

Resettlement Work Plan (RWP)
for
Area 2-2 East
(The 108 ha Development Area of Zone B)
of
Thilawa Special Economic Zone (SEZ)

January 2017

Yangon Region Government

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List of Abbreviations

ADB	Asian Development Bank
ALS	Ah Lwan Sut (village)
AMTD	Aye Mya Thidar (ward)
CBI	Capacity Building Initiative
CD-OGM	Community-Driven Operational Grievance Mechanism
COD	Cut-off Date
CSO	Civil Society Organization
DHSHD	Department of Human Settlement and Housing Development*1
DUHD	Department of Urban and Housing Development
DMS	Detailed Measurement Survey
EIA	Environmental Impact Assessment
ERI	EarthRights International
FDI	Foreign Direct Investment
GAD	General Administration Department
GRM	Grievance Redress Mechanism
HH	Household
IRP	Income Restoration Program
IRPIC	Income Restoration Program Implementation Committee
JICA	Japan International Cooperation Agency
LRC	Local Resource Center
MJTD	Myanmar Japan Thilawa Development Ltd.
MOC	Ministry of Construction
MOECAF	Ministry of Environmental Conservation and Forestry*2
MP	Member of Parliament
M/P	Master Plan
MSAG	Multi-stakeholder Advisory Group
NGO	Non Governmental Organization
OP	World Bank Operational Policy
PAHs	Project Affected Households
PAPs	Project Affected Persons
PCM	Public Consultation Meeting
PDNT	Peace and Development Network in Thilawa
RIC	Relocation Implementation Committee
RWP	Resettlement Work Plan
SEZ	Special Economic Zone
SIDA	Swedish International Development Cooperation Agency
SLRD	Settlement and Land Record Department
SP	Shwe Pyauk (village)
TKDC	Thanlyin-Kyauktan Development Company
TSMC	Thilawa SEZ Management Committee
UNDP	United Nations Development Programme
UN-HABITAT	United Nations Human Settlements Programme
UNICEF	United Nations Children's Fund
YRG	Yangon Region Government
WB	The World Bank

*1 Department of Human Settlement and Housing Development (DHSHD) of Ministry of Construction (MOC) changed to Department of Urban and Housing Development (DUHD) in April 2016.

*2 Ministry of Environmental Conservation and Forestry (MOECAF) changed to Ministry of Natural Resources and Environmental Conservation in April 2016.

Acronyms

Project Affected Persons (or Households)	Persons (or households) affected by the development of 108 ha Development Area (Area 2-2 East) of Zone B of Thilawa SEZ
Cut-Off Date (COD)	The cut-off date is the date when the project is formally declared by the relevant authorities to stakeholders. Generally, the cut-off date is the date when census begins. Persons who occupy the project area after the cut-off date will not be eligible for resettlement assistance.
Detailed Measurement Survey (DMS)	The detailed survey of affected assets in order to examine impact to be caused due to project implementation
Entitlement	Range of assistance measures including: i) assistance for loss of assets, loss of income sources, and relocation, ii) assistance for vulnerable groups, and iii) special arrangement of resettlement site and income restoration program, in accordance with the nature of loss, to restore their economic and social base
Relocation	Physical displacement from the original location to the relocation site and economic displacement
Replacement Cost	For land and assets, replacement cost is generally defined as the cost which is sufficient to replace assets without considering depreciation, plus necessary transaction costs associated with asset replacement, such as the cost of any registration and transfer taxes. Specifically, for houses and other structures, replacement cost is the market cost of the materials to build a replacement structure with an area and quality similar to or better than those of the affected structure, or to repair a partially affected structure, plus the cost of transporting building materials to the construction site, plus the cost of any labor and contractors' fees, plus the cost of any registration and transfer taxes.
Resettlement	Settlement of the displaced persons at the resettlement site, and economic and social activities to restore their livelihood including award of assistance and income restoration activities
Vulnerable Groups	Distinct groups of people who might suffer disproportionately from relocation effects. A household headed by a woman, a household including a member of the disabled person or the elderly (61 years old and over), a household below poverty line, or a household with a pregnant woman at the time of resettlement are regarded as vulnerable households.

CHAPTER 1 INTRODUCTION

1.1 Background

Under the former administration which was established in November 2011, the Myanmar Government has given priority to Foreign Direct Investment (FDI) as a key factor in the development of the nation. In particular, the Government expects Thilawa, Dawei, and Kyaukphyu Special Economic Zone (SEZ) to play an important role in economic development and in generating job opportunities for the Myanmar people. Since November 2013, Thilawa SEZ, which covers approximately 2,400 ha, has started development in the three SEZ. Since the development area is too large to develop all at once, the area is planned to be developed in incremental steps. In this context, Phase 1/ Zone A consisting of approximately 400 ha of Thilawa SEZ has started development as a priority area, and a part of Zone A was officially opened to operate in September 2015. Currently expansion of Phase 1 consisting of approximately 9 ha is implemented on the northern part of Zone A.

Following Zone A, the development of the remaining area of approximately 2,000 ha (the 2000ha Development Area) is now in the planning stage. The master plan of the 2000ha Development Area of Thilawa SEZ (M/P) has been finalized by Thilawa SEZ Management Committee (TSMC). Even though the measures to minimize relocation impacts have been taken into consideration, physical and economic displacement is unavoidable for the development of the 2000ha Development Area. Thus, the Framework for Resettlement Works for the 2000ha Development Area (the Framework) was prepared with the purpose of establishing a common assistance policy covering the entire 2,000 ha in February 2016.

Based on the current plan, the next development area is identified for an industrial area of approximately 262 ha. Approximately 100 ha out of 262 ha is identified as the Initial Development Area of the Industrial Area (Area 2-1), while the remaining approximately 162 ha is also planned to be developed as the Second Development Area (Area 2-2)¹.

1.2 Location of Thilawa SEZ

Thilawa SEZ is located in Southern District, Yangon Region and about 20 km southeast side of Yangon City as shown in Figure 1-1. The area of Thilawa SEZ was officially defined by the Cabinet and its boundary was confirmed in the field in June 2015 by the Survey Team in the Survey Dept. of Ministry of Environmental Conservation and Forestry (MOECAF).

¹ The actual sequence of development of these areas may change depending on the development plan or the developer or the progress of land acquisition and resettlement of each area.



Figure 1-1 Location of Thilawa SEZ Development Area

1.3 Outline of the Overall Development Area

According to the M/P, the SEZ will be developed not only for an industrial area but also for commercial, residential and green and open areas as shown in the land use plan in Figure 1-2.

