Lao People's Democratic Republic

Lao Road Sector Project II. (LRSP 2)

Terms of Reference

Preparation of Environmental and Social Management Framework (ESMF)

A. Introduction

The Government of the Lao PDR, Ministry of Public Works and Transportation (MPWT) is preparing the proposed Climate Resilient Road Asset Management Project (the Project) intended for financing support from the World Bank. The project seeks to support overall sustainable road asset management by improving capacity for planning, prioritization, sector financing allocation and management, maintenance efficiency, and climate resilience of road assets. Towards this aim the project will work with government to analyze the relative allocation of funding between new construction and maintenance, and allocation of the maintenance budget between national and local roads, with the objective of achieving an optimum balance and more efficient use of maintenance funding. The project will promote dialogue among government and development partners on the importance and commitment to supporting integrated approaches to sector financing. The project will also provide technical assistance to further develop MPWT institutional capacity for the future implementation of road sector projects using PPP modalities.

The Project would have three components:

Component 1. Climate Resilient Road Maintenance. This component would support road maintenance works and supervision of works of provincial and district road networks in selected provinces.

Sub-component 1.1 Provincial and District Road Maintenance. This sub-component would invest in maintenance works of provincial and district roads in six provinces (Oudomaxay, Phongsaly, Houaphan, Xiengkhouang, Xayabouly, Bolikhamxay) including periodic maintenance, spot improvement, and routine maintenance through performance-based contract. Spot improvement of critical sections aims to improve the roads climate resilience and may include elevating flood prone road sections, paving road sections with steep slope and sections passing through large communities, drainage improvement/construction, and slope improvement/stabilization. Given the limited size of the investment and low traffic volume, spot improvement activities would be carried out only on some critical sections of the existing carriageway, not the whole road, within the existing ROW and may involve minor re-alignments to improve road safety and strengthening road climate resilience. Periodic maintenance would include re-gravelling and re-sealing of existing roads, and routine maintenance would include drainage cleaning, patching of potholes, clearing of roadside vegetation, light grading, etc.

Sub-component 1.2 Supervision of road works and data collection. This sub-component would finance technical assistance and operating cost for supervision and quality assurance for maintenance works and road data collection in the selected provinces under 1.1.
Component 2: Institutional Strengthening. This component would cover technical assistance, goods, training, and operating cost to enhance institutional sector capacities for planning and prioritization that would result in optimized allocation of funds for the road sector as a whole. The component would provide support to MPWT to enhance its capacity and road asset management systems, thereby facilitating the delivery of Development Partners' funds through government systems for road maintenance.

Sub-component 2.1. Sector policy and strategic planning. This sub-component would provide Technical Assistance (TA) to MPWT for high-level policy advice for the operationalization of the Sector Strategy to 2025 and Action Plan to 2020, including assessment and optimization of the road sector financing, integration of climate change adaptation, monitoring implementation, periodic review, evaluation, and preparation of the Sector Strategy and Action Plan 2020-2025.

Sub-component 2.2. Road asset management. This sub-component would finance consultant, training, goods, and incremental operating cost to (i) further develop necessary systems and tools for planning, prioritization, budgeting, implementation and monitoring for road asset management, (ii) strengthening capacity of MPWT, DPWTs and contractor on environmental and social management, quality control and contract management, climate resilience, and traffic safety.

Sub-component 2.3. Capacity Building for Use of PPP in the Road Sector. This sub-component would finance technical assistance consulting services, goods, and training to continue developing the institutional capacity of the MPWT to better prepare the sector for the future implementation of potential PPP projects. The sub-component will include TA to assist GoL to develop regulatory frameworks, environment and social management and technical capacity to identify, prepare and implement road improvements using PPP modalities. The proposed project will not finance a feasibility study (FS) or develop environmental and social safeguards instruments for a PPP project, nor will it implement a PPP investment. The FS for the prospective PPP project was carried out, and the development of corresponding safeguards instruments is ongoing under the ongoing Lao Road Sector Project (LRSP).

