12.

9.2 Compensation Cost for Land

44. The estimated cost of compensation for the loss of land, according to Savannakhet compensation unit rate is 42,081,000 LAK, as described in the table below.

Table A7.16: Compensation Cost for Land
Village HH Land Type
(Affected Area (m2)
A7-39
Unit Rate (LAK)

<table>
<thead>
<tr>
<th>Location</th>
<th>Village</th>
<th>Land Type</th>
<th>Compens. Cost (LAK)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dong Tabang</td>
<td>1,247,400</td>
<td>Irrigated Paddy 700.00</td>
<td>3,000 2,100,000</td>
</tr>
<tr>
<td>Na Hai Deaw</td>
<td>1,164.00</td>
<td>Irrigated Paddy 3,492,000</td>
<td>700.00 3,000</td>
</tr>
<tr>
<td>Thouat</td>
<td>1,992.23</td>
<td>Irrigated Paddy 5,976,675</td>
<td>1992.23 3,000</td>
</tr>
<tr>
<td>Total</td>
<td>51</td>
<td>42,081,000</td>
<td></td>
</tr>
</tbody>
</table>

9.3 Compensation Cost for Structures or Trees
45. The subproject does not cause any impact to structures or trees.

9.4 Cash Assistance to Eligible AHs
46. There are 24 AHs fall into one or more factors of vulnerability. Among those, 15 AHs are headed by women, 14 AHs are headed by those who are elderly, 65 or over, and 11 are belong to non-major ethnic in Lao PDR (9 AHs are Makong and 2 AHs are Katang). According to the Project’s resettlement framework, one factor of vulnerability account for 4,500,000 LAK, or 50,000 LAK/day for 3 months of support. Cash allowance in total amount of 180,000,000 LAK will be given to 24 vulnerable AHs in addition for lost assets, before the mandatory clearing of the project right-of-way is enforced.

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Table A7.17: List of Vulnerable AH

<table>
<thead>
<tr>
<th>No. HH ID</th>
<th>Non- Mainstream Ethnic</th>
<th>Female Headed</th>
<th>Headed by elders</th>
<th>Poor Vulnerable Factor</th>
<th>Assistance Support</th>
</tr>
</thead>
<tbody>
<tr>
<td>HT 001</td>
<td>1 Yes 1</td>
<td>Yes</td>
<td>Yes</td>
<td>1 Yes 1</td>
<td></td>
</tr>
<tr>
<td>HT 004</td>
<td>2 Yes 2</td>
<td>Yes</td>
<td>Yes</td>
<td>2 Yes 2</td>
<td></td>
</tr>
<tr>
<td>HT 008</td>
<td>3 Yes 3</td>
<td>Yes</td>
<td>Yes</td>
<td>3 Yes 3</td>
<td></td>
</tr>
<tr>
<td>HT 009</td>
<td>4 Yes 4</td>
<td>Yes</td>
<td>Yes</td>
<td>4 Yes 4</td>
<td></td>
</tr>
<tr>
<td>HT 015</td>
<td>5 Yes 5</td>
<td>Yes</td>
<td>Yes</td>
<td>5 Yes 5</td>
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<tr>
<td>HT 018</td>
<td>6 Yes 6</td>
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<td>HT 019</td>
<td>7 Yes 7</td>
<td>Yes</td>
<td>Yes</td>
<td>7 Yes 7</td>
<td></td>
</tr>
<tr>
<td>HT 020</td>
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9.5 Total budget for compensation
47. The total budget for resettlement cost and cash assistance support, inclusive of 10%
contingency is calculated at 244,289,100 LAK. The resettlement budget reflects total value of compensation for the loss of assets of 42,081,000 LAK. These comprise of the cost for the loss of rain-fed paddy 1,247,400 LAK, and that for the irrigated paddy 40,833,600 LAK. Additionally, The Project will also provide cash assistance support of 180.0 million LAK to the vulnerable AHs as described above. This budget does not include administrative costs involved in the preparation of the LACP, preparation of compensation documents, and disbursement of compensation, not to mention the cost of internal monitoring, which are taken care of by budget items of the project.

48. Nevertheless, according to the RF, those who are not severely affected or not poor can choose to donate the compensation for their losses of asset to the projects. The decision will be made during the consultation with individual households during signing of the compensation agreement. Thereafter, the project will provide the compensation and assistance accordingly.