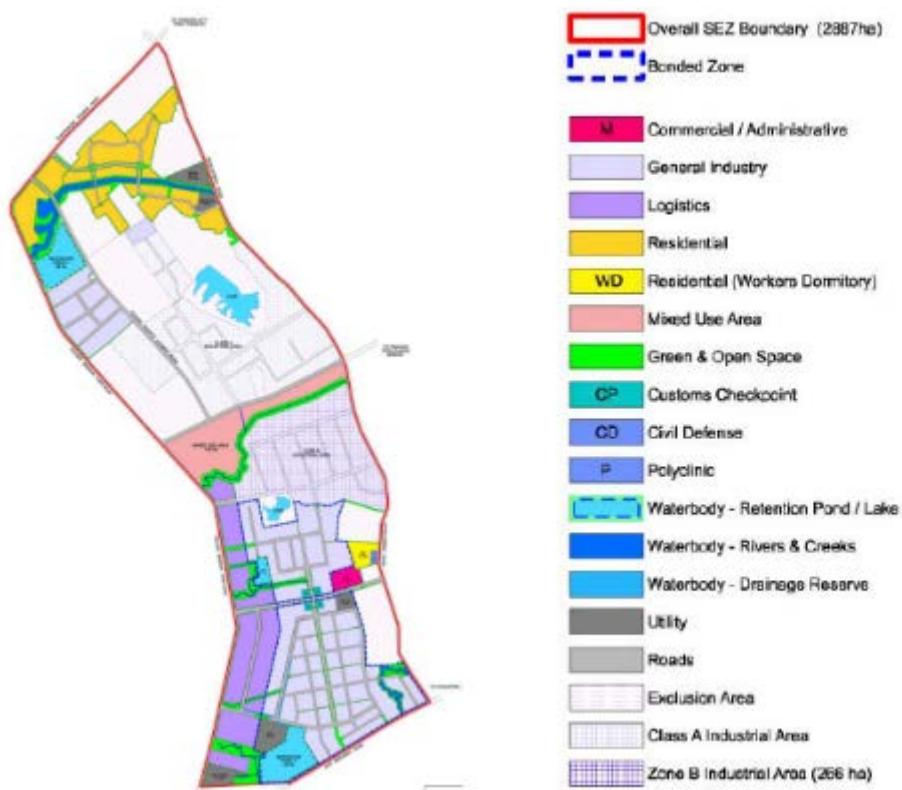


Figure 1-2 Land Use Plan of the Overall Development Area of Thilawa SEZ

1.4 Development Plan of Zone B Development Area and Area 2-2

A part of the 2000ha Development Area, the development plan of approximately 700 ha is now being formulated as Phase 2 / Zone B (the Zone B Development Area). The Zone B Development Area consists of approximately 262 ha of Industrial Area, 267 ha of Logistic Area and 169 ha of Residence & Commercial Area as shown in Figure 1-3. Environmental Impact Assessment (EIA) study on the Zone B Development Area was also conducted in parallel with planning. Approximately 100 ha out of 262 ha was identified as the Initial Development Area of the Industrial Area (Area 2-1), while the remaining approximately 162 ha is also planned to be developed as the Second Development Area (Area 2-2)². Accordingly, the RWP was prepared for Area 2-1 in August 2016, and the RWP is being prepared for the remaining area as the Second Development Area (Area 2-2) in Area 2 separately based on the contents stipulated in the Framework prepared by TSMC in February 2016.

² The actual sequence of development of these areas may change depending on the development plan or the developer or the progress of land acquisition and resettlement of each area.

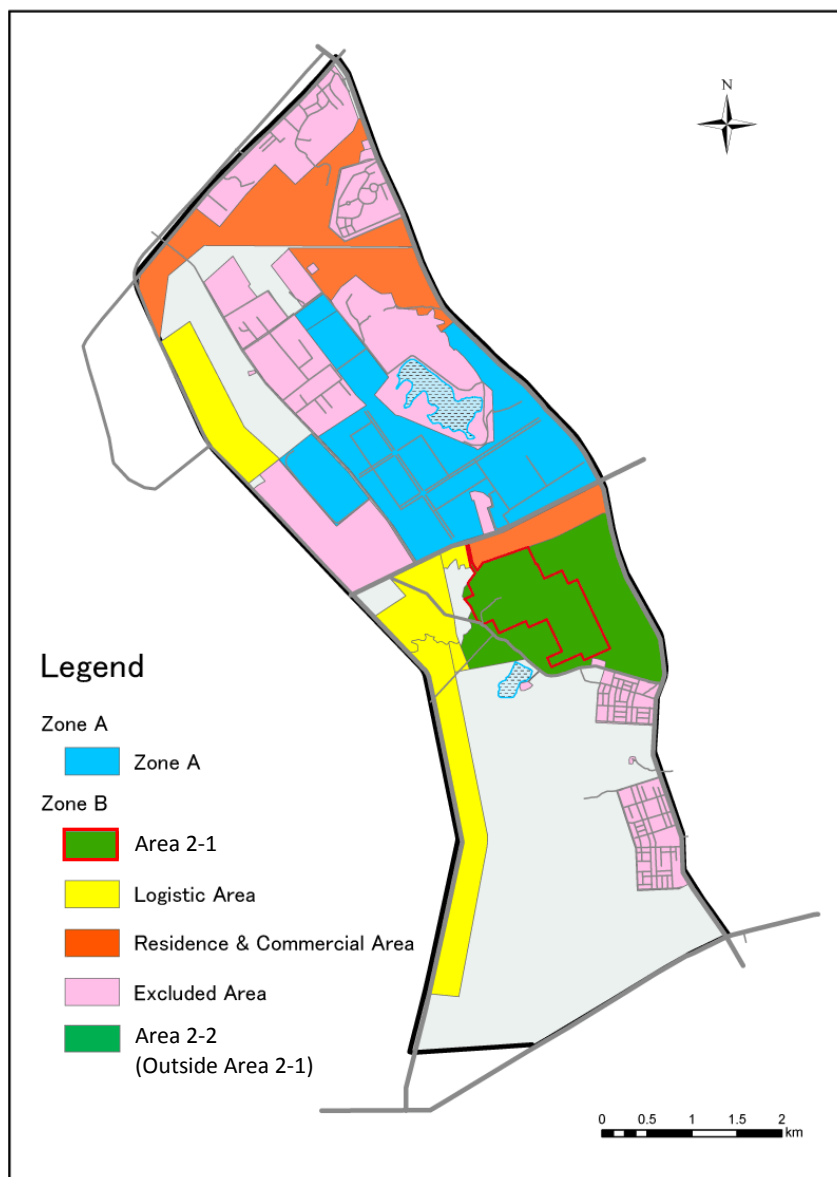
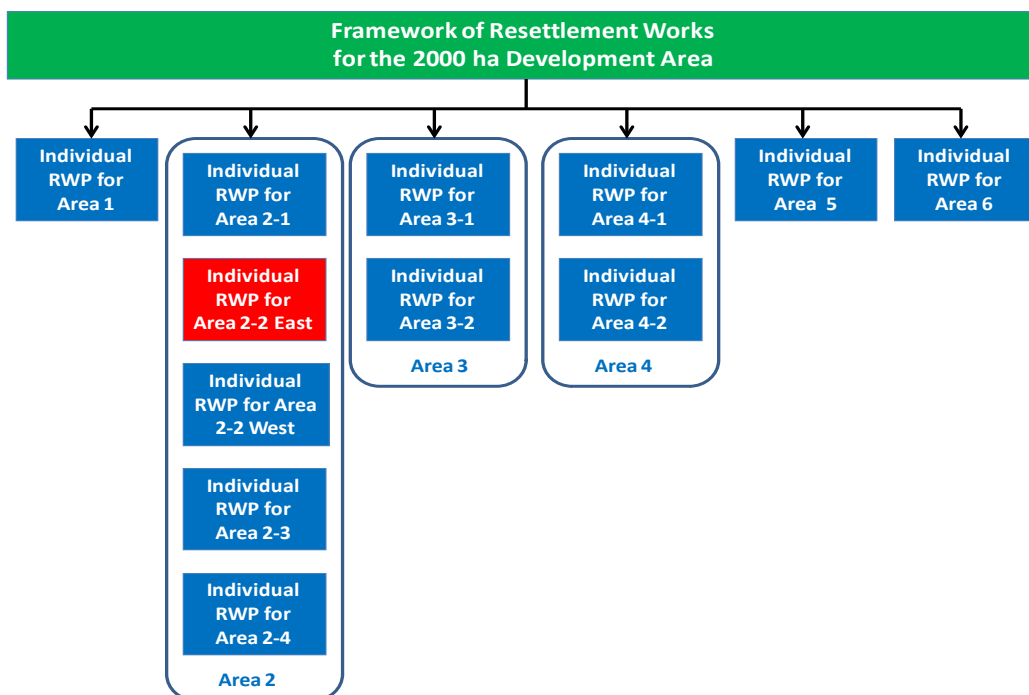


Figure 1-3 Development Plan of the Zone B Development Area of Thilawa SEZ

1.5 Scope of this RWP

As previously described, the 2000ha Development Area is planned to be developed in a phased manner since it is not feasible to develop 2,000 ha all at once. Correspondingly, resettlement works are also planned in steps since the scale of resettlement is expected to be large. Therefore, a common assistance policy for the entire 2000ha Development Area has been established through preparation of the Framework. Based on the Framework, specific and detailed contents on assistance and compensation (if applicable) are to be elaborated in the individual Resettlement Work Plans (RWPs) for the phased development area as shown in Figures 1-4 and 1-5.



Note: Figure shows provisional plan of individual RWPs (RWP area), and it is subject to change due to future planning.

Figure 1-4 Planned Structure of Framework and Individual RWPs

Figure 1-5 shows provisionally divided areas for preparation of individual RWPs (RWP areas). Area 1 to Area 4 comprise the Zone B Development Area. It was originally planned that one RWP would be formulated for entire Area 2-2. However, reflecting the requests of Area 2-2 East Project-Affected Households (PAHs) for early implementation and the updated development schedule, it was decided that the RWP for Area 2-2 will be divided into two RWPs, namely RWP for Area 2-2 East and RWP for Area 2-2 West. This RWP was prepared for Area 2-2 East.

