

LAO PEOPLE'S DEMOCRATIC REPUBLIC
PEACE INDEPENDENCE DEMOCRACY UNITY PROSPERITY

MINISTRY OF PUBLIC WORKS AND TRANSPORT

DEPARTMENT OF ROADS

National Road 13 North (NR13N) Improvement and Maintenance

From Sikeut, Vientiane Capital to Phonhong, Vientiane Province,
Lao PDR



Draft Resettlement Action Plan

Volume 1: Main Report

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Acronyms

AH	Affected household(s)
AP	Affected person or people
ARAP	Abbreviated Resettlement Action Plan
CSO	Civil Society Organization(s)
DOR	Department of Roads, MPWT
DPWT	Department of Public Works and Transport
EGDP	Ethnic Group Development Plan
EPL	Environmental Protection Law
ESIA	Environmental and Social Impact Assessment
ESMP	Environmental and Social Management Plan
FGD	Focus Group Discussion
GOL	Government of Lao PDR
GRC	Grievance Redress Committee
IDA	International Development Assistance (of the World Bank)
IEE	Initial Environmental Examination
IOL	Inventory of Loss
IR	Involuntary resettlement
Kip	Lao Kip (currency)
M&E	Monitoring and Evaluation
MOF	Ministry of Finance
MONRE	Ministry of Natural Resources and Environment
MPWT	Ministry of Public Works and Transpiration
NDF	Nordic Development Fund
NPA	Non-Profit Associations
NR13N	National Road 13 North
OP/BP	World Bank Operational Policies
OPBRC	Output- and performance-based road contract
PAH	Project Affected Households
PAP	Project Affected People
PONRE	Provincial Department of Natural Resources and Environment
PDR	People's Democratic Public
PMU	Project Management Unit
PRO	Project Resettlement Office

RAP	Resettlement Action Plan
RAPF	Resettlement Policy Framework
ROW	Right of Way
SDG	Sustainable Development Goal
SDS	Social Development Specialist
SEA	South East Asia
SIA	Social Impact Assessment
SPS	Safeguard Policy Statement of the World Bank
VRC	Village Resettlement Committee
WB	World Bank

Glossary

Compensation	:	Means payment in cash or in-kind at replacement cost for an asset to be acquired by the Project.
Cut-off date	:	Means the date prior to which the occupation or use of the project area makes residents/users of the project area eligible to be categorized as affected persons. The cut-off date is established in the Resettlement Action Plan (RAP). It normally coincides with the date of the census of affected persons within the project area boundaries, or the date of public notification regarding the specific civil works that would cause displacement. Persons not covered in the census, because they were not residing, having assets, or deriving an income from the project area, are not eligible for compensation and other entitlements.
Household	:	Means all persons living and eating together as a single social unit.
Income restoration	:	Means re-establishing income sources and livelihoods of Project Affected Households (PAH) to a minimum of the pre-project level.
Informed consent	:	Means that the people involved are fully knowledgeable about the project and its implications and consequences and freely agree to participate in the project. "Power of choice" means that the people involved have the option to agree or disagree with the land acquisition, without adverse consequences imposed formally or informally by the state. By definition, power of choice—and thus voluntary resettlement—is only possible if project location is not fixed
Land acquisition	:	Means the process whereby a person is compelled by the Government through the Executing Agency of the Project to alienate all or part of the land s/he owns or possesses in favor of the State in the implementation of the Project or any of its components in return for consideration.
Livelihood impacts or Economic displacement	:	Means loss of income generating assets or access to income generating assets; or loss of income sources or means of livelihood, whether or not the affected persons must move to another location, and includes loss, or restriction, of access to protected areas resulting in impacts on the livelihoods of the affected persons.
Physical displacement	:	Means the physical relocation or shifting of a person from his/her pre-project place of residence and/or business.
Rehabilitation	:	Means assistance provided to seriously affected people due to the loss of productive assets, incomes, employment or sources of living that require to be compensated in order to improve, or at least achieve full restoration of living standards to pre-project level. The livelihood support may be given in cash or in kind or a combination of the two in order to improve, or at least achieve full restoration of living to improve, or at least achieve full restoration of living given in cash or in kind or a combination of the two in order to improve, or at least achieve full restoration of living standards to pre-project levels.
Project Affected Persons (PAP) or Households (PAH)	:	Includes any person, households, entity, organizations, firms or private institutions who, on account of changes that result from the project will have their (i) standard of living adversely affected; (ii) right, title, or interest in any house, land (including residential, commercial, agricultural, forest, plantations, grazing, and communal land), water resources, fish ponds, communal fishing grounds, annual or perennial crops and trees, or any other moveable or fixed assets acquired, possessed, restricted, or otherwise adversely affected, in full or in part, permanently or temporarily; and/or (iii) business, occupation, place of work or residence, or habitat adversely affected, permanently or temporarily, with or without displacement.
Replacement cost	:	Means the method of valuation of assets that helps determine the amount sufficient to replace lost assets and cover transaction costs. In applying this

method of valuation, depreciation of structures and assets is not taken into account. Where domestic law does not meet the standard of compensation at full replacement cost, compensation under domestic law is supplemented by additional measures necessary to meet the replacement cost standard.

- Resettlement : Means all direct economic and social losses resulting from land taking and restriction of access, together with the consequent compensatory and remedial measures. Resettlement is not restricted to its usual meaning—physical relocation. Resettlement can, depending on the case, include (a) acquisition of land and physical structures on the land, including businesses; (b) physical relocation; and (c) economic rehabilitation of displaced persons (DP), to improve (or at least restore) incomes and living standards.
- Severe impact : As per WB OP 4.12 when more than 10% of productive assets (land or resources) is taken, physical relocation occurs from one's residence or place of business, or people suffer significant loss of livelihood or income.
- Vulnerable groups : Are distinct groups of people who might suffer disproportionately or face the risk of being further marginalized by the effects of resettlement and specifically include: (i) households headed by women, elderly people or people with a disability; (ii) households living below the poverty threshold; (iii) the landless; and (iv) ethnic groups as defined under Indigenous Peoples in the World Bank OP/BP 4.10 revised July 2013.

Note:

In this report, "\$" refers to US dollars; and the Lao PDR currency unit is the Lao Kip (Kip). The exchange rate used is US\$ = 8,307 Kip.

EXECUTIVE SUMMARY

Project Description

The improvement and maintenance of a 58 km-section of Lao National Road No. 13 North (NR13N) from Xaimounkhong Village of Vientiane Capital to Phonhong Village of Vientiane Province is one of two proposed Pilot PPP Road Projects. The project is expected to improve national connectivity, access to public services, markets for the road users particularly those in Vientiane Capital and in Vientiane Province, the project will also help to reinforce regional integration and promote greater economic activity. As a PPP project, the road should provide sufficient inducement to road users to pay the tolls.

Proposed works on the road includes the widening the road from the existing 2 lanes to 4 lanes along the first 17.5 km and rehabilitation from Km 30.5, the alignment of the road itself will be modified slightly at 4 locations (see Section 3):

- the Houay Xaimoun Bridge at km 6+975 will be expanded from 2 to 4 lanes, with the added lanes on the left side requiring that the centerline be shifted to the left for a distance of 200m from each end of the bridge;
- the Houay Xone Bridge at km 9+953 will be expanded from 2 to 4 lanes, with either one lane added to each side or 2 lanes added on the right side (the preferred option), and the preferred options requiring that the centerline be shifted to the right for a distance of 150m from each end of the bridge;
- the Nam Houm Bridge at km 19+200 will be expanded from 2 to 4 lanes, with the added lanes on the left side requiring that the centerline be shifted to the left for a distance of 200m from the south end of the bridge and 150m from the north end; and
- the sharp curve to the right at Ban NaNga at km 25+570, where the radius of curvature will be increased from 200m to 280m to make it safe for vehicles traveling at 80 km/hr.

Resettlement Impacts

The proposed impacts from the works will mainly be within the existing right of way but will still require land acquisition of private and government land as well as structures as confirmed by the preliminary measurement survey (PMS) based on the ongoing engineering designs and a social survey of affected households (SESAH). A more detailed measurement survey should be conducted following the finalization of the detailed design.

The current design alignment will result in:

- 2,398 affected households, of which 96% are Lao Tai, 2% are Hmong, 0.5% are Khmu, and 1.5% are foreign (Chinese and Vietnamese business operators);
- 2,625 plots of land affected, of which 95% are along the section in Naxaythong where the road will be expanded from 2 to 4 lanes wide, and 211 of the land plots (210 in Naxaythong) will lose more than 10% of their area;
- 3,297 built structures affected belonging to 2,161 households, of which 30% are houses, 13% are fences, and 25% are cement slabs in front of commercial buildings; and
- 1,808 business fronting the road, varying from one-person stalls to medium enterprises employing 50 or more staff.