Component 3. Contingency Emergency Response Component. A contingent emergency response component with a provisional allocation of zero dollars is included under the project in accordance with OP10, Paragraphs 12 and 13, for projects in situations of urgent need of assistance or capacity constraints. This will allow for rapid allocation of project proceeds in the event of the government declaring that a crisis or emergency has occurred and the WBG agreeing with such determination. This component would finance public and private sector expenditures on a positive list of goods and/or specific works, goods, services and emergency operation costs required for emergency recovery. An Emergency Response Operations Manual will apply to this component, detailing financial management, procurement, safeguards and any other necessary implementation arrangements.

Component 4: Project Management. This sub-component would finance project management for day-to-day implementation, M&E, reporting and coordination among the implementing departments.

B. Project Locations and Salient physical characteristics relevant to the safeguard analysis
The institutional aspects of the proposed Climate Resilient Road Asset Management project have national coverage. The project is expected to consolidate institutional strengthening activities at ministry/central level, particularly strategic planning and oversight, and also to build much needed organizational and human resource capacities at local levels (provincial and district). The investment aspect of the project is expected to cover six provinces. In the northern mountainous region the selected provinces include Phongsaly, Houaphan, Oudomxay, Xiengkhouang. In the central region, the selected provinces include Xayabouly and Bolikhamsay. The northern provinces present the highest indices of rural poverty in the country and are home to multi-ethnic groups including Akha, Mien, Khmu, and Hmong. People in these areas engage in subsistence agriculture on steep slopes. The two central provinces selected are located at lower altitudes and present better socio-economic indicators; livelihoods are based on paddy cultivation and agricultural produce such as tobacco and sugar cane. All these six provinces are highly vulnerable to natural disasters, with each area facing particular types of natural disasters affecting the road network. In the north flash floods and landslides are common while in the central provinces backwater flooding is the main problem.

C. Rationale for Preparing Environmental and Social Management Framework

The project focuses on provincial and district road maintenance, including periodic maintenance and spot improvement in order to improve climate resilience and road safety of provincial and district road networks. Activities may include elevating flood prone road sections, paving road sections with steep slope and the sections passing through big communities, drainage improvement/ construction, slope improvement/ stabilization etc. These spot improvement activities would be carried out only on some critical sections of the existing carriageway within the existing ROW and may involve minor re-alignments to improve road safety and/or strengthening road climate resilience. It is anticipated that environmental impacts from road work activities will not be significant as the works will be conducted on existing roads and may involve minor realignments without expansion. Potential impacts on land acquisition and ethnic groups will also be minor.

Component 2 of the project will provide TA support to develop the E&S capacity of the MPWT with view to the potential PPP, but the PPP road investment itself is outside the scope of the project. Also preparation of Feasibility Study (FS) and safeguards instruments that meet Category A requirements for the NR13 PPP project is already underway under the on-going Lao Road Sector Project (LRSP). E&S related capacity development activities to be supported under this project would be up to the level required for Category A investment. No safeguard instrument would be developed specifically for PPP capacity building activities but the project will ensure that TA activities would be conducted in line with World Bank safeguards policies and up to the level expected for the Category A investment.

A work plan for the provincial and district road maintenance will be prepared annually. The first year work plan will be prepared and site locations will be identified before appraisal. However, sub-projects roads and their locations for the rest of project period will be identified during implementation phase. Therefore, an Environmental and Social Management Framework (ESMF) will be prepared prior to appraisal for screening and assessing environmental and social issues and preparing required site-specific safeguard instruments. The ESMF will be applied to all
investments and TA activities financed under the project and will include Standard Environmental Management Plan (EMP) for typical road work activities.