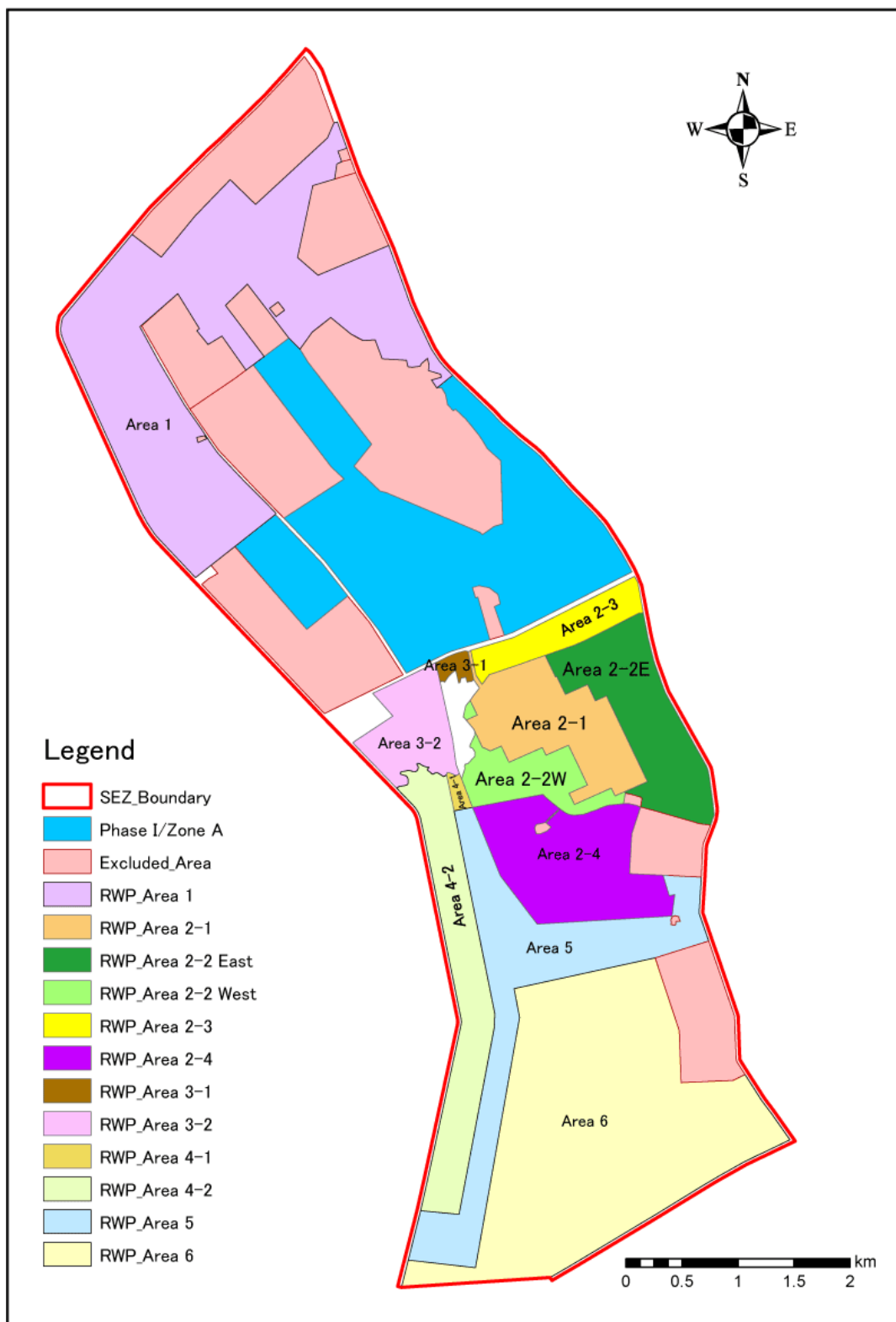


Figure 1-5 Provisional Areas for Preparation of Individual RWPs³

³ The areas may be divided further in accordance with development schedule of the area, etc. As of December 2016, Area 2 is divided into five i.e. Area 2-1, Area 2-2 East, Area 2-2 West, Area 2-3 and Area 2-4.

1.6 Location of Area 2-2

Figure 1-6 shows provisional boundary of Area 2-2 (East and West) as of December 2016. The boundary is being fine-tuned through the land development plan and field measurement by the National Survey Team.

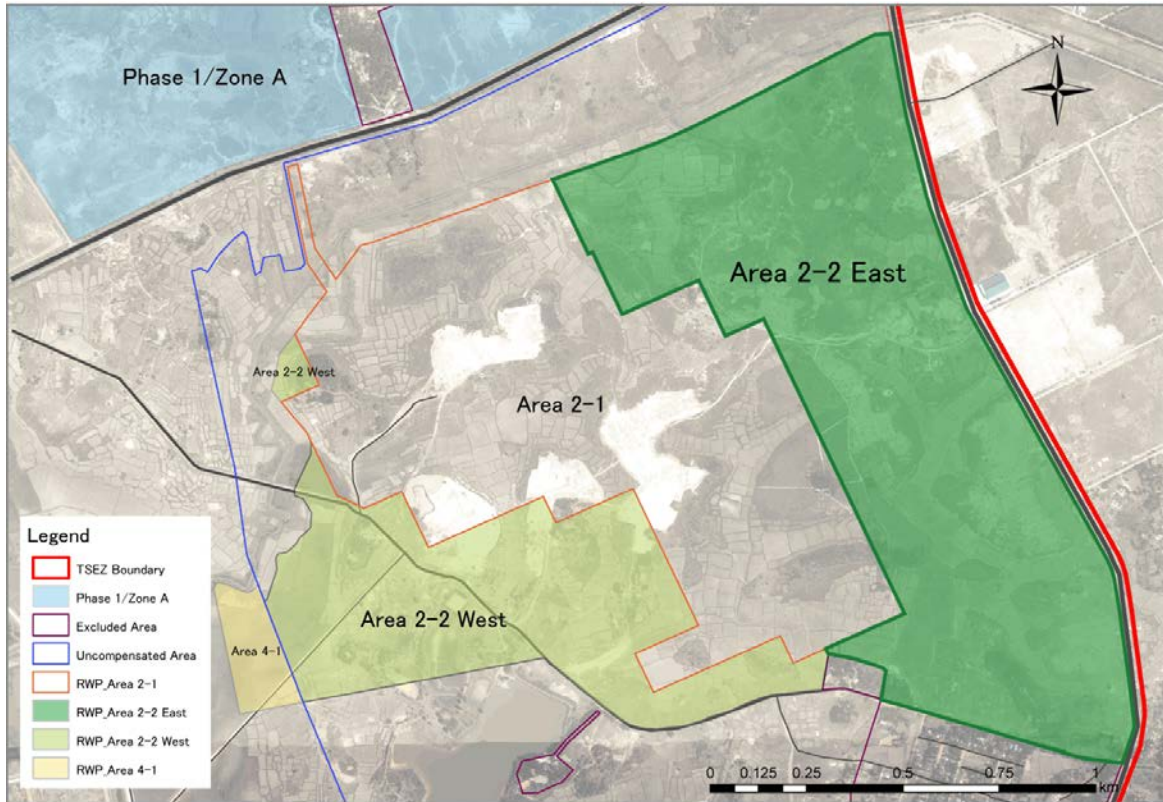


Figure 1-6 Provisional Location of Area 2-2 (East and West)

CHAPTER 2 RELOCATION SCOPE

2.1 Status of Thilawa SEZ Development Area

Approximately 87% of land inside the Thilawa SEZ Development Area was acquired by the Myanmar Government in 1997 in accordance with the Land Acquisition Act (1894)⁴ or the government land such as pasture land. The land acquisition in 1997 was for the Thanlyin-Kyauktan Industrial Zone Development (1,230 ha), which was planned to be developed and managed by Thanlyin-Kyauktan Development Company (TKDC), a joint venture between Department of Human Settlement and Housing Development (DHSHD), Ministry of Construction (MOC) and SMD International Pte Ltd of Singapore. Although the Thanlyin-Kyauktan Industrial Zone Development did not happen, the land was first transferred to DHSHD, MOC between 1998 and 1999⁵. The land was then transferred to TSMC in March 2013⁶.