Of the 2,398 affected households, 81 or 3.4% are considered vulnerable (see Section 4.3.3):

- 32 households fall below the official poverty line with a per capita income of less than 240,000 Kip/month;

- 34 female-headed households that include dependents, with a per capita income between 240,000-500,000 Kip/month;
- 5 households are headed by an elderly person and comprise only 1 or 2 members, and have a per capita income between 240,000-500,000 Kip/month;
- 10 households with a disabled member, and a per capita income between 240,000-500,000 Kip/month;

The individuals, households and businesses that will be affected by the road expansion and the construction works to improve the road have been surveyed, and the compensation costs have been estimated. The compensation policy applied was based on both the Lao Compensation and Resettlement Decree 2016 and the World Bank OP/BP 4.12.

Public Consultations

During the preparation of the RAP, participative consultations were undertaken at various levels with the district and village authorities and the affected people. A series of consultations were held in from June to September 2017.

In general, the communities are in support of the project. There were some concerns expressed:

- Fair compensation and must be paid before relocation/construction;
- Compensation cost for land and structures and loss of income;
- Grievance mechanism;
- Construction duration and design a good standard road that is safe;
- Recruit a qualified contractor who can build a quality road on time;
- Mitigation measures during and after construction.

Planning, Implementation and Monitoring

The planning of compensation was prepared based on the inventory of losses and the SEASH carried out. The results of these gives a preliminary estimate 183 billion Kips for compensation and income restoration as summarized in the table below.

No.	Item	Total US\$	Total Kip
1	Land	13,124,809	109,027,787,548
1.1	Residential land - compensation	11,650,146	96,777,760,832
1.2	Agricultural land	951,945	7,907,807,607
1.3	Government land	522,718	4,342,219,109
2	Trees	68,918.85	572,508,900
3	Structures	5,990,396	49,762,215,523
4	Income Restoration, Allowances & Other	851,900	7,076,733,300
6	Subtotal	20,036,023	166,439,245,272
	Administration charges (5%)	1,001,801	16,643,924,527
	Contingency (5%)	1,001,801	16,643,924,527
	TOTAL	22,039,626	183,083,169,799

The Department of Roads within the Ministry of Works and Transport (MPWT) is the Executing Agency for the project and is responsible for the implementation of the project. The project management unit (PMU) within DOR has the responsibility for the implementation and monitoring of environmental and social safeguards as well as the technical aspects.

During implementation, both internal and external monitoring will be performed. The external monitor will be an independent organization contracted by MPWT.

Involuntary Resettlement

1. During the preparation of the Feasibility Study, field studies were completed which included a screening and scoping of involuntary resettlement (IR) impacts of the rehabilitation of NR13N. The conclusion is that the NR13N improvement likely will create IR impacts if the proposed design and scope of project apply.

2. The IR impacts have been identified and can be mitigated through preparation of resettlement implementation of a RAP. This RAP for NR13N improvement complies with the World Bank's OP 4.12, Decree 84 of the Lao Government, and the Ministry of Natural Resources and Environment's (MONRE) 2013 Ministerial Instruction No. 8030/MONRE on Environmental and Social Impact Assessment Process of the Investment Projects and Activities. Detailed inventory of loss are presented in Annex 1.

Figure 1-1: Map of the Project Area (1)

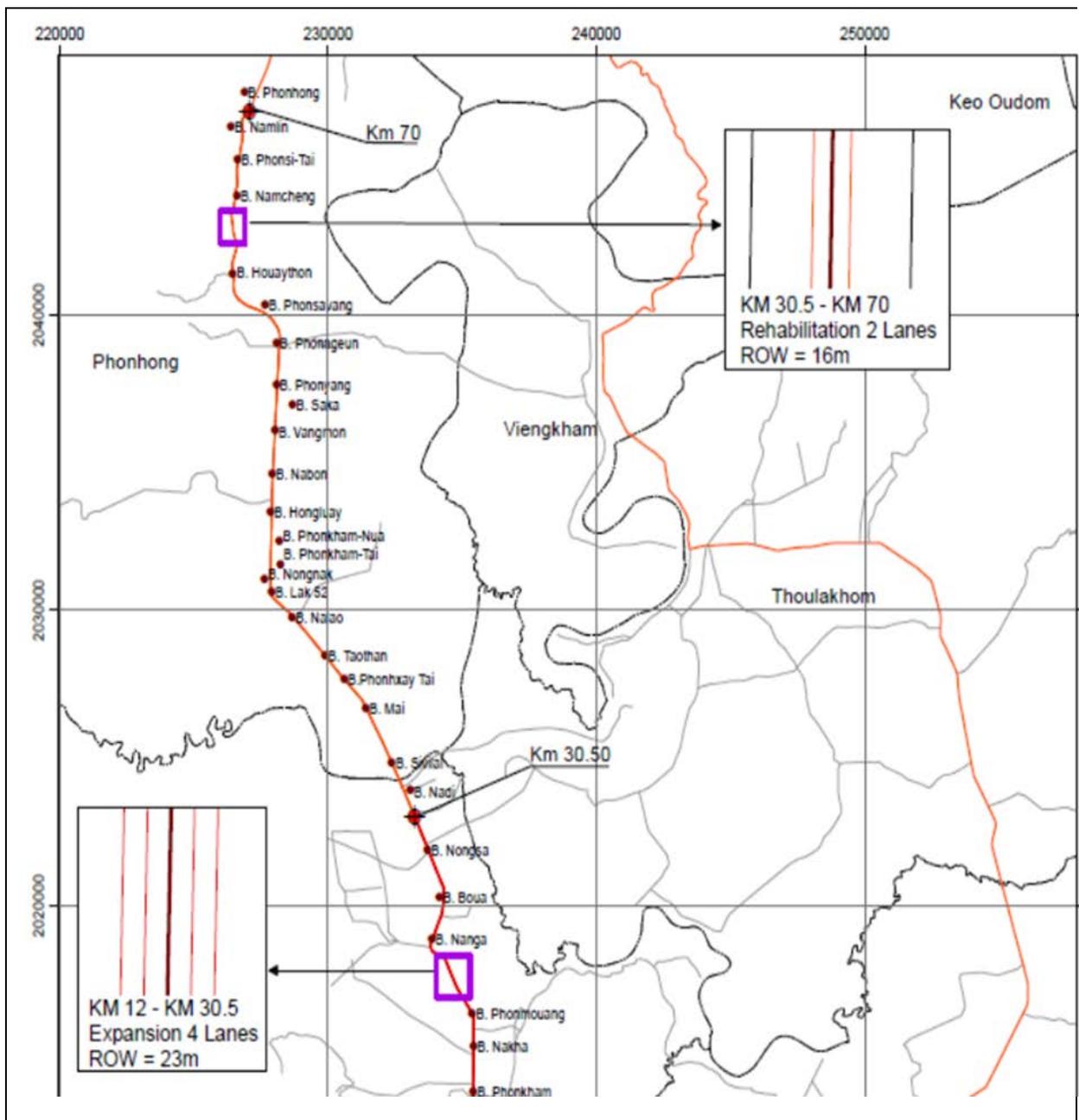
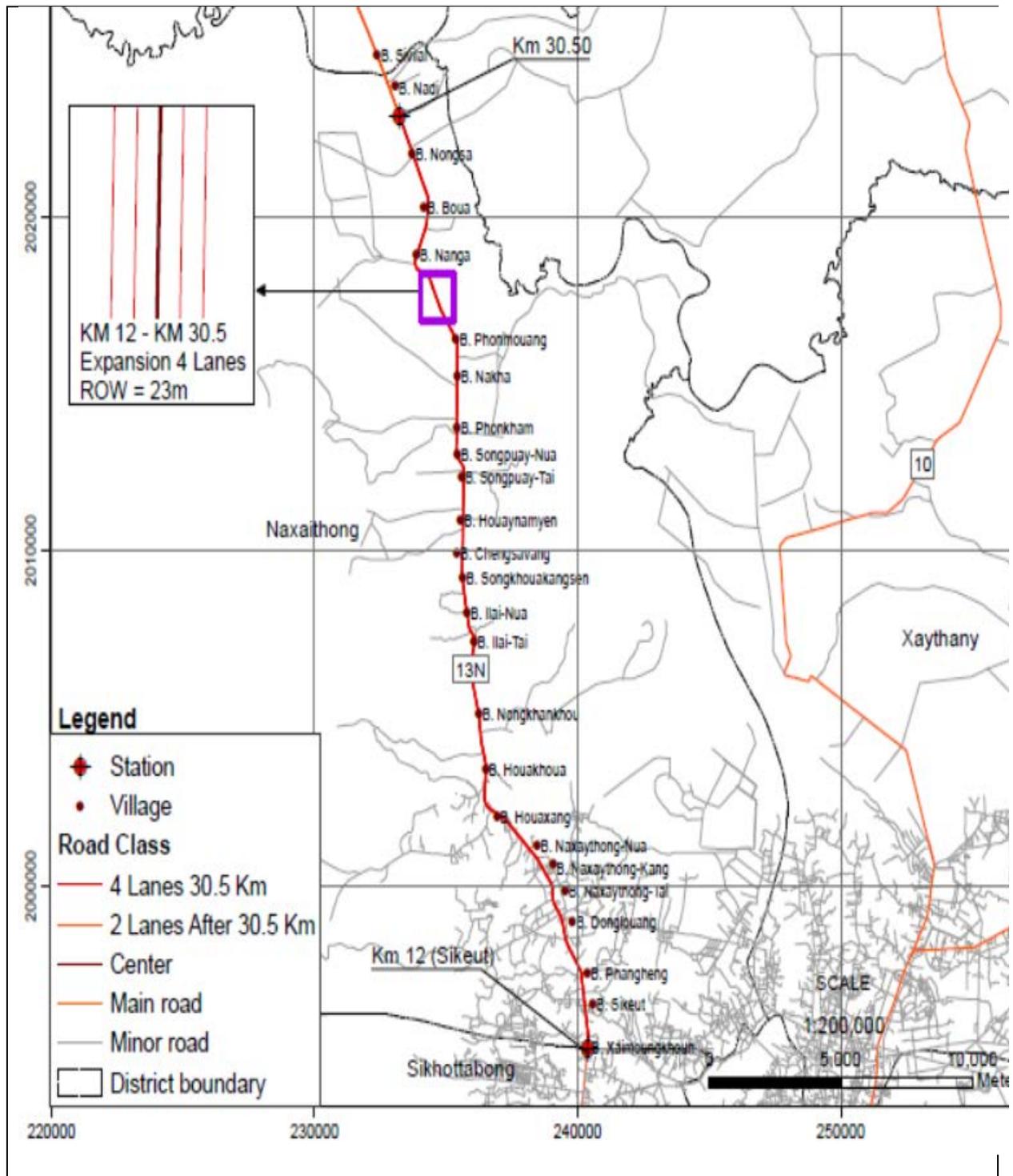


