



Lao People's Democratic Republic  
Peace Independence Democracy Unity Prosperity

\*\*\*\*\*

Ministry of Public Works and Transport

# Resettlement Policy Framework (RPF)

Lao PDR Climate Resilient Road Connectivity Improvement Project (CRRICIP)

Prepared by:

Environmental Research and Disaster Prevention Division (EDPD)

Public Works and Transport Institute (PTI)

17<sup>th</sup> May 2024\_\_Revised Draft

## Table of Contents

*Abbreviations*.....2

1. *INTRODUCTION*.....3

3. *KEY PRINCIPLES AND DEFINITIONS* .....4

4. *LEGAL AND REGULATORY FRAMEWORK* .....6

5. *PREPARATION AND REVIEW OF AN ABBREVIATED RESETTLEMENT ACTION PLAN* .....7

6. *CONSULTATION AND DISCLOSURE* .....8

7. *MONITORING AND EVALUATION* .....9

8. *GREIVANCE MECHANISM* .....9

*Annex 1 - ARAP Entitlements Matrix for potential affected asset of villagers*..... 10

*Annex 2: Screening Form for Land Acquisition and Resettlement*..... 14

*Annex 3: Household Socio-economic survey form*..... 16

## Abbreviations

ARAP	Abbreviated Resettlement Action Plan
CRRICIP	Lao PDR Climate Resilient Road Connectivity Improvement Project
DOR	Department of Road
EDPD	Environmental Research and Disaster Prevention Division
ESIA	Environmental and Social Impact Assessment
ESF	Environmental and Social Framework
ESS	Environmental and Social Standard
IEE	Initial Environmental Examination
GOL	Government of Laos
Lao PDR	Lao People’s Democratic Republic
LFND	Lao Front for National Development
MPWT	Ministry of Public Works and Transport
NA	National Assembly
PAP	Project Affected People
PTI	Public Works and Transport Institute
RPF	Resettlement Policy Framework

## 1. INTRODUCTION

---

1. This document constitutes a simplified template for a Resettlement Policy Framework (RPF) prepared for a Low or Moderate Risk project, consistent with requirements of the World Bank Environmental and Social Framework.<sup>1</sup> Its fundamental purpose is to establish terms of agreement between relevant authorities in the Ministry of Public Works and Transport (MPWT), Lao PDR and the World Bank regarding principles and procedures to be used in subsequent preparation of an Abbreviated Resettlement Action Plan (ARAP). World Bank approval of an ARAP is required before project authorities invite bids for any contracts in which works are expected to involve physical or economic displacement as a result of land acquisition or restrictions on access or use of natural resources.
2. The RPF is intended to avoid or minimize any adverse impacts associated with physical or economic displacement, and to ensure arrangements are in place to mitigate any adverse impacts that may occur. the Ministry of Public Works and Transport (MPWT), Lao PDR hereby agrees to apply the principles, procedures, and standards incorporated in ESS5 of the World Bank ESF if obtaining any sites for project use would cause economic displacement<sup>2</sup> or physical displacement.<sup>3</sup>
3. This RPF is intended to utilize the existing legal and policy framework of the Ministry of Public Works and Transport (MPWT), Lao PDR, incorporating any supplementary measures necessary to achieve consistency with ESS5 principles and standards.<sup>4</sup>

## 2. PROJECT OBJECTIVES AND DESCRIPTION

---

4. The objective of the Lao PDR Climate Resilient Road Connectivity Improvement Project (CRRCIP), is to improve climate resilient road access in targeted provinces, enhance capacity to manage road network, and in case of an Eligible Crisis or Emergency, respond promptly and effectively to it. The project will improve about 300 km of district roads and rural roads in poor districts of three target provinces in Lao PDR
5. the Lao PDR Climate Resilient Road Connectivity Improvement Project (CRRCIP) has four components:
  - **Component 1: Climate Resilient Road Access:** The project will support (i) improvement of about 300 km of District Roads and Rural Roads in the provinces of Khammouan, Savannakhet, and Saravan to the standards of Class V/VI roads as per the Ministry of Public Work's (MPWT's) Road Design Manual and addressing climate and disaster resilience aspects, (ii) construction supervision of the project road improvement works, and (iii) maintenance of the project roads post improvement during the project period.
  - **Component 2 - Project Management:** This component will support (i) financial audit, (ii) technical audit of the project road improvement works during construction, (iii) environmental and social monitoring, (iv) road safety audit of the project road designs, (v) road user satisfaction surveys carried out at the start of implementation, at mid-term, and at the close of the project, (vi) incremental operating costs, (vii) technical and operational assistance for the day-to-day management, monitoring and evaluation of the Project, and (viii) land acquisition, resettlement, and rehabilitation.
  - **Component 3: Institutional Development:** This component will support MPWT in (i) capacity **building** of local contractors in the areas of Output and Performance-based Road Contracts, climate resilience, road safety, and environmental and social risk management, (ii) a study on climate resilient road network planning and prioritization and capacity building of MPWT and DPWTs, (iii) preparation of a road sector financing strategy, (iv)

training of MPWT and DPWT staff on cross-cutting issues including road maintenance, road safety, gender, citizen engagement, and climate disaster risk, (v) a female internship program, and (vi) preparation of environmental, social, technical, and economic documents for any future road projects in Lao PDR.