During the 1997 land acquisition, farmers and residents inside the proposed Thanlyin-Kyauktan Industrial Zone Development area received compensation for their farmland, resettlement assistance, and were provided resettlement site for their residences. However, over the years, some of relocated farmers/residents migrated back to their original areas and resumed cultivation and other income generating activities.

On the other hand, according to the records of Settlement and Land Record Department (SLRD) of Thanlyin and Kyauktan Townships, there is approximately 308 ha area where administrative procedures of land acquisition were not covered in 1997. This area is currently undergoing administrative land acquisition procedures in accordance with Land Acquisition Act (1894) by Yangon Region Government (YRG). Area 2-2 falls in the area where land acquisition is not covered in 1997.

2.2 Necessity of Relocation

Initial efforts to avoid resettlement and other negative impacts were made at the onset of Thilawa SEZ Development. Especially, densely populated areas and areas with religious facilities or large scale facilities such as factories and university were excluded from the scope of development to minimize negative impacts. Figure 2-1 shows the areas excluded from Thilawa SEZ Development.

⁴ Notices for acquisition were issued in accordance with Land Acquisition Act 1894, Article 9 (1), (3).

⁵ Based on letters issued by Yangon South District General Administration Department Land Acquisition Collector's Office (letter No.:4/6-3/Oo1, dated 11 June, 1998; letter no.:4/6-3/Oo1, dated 4 April, 1999; and other letters)

⁶ Based on letters issued by Yangon South District General Administration Department Administrator's Office (letter No.:4/2-32/Oo1(52), dated 14 March, 2013; letter No.:4/2-32/Oo1(53), dated 14 March, 2013)

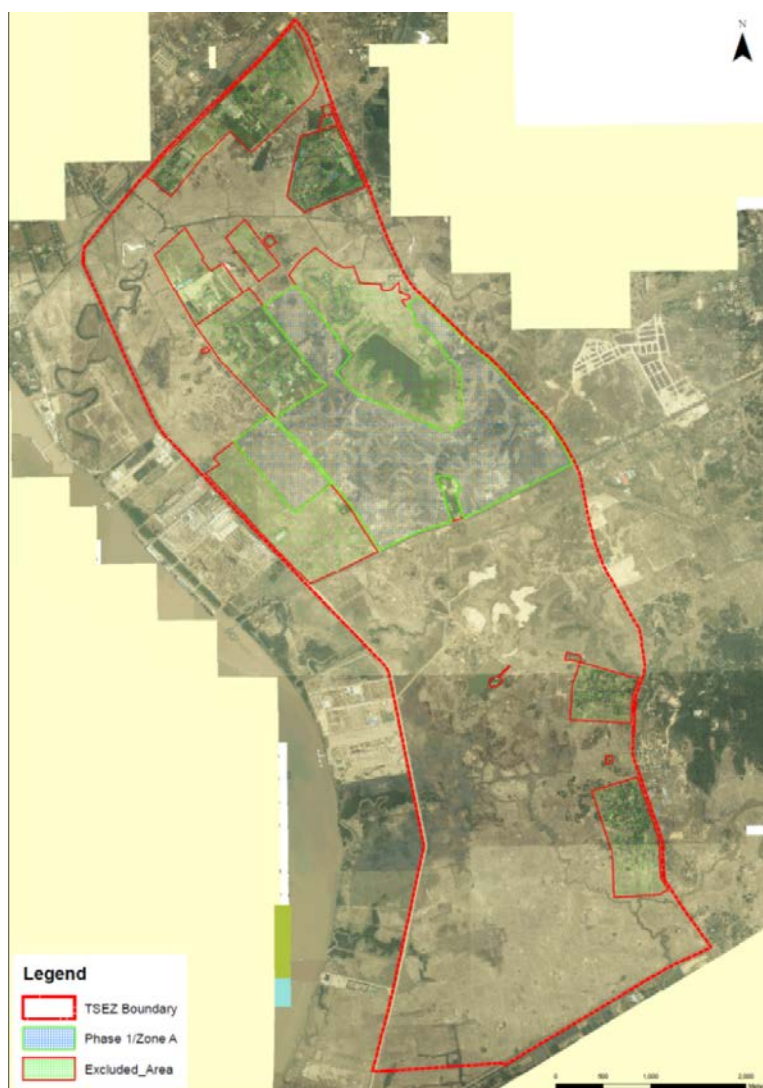


Figure 2-1 Areas Excluded from Thilawa SEZ Development

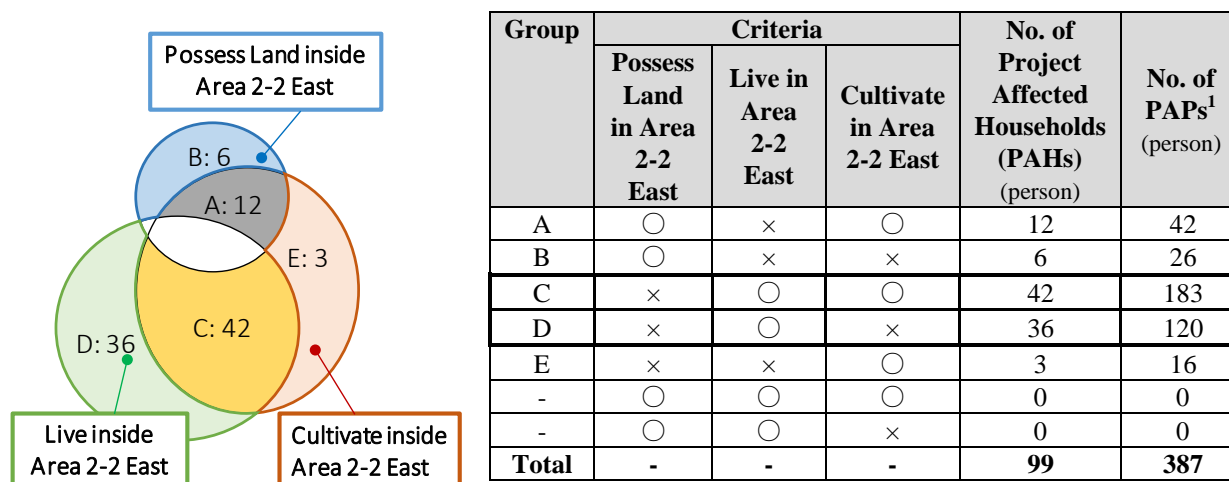
Despite the efforts to minimize the negative impacts, 99 households will be affected by the development of Area 2-2 East. PAHs for Area 2-2 East can be divided into several groups depending on the types of impacts. Three criteria were used to classify PAHs; 1) whether PAH possesses land inside Area 2-2 East or not⁷; 2) whether PAH lives inside Area 2-2 East or not⁸; and 3) whether PAH carries out cultivation inside Area 2-2 East or not. Out of seven possible combinations⁹, the PAHs for Area 2-2 East fall into five groups and no PAHs fall into two groups

⁷ Private and informal land transfers are common in Myanmar, and therefore, de facto land owners and de jure land owners may not match. While acknowledging the informal nature of such land transfers, this RWP has been prepared based on the information of de facto land owners to reflect the latest situation on the ground. De facto land owners were identified by examining informal land transfers through a round of confirmation meetings with de jure land owners on the SLRD list. As a result, the list of land owner PAHs in this RWP (PAHs in Groups A and B) do not fully correspond to the list of de jure land owners who, according to the Land Acquisition Act, 1894, are entitled to receive land compensation.

⁸ Paddy farmers, vegetable farmers and households who earn income from fruit and other trees inside Area 2-2 East are considered as cultivators. However, this does not necessary mean that cultivation is a main income source of the household in question.

⁹ Formally the number of possible combinations is eight for these three criteria. However, seven combinations are possible for the categorization of PAHs since one combination in none of all three criteria is not applicable to be eligible as PAHs.

as shown in Figure 2-2. The numbers of PAHs of each group together with number of Project Affected Peoples (PAPs) are also shown in Figure 2-2. Among these groups, 78 PAHs living inside Area 2-2 East (Groups C and D) will be physically displaced.