Figure 1-2: Map of the Project Area (2)



Land: Impacts and Losses

3. Altogether the Project will affect 2,625 plots of land covering about 141,672 square meters, of which 95% is in Naxaythong with the 4-lane road section. The most affected land areas are residential land (48%), followed by commercial land (31%), agricultural land (12%), empty land (6.62%) whose owners cannot be identified or reached, and government land (2.96%).

4. Approximately 211 affected plots of land (8%) will lose more than 10% of their total land area and all but one (210) are located in Naxaythong District. Amongst the more than 10% affected plots of land, 52% are residential land, 39% are commercial land, 7.6% are agricultural land and empty land.

Table 1-1: Land Impacts and Losses

Affected HHs by land type	No. of AHs with land affected	No of land parcels	Area of Land Affected (m ²)	Temp. Area of Land Affected (m2)	Perm. Area of Land Affected (m2)	Av. Area of land affected (as % of total)	No of AHs less than 10% of land affected	No of AHs more than 10% of land affected
Naxaythong:								
Agriculture land	54	60	16,060	3,081	13,253	3.17%	46	8
Residential land	847	920	63,883	13,158	51,937	5.41%	738	109
Business/Commercial land	493	545	41,524	7,333	34,286	2.58%	411	82
Empty land	57	60	9,382	1,391	8,168	5.24%	49	8
Government Land	32	32	4,159	3,397	9,882	1.50%	29	3
Sub-total	1,483	1,617	135,009	28,361	117,526	3.67%	1,273	210
Phonhong:		0						
Agriculture land	12	13	524	283	241	0.50%	12	
Residential land	664	695	3,637	2,727	936	0.49%	663	1
Business/Commercial land	258	276	2,474	1,705	769	0.58%	258	
Empty land	2	2	0	0	0	0.00%	2	
Government Land	22	22	29	29	0	0.03%	22	
Sub-total	958	1,008	6,664	4,744	1,946	0.50%	957	1
Total	2,441	2,625	141,672	33,105	119,472	2.82%	2,230	211

Source: IOL (August 2017)

Structures: Impacts and Losses

5. The Project will affect 3,297 structures of 2,161 households and amongst the affected structures 30% are houses, 13% are fences, 32% are cement slabs in front of commercial buildings, and 32% are house entrances.

Table 1-2: Structures Impacts and Losses

Affected Structures	No. of AHs with Structures affected	Type of Structure				No. of AHs Being displaced	No. of AHs rebuilding on the same land
		House	Fence	Cement slab	Other		
Naxaythong:							
AHs with structures affected	1,247	708	359	700	360	8	16
Phonhong:							
AHs with structures affected	914	279	69	353	469		
Total	2,161	987	428	1,053	829	8	16

Source: IOL (August 2017)

6. The severely affected houses are found in Naxaythong district where 8 houses will be relocated, and another 16 houses can be built on the existing plot (refer to Annex 2 for the list of PAHs to be relocated). In the two districts there are 963 partially affected houses where the extended veranda and roof will be affected.

Table 1-3: Affected Households by Impacts on Houses

Impact	Full impact: No. of AHs rebuilding houses		Partial impact: No. of AHs repairing house on same land
	No. of AHs to be physically resettled	No. of AHs rebuilding on same land	
Naxaythong:			
No. of AHs with houses affected	8	16	684
% of house affected	0.81%	1.62%	69.30%
Phonhong:			
No. of AHs with houses affected			279
% of house affected	0%	0%	28%
Total	8	16	963

Source: IOL (August 2017)

Loss of Income Sources

7. The Focus Group Discussions (FGD) and socio-economic survey provided much information on the anticipated loss of income due to small businesses being affected by the road widening project. The consultant interviewed 1,808 businesses, situated along the section of road to be widened/improved. These businesses vary in scale from one-person stalls to medium sized enterprises employing 50 or more staff. Apart from physical impacts resulting from the requirement to pull back from the ROW, many small business owners anticipated negative effects on their income due to restrictions on access during construction, and a median strip preventing access from vehicles on the other side of the road after construction. The contractor will be required to provide access to these businesses during construction. About 65% of the businesses were in Naxaythong District, and 35% in Phonhong District.

OBJECTIVES OF THE RESETTLEMENT ACTION PLAN

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

9. The basic objectives of the RAP are to: (i) serve as a binding document to ensure a fair and disclosed process for participation, identification and mitigation of IR impacts, and payment of compensation and assistance to APs; (ii) guide the Project Management Unit (PMU) at the Department of Roads (DOR) of MPWT in clearly identifying, compensating, and restoring the livelihoods of AP; and (iii) provide direction for the PMU in updating/finalizing, implementing and monitoring the RAP.

10. The RAP identifies measures to ensure that AP are, (i) informed about, and consulted on, the proposed project and agree in principle with the Project; (ii) informed about their options and rights pertaining to IR impacts; (iii) consulted on, offered choices among, and provided with suitable compensation and/or resettlement alternatives; and (iv) provided

prompt and effective compensation at full replacement cost for losses of assets attributable directly to the Project.