- **Component 4: Contingent Emergency Response Component:** Contingent Emergency Response Component: This component will support MPWT in case of an Eligible Crisis or Emergency in responding promptly and effectively to it as per the Contingent Emergency Response Manual.
6. The upgrading of the road under component 1: Climate Resilient Road Access will be made on the existing road alignment which will not require any physical displacement or land acquisition for project use. However, at this stage of project preparation, prior to WB appraisal, the precise location of works that involve construction may require land acquisition or physical displacement will not be known prior to appraisal, therefore, this Resettlement Policy Framework (RPF) is prepared as part of the Environmental and Social Management Framework (ESMF).

### 3. KEY PRINCIPLES AND DEFINITIONS

---

7. In World Bank-assisted projects, borrowers are expected to take all feasible measures to avoid or minimize adverse impacts from land acquisition and restrictions on land use associated with project development. The fundamental objective of ESS5 is to ensure that, if physical or economic displacement cannot be avoided, displaced persons (as defined below) are compensated at the replacement cost for land and other assets, and otherwise assisted as necessary to improve or at least restore their incomes and living standards.
8. Other ESS5 objectives include:
- To avoid forced eviction
  - To improve living conditions of poor or vulnerable persons who are physically displaced, through provision of adequate housing, access to services and facilities, and security of tenure
  - To conceive and execute resettlement activities as sustainable development programs, providing sufficient investment resources to enable displaced persons to benefit directly from the project, as the nature of the project warrants
  - To ensure that resettlement activities are planned and implemented with appropriate disclosure of information, meaningful consultation, and the informed participation of those affected.
9. Displaced persons (ESS5, Para. 10) are defined as any persons subjected to project-related adverse impacts who (a) have formal legal rights to land or assets; (b) have a claim to land or assets that is recognized or recognizable under national law; or (c) who have no recognizable legal right or claim to the land or assets they occupy or use. The term incorporates all potential categories of persons affected by land acquisition and associated impacts; all of those adversely affected are considered “displaced” under this definition regardless of whether any relocation is necessary.
10. Replacement cost (ESS5, Para. 2, footnote 6) is defined as a method of valuation yielding compensation sufficient to replace assets, plus necessary transaction costs associated with asset replacement. Where functioning markets exist, replacement cost is the market value as established through independent and competent real estate valuation, plus transaction costs. Where functioning markets do not exist, replacement cost may be determined through alternative means, such as calculation of output value for land or productive assets, or the undepreciated value of

replacement materials and labor for construction of structures or other fixed assets, plus all transaction costs associated with asset replacement. In all instances where physical displacement results in loss of substandard shelter, replacement cost must at least be sufficient to enable purchase or construction of housing that meets minimum community standards of quality and safety.

11. ESS5 also establishes key principles to be followed in resettlement planning and implementation.

These include:

- a) All displaced persons are entitled to compensation for land and attached assets, or to alternative but equivalent forms of assistance in lieu of compensation; lack of legal rights to the assets lost will not bar displaced persons from entitlement to such compensation or alternative forms of assistance.
- b) Compensation rates refer to amounts to be paid in full to the eligible owner(s) or user(s) of the lost asset, without depreciation or deduction for fees, taxes, or any other purpose.
- c) Compensation for land, structures, unharvested crops, and all other fixed assets should be paid prior to the time of impact or dispossession.
- d) When cultivated land is to be taken for project purposes, the Department of Road (DOR), MPWT seeks to provide replacement land of equivalent productive value if that is the preference of the displaced persons.
- e) Community services and facilities will be repaired or restored if affected by the project.
- f) Displaced persons should be consulted during preparation of the ARAP, so that their preferences are solicited and considered.
- g) The ARAP (in draft and final versions) is publicly disclosed in a manner accessible to displaced persons.
- h) A grievance mechanism by which displaced persons can pursue grievances will be established and operated in a responsive manner.
- i) Negotiated settlement processes are acceptable as an alternative for legal expropriation if appropriately implemented and documented.
- j) Land donation is acceptable only if conducted in a wholly voluntary manner and appropriately documented. However, there will no land donation applied within this project.
- k) DOR, MPWT bears official responsibility for meeting all costs associated with obtaining project sites, including compensation and other considerations due displaced persons. The ARAP includes an estimated budget for all costs, including contingencies for price inflation and unforeseen costs, as well as organizational arrangements for meeting financial contingencies.
- l) Monitoring arrangements will be specified in the ARAP, to assess the status and effectiveness of ARAP implementation.

12. The project will not finance any activities including road sub-projects that cause the resettlement of over 200 affected persons or 40 affected households or cause more than 40 households to be severely affected, i.e., lose 10% or more of their productive assets including land owned by individual households lost.

## 4. LEGAL AND REGULATORY FRAMEWORK

---

13. This section presents an overview of the national laws relating to land and property acquisition and compensation arrangements. These legal requirements are compared with those required for compliance with World Bank Policy (ESS5).