Note:

1. In preparation of the draft RWP, the information of four households (one in Group A and three in Group B) was under collection/compilation. Among these four households, the information of one household in Group B has not been collected since nobody in village was able to contact this household. On the other hand, the information of remaining three households has been collected and compiled after the disclosure of the draft RWP for Area 2-2 East.
2. Moreover, a new landowner and a cultivator were additionally identified as PAHs after the disclosure period. Therefore, the total number of PAHs was changed from 97 to 99 as a result.
3. In distinguishing Group A and B/ C and D, the following criteria were applied: i) for fruit and tree cultivation, whether a household cultivates more than fifty trees or plants in total; and ii) for vegetables, whether a households cultivate or not regardless of the number of plants.
4. It was found that four households who live inside Area 2-2 East cultivate rice/ vegetables inside Area 2-1, and two households possess plots both inside Area 2-2 East and Area 2-1.

Figure 2-2 Group and Number of PAHs/PAPs

The above information in Figure 2-2 is the current status based on the Detailed Measurement Survey (DMS) and supplemental data such as the outcome of the village confirmation meetings. Out of 78 PAHs to be relocated (Groups C and D, highlighted in the table above), it was confirmed that 41 PAHs live inside Area 2-2 East at the time of DMS. 37 PAHs had already demolished their housing structures upon receipt of the eviction notice in 2013 and currently live outside Area 2-2 East.

CHAPTER 3 SOCIO-ECONOMIC PROFILE

3.1 Previous Census and Socio-Economic Survey

From 4 to 26 April 2013 (April Census), field surveys were conducted for census and socio-economic information for all of households living inside the Thilawa SEZ Development Area by a survey team consisting of representatives from MOC, Ministry of National Planning and Economic Development, township level General Administration Department, Development Affairs, SLRD, Immigration Department, Police, and Ward/ Village Tract Administrators (the Government). All of households observed inside the SEZ area during the eight days of field survey were surveyed and data was recorded on pre-determined questionnaire form. According to the April Census, 1,066 households (HHs) were identified in the entire SEZ area. However, the houses already demolished, houses which were vacant, and households just doing agriculture without residence were not fully surveyed during the April Census.

3.2 Detailed Measurement Survey (DMS)

3.2.1 Methods of DMS

DMS was conducted to supplement information collected in the April Census and to confirm assets of PAHs/PAPs during May 2014 and October 2015 for the 2000ha Development Area. An additional DMS was carried out in December 2016 for households who were not surveyed in DMS¹⁰. The contents of DMS are summarized in Table 3-1, while the full DMS forms are enclosed in Annex-1.

DMS target households were classified as follows:

- i) Households that were covered in census and socio-economic survey including the April Census
- ii) Households that received the eviction notice in January 2013
- iii) Households whose structures were identified on the aerial photo at the time of Cut-off Date (COD)
- iv) Households whose habitation, income generation activities or structures inside the 2000ha Development Area were confirmed through a series of village meetings on eligibility confirmation.

Although DMS and additional DMS were conducted in several rounds in order to cover target households as much as possible, some of them were not able to be surveyed since the official land-record list and land-record map were not updated or don't contain enough information to identify the actual landowners, or there was a garden land without cultivation for a long time. These households are to be treated for the proper land acquisition, compensation, relocation or income

¹⁰ Mainly households who bought land within Area 2-2 East informally and thus are not listed on SLRD.

restoration procedure by using information provided by SLRD of Thanlyin and Kyauktan Townships or other appropriate methods.

Table 3-1 Outline of Detailed Measurement Survey (DMS)

	Items	Contents
1	Survey period	May 2014 to October 2015 and December 2016 (additional DMS)
2	Survey area	The 2000ha Development Area of Thilawa SEZ
3	Survey Methodology	Conducted by household head, Township representatives, SEZ Management Committee representatives and survey team jointly (Four Parties Measurement)
4	Survey Contents	
(1)	Census	- Confirmed family members, gender and age, education level, literacy rate, major occupation, etc. of PAHs
(2)	Inventory of Asset Loss	- Confirmed exact location of households and other structures of PAHs and cultivation areas with coordinates - Listed and measured the affected properties of PAHs on the ground - Confirmed types of structures (e.g. living structure, hut) - Confirmed paddy size, agriculture products and production of PAHs on the ground - Confirmed and listed movable assets such as livestock cow/buffalo and agricultural machine
(3)	Socio-Economic Survey	- (re) confirmed socio-economic information of PAHs including monthly or annual incomes and income sources, monthly or annual expenditures

3.2.2 Results of DMS for Area 2-2 East¹¹

According to DMS, the number of PAHs and PAPs to be affected by the development of Area 2-2 East are 99 and 387, respectively as of December 2016¹². The analysis in this chapter is based on the data of 98 households because the data for one household in Group B has not been collected due to the lack of the contact in any official records and local information. As described in Chapter 2, the PAHs have been divided into five groups (A to E) depending on the types of impacts as per DMS (see Figure 2-2).

(1) Profile of Project Affected Households

Demographic profile of PAHs is outlined in Tables 3-2 to 3-4.

Table 3-2 Ethnicity of PAHs

(Unit: household)

Group	Burmese	Hindu ¹	Chinese	Total ²
A	8	1	1	10
B	3	0	2	5
C	37	4	0	41
D	35	1	0	36
E	3	0	0	3
Total	86	6	3	95

¹¹ The demographic and socio-economic profiles of PAHs presented in subsequent sections of this chapter are based on the information collected during DMS, and as such, they may not match the current situation.

¹² There is a possibility that the number of PAHs and PAPs will be more than 99 and 387 since households who only do economic activities such as crop/tree cultivation or grazing livestock inside Area 2-2 East may be found after finalization of RWP. Accordingly, the number of un-surveyed households may increase if households above mentioned exist.

Note: 1. This is the term commonly used in Myanmar to refer to people of Indian origin.
2. Two households in Group A and one household in Group C did not answer this question.

Table 3-3 Religion of PAHs

(Unit: household)

Group	Buddhist	Hindu	Islam	Total
A	9	0	1	10
B	4	0	1	5
C	41	0	0	41
D	35	1	0	36
E	3	0	0	3
Total	92	1	2	95

Note: 1. Two households in Group A and one household in Group C did not answer this question.

Table 3-4 Literacy of PAHs

(Unit: household)

Group	Not able to speak, read and write	Able to speak, but not to read and write	Able to speak, but read and write little	Speak, read and write fluently	Total
A	0	1	1	9	11
B	0	0	1	4	5
C	0	4	13	25	42
D	1	5	14	16	36
E	0	0	1	2	3
Total	1	10	30	56	97

Note: 1. One household in Group A did not answer this question.

2. The literacy rate was calculated at 88.7% by the number of persons who answered Yes to “Able to speak, but read and write little” and “Speak, read and write fluently”.

The literacy rate in Myanmar is 93.1%¹³. The literacy rate of household heads of PAHs (88.7%) is slightly lower than the national average.

(2) Inventory of Assets of PAHs (Livestock, Crops, Trees and Movable Assets)

The number of large-size livestock raised by PAHs for different purposes is shown in Table 3-5. Among the total 80, 66 is cows and 13 is buffalos, the remaining one is horse.

Table 3-5 Purpose of Usage for Large Size Livestock¹ Raised by PAHs

(Unit: number)

Group (No. of HH)	Milk	Meat ²	Agriculture	Other ³	Total
A (12)	0	0	0	0	0
B (5)	0	0	0	0	0
C (42)	0	7	18	10	35
D (36)	8 ⁴	7	7	20	42
E (3)	0	0	3	0	3
Total (98)	8	14	28	30	80

Note: 1. Large sized livestock includes cow, buffalo and horse. Among the total 80, 66 is cows and 13 is buffalos, one is horse which is used for taxi business.

2. Three cows raised for meat in Group D are also used for milk.

¹³ Adult literacy rate in 2015 in Myanmar, according to UNESCO Institute for Statistics.

3. "Other" includes the household which the information on the usage cannot be specified since livestock are still calves or wasn't answered by interviewee at the time of DMS.

The yield of rice, type and amount of crops and trees are presented in Table 3-6. The figure is the total volume of production including cultivation outside Area 2-2 East. For example, PAHs of Group B do not carry out any farming inside Area 2-2 East, but they do carry out farming outside Area 2-2 East.