D. Objectives of this TOR

The ESMF will be undertaken by a team of professional practitioners from the Public Works and Transport Institute (PTI) and Department of Roads (DOR), under MPWT, possessing demonstrable skills and relevant experiences required to carry out the described tasks with technical assistance from an international consultant who has extensive experience with the World Bank safeguards as well as with the road sector and the natural resources and environmental management in Lao PDR. The practitioners will; (i) have knowledge of the current national environmental legislation and procedures as well as the WB Safeguard Policies; (ii) have experiences with organizing public consultations and managing stakeholder relations; (iii) familiar with and has experience in managing safeguards under World Bank financed projects; and (iv) have been involved in Environmental and Social Optional Manual (ESOM) development and implementations. The team will work in consultations with the World Bank environmental/social safeguard specialists on ESMF preparation.

This TOR has been prepared with specific objectives to outlines:

A. Scope of works required for preparation of the Environmental and Social Management Frameworks (ESMF). A separated TORs have been prepared to outline scope of works for preparation of Ethnic Group Development Framework (EGDF) and Resettlement Policy Framework (RPF) [See Annex];

B. Consultations required to prepare ESMF; and

C. Contents of ESMF report and preparation schedule.

E. Scope of Works and Methodology

The preparation of ESMF will be based primarily on the Environmental and Social Operational Manual (ESOM) which was developed by MPWT. The ESOM has been applied to road development projects (including the on-going WBG supported Lao Road Sector Project (LRSP) project) by Public Works and Transport Sector across the country since 2010 and has been recently updated. There are also a Resettlement Policy Framework (RPF) and an Ethnic Groups Development Framework (EGDF) that have been established and applied for the LRSP. In this context, the ESMF will be prepared in line with the relevant regulations and/or guidelines of the government as well as the World Bank’s Operational Policy (OP)/Bank Procedure (BP) 4.01 - Environmental Assessment (EA); the OP/BP 4.10 – Indigenous Peoples; and the OP/BP 4.12 – Involuntary Resettlement which will be triggered for the project. Given the different in nature of road maintenance activities to be carried out under Component 1 and the technical assistance to be carried out under Component 2, the ESMF will provide clarity on safeguard actions to be carried out for each component.

The activities will include desk review and field works to collect secondary data from existing available sources, discussions and consultations with relevant stakeholders to develop the following:

• A detailed description of project, its components and implementation arrangements;
• An understanding of the institutional, policies and legislative frameworks at national and local level applicable to the project. This shall include:
  o National Institutional arrangements and National and local environmental and social legislation and regulations pertinent to the project;
o National implementation practices of above referenced regulation framework and institutional cooperation;
  o Applicable international conventions; and
  o Applicable World Bank Safeguard Policies and regulations covering: Environmental Assessment (OP/BP 4.01), Natural Habitats (OP/BP 4.04), Forests (OP/BP 4.36), Physical Cultural Resources (OP/BP 4.11), Indigenous Peoples (OP/BP 4.10), Involuntary Resettlement (OP/BP 4.12) and Public Consultation and Information disclosure;

• An understanding of the institutional needs for implementing the ESMF. This should cover an assessment of institutional capacity to manage and monitor ESMF implementation, including other agencies that have mandate for managing environmental and social concerns, including gender aspects;
• Experiences and lessons learned from implementations of ESOM under the on-going Lao Road Sector Project (LRSP);
• A capacity building and training program for the institutions responsible for implementing the ESMF;
• A Grievance Redress Mechanism (GRM).
• A budget for implementing and monitoring the ESMF.
• The ESMF will cover preparation of an embedded Ethnic Group Development Framework (EGDF) and Resettlement Process Framework (RPF) to address requirements of OP/BP 4.10 and 4.12, respectively.
• Consultation plan and implementation of the plan as well as disclosure of the ESMF.