ANALYSIS OF PROJECT ALTERNATIVES AND MINIMIZING RESETTLEMENT

11. The Design Firm has identified 4 locations requiring substantial changes in road alignment to respect the 4 lanes design standard in Naxaythong District:

1. Houay Xaimoun Bridge;
2. Houay Xone Bridge;
3. Nam Houm Bridge; and
4. Ban NaNga curve.

SOCIO-ECONOMIC INFORMATION AND PROFILE

Impact Area and Affected Households

12. The Project will impact 24 villages in Naxaythong District and 20 villages in Phonhong District. As shown in **Table 4-2**, the Project is expected to directly affect about 2,398 households with 11,138 members, of whom 5,747 or 51.6% are female. Among the 2,398 affected households (AH), 51 or 2.1% declined to be interviewed¹, and 90 or 3.8% were unable to be reached during the socio-economic survey carried out from July to September 2017. The survey team made three attempts to contact the PAHs whose phone numbers had been provided by the Village Authority. The summary of uncontactable households and households who did not want to be interviewed is as follows:

Table 4-1: Summary of Uncontactable PAHs and PAHs who Refused Interview

District	Busy	Refused	Do not want compensation	Cannot contact	Data Missing	Total
Naxaythong	10	2	2	54		68
Phonhong	19	6	12	33	3	73
Total	29	8	14	87	3	141

Table 4-2: Total Affected Households by Village

No.	Village	Affected households			Affected People		
		Total AH	Female Headed AH	Male Headed AH	Total female AP	Total male AP	Total AP
I. Naxaythong District							
	Xaimoungkhoun	19	1	18	47	46	93
	Sikeut	44	9	35	97	98	195

¹ Busy, refused, did not want compensation

Phanghaeng	62	12	50	137	133	270
Donglouang	34	6	28	109	80	189
Naxaythong-tai	75	15	60	190	193	383
Naxaythong-kang	15	3	12	29	39	68
Naxaythong-nua	60	17	43	163	146	309
Houaxang	68	11	57	144	161	305
Houakhoua	131	18	113	278	306	584
Nongkhankhou	49	6	43	104	100	204
Ilai-tai	70	14	56	206	174	380
Ilai-nua	73	15	58	182	169	351
Houaynamyen	108	17	91	269	272	541
Chaengsavang	11	2	9	33	26	59
Songkhoulakangsaen	55	8	47	145	152	297
Songpuay-tai	53	11	42	133	137	270
Songpuay-nua	47	9	38	113	110	223
Phonkham	64	15	49	160	141	301
Nakha	52	8	44	140	130	270
Phonmouang	87	22	65	210	204	414
Nanga	79	27	52	228	209	437
Boua	38	9	29	76	63	139
Nongsa	112	25	87	289	250	539
Nadi	61	12	49	145	134	279
Total Naxaythong	1,467	292	1,175	3,627	3,473	7,100
II. Phonhong District						
Sivilai	53	10	43	127	129	256
Mai	110	21	89	296	267	563
Phonxai-tai	57	21	36	136	127	263
Taothan	40	13	27	92	90	182
Nalao	92	15	77	232	220	452
Lak 52	68	8	60	179	186	365
Nongnak	7	1	6	9	11	20
Phonkham-tai	22	3	19	56	55	111
Phonkham-nua	39	3	36	112	108	220
Hongluay	23	3	20	60	59	119
Nabon	51	10	41	124	11	135
Vangmon	50	12	38	116	103	219
Saka - Phonnyang	37	7	30	75	68	143
Phonsavang	45	8	37	122	91	213
Phonngoun	29	2	27	81	74	155
Houaython	41	4	37	111	83	194
Namchaeng	60	9	51	156	138	294
Phonsi-tai	57	14	43	151	137	288
Phonhong	24	9	15	67	59	126
Namlin	26	3	23	59	59	118
Total Phonhong	931	176	755	2,361	2,075	4,436
Total both districts	2,398	468	1,930	5,988	5,548	11,536

Source: Socio-economic survey (August 2017)

Vulnerability

- 1 Approximately 23 households (less than 1%) fall below the official poverty line of per capita monthly income of 240,000 Kip. Most of these were women-headed households, as well as farmers and daily labourers. None of these poor households is among ethnic groups.
- 2 Excluding those already included in the “poor”, 34 of the female headed households are in the 2nd income group (low income with monthly income per capita between 240,000 and 500,000 Kip) and have dependents.
- 3 There are 5 households that are headed by the elderly, with monthly income per capita between 240,000 and 500,000 Kip and comprise only one or two persons and therefore have little labor to sell or other means of support.
- 4 About 10 AHs with monthly income per capita between 240,000 and 500,000 Kip recorded having members with a disability. These households are in the 2nd income quartile and considered vulnerable.
- 5 In total there are 81 households (3%) that are considered vulnerable by virtue of the foregoing definition. **Table 4-9** shows the number of households falling into each classification of vulnerability.

4.4.2 Indigenous Peoples

13. The potential affected ethnic households will be approximately 2,398 households of which 96% and 2% are the Lao Tai and Hmong ethnic groups respectively. The Khmu represent less than 1% of the affected households (AH) and the affected foreign households represent about 2%. Most affected foreign households are Chinese and Vietnamese business operators who rent premises adjacent to the road. Both Hmong and Khmu ethnic groups have been living in the area for more than 19 years on average and the Khmu group is well integrated into mainstream Lao society.

Table 4-3: Vulnerability of Affected Households

Category of vulnerability	Affected Households	
	Male-headed	Female-headed
Households falling below poverty line	14	18
Low income, single female-headed AHs (excluding households below poverty line) Per capita income of 500,000 Kip/month or less	0	34
Households with disabled members (excluding households below poverty line)	6	4
Elderly with no means of support (household head >65 years and household size less than 3)	5	0
Total	25	56
	81	

Source: Socio-Economic Survey (August 2017)

Table 4-4: Proposed Action

Main Themes	Issue / Concerns	Proposed action	Responsible person	When
Compensation	Lack of male labor for demolish and rebuild house/ shop	Provide cost for hiring labor	PMU/DoR	After identifying new resettlement site, land clearance and must be before the start of construction work
	Income lost for foods stores during construction due to dusk and difficult access	Compensate for daily incomes lost including payment of their loan interest charges.	PMU/DoR	After final DMS and must be before the start of construction work
	Not possible to find new place especially foods stores on roadside Lak 52	Assist in negotiating with the market owner in Lak 52 to allow the shops to move to current parking area. For bread shops it might be possible to move to PTT petrol station	Project Grievance Committee and PMU	Before the start of the construction work
Communication and Dissemination of legal procedures	Grievance procedures and committee	Include women village authority members in the grievance committee and set up a service desk at village office	Project Grievance Committee and PMU	Before the start of the construction work
	Limited knowledge about National Road law/ PM decree No 084	Conduct dissemination of important documents for interested women before the project starts	Project Grievance Committee and PMU	Before the start of the construction work
Emergency cases during construction	Old and illness people need to travel to hospital and clinic in VTE frequency	Set up a health care team for home visit to the household with old and illness people	PMU in collaboration with the District Health offices and rescue service providers	Before the start of the construction work
	Stress due to lost and noises during construction	Conduct counselling for household living with old and chronic illness people: heart conditions and shock	PMU in collaboration with the District Health offices	During the construction work
Safety	Access to market and shops during	Make sure of safety and convenience for	Contractors	During the construction

² Bread sellers in Xaymoungkoun village and foods/fruit shop in front of the Lak 52 market.

	construction	temporary access in front of shops and restaurants		work
	Accident after construction	Pedestrian crossing and traffic light in front of markets	PMU/DoR	During the construction work

ELIGIBILITY AND ENTITLEMENTS

Table 7-5: NR13N Entitlement Matrix

Impact	Application	Definition of AP	Entitlement	Expected Result
A. LOSS OF LAND OR USE OF LAND				
PERMANENT loss of RESIDENTIAL or HOMESTEAD land	Land other than Productive land Belonging to households and/or families	Legal owner or occupant identified during the DMS survey	<ul style="list-style-type: none"> (i) For non-relocating households - cash compensation for the affected portion of the land (any affected structures will be compensated as per item C. (ii) For 3 PAHs (PAPs: 119, 163, 279) that will lose most of their land holdings in Naxaythong district – replacement land equivalent to the size or productive value the land lost or cash compensation for the affected land (iii) For 8 relocating households (PAPs: 90, 91, 356, 615, 671, 2782, 2532, 2947) in Naxaythog District - replacement land equivalent to the size or productive value the land lost to be prepared suitable for house and other buildings with construction at the expense of the Project; (iv) Cash compensation for 	<p>Non livelihood impacts compensated;</p> <p>Additional assistance provided for APs selecting cash options;</p> <p>Security of tenure through title to land (in names of both husband and wife);</p> <p>Eight relocating households entitled to allowances as per item C;</p> <p>Voluntary donation will follow the process in accordance with WB's Operational Policy. The strip of land that can be donated cannot be more than 5% of the total land area; and (iii) there are no houses, structures or fixed assets on the affected portion of land. Voluntary donation framework is described in Section 8 below.</p>

			<p>difference in area/size of land lost and new plot issued;</p> <p>(v) Replacement land with title in name of husband and wife will be given to the AHs;</p> <p>(vi) Registration and/or land transfer fees will be paid by the Project;</p> <p>(vii) Relocating APs will receive a transportation allowance (household effects and salvage materials etc);</p>	
PERMANENT loss of AGRICULTURAL or GARDEN land	Productive land from which Aps or AHs derive a livelihood from either cash income or subsistence	Non-relocating AHs and non-severely affected owners who lose LESS than 10% of their productive (cash and imputed income generating) land assets	<p>(i) If preferred by the APs, cash compensation for the lost portion of the land at current market value;</p> <p>(ii) If the impacts on the total productive land is 10% or more, as a priority, replacement land of similar type, category and productive capacity of land within or nearby the village, with land title (assuming Land Titles are issued in the area). If not, land use certificate to be issued. Alternatively, at the request of PAP or PAH, cash compensation at replacement cost plus assistance to purchase and register land;</p>	<p>No residual impacts following completion of Project,</p> <p>Compensation provided or suitable alternative land identified and prepared for APs.</p> <p>AP will be given 3 month notice to harvest or to settle new business operation;</p> <p>Land will be prepared for cultivation/business operation at Project costs;</p> <p>Voluntary donation will follow the process in accordance with WB's</p>