Table 3-6 Rice Yield, Type and Amount of Vegetable and Tree Grown by PAHs

Group (No. of HH)	Rice Yield ¹ (basket)	Vegetable ²				
		Bean (plant)	Betel Leaf (pole)	Bitter Gourd (plant)	Chili (plant)	Cucumber (plant)
A (12)	2,097	0	0	0	0	0
B (5)	0	0	0	0	0	0
C (42)	1,100	2,167	36,414	42	1,916	- ³
D (36)	0	0	0	0	0	0
E (3)	27	0	0	0	0	0
Total (98)	3,324	2,167	36,414	42	1,916	-
Group (No. of HH)	Vegetable ²					
	Drumstick (plant)	Flower (plant)	Gourd (plant)	Lady finger (plant)	Pumpkin (plant)	Radish (plant)
A (12)	0	0	0	0	0	0
B (5)	0	0	0	0	0	0
C (42)	9	40,993	2,267	1,798	1	3,315
D (36)	0	0	0	0	0	0
E (3)	0	0	0	0	0	0
Total (98)	9	40,993	2,267	1,798	1	3,315
Group (No. of HH)	Vegetable ²					
	Roselle (plant)	String Bean (plant)	Water Cress (plant)	Water melon (plant)	Yam (plant)	
A (12)	0	0	0	0	0	
B (5)	0	0	0	0	0	
C (42)	5,654	1,040	20,000	33,910	2	
D (36)	0	0	0	0	0	
E (3)	0	0	0	0	0	
Total (98)	5,654	1,040	20,000	33,910	2	
Group (No. of HH)	Fruit/ Non-Fruit Tree ⁴					
	Bamboo (tree)	Bamboo (group)	Malaysia Gum Tree (tree)	Other (plant)		
A (12)	0	4	0	0		
B (5)	20	0	0	13		
C (42)	1,596	81	6,260	286		
D (36) ⁵	0	23	288	31		
E (3)	0	0	0	0		
Total (98)	1,616	108	6,548	330		

Note: 1. Annual yield of rice based on the interview during DMS. Since no household in Area 2-2 East grow summer paddy, the yield is the volume of monsoon paddy only.

2. The amount of vegetable is based on the interview during DMS.

3. There is one household who cultivates cucumber in Group C. However, the number of plant could not be confirmed since it was already harvested and sold at the time of DMS.

4. The number of fruit/ non-fruit tree is calculated based on the interview at DMS. The trees categorized under "Other" include banana, mango, cashew nut, eucalyptus and other.
5. Although PAHs of Group D do not carry out cultivation, several trees were confirmed near their residence which they use for firewood and other domestic purposes.

Inventory of movable assets of PAHs is summarized per PAH group as shown in Table 3-7. Most of the movable assets can be relocated or used even after resettlement, except for some agricultural equipment in case PAH cannot continue farming.

Table 3-7 Movable Assets of PAHs¹

(Unit: number)

Group (No. of HH)	Electric Fan	Fridge ²	Inverter	Generator	Battery	Air-con	Car
A (12)	4	8	3	2	1	3	5
B (5)	0	0	0	0	0	0	0
C (42)	7	3	4	10	9	0	0
D (36)	3	2 ¹	2	3	3	0	2
E (3)	0	0	0	0	0	0	0
Total (98)	14	13	9	15	13	3	7
Group (No. of HH)	Bicycle	Motor- cycle	Sound box/ Amplifier	Mobile Phone	TV	VCD/ Cassette	Solar
A (12)	1	3	0	16	6	6	0
B (5)	0	0	0	2	1	0	0
C (42)	35	26	0	57	20	18	3
D (36)	17	18	11	39	11	11	0
E (3)	1	1	0	3	2	2	0
Total (98)	54	48	11	117	40	37	3
Group (No. of HH)	Computer /Printer	Land -line	Sky Net	Water Pump	Other Agr Equipment ³		
A (12)	3	10	1	5	0		
B (5)	0	0	0	0	0		
C (42)	0	1	0	12	8		
D (36)	0	2	1	0	1		
E (3)	0	0	0	1	8		
Total (98)	3	13	2	18	17		

Note: 1. One household in Group A and three households in Group B didn't answer this question.

2. One water cooler is included.

3. Other Agricultural Equipment are log for iron teeth of harrow, plough and cart, manger.

(3) Impacts on Livelihood and Income Sources

(3-1) Income Source

The main income source of household heads is shown in Table 3-8 and Figure 3-1. Odd job worker is the most common source of income among household heads. Odd job may include working in someone's paddy or garden as hired farm-workers. For odd-job workers and other types of job whose livelihood is dependent on land, assistance and compensation will be provided as per the actual impact.

Table 3-8 Main Income Source of Household Head

(Unit: person)

Group	Paddy Farmer	Vegetable Farmer	Odd Job Worker	Wage Worker	Self-Employment	No Income ¹	Total ²
A	2	0	0	1	8	0	11
B	0	0	0	0	3	2	5
C	2	13	19	1	4	3	42
D	0	0	21	1	10	2	34
E	0	0	0	1	1	1	3
Total	4	13	40	4	26	8	95

Note: 1. Among seven households without income, two household heads (one each in Group B and C) are over 65 years old. One household in Group E get pension income.

2. One household in Group A and two households in Group D did not answer this question, and one household in Group A could not be surveyed.

Excluding household heads, the number of PAPs is 288. Out of those, 161 are working age (between 18 and 64 as of the day which DMS was conducted). Main income source of these working age PAPs is presented in Table 3-9 and Figure 3-2.

Table 3-9 Main Income Source of Other Working Family Members

(Unit: person)

Group	Paddy Farmer	Vegetable Farmer	Odd Job Worker	Wage Worker	Self-Employment	No Income ¹	Total ²
A	0	0	2	5	6	8	21
B	0	0	0	3	3	4	10
C	3	6	17	10	8	24	68
D	0	0	16	11	4	20	51
E	0	0	0	2	2	5	9
Total	3	6	35	31	23	61	159

Note: 1. They are either dependent or jobless.

2. Two households in Group C did not answer this question, hence the total number of PAP is 159.

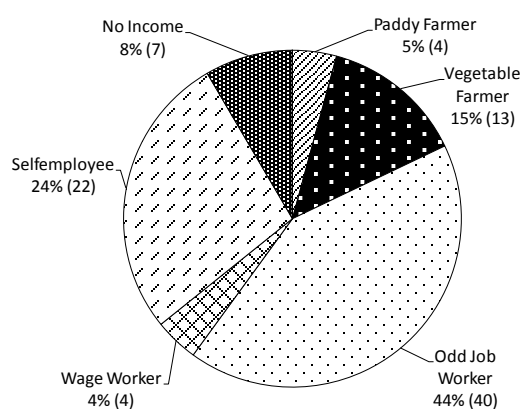


Figure 3-1 Main Income Source of Household Head

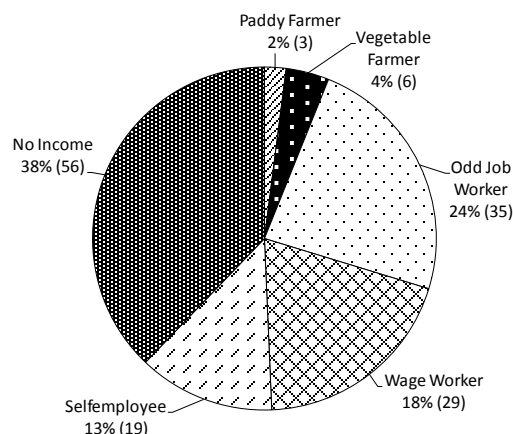


Figure 3-2 Main Income Source of Other Working Family Members

(3-2) Household Income

The median annual primary income of PAHs is 3,560,000 Kyats/year as shown in Table 3-10. Landowner PAHs have notably higher income compared with landless PAHs. The median annual

primary income of PAHs who possess land inside Area 2-2 East (landowner PAHs) is over two times higher than that of PAHs who do not possess land inside Area 2-2 East (landless PAHs). Out of 32 PAHs who have secondary income, most of the PAHs (27) are landless and living inside Area 2-2 East. The median annual secondary income is 1,575,000 Kyats/year.

Combining the total income, the median annual income of PAHs is 4,200,000 Kyats per year. On a per capita basis, the figure is equivalent to 3,168,000 Kyats per year. This is much higher than the national per capita Gross National Income (GNI) in Myanmar of 1,517,000 Kyats per year¹⁴ since PAHs include the family in upper class who own lands as their immovable property not for cultivation purpose.