An initial review of documents suggested that the proposed measures to mitigate the potential impacts of the road maintenance will follow the ESMF process comprising (a) the subproject screening process; (b) preparation of site-specific safeguards instrument(s); (c) safeguard document clearance; and (d) implementation, monitoring, and reporting. If the subprojects involve ethnic groups and/or land acquisition, the Ethnic Group Development Plan (EGDP) and/or the Resettlement Action Plan (RAP) will be prepared in line with the EGPF and RPF, respectively. The process will also include grievance mechanism, gender mainstreaming, consultation, and information disclosure. For the technical assistance activities, especially that related to the implementation of PPP, capacity building activities will be identified in consultation with key agencies and selected provinces to increase knowledge, experience, and cooperation among key agencies of MPWT, MONRE, and the provinces to manage environment and social safeguard issues related to the implementation of PPP project up to the level expected for Category A investment of OP/BP 4.01.

F. Outline of the ESMF Report

The contents of the ESMF would include:

• An Introduction describing rationale for ESMF, objective of ESMF preparation, scope and methodology;
• A description of project, anticipated type of sub-projects, capacity building activities for PPP project and types or activities that will be excluded from the project support, project coordination/implementation arrangements, etc.;
• An overview of the environmental and social contexts relevant to the project e.g. overview of environmental and social context of the 6 provinces covered under the project including relevant physical resources (topography, water resources and quality etc.), biological resources (protected areas, critical natural habitat, forest and wildlife etc.), human use values including transportation dataand quality of life values including socio-economic
profiles, poverty data, present of ethnic groups, cultural heritage sites and tourism sites etc.;

- A description of Institutional, policies and legislative frameworks at national, local and international conventions applicable to the project. This shall include World Bank Safeguard Policies and regulations applicable to the project. Including the implementation problems considerations and best practice solutions;

- Procedures for screening and scoping of environmental and social issues for site-specific project activities and sub-projects. This should include:
  a. ineligible activities for funding and process to screen ineligible activities;
  b. procedures to identify EA category of proposed activity;
  c. procedures to determine appropriate safeguards instruments for site-specific sub-project, timing of preparing these safeguard instruments; requirements for consultation and disclosure of these instruments, etc.;

- Procedures for preparing and approving site-specific safeguard instruments; this includes:
  a. A framework of actions to guide the development of the required site-specific safeguards instruments during implementation in line with OP 4.01. This will include procedures to address other EA related policies that may be triggered to the sub-projects including Natural Habitats (OP 4.04); Forests (OP 4.36); Physical Cultural Resources (OP 4.11); Indigenous Peoples (OP 4.10); and Involuntary Resettlement (OP 4.12);
  b. Chance find procedures and management plans to identify and avoid impacts on physical cultural resources in line with OP 4.11;
  c. Standard Environmental Management Plan (EMP) or EMP template that outlines content of the sub-project specific EMP and include set of typical environmental impacts and mitigation measures for road maintenance/improvement;
  d. A Resettlement Policy Framework (RPF) to address potential land acquisition or related issues in line with OP 4.12 (see Annex); and
  e. An Ethnic Group Development Framework (EGDF) to screen for the presence of ethnic minorities in the area of influence of site-specific project activities, and when ethnic minorities are present, to guide a social assessment and free, prior and informed consultation process leading to broad community support and the preparation of site-specific Ethnic Group Development Plan (EGDP) and design features in line with OP 4.10 (see Annex);

- Clear definition of roles and responsibilities of project staff and associated agencies in sub-project implementation and application of environmental and social review, preparation and implementation of safeguard instruments, monitoring and evaluation;

- Consultation and stakeholder engagement process for relevant stakeholders for site-specific project activities and sub-projects;

- Grievance redress mechanism to provide stakeholders and potential affected communities to provide feedback or grievances, and receive responses, with regard to the implementation of site-specific activities and sub-projects;

- Monitoring and evaluation arrangements to monitor the implementation of the ESMF and site-specific safeguard instruments and measures;

- Capacity building activities to enable implementing agencies and involved institutions and stakeholders to implement the ESMF, including preparation, implementation and monitoring of site-specific safeguard instruments and measures. The capacity building activities will be developed based on a review of the structure and staffing of the implementing agency(ies) and an assessment of its (their) capacity to implement the ESMF; and

- Estimated budget for the implementation of the ESMF;


- Relevant Annexes:
  a. EGDF;
  b. RPF;
  c. ESMF public consultation records;
  d. Other Technical annexes to support ESMF implementation.