Agriculture Infrastructure Sector Project Annex 7 Draft Feasibility Study Houay Thouat Subproject Land Acquisition and Compensation Plan

Table A7.18: Compensation Budget

<table>
<thead>
<tr>
<th>Land Type Affected Area (m²)</th>
<th>Unit Rate (LAK)</th>
<th>Compensation Cost (LAK)</th>
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<tr>
<td>Irrigated Paddy</td>
<td>13,611.20 3,000.00</td>
<td>40,833,600</td>
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<tr>
<td>Rain-fed Paddy</td>
<td>415.80 3,000.00</td>
<td>1,247,400</td>
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<td>Total</td>
<td>14,027.00 42,081,000</td>
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<tr>
<td>Assistance Support 24 HH</td>
<td>180,000,000</td>
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<tr>
<td>Total</td>
<td>222,081,000 10% Contingency 22,208,100</td>
<td>Grand Total 244,289,100</td>
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9.6 Source of Funds for the Resettlement

49. This estimate does not include indirect costs for resources related to safeguard implementing and monitoring and evaluation (M&E) at national, provincial, and district levels as they are provided under the governmental budget US$ 0.6 million, which are the contribution of Lao PDR for this Project. External M&E costs are included in funds from ADB covering also project supervision. External M&E would be performed by an independent safeguard monitoring entity, which is be contracted separately using ADB loan funds.

50. LARC related costs would be financed by the Government counterpart funds.

10 Institutional Arrangement

10.1 Project Management Structure

51. To ensure national inter-agency cooperation, a National Project Steering Committee (NPSC) has been established. The NPSC chaired by the Vice- Minister
MAF will meet annually or as required to review overall implementation progress, approve project annual work-plans and budgets, and to provide overall policy guidance. A Provincial Project Steering Committee (PPSC) will provide provincial inter-agency cooperation. The PPSC will meet six-monthly or as required to review overall implementation progress, approve provincial annual work-plans and budgets, and to provide overall policy guidance.

52. The National Project Management Office (NPMO) provides secretariat services to NPSC and the Provincial Project Management Office (PPMO) provides secretarial services to PPSC to ensure inter-agency coordination at provincial level. The PPSC is chaired by the provincial Governor or a nominated representative. The PPSC has to ensure adequate levels of cooperation between key agencies for project coordination. Subproject Investment Reports shall be approved by the PPSC before referral for endorsement by NPSC.

53. The Executing Agency (EA) is the Ministry of Agriculture and Forestry (MAF) which fulfils its responsibilities through its Department of Irrigation which has established a National Project Management Office (NPMO) in Vientiane headed by a National Project Coordinator (NPC). NPCO is responsible for overall coordination and management of the Project.

54. The implementing agencies are the Provincial Agriculture and Forestry Offices (PAFOs). The PPCOs which have been established within each PAFO are responsible for financial management at provincial level, and coordination, management and implementation of subprojects. To assist implementation of the Project at the district level, District Coordinating Offices (DCOs) have been established within the participating District Agriculture and Forestry Offices (DAFOs) to assist with the coordination and supervision of subproject activities.

55. At provincial and district levels staff have been assigned to the positions and committees responsible for LARC matters. Relevant LARC related legal documents were distributed to the provincial and district staff involved in LARC activities already at PPTA stage and/or at the current implementation phase. The same staff has been involved in the consultation process, LARC screening, socio-economic surveys and PMS/DMS during the subprojects’ feasibility stages.

56. The NPMO manages the program and ensure policy actions are implemented. The NPC is also responsible for recruitment of consultants, procurement of goods, works and services following international and national competitive bidding procedures, management and withdrawal of funds, disbursement, and
reimbursement. The NPC has also the responsibility management, coordination and supervision of the project activities of the IAs.

10.2 National Project Management Office

57. As the NPMO is responsible for the overall management of the Project it has to assure overall coordination, planning, implementation and reporting for the Project.

58. The NPMO has a social safeguard officer to handle land acquisition and resettlement matters. NPMO will guide, support, endorse and monitor the work of the PPMO in each project province for all activities related to planning, implementation and monitoring of land acquisition and resettlement where required for the subprojects, including:

- Screen subproject and determine subproject resettlement impact categorization;

- Guide, support and oversee the work of PPMO, and other stakeholders for all activities related to planning, implementation and monitoring of plans and activities for voluntary and involuntary land acquisition;

- Prepare LACRs for subprojects with resettlement impacts to be submitted to NPMO for endorsement and ADB for approval;

- Coordinate PMS/DMS, SESAHs and implement public consultations, livelihood restoration program, development of resettlement sites and all other resettlement activities required to implement the LACP; and

- Coordinate internal monitoring activities including development of monitoring indicators, procedures and reporting requirements for all subproject that require resettlement. Review and compile provincial monitoring reports into one quarterly progress report, and oversee implementation of remedial action.