### Laws and Regulations:

- Constitution of the Lao PDR (2015);
- Law on Resettlement and Occupation (2018);
- Land Law (2019)

14. Summary of provisions of these laws and regulations are provided as follows:

- **Constitution of the Lao PDR (2015):** Article 17 of the Constitution (amended in 2015) stipulates that the State protects the property rights and inheritance rights of individuals and organizations, and that land is the property of the national community, where the State represents and manages across the country.
  - **Law on Resettlement and Occupation (2018):** The new Law on Resettlement and Occupation (2018) was developed based on the compensation and resettlement Decree 84 (2016). The law, which applies for both government and private sector development projects aims to define, regulate, manage and monitor resettlement and livelihood for Lao population of all ethnic groups to ensure that those who are in areas identified for resettlement and provided with stabilized residential and production land and occupation with ultimate goals to address illegal relocation, eliminate poverty, improve livelihood, security and social order, develop small villages into rural small towns contributing to national socio-economic development and national security. Article 22.1 also states that people affected by settlement and livelihood program (governed under this law) will be provided with compensation for land and assets lost at a replacement cost, providing that s/he has official land (use or title) documents. Article 22.4 recognizes customary land use when certified by the local authority and concerned sector, and then the affected person is eligible for compensation as specified in the above Article. Article 22.5 discusses that in the event a person affected by settlement and livelihood program does not have official land (use or title) document, s/he will not be provided with compensation for the land lost (acquired) but assets (structures, trees, and crops) located on the land parcel acquired. Due to large similarity and consistency in the provisions, objectives, scope and provisions of this law and Decree 84, discussion is ongoing on whether the later will be revised or dropped and superseded by the former.
  - **Land Law (2019):** According to Article 3 of the amended Land Law 2019, land is the property of the national community, where the State represents the owner of the rights in the management of land in a centralized manner across the country. The State grants the rights on long-term and secured land use to individuals, legal persons, collective groups, and organizations of Lao citizens.
15. the Ministry of Public Works and Transport (MPWT), Lao PDR agrees to take all actions necessary to ensure full and effective implementation of ARAP prepared in accordance with the RPF, and to otherwise take actions necessary to achieve all relevant provisions of ESS5.

## 5. PREPARATION AND REVIEW OF AN ABBREVIATED RESETTLEMENT ACTION PLAN

---

16. All projects causing physical or economic displacement through land acquisition or project-related restrictions on resource access or use are required to prepare an Abbreviated Resettlement Action Plan (ARAP) for World Bank approval. Responsibility for preparation and implementation of the ARAP rests with the Department of Road (DOR) and Public Works and Transport Institute (PTI). As necessary, DOR and PTI will exercise its authority to coordinate actions with any other involved agencies, jurisdictions, or project contractors to promote timely and effective planning and implementation.
17. ARAP preparation begins once the physical footprint of a proposed investment has been determined, establishing that a particular site (or sites) must be acquired for project use. The DOR/PTI initially screens proposed sites to identify current usage and tenurial arrangements and identifies the site (or sites) that will minimize land acquisition impacts, including physical and economic displacement. The project will not finance any activities including road sub-projects that cause the resettlement of over 200 affected persons or 40 affected households or cause more than 40 households to be severely affected, i.e., lose 10% or more of their productive assets including land owned by individual households lost. DOR/PTI subsequently carries out, or causes to be carried out, a census survey to identify and enumerate all displaced persons on the selected site (or sites) and to inventory and value land and other assets that are to be acquired for project use.
18. Each ARAP is based on the principles, planning procedures, and implementation arrangements established in this RPF,<sup>5</sup> and normally includes the following contents:
  - Description of the project (with appropriate maps and illustrations), including explanation for the necessity of acquiring particular sites for project use and efforts undertaken to avoid or minimize the amount of land acquisition or other potential impacts deemed necessary
  - Results of a census survey of displaced persons and inventory and valuation of affected land and assets
  - Description of any project-related restrictions on resource use or access
  - Description of tenure arrangements, including collective, communal, or customary use or ownership claims
  - Review of relevant laws and regulations pertaining to acquisition, compensation, and other assistance to displaced persons, and identification of gap-filling measures needed to achieve ESS5 requirements
  - Description of land and asset valuation procedures and compensation standards for all categories of affected assets
  - Eligibility criteria for compensation and all other forms of assistance, including a cutoff date for eligibility
  - Organizational arrangements and responsibilities for ARAP implementation
  - Implementation timetable
  - Estimated budget and financial contingency arrangements
  - Consultation and disclosure arrangements
  - Description of grievance mechanism
  - Arrangements for monitoring implementation progress.

19. The ARAP should be complemented by a separate set of individual compensation files for each displaced household or persons. These files are to be handled confidentially by the borrower to avoid any prejudice to displaced persons. Eligibility criteria for compensation and all other forms of assistance should be clearly summarized in a table that can be used for consultation with displaced persons (see Annex 1).
20. The ARAP shall be prepared in consultation with the PMU of each province. Following completion of this ARAP, ARAP shall be submitted through the PMU of the DOR/PTI for the review and clearance by PRC and the World Bank, upon which it will be disclosed and displayed at the National and local levels by the PMU offices. To ensure compliance with relevant national legislations and provisions of ESS5.
21. Additional planning measures must be incorporated into ARAP for projects causing significant economic displacement, as described below. Significant economic displacement is not expected in the project.
22. For projects causing significant economic displacement,<sup>6</sup> the ARAP describes (as relevant):
  - The scale and scope of likely livelihoods-related impacts, including agricultural production for consumption or market, all forms of commercial activity, and natural resource use for livelihoods purposes
  - Livelihoods assistance options (for example, employment, training, small business support, assistance in providing replacement land of equivalent productive value, other) available to persons losing agricultural land or access to resources
  - Assistance measures available to commercial enterprises (and workers) affected by loss of assets or business opportunities directly related to land acquisition or project construction
  - Project measures to promote improvement of productivity or incomes among displaced persons or communities.