G. Stakeholder consultations

Stakeholder consultations on the draft Terms of Reference (TOR) for preparing ESMF and draft ESMF, will be conducted with relevant stakeholders and concerned agencies.

The TOR and ESMF will be made publicly accessible by posting it on the MPWT’s website in local language. The public meetings should be announced in an official letter of notice or mass media or other appropriate means. Active NGOs, ethnic minority organizations, and other relevant stakeholders should be directly invited by mail and/or email. It will ensure appropriate representation and participation of various groups of stakeholders including women in the consultation process.

The TOR and draft ESMF will be revised to address comments and issues raised during the consultations. Minutes including questions and answers from these meetings and the list of participants will be included in the final documents.

H. Language of the Report

The ESMF shall be available in both local languages of Lao PDR and English. The English version will be used by the World Bank for approval of the ESMF.

I. Schedule and Key Deliverables

It is anticipated that the above tasks will be carried out during the period of February 25, 2016 – May, 2016. The expected main outputs are as suggested in the following schedule:

- First public consultations with local stakeholders on the ToR of the ESMF (at TOR level) during Feb 25 and Mar 06-11, 2016;
- Draft ESMF (include EGDF and RPF) report by March 31, 2016;
- Second public consultations on the draft ESMF, EGDF and RPF during April 5 and April 18-22, 2016;
- Final Draft Report(s) including results for all tasks with summary of public consultations, transcripts, meeting agendas and minutes, photographs, and other relevant supporting materials to be submitted for WBG’s review and comments by April 29, 2016; and
Annex:

TERMS OF REFERENCE (TOR)

For preparation of
Resettlement Policy Framework (RPF) and Ethnic Group Development Framework (EGDF)

1. OBJECTIVE AND OVERALL REQUIREMENT

The Government of the Laos PDR, Ministry of Public Works and Transportation (MPWT) is preparing the proposed Climate Resilient Road Asset Management Project (the Project) intended for financing support from the World Bank. A Resettlement Policy Framework (RPF) and an Ethnic Group Development Framework (EGDF) will be developed by a team of professional practitioners from the Public Works and Transport Institute (PTI) and Department of Roads (DOR), under MPWT with support of international consultant.

2. BACKGROUND

This project aims to enhance the efficiency of road asset management practices and increase the climate resilience of the Lao provincial and district road network. The project will have national coverage. It will seek to support overall sustainable road asset management by improving capacity for planning, prioritization, sector financing allocation and management, maintenance efficiency, and climate resilience of road assets. Towards this aim the project will work with government to analyze the relative allocation of funding between new construction and maintenance, and allocation of the maintenance budget between national and local roads, with the objective of achieving an optimum balance and more efficient use of maintenance funding. The project will promote dialogue among government and development partners on the importance and commitment to supporting integrated approaches to sector financing. The project will also provide technical assistance to further develop MPWT institutional capacity for the future implementation of road sector projects using PPP modalities.

The Project would have three components:

Component 1: Climate Resilient Road Maintenance. This component would support road maintenance works and supervision of works of provincial and district road networks in selected provinces.