10.3 Provincial Project Management Office

59. In each province, a PPMO is responsible for supporting the Project in planning, implementation, monitoring and overall management of subprojects.
60. The PPMO has a designated social safeguard officer to coordinate with the NPMO and oversee and participate in the planning, implementation and monitoring of all activities related to land acquisition and resettlement matters. The PPMO social safeguard officer will guide, support, endorse and monitor the work of the DCO’s in each subproject district for all activities related to LACR, including:

61. Guide, support and oversee the work of DCO’s, and other stakeholders for all activities related to planning, implementation and monitoring of plans and activities for voluntary and involuntary land acquisition;

62. Conduct PMS/DMS, SESAHs and implement public consultations, livelihood restoration program, and all other resettlement activities required to implement the LACP;

63. Ensure quality control, continuity and consistency in data collection and processing and reporting to NPMO;

64. Support the establishment of Grievance Committees at the village, subproject, district and provincial level; and

65. Coordinate internal monitoring activities including development of monitoring indicators, procedures and reporting requirements for all subproject that require resettlement. Review and compile provincial monitoring reports into one quarterly progress report, and oversee implementation of remedial action.

10.4 District Coordination Office

66. In each district, a DCO is responsible for supporting the subproject in planning, implementation, monitoring of subprojects.

67. The DCO has a designated social safeguard officer to coordinate with the PPMO and participate in the planning, implementation and monitoring of all activities related to land acquisition and resettlement matters. The DCO social safeguard officer will be responsible for the implementation of all activities related to LARC, including:
• Conduct PMS/DMS, SESAHs and implement public consultations, livelihood restoration program, and all other resettlement activities required to implement the LACP;

• Ensure quality control, continuity and consistency in data collection and processing and reporting to PPMO;

• Support the establishment of Grievance Committees at village, subproject and district level; and

• Coordinate internal monitoring activities including development of monitoring indicators, procedures and reporting requirements for all subproject that require resettlement. Review and compile district monitoring reports into one quarterly progress report, and oversee implementation of remedial action.

10.5 Ministerial Executing and Implementing Agencies and Their LACP Roles

68. MAF is the Executing Agency (EA) acting through its Department of Irrigation (DOI) to assure overall coordination, planning, implementation of subprojects including the cooperation with LACP related committees. They will guide, support, endorse and monitor the work of the provincial agencies and committees for all subprojects’ planning and implementation of LACP activities. As most subprojects will cover corridors of impacts related to canals and parallel roads the NPMO and PPMO play particular roles by covering among other the following tasks:

- Prepare a Guideline on Resettlement and Land Acquisition, which includes training program for provincial resettlement officers, based on this Framework and submit it for approval of ADB;

- Provide initial training to provincial implementing agencies’ resettlement focal points related to planning, implementation and monitoring of plans and activities for voluntary and involuntary land acquisition. The social safeguards training has taken place during the updating of the Phase I LACPs by ADB consultants working with the NPMO and in the implementation phase of subproject Phase I as part of the NPMO/LIC services. In Phase II a second batch of social safeguard
trainings have been provided see paragraph 12.5 for details.

- Develop internal monitoring indicators, procedures and reporting requirements for all subprojects that require involuntary land acquisition. Review and endorse quarterly provincial monitoring reports, particularly it concerns management of budget, other resources and schedules; and, oversee remedial actions as required. Review and endorse all external monitoring reports prepared by the IMO.

- Coordinate and oversee the (i) payment of compensation and allowances to AHs and/or (ii) the voluntary donation of assets from AHs to the IAs and EA as their contribution to the subproject.

10.6 Capacity Building

69. Capacity building of the EA and IAs has been provided from 27 to 29 August 2014 by the resettlement consultants through a social safeguards workshop (in areas of basic social planning, land acquisition and resettlement, poverty reduction, gender and ethnic minorities). A second training has been provided to PPMO and relevant DCO officers by NPMO/LIC in April and May 2016. The third training on Resettlement, Asset Registration and Compensation, Ethnicity, Vulnerability, Gender, Grievance of AISP conducted during July 18-19, 2017 at the meeting hall, PAFO, Savannakhet Province. There were 52 (female 22) social AISP staffs of NPMO, PPMO and DCO attended. The topics covered here included ADB Safeguard Policy Standards, Lao Law and Regulations regarding resettlement, land acquisition and compensation, grievance redress mechanism, roles and responsibilities of Grievance Committees and Resettlement Committees.
11 Monitoring and Reporting

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

11.1 Internal Monitoring and Evaluation

71. The PPMO in cooperation with DCO is responsible for internal monitoring of LAC implementation. The monitoring strategy would have to be defined and agreed upon on a participative approach involving different stakeholders, such as communities, organizations, individuals, representatives and others, but certainly subproject affected people. A resettlement related internal monitoring concerns mainly LAC-performance in terms of whether the overall subproject and resettlement objectives are being met mainly with focus on:

(i) assessing if mitigation measures and compensation are sufficient; (ii) identifying methods of responding immediately to mitigate problems through remedial actions; (iii) smooth transition between LACP activities and civil works;

(iv) updates of complaints overviews and their management applying GRM; (v) follow up of the safeguards contractual obligations of the civil works contractor set out in Section 6 of the contract, that includes; (a) the EMP, Health and Safety Plan, Camp Management, Hydrocarbon and Hazardous Materials Management Plan; (b) social safeguards relating to gender and ethnicity, the employment of local stakeholders including 30 percent females on an equal pay for equal work basis

(c) environmental safeguard relating to locations of ancestral and cultural significance to the local community requirements the provision of preferences of AH members for job opportunities, and (vi) others, as regarded necessary.

72. The internal monitoring covers Provincial monthly monitoring report from PPMO would provide the achievements and progress. The NPMO would verify and consolidate these reports in its safeguards quarterly progress report that is included in the Quarterly Progress Report submitted to ADB.
11.2 External Monitoring and Evaluation

73. Independent external monitoring of LAC aspects is integrated in the subprojects overall external safeguards monitoring reported on a quarterly, semi-annual, annual, mid-term and on-completion. The external M&E will include impact and effects monitoring including but not limited to the following: (i) involuntary land acquisition and compensation; (ii) socio-economic effects, particularly changes in living standards and livelihoods; (iii) documentation of conflicts and complaints and their status; (iv) documentation of jobs provided by the contractor to local residents; and (v) additional mitigation measures, as required. External safeguards M&E reports will be prepared in accordance with the contractual agreed requirements through the implementation period of the LAC reports.
Attachment A7.1: Definitions of Key Terms

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

**Affected Person (AP)** indicates any juridical person being as it may an individual, a household, a firm or a private or public who, on account of the execution of the proposed project or any of its components or subprojects or parts thereof would have their: (i) right, title or interest in any house, land (including residential, agricultural and grazing land) or any other fixed or moveable asset acquired or possessed, in full or in part, permanently or temporarily; or (ii) business, occupation, work, place of residence or habitat adversely affected; or (iii) standard of living adversely affected.

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

(i) lose 10% or more of total agriculture/aquaculture land holding, and/or
(ii) lose 10% or more of total income sources due to the proposed project. (iii) Physically displaced

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

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

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

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

**Rehabilitation** means the process to restore income earning capacity, production levels and living standards in a longer term. Rehabilitation measures are provided in the entitlement matrix as an integral part of the entitlements.
**Compensation** means payment in cash or in kind to replace losses of land, housing, income and other assets caused by a project.

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

(i) physical displacement from housing and/or more than 10% of the household’s productive (income generating) assets are lost.

(ii) 100 people or more who are experiencing resettlement effects are indigenous people or vulnerable as defined in the SPS ADB (2009), for example, female-headed households, those living close to, on or below the poverty line, and isolated communities, including those without legal title to assets and pastoralists;
Attachment A7.2: Public Information Booklet (Project Information, Resettlement and Compensation Process, GRM)
Attachment A7.3: Public Information Booklet - Project’s Entitlement Matrix
Attachment A7.4A: Specimen of Minutes of Meeting, Houay Thouat Subproject
Attachment A7.4A (Continue): Specimen of Minutes of Meeting, Houay Thouat Subproject
Attachment A7.4A (Continue): Specimen of Minutes of Meeting, Houay Thouat Subproject
Attachment A7.4B: Pictures during a consultation meeting, Houay Thouat Subproject

5 Mar 2017, Progress of the project, compensation process, GRM
5 Mar 2017, Inspection of the Thouat reservoir and the irrigation scheme

Attachment A7.4C: Example of meeting registrations sheet, Houay Thouat Subproject
List of Participants for Consultation Meeting on Technical design and Resettlements for Houay Thouat subproject on the 9th February 2016 at WUG office, Thouat village
Attachment A7.5 A: Champhon District – District Resettlement and Grievance Committee, Houay Thouat Subproject, 5 September 2016

Attachment A7.5 B: Champhon District – Village Resettlement and Grievance Committee, Houay Thouat Subproject, 19 September 2016
Attachment A7.6: Savannakhet Province - Compensation Unit Rate, 14

February 2018
Attachment A7.6 (Continue): Savannakhet Province - Compensation Unit Rate,
Attachment A7.6 (Continue): Savannakhet Province - Compensation Unit Rate,
Attachment A7.6 (Continue): Savannakhet Province - Compensation Unit Rate
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