			<ul style="list-style-type: none"> (iii) For those APs not opting for cash, compensation will be through provision of "land for land" of equal productive capacity and in a location satisfactory to the AP. Land will be cleared, leveled and otherwise prepared for cultivation at the expense of Project; (iv) If crops or trees are lost, then compensation for loss of crops and trees will be in cash at market values and compensation for from subsequent crops that cannot be planted as per Item B. (v) If income business operation are lost then compensation for loss of income will be in cash as per item C. <p>Compensation for affected agricultural or business operating structures will be as per Item C.</p>	Operational Policy See Section 8). The strip of land that can be donated cannot be more than 5% of the total land area;
		Non-relocating AHs and non-severely affected legal users of land (renters, or lease holders), non-titled land users who lose LESS than 10% of the productive land	<ul style="list-style-type: none"> (i) No compensation for land; (ii) Any impacts on the use of the land, or income or livelihood derived from land affected by the loss will be compensated up to the value, or according to the utility, of that loss; (iii) If AH has paid rent or 	

		they are using	<p>lease charges in advance, the Project will reimburse the AH for the period of rent or lease foregone, without deductions. If the AH is charged a penalty for early lapsing of the rent or lease agreement, this will be paid for by the Project; and</p> <p>(iv) If crops or trees are lost, then compensation for loss of crops and trees will be in cash at market values and compensation for from subsequent crops that cannot be planted as per Item B.</p> <p>(v) If income from business operation are lost then compensation for loss of net income will be in cash as per item C.</p> <p>Compensation for affected agricultural or business operating structures will be as per Item C.</p>	
B. LOSS OF CROPS AND TREES				
B.1: Loss of productive trees, crops, perennials	Standing crops and productive trees removed		<p>(i) Affected crops are insignificant as they seasonal kitchen garden crops such as mints, lemon grass, chili and the PAHs are willing to contribute to the project;</p> <p>(ii) Compensation of affected</p>	<p>Advance notice to harvest;</p> <p>Compensation for productive trees;</p>

			fruit trees is based on the annual value of the produce multiplied by three years;	
C. LOSS OF STRUCTURES AND FIXED ASSETS				
C.1: Partial or total removal of structure (house or any other building or structure)	Structures (residential, commercial or other)	Owners of structures (whether customary or having legal title to land or not)	<ul style="list-style-type: none"> (i) For non-relocating households: compensation in cash for all affected structures at 100% of the full replacement cost for structure at current market prices; (ii) Compensation and assistance will be provided in the form of cash without any deductions for depreciation or salvageable materials. The calculation of rates will be based on the actual affected area and not the useable area; (iii) For 8 relocating households: a replacement house of equivalent or better size and standard at the resettlement site, and compensation in cash for additional structures affected and not provided at the new site; (iv) Transport/relocation allowance, as per Item E. 	

D. LIVELIHOOD IMPACTS				
D.1: Livelihood Impacts incl. impact on small business or shops	Loss of income and Business or other productive assets during relocation or during dismantling/repair of affected portion (without relocation)	Owners of shops, businesses	<ul style="list-style-type: none"> (i) Cash compensation for lost business structure reflecting full replacement cost of the structures, without depreciation or deductions for salvaged building material (as per Item C); (ii) Cash compensation for the loss of income during the transition or re-establishment period, based on net monthly income multiplied by 3 months; and (iii) Transport/relocation allowance, stabilization allowances as per Item E. 	<p>Livelihood restoration;</p> <p>Support during business re-establishment</p>
E. ALLOWANCES, ASSISTANCE, AND LIVELIHOOD RESTORATION				
E.1: Relocation to the new site	Transport and relocation allowance	8 relocating AHs	All 8 relocating AHs (residential) shall receive a lump sum allowance equivalent to actual costs of relocation and shifting household assets to the new site (transport hires, labors, etc.)	AHs do not bear the cost of physical relocation
E.2: Transition at new site	AHs required to relocate to resettlement site or other	8 relocating AHs	In addition to the allowance as per Item E.1 above, an additional allowance of 1-month supply of rice per person in the household with the allowance equivalent to 16 kg of rice at current market	

			price	
E.3: Transition at new site	AHs with business required to relocate to resettlement site or other	3 AHs amongst the 8 relocating households	3 relocating households (PAPs: 615, 671, 2782) shall receive cash compensation equivalent to 3 months of net income for reestablishment of the affected businesses	AHs with businesses are able to re-establish their businesses.
E.4: Impacts on vulnerable APs	Any loss or impact; significant impacts on non-relocating APs	81 Vulnerable households as identified in Table 4-9	(i) An additional allowance of 1-month supply of rice per person in the household with the allowance equivalent to 16 kg of rice at current market price. (ii) The contractor will be required make all reasonable efforts to recruit severely affected and vulnerable PAP as laborers for road construction works.	Improved livelihoods
F. TEMPORARY IMPACT DURING THE CONSTRUCTION				
F1: Temporary use of land	Entrance to business establishments, houses, borrow pit, worker camps, etc..	Legal owners or occupants	For agricultural and residential land to be used by the civil works contractor as borrow pit, by-pass routes or for contractor's working space: (i) rent to be agreed between the landowner and the civil works contractor but should not be less than the unrealized income and revenue that could be generated by the property during the period of	The landowner is adequately informed about of his/her rights and entitlements as per the project resettlement policy; Agreement reached between the landowner and the civil works contractor are carried out

			<ul style="list-style-type: none"> (ii) temporary use of the land; cash compensation at replacement cost for affected fixed assets (e.g., structures, trees, crops); and (iii) restoration of the temporarily used land within 1 month after removal of equipment and materials from contractor's working space subject to the conditions agreed between the landowner and the civil works contractor. 	
F2. Impacts to public infrastructure facilities	Electricity, telecommunication poles, drainage canals, local feeder roads	Management bodies	<ul style="list-style-type: none"> (i) Poles: cash compensation for cost to dismantle, transfer and rebuild for poles Canals and access roads: covered by engineering work. Construction contractors are responsible for restoration. (ii) Contract term for contractors to restore damaged canals and access roads before completion of all construction works 	Affected public infrastructure facilities area restored to the same condition as before the road construction.

VOLUNTARY LAND DONATION FRAMEWORK

PAPs/PAHs may choose to voluntarily contribute land or assets without compensation, under certain criteria and conditions described below. This may be justified if the sub-project provides a direct benefit to the affected people.

Scope of voluntary land donation. VLD will be accepted for small areas of private land and assets where the affected users of the assets and land have agreed to donate their land and other assets as a voluntary contribution to the project based on their informed choice. Individual or family will not lose more than 10% of their land. Additionally, the land portion to be voluntarily donated shall be free of houses, structures or other fixed assets. The land to be donated should also be free of squatters, encroachers or any other claims from other potential owners. For this type of project, the PMU should prepare a report showing that the land users have been fully informed about the project, and about their right to refuse to donate their land and other assets without compensation. This report will be called the "Voluntary Land Donation Report".

Voluntary contribution is an act of informed consent. The project will assure that voluntary contributions are made with the prior knowledge that other options are available including compensation at replacement values, and are obtained without coercion or duress. PAPs/PAHs have the right to refuse to donate assets and receive their entitlement and compensation for their land and assets lost. They will be fully informed of their rights and access to grievance mechanisms described in this RAP. The PMU social safeguards specialist must verify the voluntary nature of the donation well in advance of civil work.

Due Diligence. The voluntary land donation due diligence will be documented in the VLD report and will incorporate at a minimum the following:

- a) Verification and documentation that land required for the project is given voluntarily and the land to be donated is free from any dispute on ownership or any other encumbrances;
- b) Verification that no individual household will be impoverished by the land donation (i.e., no more than 10% of total landholding of an individual donating land) will require that the PMU negotiates livelihood restoration measures such as reduction in operation and maintenance fees or sharing of cultivable land of other beneficiary community members;
- c) Verification that land donation will not displace tenants or bonded labor, if any, from the land;
- d) Meaningful consultation has been conducted in good faith with all potential land donors. Documented verification that land donors are in agreement with the project and its benefits. Separate discussions to be held with women and ethnic groups as required to facilitate meaningful participation; and
- e) Assurance that a fair system of grievance redress, as well as a system for project monitoring and reporting are in place; and
- f) Verification that the project requiring the land is not site specific (dependent on the unique locational or physical characteristics of the land).