Sub-component 1.1: Provincial and District Road Maintenance this sub-component would invest in maintenance works of provincial and district roads in six provinces (Oudomxay, Phongsaly, Houaphan, Xiengkhouang, Xayabouly, Bolikhamsay) including periodic maintenance, spot improvement, and routine maintenance through performance-based contract. Spot improvement of critical sections aims to improve the roads climate resilience and may include elevating flood prone road sections, paving road sections with steep slope and sections passing through large communities, drainage improvement/construction, and slope improvement/stabilization. Given the limited size of the investment and low traffic volume, spot improvement activities would be carried out only on some critical sections of the existing carriageway, not the whole road, within the existing ROW and may involve minor re-alignments to improve road safety and strengthening road climate resilience. Periodic maintenance would include re-gravelling and re-sealing of existing roads, and routine maintenance would include drainage cleaning, patching of potholes, clearing of roadside...
Sub-component 1.2: Supervision of road works and data collection. This sub-component would finance technical assistance and operating cost for supervision and quality assurance for maintenance works and road data collection in the selected provinces under 1.1.

**Component 2: Institutional Strengthening.** This component would cover technical assistance, goods, training, and operating cost to enhance institutional sector capacities for planning and prioritization that would result in optimized allocation of funds for the road sector as a whole. The component would provide support to MPWT to enhance its capacity and road asset management systems, thereby facilitating the delivery of Development Partners’ funds through government systems for road maintenance.

Sub-component 2.1: Sector policy and strategic planning. This sub-component would provide Technical Assistance (TA) to MPWT for high-level policy advice for the operationalization of the Sector Strategy to 2025 and Action Plan to 2020, including assessment and optimization of the road sector financing, integration of climate change adaptation, monitoring implementation, periodic review, evaluation, and preparation of the Sector Strategy and Action Plan 2020-2025.

Sub-component 2.2: Road asset management: This sub-component would finance consultant, training, goods, and incremental operating cost to (i) further develop necessary systems and tools for planning, prioritization, budgeting, implementation and monitoring for road asset management, (ii) strengthening capacity of MPWT, DPWTs and contractors on environmental and social management, quality control and contract management, climate resilience, and traffic safety.

Sub-component 2.3: Capacity Building for Use of PPP in the Road Sector. This sub-component would finance technical assistance consulting services, goods, and training to continue developing the institutional capacity of the MPWT to better prepare the sector for the future implementation of potential PPP projects. The sub-component will include TA to assist GoL to develop regulatory frameworks, environment and social management and technical capacity to identify, prepare and implement road improvements using PPP modalities. The proposed project will not finance a feasibility study (FS) or develop environmental and social safeguards instruments for a PPP project, nor will it implement a PPP investment. The FS for the prospective PPP project was carried out, and the development of corresponding safeguards instruments is on-going under the on-going Lao Road Sector Project (LRSP).

**Component 3: Contingency Emergency Response Component.** A contingent emergency response component with a provisional allocation of zero dollars is included under the project in accordance with OP10, Paragraphs 12 and 13, for projects in situations of urgent need of assistance or capacity constraints. This will allow for rapid allocation of project proceeds in the event of the government declaring that a crisis or emergency has occurred and the WBG agreeing with such determination. This component would finance public and private sector expenditures on a positive list of goods and/or specific works, goods, services and emergency operation costs required for emergency recovery. An Emergency Response Operations Manual will apply to this component, detailing financial management, procurement, safeguards and any other necessary implementation arrangements.

**Component 4: Project Management.** This sub-component would finance project management for...
day-to-day implementation, M&E, reporting and coordination among the implementing departments

3. SCOPE OF WORK

The following sections describe the key tasks and scope of work for each of the RPF, and EGDF.