Table 3-10 Annual Primary and Secondary Income of PAHs^{1,2}

(Unit: kyats/year)			(Unit: kyats/year)		
Group (No. of HH) ³	Annual Primary Income		Group (No. of HH) ³	Annual Secondary Income	
	Average	Median		Average	Median
A (10)	14,681,000	9,500,000	A (4)	3,898,000	3,600,000
B (4)	95,618,000	11,100,000	B (0)	-	-
C (42)	4,850,000	4,020,000	C (20)	2,411,000	1,725,000
D (36)	3,859,000	2,760,000	D (7)	1,678,000	600,000
E (3)	5,280,000	6,300,000	E (1) ⁴	500,000	500,000
Landowner (14)	37,806,000	7,950,000	Landowner (4)	3,898,000	3,600,000
Landless (81)	4,425,000	3,150,000	Landless (28)	2,159,000	1,100,000
Total (95)	9,344,000	3,560,000	Total (32)	2,377,000	1,575,000

Note: 1. Both primary and secondary incomes are self-reported figures obtained during the DMS without verification.

2. Two households in Group A and one household in Group B did not answer this question.

3. This is the number of households which has the available information on primary and secondary income in DMS respectively.

4. Since only one household is in Group E, the average and the median value are calculated as the same.

(3-3) Household Expenditure

The annual expenditure and breakdown of expenditure per major items are presented in Table 3-11 and Table 3-12. Expenditure on food accounts for more than 40% of the total expenditure of landless PAHs while the share is about 33% among landowner PAHs, suggesting that wealthier landowner PAHs can afford to spend more on non-essential goods. The share of expenditure on education for PAHs in Group A is also much higher than that for PAHs in other group. In Group A and Group B, each one household who earn the highest and the second highest among all households are included, hence there is a big difference in the value between the average and the median.

¹⁴ According to World Development Indicators database of the World Bank, the GNI per capita in Myanmar in 2015 is USD 1,280 (approximate value). The exchange rate of USD 1= 1,185.62 Kyats is used.

Table 3-11 Average and Median of Annual Expenditure

(Unit: kyats/year)

Group	Average	Median
A (9)	13,677,000	10,644,000
B (5)	9,180,000	6,600,000
C (42)	4,765,000	3,225,800
D (36)	2,948,000	2,484,000
E (3)	3,260,000	2,873,000
Landowner (14)	12,071,000	8,622,000
Landless (81)	3,902,000	2,763,600
All Category (95) ¹	5,053,000	2,799,000

Note: 1. In Group A, three PAHs did not answer this question and one PAH was not able to survey. Hence, the total number of PAHs for this question is 95.

Table 3-12 Average Annual Expenditure of Major Items

(Unit: %)

Group	Food	Health	Education	Commuting	Other ²
A (9)	24.9	3.3	38.1	12.0	21.8
B (5)	56.2	6.3	26.1	4.8	6.6
C (42)	36.7	29.6	5.2	7.7	20.8
D (36)	60.4	8.9	5.5	10.4	14.8
E (3)	44.8	25.2	8.0	2.6	19.5
Landowner (14)	33.4	4.1	34.8	10.0	17.7
Landless (81)	44.9	22.5	5.4	8.4	18.7
Average of All PAH (95) ¹	40.9	16.1	15.6	9.0	18.4

Note: 1. In Group A, three PAHs did not answer this question. Hence, the total number of PAHs for this question is 95.

2. Other includes the cost for running business and investment for agriculture (e.g. purchase of goods, cost of labor and livestock breeding).

(4) Vulnerable Households

Since there is no official definition of vulnerable groups in Myanmar, this RWP defines a household headed by woman, disabled person or elderly person (61 years old and over), a household including a disabled person or a household below the poverty line¹⁵ or a household with a pregnant woman at the time of relocation as vulnerable households by referring international practices as also defined in the Framework. Table 3-13 outlines vulnerable households for Area 2-2 East per category of vulnerability. 68.8% of the vulnerable households (22 out of total 31) are PAHs to be relocated.

¹⁵ Based on Poverty Profile in June 2011, which define Poverty Line of 2010 as 376,151 Kyats per adult per year. The study is the result of Integrated Household Living Conditions and Survey in Myanmar (2009-2010) conducted by UNDP, UNICEF, SIDA and Ministry of National Planning and Economic Development. Since there is no authoritative update on poverty line in Myanmar, this RWP uses 376,151 Kyats per adult equivalent per year as the poverty line.

Table 3-13 Summary of Vulnerable Households¹

(Unit: household)

Group (No. of HH)	Headed by woman	Headed by elderly	Headed by disabled	Below Poverty Line income²	HH with a disabled member	Total Vulnerable households³
A (10)	4	3	0	0	0	7
B (3)	2	1	0	1	0	2
C (42)	3	4	0	3	0	6
D (36)	6	4	2	5	1	16
E (3)	0	1	0	0	0	1
Total (94)	15	13	2	9	1	32

Note: 1. The information on a household with a pregnant woman at the time of relocation will be incorporated in the final RWP.

2. The vulnerability of "Below Poverty Line income" cannot be determined for two households each since the information on expenditure was not answered by them in Group A and Group B.

3. The total number of vulnerable households does not match to the sum of each category because several PAHs fall under more than one category.

CHAPTER 4 LEGAL FRAMEWORK

4.1 Relevant Laws and Regulations in Myanmar

There is no law that governs the whole procedures of land acquisition and resettlement in a comprehensive manner in Myanmar. The Land Acquisition Act, enacted in 1894, is still the legal basis for land acquisition in current Myanmar. The Land Nationalization Act 1953 which was repealed by the Farmland Law 2012, determines nationalization of farmlands and procedures for conversion of farmlands to other purposes (La Na 39). The land acquisition for Thilawa SEZ development area has been mainly done in accordance with the Land Acquisition Act 1894 and the Farmland Law 2012. Resettlement related issues are described in some other existing laws and regulations including the Special Economic Zone Law 2014¹⁶. In most of the cases; however, details such as procedures and conditions related to resettlement issues are yet to be determined.

In the meantime, Chapter II Section 7 of the Environmental Impact Assessment Procedure (EIA Procedure), issued as Notification No.618/2015 dated 29 December, 2015, under the Environmental Conservation Law enacted on 30 March, 2012, prescribes that “Projects that involve involuntary resettlement shall comply with specific procedures separately issued by the responsible ministries. Prior to the issuance of any such specific procedures, all such projects shall adhere to international good practices (as accepted by international financial institutions including WB and ADB) on involuntary resettlement”. Table 4-1 shows relevant Myanmar laws and regulations for land acquisition and resettlement which are applicable to lower Myanmar where the Thilawa SEZ development area is located.

Table 4-1 Major Laws for Land Acquisition/ Resettlement

- | |
|--|
| <ul style="list-style-type: none">• Farmland Law, 2012• Farmland Rules, 2012• Vacant, Fallow and Virgin Lands Management Law, 2012• Vacant, Fallow and Virgin Lands Management Rules, 2012• Special Economic Zone Law 2014• Constitution of the Republic of the Union of Myanmar, 2008• Transfer of Immovable Property Restriction Law, 1987• The Law Amending the Disposal of Tenancies Law, 1965• The Lower Burma Town and Village Land Act, 1899• Land Acquisition Act, 1894 (Amended by the Government of Burma (Adaptation of Laws) Orders, 1937 and Burma Act 27, 1940• The Land and Revenue Act 1876 (Amended in 1945 (Burma Act No 12), 1946 (Burma Act No 64), and 1947 (Burma Act No 6)• The Lower Burma Land Revenue Manual, 1876• Development Committee Law, 1993• Directions of Central Land Committee• Environmental Impact Assessment Procedure, 2015 |
|--|

Source: Prepared based on “Guidance Note on Land Issues Myanmar” UNHCR, UN-HABITAT

¹⁶ Article 80 (b) stipulates that "the developer or the investors shall, to relocate the persons so as not to lower their original standard of living, to fulfill the fundamental needs and for facilitating such works, coordinate and carry out with the relevant Management Committee as may be necessary"

The RWP has been prepared in accordance with JICA Guidelines which cite WB Safeguard Policy, OP 4.12 Annex A as a benchmark.