## 6. CONSULTATION AND DISCLOSURE

---

23. A separate Stakeholder Engagement Plan (SEP) has been prepared for the Project, based on the World Bank's Environmental and Social Standard 10 on Stakeholder Engagement. This RPF, as well as the ESMF, SEP and the Environmental and Social Commitment Plan (ESCP) that have been prepared for this project, have been disclosed in draft on the MPWT website.
24. During preparation of this RPF, ESMF, ESCP and SEP, various public consultation meetings at the local/provincial levels had been conducted from 3<sup>rd</sup> to 27<sup>th</sup> October 2023 with the participation of 669 people (423 male and 246 female) who represented project stakeholders including Department of Public Works and Transport (DPWT), Provincial Administrative Office, Provincial Natural Resources and Environment (PONRE), Provincial Agricultural and Forest Tree Office (PAFO), Provincial Labor and Social Welfare (PLSW), Lao Front for National Development, Lao Women's Union and Youth Union, project affected people (PAPs) and potential project beneficiaries. The participants also represent various ethnic groups such as Lao Tai, Khmu, Makong, Kaleung, Chaler, Phutai, Tri, Katang, Ta-oy and Pako. These consultations collected feedback to inform this RPF and SEP.
25. During preparation of ARAP, the ARAP should summarize results of measures taken to consult with displaced persons regarding the project, its likely impacts, and proposed resettlement measures. It also summarizes the meetings held with displaced persons (dates, locations, number of participants), including comments, questions, and concerns expressed by displaced persons during these meetings as well as responses provided to them. The DOR/PTI discloses a draft ARAP to the

displaced persons (and the public) after Bank review and solicits comments from displaced persons regarding the proposed plan. Disclosure of the final ARAP occurs following consideration of comments received and following Bank acceptance, and is required before the road sub-project implementation.

## **7. MONITORING AND EVALUATION**

---

26. DOR/PTI will make arrangements for monitoring implementation and will provide periodic monitoring reports to the Bank regarding the status of land acquisition and implementation of the ARAP. For sub-projects with significant impacts, competent resettlement monitoring professionals will monitor implementation progress and provide advice on any necessary corrective actions and will conduct an implementation review when all mitigation measures in the ARAP are substantially complete. The implementation review evaluates the effectiveness of mitigation measures in achieving ARAP and ESS5 objectives and recommends corrective measures to meet objectives not yet achieved. DOR/PTI with support from Social/Resettlement Consultant will prepare and share a report on ARAP implementation status which can be integrated into the Environmental and Social Monitoring Report and ARAP completion report with the Bank.

## **8. GREIVANCE MECHANISM**

---

27. To ensure that displaced persons can raise complaints regarding the land acquisition process, calculation or payment of compensation, provision of assistance, or other relevant matters, the ARAP provides for an accessible and responsive grievance mechanism. The ARAP describes submission procedures, organizational arrangements, and responsive performance standards for handling grievances, and measures to be taken to inform displaced persons or communities about grievance initiation and response standards. The grievance mechanism does not preclude displaced persons from pursuing other legal remedies available to them.
28. DOR/PTI keeps a record of all complaints referred to the grievance mechanism, including a description of issues raised and the status or outcome of the review process. The template of Grievance Logbook/record is provided in the SEP for the project.

## **Annexes**

**Annex 1: ARAP Entitlements Matrix for potential affected asset of villagers**

**Annex 2: Screening Form for Land Acquisition and Resettlement**

**Annex 3: Household Socio-economic survey form.**

## Annex 1 - ARAP Entitlements Matrix for potential affected asset of villagers

IMPACT	AFFECTED PERSONS	ELIGIBILITY CRITERIA	ENTITLEMENT IN PRINCIPLE	MITIGATION STANDARDS/MEASURES
Loss of agricultural land  (Paddy, garden, plantation)	People who may have agricultural land affected by road construction	Legal owner or occupant eligible as per RPF criteria identified during census and tagging.	<ul style="list-style-type: none"> <li>▪ Cash compensation at replacement cost which is equivalent to the current market value of land within the village, of similar type, category and productive capacity, free from transaction costs (taxes, administration fees), or</li> <li>▪ Replacement land of similar type, category and productive capacity of land within or nearby the village, with land title 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.</li> </ul>	Compensation as unit of currency per square meter of land
Loss of residential land	People who may have residential land affected by road construction	Legal owner or occupant identified during census and tagging in line with RPF criteria.	<ul style="list-style-type: none"> <li>▪ With remaining land sufficient to rebuild houses/structures: (i) Cash compensation at replacement cost which is equivalent to the current market value of land of similar type and category, and free from transaction costs (taxes, administration fees) and (ii) District government to improve remaining residential land at no cost to PAP/PAH (e.g., filling and leveling) so PAP/PAH can move back onto a plot.</li> <li>▪ Without remaining land sufficient to rebuild houses/structures: (i) Replacement land equal in area, same type and category, without charge for taxes, registration and land transfer, with land title (assuming Land Titles are available in the area); if not, land survey certificate, OR (ii) cash compensation at replacement cost which is equivalent to the current market value of land of similar type and category, free from transaction costs (taxes, administration fees) plus assistance to purchase and register land.</li> </ul>	Compensation as unit of currency per square meter of land