**Task 1. Preparation of the Resettlement Policy Framework (RPF)**

The objective of this assignment is to prepare the Resettlement Policy Framework (RPF) in a time frame consistent with the overall schedule of project preparation (prior to appraisal). The RPF will take into account Environmental and Social Operation Manual (ESOM) applied for on-going Lao Road Sector Project (LRSP) and road development projects in Lao PDR. It will provide a framework to address possible adverse impacts related to land acquisition and resettlement under the project as the detailed subproject designs and impacts become known. The RPF must reflect regulatory requirements of LAO PDR as well as social safeguard policies and procedures of the World Bank. Specific objectives of the RPF include:

- To provide details on the policies and procedures governing land expropriation, the range of adverse impacts and entitlements under the project;
- To present a strategy for achieving the objectives of the resettlement/land acquisition policy;
- To present a framework for implementation of the stated strategy to ensure timely acquisition of assets, payment of compensation and delivery of other benefits to project affected persons (PAPs) in line with the Bank’s OP 4.12;
- To define the eligible criteria, entitlements, and methods of impact assessment census and socioeconomic assessment and valuation of affected assets;
- To provide details on the public information, consultation and participation, and grievance redress mechanisms in project planning, design and implementation;
- To provide identified sources and estimates of required resources for implementation of the RPF;
- To present a framework for supervision, monitoring and evaluation of resettlement implementation.

The following outline for the sections to be described in the RPF document.

- **Legal framework review.** This section should include a discussion of the existing legal and regulatory framework pertaining to resettlement and land acquisition in Lao PDR, as well as a discussion of World Bank rules and regulations. The gap between relevant laws and the Bank’s OP/BP 4.12 on Involuntary Resettlement should be highlighted, areas requiring conciliation should be emphasized and gap filling measures should be proposed.

- **Resettlement/land acquisition principles.** In addition to national legislation, the RPF should include and emphasize principles of the Bank’s OP 4.12 on involuntary resettlement and explain whenever expropriation of private land is unavoidable, how such cases are handled according to national law and World Bank Op 4.12.

- **Impact assessment.** The RPF should provide how census, socioeconomic assessment and the detailed measurement of project impact will be carried out.

- **Methods of valuing assets, eligibility criteria, and organizational arrangements of delivery of entitlements.** The RPF will outline details for valuating assets and entitlements varying
according to land type and use in an entitlement matrix. It will furthermore describe in detail how national law distinguishes between owners, tenants and project affected people (PAP) with and without occupancy rights; people who use the land for commercial purpose; and people who have made improvements of any nature.

- **Grievance Redress Mechanism (GRM).** The RPF will include a detailed description of the formal GRM mechanism in place. Providing an accessible and credible means for project affected people to pursue any grievance facilitates the identification and management of risks in projects and ensures that concerns/grievances from the communities or others are promptly heard, analyzed, handled and answered in order to detect causes and take corrective or preventive actions.

- **Organizational responsibilities and institutional framework.** The report will describe the overall responsibility for enforcement of the Resettlement Policy Framework and for planning and implementing of follow up Resettlement Action Plans (RAPs). The report should provide clear and unambiguous guidance on the roles and responsibilities of the various institutions involved in preparing RAPs if they become necessary under the project, and for the day-to-day implementation thereof within the respective jurisdictions. The process of delivery of entitlements should be described in detail, noting who is involved at each stage.

- **Budget and Funding Arrangements.** Estimate the overall costs of resettlement, including funds for general oversight and for implementation of subprojects. Show the sources of funds. For large subprojects, show the sources of and arrangements by which funds for implementation will be made available, and either estimates for “off-the-shelf” (average) subprojects or average subprojects by type. Estimate the types and numbers of subprojects and a nominal resettlement budget based on an estimate of how many subprojects may involve resettlement. Show that the overall budget estimates have been included in the project budget.

- **Methods for Consultation and Participation.** Consultation is to be done for both the Resettlement Policy Framework, which sets many of the parameters by which resettlement will be carried out, and the individual RAPs which will be done for each subproject. For the RPF, show that meaningful consultation is being carried out with a broad array of stakeholders including both borrower officials at every level, and the types of people who may be the beneficiaries of, and affected by, typical subprojects. Show that the draft RPF is to be, or has been, circulated to interested parties, and that further consultations will take place before finalization. Insert a record of all such consultations as an annex to the RPF. For the individual RAPs, show how the people affected by the particular subprojects will be consulted throughout the process of RAP formulation, as prescribed by OP4.12.