Documentation. Project social staff with support from the social safeguard consultant will prepare the due diligence report for the voluntary land donation in each beneficiary community or PAH involved with donation of private land. They will ensure completion of the written consent form (Voluntary Land Donation Agreement Form) for land donation (see sample in Annex 7.C). The VLD form shall be signed by both husband and wife and will be verified by two witnesses who are community leaders but not the direct beneficiaries of the project, to ensure that the land was voluntarily donated without any form of coercion or duress. The voluntary land donation due diligence information will be verified during project detailed design and updated as necessary.

Voluntary Land Donation Monitoring. The voluntary land donation issues will be monitored internally by project staff, and externally by the external monitoring consultant. The World Bank will review the land donation agreement forms and randomly interview the land donors. During implementation support or review missions, WB will verify that land donation due diligence has been conducted in accordance with the above procedures. The agreement form should be included in the RAP completion report - as an annex with the original hard copy provided to the PAP or PAH for their reference.

Grievance Redress Mechanism. Anticipated grievances may relate to coercion for land donation or a donation of more than 10% of private land holding, leading to impoverishment. Any complaint will go to the grievance redress mechanism established under the project. Procedure for handling the complaints is described in Section 11”

LIVELIHOOD RESTORATION MEASURES

14. All eligible APs are entitled to livelihood rehabilitation measures sufficient to assist them to improve or at least maintain their pre-project living standards, income earning capacity and production levels.

15. The 8 relocating households will be assisted with transitional allowance equivalent to 16 kg of rice per person in the household for the duration of one month to help them establish in the new location.

16. Amongst the 8 relocating households, there will be permanent dislocation of 3 households that run the shops for selling consumable goods and agricultural goods. These households will be assisted with 3 month cash compensation of their actual net income to re-establish their business at the new location.

17. During the construction phase, about 192 shops and stalls that sell food will suffer certain amount of income losses, as they may lose their customers due to construction work and access constraints. These shops will receive compensation of 3 months net income calculated based on their actual monthly net income.

18. Eighty one vulnerable households in the Project area are identified in **Table 4-10**. They are the following groups of households:

- Divorced or widowed female headed households with dependents and low income between 240,000 to 500,000 Kip per month per capita;
- Households with disabled or invalid persons and with low income between 240,000 to 500,000 Kip per month per capita;

- Households with persons falling under the government poverty line of 240,000 Kip per month per person; and
- Elderly households with no means of support and with low income between 240,000 to 500,000 Kip per month per capita.

19. Though these vulnerable households do not fall amongst the 8 severely affected households to be relocated, they will need special support for livelihood assistance or to have access to the work associated with the construction work of the Project. Thus special measures, additional to the compensation entitlements, aimed to improve their status to bring them up to an acceptable level above the poverty line will be applied for the vulnerable group.

20. The measures focus on avoiding potential social risks and are organized around the themes that include: a) reducing barriers to access to markets, trading and employment opportunities; b) empowerment through good governance, sound participatory processes and effective organization of the poor; and c) reducing vulnerability to poverty through building social assets (such as an allowance of 1 month supply of rice per person in the household with the allowance equivalent to 16 kg of rice at current market price and increased security of tenure)

RESETTLEMENT MEASURES

21. The following resettlement measures will be applied for 10 relocating households:

- Relocating households must be consulted on the location of the replacement land and visit the new resettlement site;
- Replacement land must be equivalent to the size of the land lost for house construction. If the value of replacement land is less than the affected land, cash compensation for difference in area/size of land lost and new plot of land will be issued;
- Costs for issuance of land title, house building certificates must be the responsibility of the Project;
- Title of replacement land must be issued in the names of both husband and wife;
- A replacement house of equivalent or better size and standard at the resettlement site, and compensation in cash for additional structures affected and not provided at the new site;
- Dismantling/transport/relocation/disturbance allowance must be paid to the relocating households;
- Relocating households can make the decision whether to ask for cash compensation equivalent to the current market value of land and house lost with no depreciation as well as transport allowance.

CONSULTATION, PARTICIPATION AND DISCLOSURE

22. During the preparation of this RAP, consultation has been undertaken at various levels with the district and village authorities and the affected people and it will continue throughout the Project. Separate consultation meetings were held by the environmental team, ethnic minority and gender teams. A summary of the draft RAP was presented and discussed at the second round of meetings in September 2017. At the end of the meetings, participants were asked to express their support (or otherwise) for the project.

GRIEVANCE REDRESS MECHANISM

23. Due to differing perceptions, values, objectives and responsibilities among different stakeholders, a range of conflicts may occur among and between affected people, resettled villages, district authorities, central government and others. Obviously, avoidance is preferable to resolution, but that is not always possible. While the consultative and participatory nature of the impact assessments and RAP are aimed at reducing disagreements and conflicting positions, in instances where disagreements do occur, it is important that they are resolved quickly before positions harden and the conflict escalates. The earlier that discord is recognized and dealt with, the higher the chance of a successful outcome. Grievances related to environmental and social issues from directly or indirectly affected ethnic groups as a result of implementation of the project will be resolved by the Grievance Redress Committee (GRC) through the project grievance redress mechanism

24. Two Grievance committees have been set up and approved in August and July 2017 by the Mayor of Vientiane Capital and Governor of Vientiane Province respectively. The committee members in each district composed of the following parties:

- Deputy Chief of the District
- Deputy Director of DPWT of both Vientiane Capital and Vientiane Province
- Head of District PWT Office
- Head of District Office for Natural Resources and Environment
- Head of District Agriculture and Forestry
- Chairman of District Lao Front for National Construction
- Chairman of District Lao Women Union

25. The role and responsibilities identified in the directions for the establishment of the grievance committees in each district include:

- Coordination with MPWT, village authorities and other concerned parties to create awareness of the APs on the project purposes and to mobilize for cooperation with the project
- Monitor compensation of the affected lands, structures and crops
- Coordinate with the project officers in monitoring of compensation payment of the affected land, structures and crops approved by the government
- Resolve grievances, problems and settle compensations according to legal frameworks and security
- Report periodically on the compensation implementation to the higher authorities and to seek guidance.

26. Village Grievance Committee also will be established in every affected village that will be composed of the following parties:

- Village Chief
- Village authority member, who is responsible for the economic/tax collection issues
- Village Lao Women's Union
- Village Front for National Construction

- Two Representatives from the APs (one man and one woman)
- Two representatives from the ethnic APs (in the villages where there are ethnic APs)

27. A hot line and complaint boxes in each village will also be set up for the AP to raise their grievance directly with the Project Implementing Agency, and the contact information of the Implementing Agency social specialist will be included in posters and brochures distributed throughout the communities on how to file a complaint related to compensation and resettlement in particular, and the project in general. The costs for setting up and running the hot line and complaint boxes will be covered under the project preparation budget.

28. To ensure that the basic rights and interests of APs are protected, that their concerns are adequately addressed, and that entitlements are delivered in full and in a timely manner, a grievance procedure has been designed for the Project and is outlined below. There are basic steps to resolve grievances, as described below.

29. **Step One** – the first step is for the AP or a group of households to approach the VRC which is chaired by the village chief and present the grievance. Various village leaders and members of VRC can be involved in helping resolve grievances at the village level, as shown in **Table 11-3: Village Level Resettlement Tasks and Responsibilities**. In most cases, issues can be resolved through discussions and mediation at this level. At village level resolving a grievance should take between 1 to 3 days.