IMPACT	AFFECTED PERSONS	ELIGIBILITY CRITERIA	ENTITLEMENT IN PRINCIPLE	MITIGATION STANDARDS/MEASURES
Loss of agricultural production  - crops -fruit/nut trees -timber trees	People who may have agricultural production affected by road construction	Owner or users of crops and trees whether or not land is owned.	<ul style="list-style-type: none"> <li>▪ Entitlements must be in accordance with ESS5 requirements.</li> <li>▪ If standing annual crops are ripening and cannot be harvested, cash compensation at replacement cost equivalent to the highest production of crop over the last three years multiplied by the current market value of crops.</li> <li>▪ For perennial crops and trees, cash compensation at replacement cost equivalent to current market value based on type, age, and productive capacity.</li> <li>▪ For timber trees, cash compensation at replacement cost equivalent to current market value based on type, age and diameter at breast height (DBH) of trees.</li> </ul>	Compensation per unit of currency per unit of affected crop, fruit and timber trees
Loss of residential structures	People who may have totally Affected Houses/Shops, and Secondary Structures (e.g. kitchen, rice bins, fences, etc) Partially Affected Houses/Shops but no longer viable	Owners of affected houses whether or not land is owned (regardless of legal status).	<ul style="list-style-type: none"> <li>▪ Cash compensation at replacement cost for the entire structure equivalent to current market prices of (i) materials, with no deduction for depreciation of the structure or salvageable materials; (ii) materials transport; and (iii) labor cost to cover cost for dismantling, transfer and rebuild; and</li> <li>▪ Adequate time provided for PAP/PAH to rebuild/repair their structures.</li> <li>▪ Timely provision of trucks for hauling personal belongings at no cost to the PAP.</li> </ul>	Compensation as unit of currency per square meter of structure
	People who may have partially Affected Houses and/or Shops and secondary structures (Would not require relocation since the remaining portion is still viable for	Owners of affected houses whether or not land is owned.	<ul style="list-style-type: none"> <li>▪ Cash compensation at replacement cost for the affected portion of structure equivalent to current market prices of (i) materials and labor, with no deduction for depreciation of the structure or for salvageable materials (ii) materials transport, and (iii) cost of repair of the unaffected portion.</li> <li>▪ Affected houses and shops that are no longer viable are those whose remaining affected portion are no longer usable/habitable and may require relocation.</li> </ul>	Compensation as unit of currency per square meter of structure

IMPACT	AFFECTED PERSONS	ELIGIBILITY CRITERIA	ENTITLEMENT IN PRINCIPLE	MITIGATION STANDARDS/MEASURES
	use/living			
Temporary loss of business income	Owners or renters of shops.	Loss of business income during relocation or during dismantling/repair of affected portion (without relocation)	<ul style="list-style-type: none"> <li>▪ For businesses (shops), cash compensation equivalent to the average daily revenue for the business over the previous 12 months.</li> <li>▪ It is estimated that it will take one day to move the shops if made of traditional materials (bamboo)/movable (can be carried without totally dismantling the structure) and approximately 3 months of adjustment -- to re-establish business in another location. It will take about two days to remove and repair affected portion of shop made of permanent materials (such as good wood and concrete). Because these structures will not be relocated, business can commence as soon as repairs are completed.</li> </ul>	Compensation based on prior reported profits or other forms of estimation such as tax payment
Temporary Use of Land	Legal owner or occupant.	People who may temporarily impact on their land during the construction	<ul style="list-style-type: none"> <li>▪ For agricultural and residential land to be used by the civil works contractor as 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 temporary use of the land; (ii) 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 closure of the by-pass route or removal of equipment and materials from contractor’s working space subject to the conditions agreed between the landowner and the civil works contractor.</li> <li>▪ The construction supervision consultant will ensure that the (i) location and alignment of the by-pass route to be proposed by the civil works will have the least adverse social impacts; (ii) that the landowner is adequately informed of his/her rights and entitlements as per the Project resettlement policy; and (iii)</li> </ul>	<p>Rent to be agreed between the landowner and the civil works contractor;</p> <p>Cash compensation at replacement cost for affected fixed assets</p>

IMPACT	AFFECTED PERSONS	ELIGIBILITY CRITERIA	ENTITLEMENT IN PRINCIPLE	MITIGATION STANDARDS/MEASURES
			<p>agreement reached between the landowner and the civil works contractor are carried out.</p>	
Transportation allowance	People who may have affected Houses/Shops, and Secondary Structures	Relocating affected building/structures to other sites.	<ul style="list-style-type: none"> <li>▪ Provision of trucks to haul all old and new building materials and personal possessions.</li> <li>▪ PAP/PAH may also opt for cash assistance. The amount (cost of labor and distance from relocation site) to be determined during implementation.</li> </ul>	Compensation as unit of currency per square meter of structure and per round of transportation by trucks
Impacts on vulnerable PAP	Vulnerable PAP/PAH such as the poorest, or households headed by women, the elderly, or disabled, and ethnic group that will be impacted by road construction	Vulnerable PAP/PAH such as the poorest, or households headed by women, the elderly, or disabled, and ethnic group	<ul style="list-style-type: none"> <li>▪ An additional allowance of 1-month supply of milled rice per person in the household.</li> <li>▪ Eligible to participate in income restoration program.</li> <li>▪ The contractors will be required make all reasonable efforts to recruit severely affected and vulnerable PAP as laborers for road construction and road maintenance works.</li> </ul>	Compensation based on the data collection form and eligibility criteria

## Annex 2: Screening Form for Land Acquisition and Resettlement

---

Name of Commune / Village \_\_\_\_\_

District \_\_\_\_\_

Province \_\_\_\_\_

Name of person completing form: \_\_\_\_\_

Position of person completing form: \_\_\_\_\_

---

### Section 1:

Is the land to be used for the Project state land?