- **Monitoring Arrangements.** Provide an appropriate mechanism for monitoring the effective implementation of resettlement, either as part of the overall monitoring of project progress, or separately to affirm the achievement of resettlement goals of ensuring that all affected people are addressed.

**Task 2. Preparation of the Ethnic Group Development Framework (EGDF)**

The project involves preparation and implementation of annual investment programs/subprojects in 6 provinces include Phongsaly, Houaphan, Oudomxay, Xiengkhouang, Xayabouly and Bolikhamsay. Since the initial screening indicates that ethnic groupsthat meet the eligibility criteria of the OP 4.10
are likely to be present in or have collective attachment to the project areas, but their presence or collective attachment cannot be determined until the programs or subprojects are identified, the Ethnic Group Development Framework (EGDF) will be developed, base on the ESOM applied for LRSP and road development projects in Lao PDR, that provides for the screening and review of these programs/subprojects in a manner consistent with World Bank Indigenous Peoples Policy OP.4.10.

The objective of this tasks is to elaborate EGDF as a project management instrument that helps insure the social and cultural sustainability of the project.

The EGDF development team will perform the following tasks:

- Review available project information, prepare description and analysis of project activities with focus on those that will require preparation of the EGDF.
- Assess potential positive and adverse effects of the proposed components and activities financed by the project on ethnic group’s livelihoods, social organization and culture. Differentiate between various impacts (for example collective vs individual etc).
- Develop an ethnic screening criteria to identify the presence of ethnic groups in sub-project area of influence
- Formulate a plan to carry out Social Assessment (SA) for sub-projects where ethnic groups are present
- Formulate framework for ensuring free, prior and informed consultation with affected communities at each stage of sub-project preparation and implementation.
- Provide how the Ethnic Groups Development Plan (EGDP) will be developed based on the result of the free, prior and informed consultations and the SA, which will define how potential adverse impacts would be mitigated, affected ethnic groups received project benefits, and free, prior and informed consultations would be conducted during the implementation of the respective subprojects.
- Describe the institutional and capacity building arrangements for screening all project supported activities, evaluating their effects on ethnic groups.
- Propose framework for project’s grievance redress mechanism.
- Describe monitoring and reporting arrangements including mechanism and benchmarks appropriate to the project, paying particular attention to indicators of IP livelihoods, social and organizational culture.
- Describe disclosure arrangement for the Ethnic Group Development Plans which could be prepared under the EGDP
- Budget.

4. SCHEDULE AND DELIVERABLES
The outputs of this assignment should comprise quality Resettlement Policy Framework and Ethnic Group Development Framework reports with Annexes including updated maps of zone of the study, pictures taken during the site visit and/or public consultation meetings as well as any relevant information. The main text should include information supported by references listed in appendices.

Final reports will be issued: in English, and local languages of Lao PDR commonly spoken and written in the project area and that identified as relevant as a result of this assignment.

Final Draft Version of both reports are expected to be completed April 29, 2016.

5. TEAM QUALIFICATIONS

The RPF and EGDF will be undertaken by a team of professional practitioners from the Public Works and Transport Institute (PTI) and Department of Roads (DOR), under MPWT with relevant experience in preparation of safeguards documents.

International consultant will have the following skills:

- Minimum of 10 years of experience working in the developing countries.
- Have at least a Master’s degree in a relevant field.
- Be familiar with social safeguards requirements in projects funded by the World Bank and Lao PDR legal and institutional frameworks.
- Have experience in preparing/implementing ESMO, RAP and EGDP with a minimum 5 years of experience in managing / developing projects with ethnic minority impacts in the country.

The team will work in consultations with the World Bank senior social safeguard specialists on RPF and EGDF preparation.