Table 11-6: Village Level Resettlement Tasks and Responsibilities

Specific Task	Responsible person
Provide information and other required data to DMS Team	Village chiefs
Certify AP and AH and submit the affected lists to DMS Team	
Provide information and other required data to DMS Team	
Certify AP and AH and submit the affected lists to DMS Team	
Assist the DMS Team in data collection from affected AP and AH	Deputy village chief (responsible for land tax collection) along with VGC members and the APs
Assist the DMS Team in identifying and entitlement of AP and AH	
Assist in grievance redresses and identification	
Represent APs and AHs in grievance resolutions	
Mobilize assistance to APs and AHs	
Participate in monitoring and evaluation	

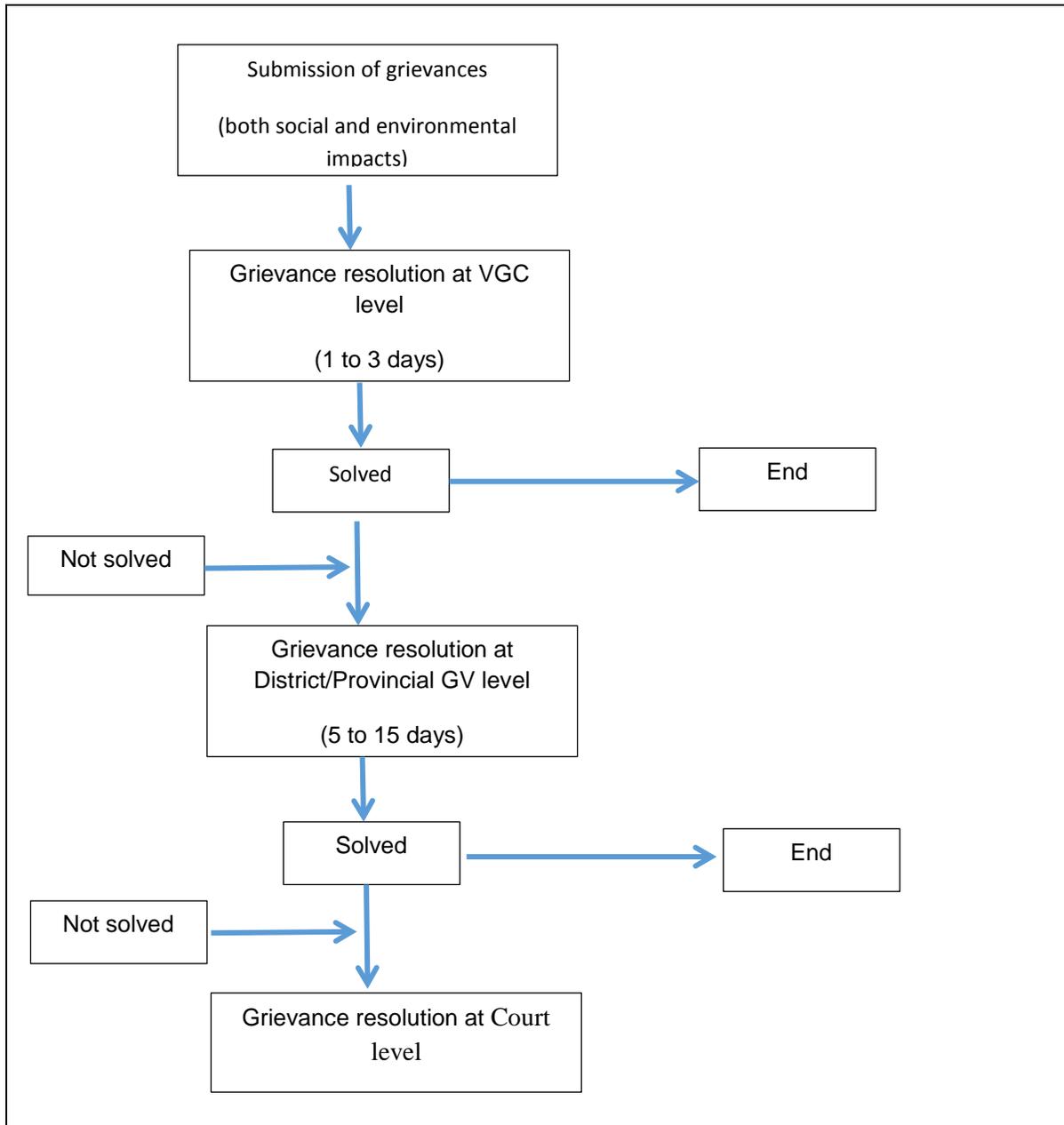
30. If the complaint or grievance could not be resolved at village level, or if the claimant was not satisfied with the decision, the next step can be taken, either by the claimant or the VGC on his/her behalf to the district level.

31. **Step Two** – the next step is to present the grievance or complaint at the district level. This will be to the District/Provincial Grievance Committee (D/PGC) which is chaired by the Deputy Chief of the District. At this level the grievance should be addressed within 5 to 15 days. If the D/PGC cannot resolve the matter or the AP is not satisfied with the proposal of the D/PGC, the AP may take the case to the next level.

32. **Step Three** – the third step is access to the court system. It should be noted that the PAP/PAH always has the option of going to court at any stage in the process. In the first instance the case or grievance will be presented to District and Provincial Court. It will be in the interest of the MPWT/DOR/PMU, D/PRC, and affected parties to resolve issues before they are brought to the District and Provincial Court. If the grievance can still not be resolved, or the AP is not yet satisfied with the findings, the second instance is for the claimant to present the case at National Court. Access to the courts is obviously a last resort. At the district level MPWT/DOR/PMU would be primary witnesses in order to both: (i) respond to the claimants grievance in terms of prior activities undertaken, etc.; and, (ii) ensure that the claim is reviewed within the context of the existing policy, regulations, procedures and entitlement limits, and that the compensation awarded does not go beyond established matter of practice. The findings of the committee will be obligatory. The D/PGC and PMU must maintain a log book showing all complaints and grievances received and the decisions made. These records will be monitored as part of both internal and external monitoring procedures. The D/PGC must respond to any complaint or claim between 15 and 30 days.

33. MPWT/DOR/PMU will be responsible for meeting the administrative and legal costs that will be incurred in the resolution of complaints and grievances. If the grievance relates to a dispute over the valuation of an asset to be acquired, then the MPWT/DOR/PMU will use an additional independent assessor to inform the decision of the relevant grievance redress committee. The grievance redress committees will function, for the benefit of PAP and PAH, during the entire life of the project, including the defects liability period.

Graph 11-3: Grievance Resolution Flow Chart



INSTITUTIONAL ARRANGEMENT

a. Executing Agency: Ministry of Public Works and Transport

34. DOR/MPWT is the EA for the Project. MPWT is responsible for the planning and construction of public works and transport sector projects. At the central level, within the MPWT, the line departments, including DOR, play an important role supporting MPWT in terms of studies, planning, and macro management of road and bridge infrastructure. A project management unit (PMU) has been established at DOR to coordinate project activities at the national level. Following completion of this RAP, MPWT is required to review and endorse this document that are sent to MONRE for final approval.

b. Project Management Unit

35. The PMU has been established within DOR, and will be responsible for assessment, implementation and monitoring of environmental and social safeguards. The responsibilities of the PMU are summarized below:

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

- Prepare and submit quarterly and annual physical and financial progress reports to the EA; and
- Undertake monitoring of compliance of social and environmental safeguards.

36. The Environmental and Social Management Unit (ESMU) under PMU will be responsible for overseeing and monitoring implementation of the EMMP, RAPs the ethnic minority plan and gender action plan (GAP). The ESMU will be headed by a manager.

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

38. The ESMU will support the PMU to prepare all documentation and reports concerning the environmental and social aspects of the Project including resettlement progress reports to be submitted to PMU and DONRE during the implementation period. The ESMU will appoint resettlement specialists (consultants or NGOs) to undertake resettlement activities, update and implement each RAP on behalf of the ESMU.

39. The resettlement specialist will be provided with TOR and job descriptions and will ensure all plans are updated and complied with. The resettlement specialist will be considered to be part of the ESMU and will report to the ESMU-Manager.

40. The ESMU will implement resettlement activities under the supervision of the PRC and retain qualified and experienced experts or qualified NGOs to verify the internal monitoring information (refer to **Section 14**) and the extent to which they have implemented according to the RAP, Government policy and regulations and World Bank's safeguard policies.

41. The ESMU will act as the first point of contact for the PRC. It will receive all complaints and grievances arising in the course of implementation of any EMMP and RAP, and resolve them as far as it can with the concerned parties. If the complainant is not satisfied, the matter will be resolved through appeal and tracking through the grievance redress procedure.

42. The Manager-ESMU will report directly to PMU, provincial/district authorities, and if required the World Bank. The role of the Manager-ESMU will be to ensure that the environmental and social mitigation and monitoring measures are implemented during the course of Project construction and operation. The Manager-ESMU will act on behalf of the PMU in dealing with Government agencies, PRC, or other concerned parties, and will be the MPWT/PMU representative on the PRC.

43. The activities of the Manager-ESMU will include, but not necessarily be limited to:

- Maintaining good relations and communication with the local communities;
- Coordination, supervision, monitoring and reporting on activities undertaken in compliance with each EMMP and RAP;
- Liaising between the developer's project manager, consultants, Government agencies, PRC, and contractors/agencies engaged to implement the EMMPs and RAP;
- Supervising and monitoring field activities in relation to EMMP and RAP implementation;

- Supervising specific routine technical tasks of the ESMU; and
- Preparing internal progress reports as required and reporting to the head of the PMU.