Yes \_\_\_\_\_ No \_\_\_\_\_

If Yes, Skip Section 2. Go directly to Section 3. If No, Proceed to Section 2

---

### Section 2:

Is any of the land owned by individuals or households? Yes \_\_\_\_\_ No \_\_\_\_\_

[note: the land does not need to have official ownership deeds, but can be recognized by the community as owned by individuals or households]

If Yes, how many individuals or households? \_\_\_\_\_

About how large an area? \_\_\_\_\_

Is any of the land considered community property or collective (communal) land ? Yes \_\_\_\_\_ No \_\_\_\_\_

\_\_\_\_\_

If Yes, about how large an area? \_\_\_\_\_

If answered 'Yes' to any of the questions in Section 2, please discuss this with Project Manager and refer to Section 3.3 of the RPF.

---

Section 3:

Is anyone living on the land (even if it is not their property)? Yes \_\_\_\_\_ No \_\_\_\_\_

If Yes, how many individuals \_\_\_\_\_ or households \_\_\_\_\_?

Is anyone using the land for agriculture (even if it is not their property)? Yes \_\_\_\_\_ No \_\_\_\_\_

If Yes, how many individuals \_\_\_\_\_ or households \_\_\_\_\_?

Is anyone using the land for another non-agricultural type of livelihood? Yes \_\_\_\_\_ No \_\_\_\_\_

If Yes, what type of use? \_\_\_\_\_ how many individuals \_\_\_\_\_ or households \_\_\_\_\_?

Is anyone using the land for any other purpose? Yes \_\_\_\_\_ No \_\_\_\_\_

If Yes, what type of use? \_\_\_\_\_ how many individuals \_\_\_\_\_ or households \_\_\_\_\_?

If answered 'Yes' to any of the questions in Section 3, please discuss this with the Project Manager and refer to Section 3.3 of the RPF.

---

### Annex 3: Household Socio-economic survey form.

---

#### Land Acquisition and Resettlement Questionnaire

Survey ID No.

- A. Province/Municipality: \_\_\_\_\_
- B. City/District: \_\_\_\_\_
- C. Khum Ban/Village: \_\_\_\_\_
- D. Name of Household Head: \_\_\_\_\_
- E. ID/Family Card No. \_\_\_\_\_

The Household Head and their Spouse should participate in the survey and be the RESPONDENT to the questions below. The household head can be explained as the person who has authority to make decisions in the household and/or who represents the household in dealings with authorities and/or the wider community.

If the RESPONDENT is NOT the household head, it should be the SPOUSE/PARTNER of the household head. For questions to which there is no response, leave the box empty. For questions that are not relevant, leave the box empty.

#### 1. Household Data

- 
- 1.0 Is the Respondent the Household Head? (Y or N)
- 1.1 Gender of the household head? (M or F)
- 1.2 Age of the household head?

[1] 20 to 30 years; [2] 31 to 45 years old; [3] 46 to 60 years old; [4] 61 to 75 years old; [5] Over 75 years

- 1.3** Marital status of the household head?  
[0] Not married; [1] Married; [2] Separated; [3] Divorced; [4] Windowed
- 1.4** Education of the household head?  
[0] None; [1] Primary; [2] Secondary; [3] University; [4] Other
- 1.5** Does the household belong to an ethnic minority group? Please list.
- 1.6** Source of income (Y or N). Answer as many as relevant
- 1.6.1 Regular wages/salary (weekly, two-weekly, month)
  - 1.6.2 Daily wages for casual labor
  - 1.6.3 Non-waged earnings (pension, remittances, etc.)
  - 1.6.4 Seasonal earnings (such as farming)
  - 1.6.5 Irregular earnings (such as selling goods)
  - 1.6.6 Does not earn an income
- 1.7** Main and the second most important source of income  
[1] Government; [2] Private sector; [3] Services, Tourism, Hospitality; [4 ] Trade/Own business  
[5] Construction; [6] Agriculture, fishing or forestry; [7] Daily or casual labor/Wage [8] Others
- 1.7.1 Main income source
  - 1.7.2 Second most important source of income
- 1.8** Number of people in your household working FULL-TIME for wages/salary
- 1.8.1 Male
  - 1.8.2 Female
- 1.9** Number of people in your household working PART-TIME for wages/salary
- 1.9.1 Male
  - 1.9.2 Female

**1.10** Total household income per year from the following sectors?

LAO KIP/year

1.10.1	Government or public service (incl. education or health)	<input type="text"/>
1.10.2	Private sector employment	<input type="text"/>
1.10.3	Services, Tourism, Hospitality	<input type="text"/>
1.10.4	Trade/Own business	<input type="text"/>
1.10.5	Construction	<input type="text"/>
1.10.6	Agriculture, fishing, forestry	<input type="text"/>
1.10.7	Daily or casual labor/wages	<input type="text"/>
1.10.8	Other, specify	<input type="text"/>