44. The ESMU will be responsible for updating and implementing the RAP, implementing required income restoration activities/measures, as well as monitoring. They will also be responsible for managing the relocation process for those households requiring relocation as a result of the Project. The resettlement specialists will report directly to the ESMU Manager and work closely with the Government staff as required, including PRC.

c. Project Implementation Team

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

46. The responsibilities of the PIT are summarized below:

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

d. Project Management Support Consultant

47. To assist and support the PMU and PIT, a consultant shall be engaged for the purposes of both implementation supervision and capacity building so as to ensure the effective implementation of all aspects of the Project including safeguards, land acquisition and resettlement, GAP, and ethnic minority plan. The project management support (PMS) consultant shall comprise a team of international and national specialists for the duration of the Project. In respect of safeguards the principal tasks of the PMSC will be as follows:

- To carry out formal and on-the job training on social preparation, social impact assessment, ethnic groups development, and gender and development;
- To assist and support PMU and PIT in implementation of all safeguards activities;
- To assist in the needs and demand assessments for mitigation of adverse effects on ethnic minority communities, identification of specific income restoration measures for

ethnic minority households affected directly by land acquisition, and to then assist in the design of the most effective programs; and

- To brief and/or assist in the briefing of social organizations to a) increase their awareness of the project, b) increase their awareness of the project's grievance mechanism for resettlement and land acquisition issues so that they would be enabled to provide support to affected households.

e. Other Institutions Involved in Resettlement Activities

i. Project Resettlement Committee

48. The further planning and implementation of the Project will be undertaken through consultation with, and advice from, provincial and district government agencies, through the Project resettlement committee. The main function of the PRC is to represent the interest of the APs and stakeholders in dealing with project impacts and mitigation measures.

49. The PRC will meet regularly, and will have an inaugural meeting at least one month before the start of the Project and will operate during the construction of the subprojects and for up to two years after completion of construction activities (to monitor impacts and take action where necessary). The minutes of meetings and activities of PRC will be incorporated into overall Project internal and external monitoring.

50. The responsibilities of PRC will be as follows:

- Coordination of relevant Government organizations with ESMU to ensure that RAP is properly implemented;
- Review and provide comments on valuation of land and assets (crops, production, market values, etc.) for compensation for APs
- Organization of provincial and district level meetings and consultations as required;
- Monitoring and auditing funds that are earmarked for RAP implementation; and
- Participation in resolution of, and follow through, of claims or complaints lodged via the established grievance redress procedure.

ii. Independent Monitoring Organization

51. The Project will be required to fund an IEM for the purposes of independent or external monitoring of compliance with the management plans and mitigation measures approved by MONRE. The requirements of the IEM are discussed more fully in **Section 14**.

iii. Ministry of Natural Resources and Environment

52. MONRE is the central environment management agency which has the mandate to coordinate environmental protection efforts of government ministries as well as provincial authorities. MONRE administers the environmental and social assessment system, in collaboration with relevant line agencies, through review of this RAP and issue of a certificate of clearance for project development. MONRE is also responsible for overall guidance on the matters pertaining to inspection of, and compliance with, management and monitoring aspects of projects approved at the central level. At provincial level these matters are handled by DONRE.

53. MONRE will be an observer to ensure that Lao PDR environmental and resettlement policies are satisfied within the context of the Project. MONRE will provide Government clearance of the EMMP and RAP of the Project.

IMPLEMENTATION SCHEDULE

54. Land acquisition, compensation and relocation of PAPs cannot commence until GOL and WB has approved the final RAP.

55. All land acquisition, compensation and resettlement activities will be completed before the onset of civil works schedule.

56. The implementation schedule for land acquisition, compensation and resettlement activities is presented in the following table including (i) activities that have been completed to prepare the RAP; (ii) resettlement implementation activities; and, (iii) external monitoring activities.

Table 13.1: Implementation Schedule

Main RAP Activities	Implementation Schedule
RAP Preparation	
Conduct DMS and socio-economic survey	May to September 2017
Public consultations with PAPs on draft RAP	September 2017
Detailed engineering design	August to December 2017
MPWT and WB approval	January 2018
Implement Plan	
Compensation payments	To be determined by MPWT
Implement rehabilitation measures	To be determined by MPWT
Clearance of acquired land	To be determined by MPWT
Award of civil work contract	Upon clearance of acquired land

MONITORING AND REPORTING

f. Monitoring Objectives

57. Monitoring and evaluation of the Resettlement Plan allows project owners to ensure smooth progress of updating, preparation and implementation of the plan as well as providing a

review of information on the progress of the implementation of the resettlement activities. The monitoring will also address the degree to which the resettlement activities have achieved their desired outcomes, particularly those related to the rehabilitation of AP's housing, livelihoods and lifestyles. Two mechanisms will be used: (a) internal monitoring by PMU and the district resettlement committees; and (b) external monitoring and evaluation by an independent external monitor (IEM).

g. Internal Monitoring

58. The PMU has the responsibility to supervise the preparation and implementation of the resettlement plan and monitor and report on all land acquisition, compensation and resettlement activities carried out at the provincial, district and village levels. Internal monitoring will assess (i) compliance with agreed resettlement policies and procedures; (ii) the availability of resources and efficient, effective use of these resources; and (iii) requirements for remedial actions.

59. The monitoring should also focus on (a) assessing if mitigation measures and compensation are sufficient, (b) identifying methods of responding immediately to mitigation problems through remedial actions, (c) smooth transition between the resettlement activities and start of civil works, (d) updates of complaints overviews and their management by applying the grievance redress mechanism, (d) following-up of contract with contractor concerning social and environmental safeguard requirements (preference for AH for job opportunities) and (f) others, as necessary. The internal monitoring covers also impacts of voluntary contribution: (a) review process and documentation of voluntary contributions of AHs to the Project; (b) the work of the contractor in ensuring that no damage have been done to property/land during construction work and/or are reinstated as part of the contractually required rehabilitation and construction work.

60. The monitoring strategy should partly be based on a participative approach involving different stakeholders, such as communities, organizations, individuals, representatives and others and project affected people.

61. The internal monitoring and evaluation methodology has to apply key indicators: (i) input indicators (staffing and equipment and finance), (ii) process indicators (consultation, participation, and grievance resolution), and (iii) output indicators (acquisition of land, buildings, trees and crops, compensation and rehabilitation and re-establishment of community resources). The PMU will consolidate these information in its report to WB.

h. External Monitoring

62. As per the World Bank policy on Involuntary Resettlement (OP/BP 4.12, an IEM will be recruited to conduct external monitoring and evaluation of resettlement activities for the Project which will focus on the social impacts of the Project and whether the APs are able to restore, and preferably improve, their pre-Project living standards, incomes and productive capacity. The IEM will be an independent organization with experience in resettlement monitoring and social assessment. They will be contracted by MPWT and commence the monitoring work in advance of the resettlement implementation. The IEM should be able to offer, if needed, (i) external support and technical expertise to PMU on matters such as compensation rates; (ii) advice to resolve issues or problems that arise during the resettlement implementation; and (iii) an overall assessment of land acquisition, compensation and resettlement for the Project from a broader, long-term socio-economic perspective.

63. Key indicators for external monitoring will include (i) resettlement implementation (staffing, compensation disbursements, land and assets acquired, preparation of replacement land, project and government funds disbursement, public information/consultation, AP asset replacement; (ii) restoration of living standards and livelihoods; (iii) AP satisfaction; (iv) effectiveness of resettlement planning; and (v) resettlement impacts.

64. External monitoring and evaluation reports will be prepared in accordance with the contractual agreed requirements throughout the implementation period

COSTS AND BUDGET

65. **Table 15-5: Direct Compensation and Income Restoration Costs** presents compensation cost without government assets (land and structures) with an estimate amount of US\$ 18,556,676 (154,150.31 M Kip).

Table 15-7: Direct Compensation and Income Restoration Costs

No.	Item	Total US\$	Total Kip
1	Land	12,602,091	104,685,568,439
1.1	Residential land - compensation	11,650,146	96,777,760,832
1.2	Agricultural land	951,945	7,907,807,607
2	Trees	68,317.19	567,510,900
3	Structures	5,476,068	45,489,699,638
3.1	Repair house/shop	2,632,383	21,867,203,263
3.2	Rebuilding house/shop	702,813	5,838,271,068
3.3	Fence	941,703	7,822,730,314
3.4	Cement slab	819,285	6,805,797,282
3.5	Other structure (sign, drainage, etc...)	379,884	3,155,697,712
4	Income Restoration, Allowances & Other	410,200	3,407,531,400
4.1	Relocation/Transport allowance - household	7,000	58,149,000
4.2	3 months of profit for food shops/disturbance allowance	403,200	3,349,382,400
	TOTAL	18,556,676	154,150,310,377