**1.11** Total non-earned (non-wage/labor) household income per year

LAO KIP/year

1.11.1	Government pension	<input type="text"/>
1.11.2	Government assistance/welfare	<input type="text"/>
1.11.3	Remittances from family members/relatives	<input type="text"/>
1.11.4	Rental income	<input type="text"/>
1.11.5	Other, specify	<input type="text"/>

**1.12** Estimate of last year's income from the following sources (If applicable)

LAO KIP

1.12.1	Vegetables (beans, potatoes, carrots, tomatoes, etc.)	<input type="text"/>
1.12.2	Rice	<input type="text"/>
1.12.3	Other crop	<input type="text"/>
1.12.4	Sale of livestock	<input type="text"/>
1.12.5	Sale of poultry (chicken, geese)	<input type="text"/>
1.12.6	Sale of wood/forest products	<input type="text"/>
1.12.7	Sale of handicrafts	<input type="text"/>
1.12.8	Other, specify	<input type="text"/>

**1.13** Type of your house?

[1] Simple (thatch/sack, bamboo, clay/earth) [2] Wooden [3] Wood/Brick [4] Brick/Concrete [5] Corrugated iron [6] Other

1.13.1 Roof

1.13.2 Walls

1.13.3 Floor



**1.14** House ownership

1.14.1 Owner

1.14.2. Renter

1.14.3. User




**1.15** Number of MALES living in household by age group

1.14.1	1.14.2	1.14.3	1.14.4	1.14.5	1.14.6
Less than 6 years	6 to 16 years	17 to 25 years	26 to 45 years	46 to 65 years	Over 65 years

**1.16** Number of FEMALES in household by age group

1.15.1	1.15.2	1.15.3	1.15.4	1.15.5	1.15.6
Less than 6 years	6 to 16 years	17 to 25 years	26 to 45 years	46 to 65 years	Over 65 years

**1.17** Number of members who have a disability (visual, hearing, physical, communication, other) or have a long-term illness, if any

1.16.1 Males

1.16.2 Females

1.16.3 Specify illness

- 1.18 Number of nuclear families living in household
- 1.19 Main occupation of the Household Head
- 1.20 Main occupation of the Household Head’s Spouse
- 1.21 Is the Household considered vulnerable? Y/N Please note a Household is considered vulnerable if they are: 
  - (i) a single female-headed households (HH) with dependents and economic disadvantage (single, widow, disabled husband); (ii) people with physical or mental disability (loss of working ability); (iii) the poor/ near poor under Govt of Lao PDR standard; (iv) the elderly alone; (v) ethnic minority people; (vi) social policy families or (vii) others as defined by the project.

2. Affected Land, Crops and Trees

- 2.1 Ownership/Right of land (With land title)
  - 2.1.1 Legal owner/rights
  - 2.1.2 Tenure/Leased
  - 2.1.3 Informal recognized rights
  - 2.1.4 Traditional/customary land use
  - 2.1.5 Renter
  - 2.1.6 No legal right
  - 2.1.7 Other
- 2.2 Number of plots of land by type, owned or used by your household. Answer as many as relevant
  - 2.2.1 Residential
  - 2.2.2 Agricultural
  - 2.2.3 Commercial
- 2.3 Tenure of the land owner/used by your household that will be affected by the project?
 

[1] Have land use right certificate or other legal title documents [2] State land [3] No legal right or title for use [4] Traditional/customary land use [5] Lease or rent [6] Other

  - 2.3.1 Residential
  - 2.3.2 Agricultural

2.3.3 Commercial

2.3.4 Other

2.4 Total area of land (by type) owned/used by your household. Answer either m2 or ha

	A. Area in square meter (m <sup>2</sup> )	B. Area in hectares (ha)
2.4.1 Residential		
2.4.2 Agricultural		
2.4.3 Commercial		
2.4.4 Other		

2.5 Area of land affected by the project (by type) owned/used by your household?

	A. Area in square meter (m <sup>2</sup> )	B. Area in hectares (ha)
2.5.1 Residential		
2.5.2 Agricultural		
2.5.3 Commercial		
2.5.4 Other		

2.6 Affected agriculture land currently planted/under harvest (Y/N)

2.7 Type of crop/garden and the area affected.	A. Area (m2)	Rice	B. Area (ha)
Other Crops Specify Vegetable Garden Fruit			
Trees. Specify			

### 3. Affected Structure

3.1 Are structures owned or used by your household affected (Y or N)

If no, then no need to answer questions in this section

3.2 If Yes, number of structures affected

3.3 Type of structure (s) affected. Answer Y or N and as many as relevant

3.3.1	Main house	
3.3.2	Outdoor toilet/shower/bath	
3.3.3	Hut or shed	
3.3.4	Shop or kiosk	
3.3.5	Stable, animal pen	
3.3.6	Wall or fence	
3.3.7	Other structures 1. Specify	
3.3.8	Other structures 2. Specify	

3.4 TOTAL area of the structures

Area (m2)

3.4.1	Main house	
3.4.2	Outdoor toilet/bath	
3.4.3	Hut or shed	
3.4.4	Shop or kiosk	
3.4.5	Stable, animal pen	
3.4.6	Wall or fence	
3.4.7	Other structure 1	
3.4.8	Other structure 2	

3.5 Area of your structure (s) affected by the project

Area (m2)

3.5.1	Main house	
3.5.2	Outdoor toilet/shower/bath	
3.5.3	Hut or shed	
3.5.4	Shop or kiosk	
3.5.5	Stable, animal pen	
3.5.6	Wall or fence	

3.5.7 Other structure 1

3.5.8 Other structure 2

3.6 If structures partially affected, is remaining structure viable for use (Y or N)

3.7 Can the structure(s) be rebuilt on the same land (Y or N)

3.8 Main construction materials of the affected structure (s)

[1] Simple (hatch/sack, bamboo, clay/earth) [2] Timber with Tin Roof

[3] Wood and brick [4] Brick and concrete [5] Temporary/Unstable

3.9 Main house

3.10 Outdoor toilet/bath

3.11 Hut or shed

3.12 Shop or Kiosk

3.13 Stable, animal pen

3.14 Wall or fence

3.15 Other structure1

3.16 Other structure2

3.17 A. Roof

3.18 B. Walls

3.19 C. Floor

3.20 Other structures affected

3.20.1 Pagoda and Temples

3.20.2 Graves

3.20.3 Public. Specify

Brief Description

---

---

---

4. Other Livelihood Impact

---

- 4.1** Any other business or livelihood activities of your household affected by the project (Y or N)
- If no, then no need to answer questions in this section
- 4.2** If Yes, type of business or livelihood activities. Answer (Y or N)
- 4.2.1 Shop, Kiosk or stall   
(vegetables, fruit, grocery/household items etc.)
  - 4.2.2 Food preparation or selling
  - 4.2.3 Mechanic or repair shop
  - 4.2.4 Café, restaurant, beer shops
  - 4.2.5 Home gardening
  - 4.2.6 Child care
  - 4.2.7 Other, Specify
- 4.3** Number of members (by gender) in household involved in business or livelihood activities affected
- 4.3.1 Male
  - 4.3.2 Female
- 4.4** Average monthly earnings (Lao KIP) from business or livelihood activity
- 4.5** Business registered. Answer Y or N
- 4.6** Estimate percentage of household costs that is reduced due to livelihood activity that does not earn an income (for example gardening that sustains family's diet, looking after children that avoids child care costs)

---

5. Resettlement Option

- 5.1** Preference for type of compensation for affected land legally owned by your household. Choose only one   
[1] Cash at replacement cost [2] Replacement land (same size or productivity)
- 5.2** Preference for type of compensation for affected house and structures. Choose only one   
[1] Cash at replacement cost [2] In-kind (material and help to build)
- 5.3** Preference for type of compensation for loss of crops, trees, etc. Choose only one   
[1] Cash at market value [2] Combination of seedlings and cash
- 5.4** Rating of importance of factors/criteria for selection of resettlement site. Only for eligible households. Fill in all boxes. Rating [1] Most important [2] Important [3] Less important
- 5.4.1 Close proximity and close to existing Commune
  - 5.4.2 A site within the same district
  - 5.4.3 A site in another district but in the same province
  - 5.4.4 An area with access to schools and health center similar to current situation
  - 5.4.5 An area near a market similar to current situation
  - 5.4.6 An area near to a pagoda similar to current situation
  - 5.4.7 Accepted by host community
- 5.5** Preference. Answer Y or N
- 5.5.1 Group relocation to new site under the project
  - 5.5.2 Individual relocation on land available nearby
  - 5.5.3 Self-relocation

---

6. Other Relevant Information

---

- 6.1 Distance to closest health facility [1] Less than 1km. [2] 1-3km  
[3] 3-5km [4] More than 5km
- 6.2 Distance to closest childcare services [1] Less than 1km [2] 1-3km  
[3] 3-5km [4] More than 5km
- 6.3 Distance to closest primary school [1] Less than 1km [2] 1-3km  
[3] 3-5km [4] More than 5km
- 6.4 Distance to closest secondary school [1] Less than 1km [2] 1-3km  
[3] 3-5km [4] More than 5km
- 6.5 Distance to closest market [1] Less than 1km [2] 1-3km  
[3] 3-5km [4] More than 5km
- 6.6 Distance to place of income source or livelihood for Household Head  
[1] Less than 1km [2] 1-3km [3] 3-5km [4] More than 5km
- 6.7 Distance to place of income source or livelihood for Household  
Head's Spouse [1] Less than 1km [2] 1-3km [3] 3-5km  
[4] More than 5km

## Endnotes

---

<sup>1</sup> Specifically, Environmental and Social Standard 5: Land Acquisition, Restrictions on Land Use and Involuntary Resettlement (ESS5), Annex 1B. The template is primarily intended for use in projects initially classified as Low or Moderate Risk. It may also be appropriate for use in projects with a Substantial Risk classification if risks identified as substantial do not relate directly to ESS5.

<sup>2</sup> As described in ESS5, Paras. 33–36.

<sup>3</sup> As described in ESS5, Paras. 26–32.

<sup>4</sup> The RPF does not supersede provisions of ESS5 or the ESF, and the World Bank remains solely responsible for determining what is required to achieve consistency with those requirements throughout the course of project implementation.

<sup>5</sup> Additional details regarding preparation of an ARAP are included in ESS5, Annex 1.

<sup>6</sup> Consideration of scale of loss of productive assets as well as changes in institutional, technical, cultural, economic, and other factors may be important in determining the significance of economic displacement. In general practice, however, loss of 10 percent or more of productive land or assets from a household or enterprise often is considered significant. Additional details regarding planning measures for economic displacement are provided in ESS5, Annex 1, paras. 24–29.