4.2 International Practices on Relocation and Resettlement

Most international funding organizations and donors have developed policies and guidelines for environmental social considerations including relocation and resettlement occurring in development projects. In principle, international practices on relocation and resettlement are conducted based on these policies and guidelines. Major policies and guidelines applicable to relocation and resettlement are listed below:

- (1) World Bank (WB) Safeguard Policy: Operational Policy on Involuntary Resettlement (OP 4.12)
- (2) JICA Guidelines for Environmental and Social Considerations, April, 2010 (JICA Guidelines)
- (3) Asian Development Bank (ADB) Safeguard Policy: Safeguard Policy Statement 2009 (SPS)

4.3 JICA Policies on Relocation and Resettlement

JICA has policies on relocation, which are stipulated in JICA Guidelines. The key principles of JICA policies on involuntary resettlement as articulated in Annex 1 Section 7, are summarized below:

- a) Involuntary resettlement and loss of means of livelihood are to be avoided when feasible by exploring all viable alternatives.
- b) When, population displacement is unavoidable, effective measures to minimize the impact and to compensate for losses should be taken.
- c) People who must be resettled involuntarily and people whose means of livelihood will be hindered or involve losses must be sufficiently compensated and supported, so that they can improve or at least restore their standard of living, income opportunities and production levels to pre-project levels.
- d) Compensation must be based on the full replacement cost as much as possible.
- e) Compensation and other kinds of assistance must be provided prior to displacement.
- f) For projects that entail large-scale involuntary resettlement, resettlement action plans must be prepared and made available to the public. It is desirable that the resettlement action plan includes elements laid out in the WB Safeguard Policy, OP 4.12, Annex A.
- g) In preparing a resettlement action plan, consultations must be prompted in the planning, implementation, and monitoring of resettlement action plans.
- h) Appropriate and accessible grievance mechanisms must be established for the affected people and their communities.

In addition to the above policies, JICA also applies the following policies stipulated in WB OP 4.12.

- a) Affected people are to be identified and recorded as early as possible in order to establish their eligibility through an initial baseline survey (including population census that serves as an eligibility cut-off date, asset inventory, and socioeconomic survey), preferably at the project

identification stage, to prevent a subsequent influx of encroachers of others who wish to take advantage of such benefit.

- b) Eligibility of benefits cover the PAPs who have formal legal rights to land (including customary and traditional land rights recognized under law), the PAPs who don't have formal legal rights to land at the time of census but have a claim to such land or assets, and the PAPs who have no recognizable legal right to the land they are occupying.
- c) Preference should be given to land-based resettlement strategies for displaced persons whose livelihoods are land-based.
- d) Provide support for the transition period (between displacement and livelihood restoration).
- e) Particular attention must be paid to the needs of vulnerable people among those displaced, especially those below the poverty line, landless, elderly, women and children, ethnic minorities etc.
- f) For projects that entail land acquisition or involuntary resettlement of fewer than 200 people, abbreviated resettlement plan is to be prepared.

Measures taken to meet above requirements are summarized in Table 4-2 below and additional explanations are provided in relevant chapters of this RWP.

4.4 Gap Analysis and Gap Filling Measures

Section 7 of the EIA Procedure requires that international good practices be adhered to in the project involving involuntary resettlement. As such, there is no gap between national laws in Myanmar and international good practices. However, the EIA Procedure does not include detailed procedures in terms of how such requirements can be achieved. Table 4.2 shows the comparison between the Government's laws/regulations (excluding EIA Procedure) and JICA Guidelines and measures taken in this project.

Therefore, it is considered the Project also complies the EIA Procedure if the Project complies requirements of JICA Guidelines to fill the gap since JICA Guidelines require that projects do not deviate significantly from the World Bank's Safeguard Policies and refer to Safeguard Policy, OP 4.12 Involuntary Resettlement.

Table 4-2 Comparison between Laws in Myanmar and JICA Guidelines

No.	JICA Guidelines	Laws in Myanmar	Gaps Between Laws in Myanmar and JICA Guidelines	Measures to Fill Gaps
1.	Involuntary resettlement and loss of means of livelihood are to be avoided when feasible by exploring all viable alternatives. (JICA Guidelines: JICA GL)	Not applicable	There is no regulation which mentions or requests to avoid or minimize involuntary resettlement and loss of livelihood means.	The project examined alternatives to avoid or minimize resettlement impact in earlier phases of the project preparation.
2.	When population displacement is unavoidable, effective measures to minimize	Compensation or indemnity is provided for farmland acquisition for the interest of the	There is no difference.	-

No.	JICA Guidelines	Laws in Myanmar	Gaps Between Laws in Myanmar and JICA Guidelines	Measures to Fill Gaps
	impact and to compensate for losses should be taken. (JICA GL)	State or public. (Farmland Law (2012) Art. 26, Farmland Rules (2012) Art. 64)		
3.	People who must be resettled involuntarily and people whose means of livelihood will be hindered or lost must be sufficiently compensated and supported, so that they can improve or at least restore their standard of living, income opportunities and production levels to pre-project levels. (JICA GL)	Damages to standing crops/trees, lands, movable/immovable properties, relocation cost, economic activities are requested to compensate. (Land Acquisition Act (1894) Art. 23, Farmland Rules (2012) Art. 67)	There is no stipulation of improving or at least restoring living standard, income opportunities and production levels to pre-project levels in the Myanmar legal framework.	Assistance for improving or restoring livelihood at least to pre-project level is provided through IRP as well as provision of various forms of allowances. The progress of IRP will be monitored periodically.
4.	Compensation must be based on the full replacement cost as much as possible. (JICA GL)	Land: Market-value compensation (Land Acquisition Act (1894) Art.9, 23 (1) and 23(2)) Crops: Compensation at three times of the value calculated based on the average production of crops in the current market price of that area is provided. (Farmland Rules (2012) Art. 67)	Land: Partial gap since the act lacks standard methodology in determining compensation, though it requires considering the market value. Additionally, there would be a gap between the market value and full replacement cost. Crops: There is no significant difference.	In addition to official land compensation as determined by YRG, additional assistance is provided by the project implementation body to ensure that the total compensation is full replacement cost.
5.	Compensation and other kinds of assistance must be provided prior to displacement. (JICA GL)	When compensation is not paid on or before land acquisition, compensation amount awarded with interest rate must be paid.	There is no clear indication about timing of compensation payment in the Myanmar legal framework.	YRG has decided to provide compensation and assistance prior to displacement. Land compensation will also be provided before the land is acquired.
6.	For projects that entail large-scale involuntary resettlement, resettlement action plans must be prepared and made available to the public. (JICA GL)	Not applicable	There is no regulation which mentions or requests to avoid or minimize involuntary resettlement and loss of livelihood means.	RWP is prepared in consultation with PAPs and will be disclosed to the public.
7.	In preparing a resettlement action plan, consultations must be held with the affected people and their communities based on sufficient information made available to them in advance. (JICA GL)	Not applicable	There is no regulation requesting to organize consultations with PAPs during the preparation of RWP.	Two formal Public Consultation Meetings (PCM) were organized during the preparation of RWP with at least one-week advance notice to PAHs. In addition, follow-up and other meetings are held as

No.	JICA Guidelines	Laws in Myanmar	Gaps Between Laws in Myanmar and JICA Guidelines	Measures to Fill Gaps
				described in Chapter 8.
8.	When consultations are held, explanations must be given in a form, manner, and language that are understandable to the affected people. (JICA GL)	Not applicable	There is no regulation requesting to organize consultations with PAPs.	Consultations with PAPs have been held in Myanmar and with Myanmar language handouts with easily understandable pictures and maps.
9.	Appropriate participation of affected people must be promoted in planning, implementation, and monitoring of resettlement action plans. (JICA GL)	Not applicable	There is no regulation requesting participation of PAPs into planning, implementation and monitoring of resettlement action plans.	PAPs were informed of the PCM at least one week before the meeting. Representatives of PAPs also participate in RIC and IRPIC.
10.	Appropriate and accessible grievance mechanisms must be established for the affected people and their communities. (JICA GL)	1) Notice of compensation amount to PAPs directly: appeal to the court within 6 weeks from the date of compensation award 2) Notice of compensation amount to representatives of PAPs: i) within 6 weeks of receipt of compensation notice, or ii) within 6 months from the from the date of compensation award, whichever period shall be first expire (Land Acquisition Act (1894) Art. 18)	The procedure of grievance in the Myanmar context is direct settlement at the court, which is not necessarily easy or accessible to PAPs.	The grievance redress mechanism is established in consultation with PAPs. Also, Community-Driven Operational Grievance Mechanism (CD- OGM) is being designed. More details are available in Chapter 10.
11.	Affected people are to be identified and recorded as early as possible in order to establish their eligibility through an initial baseline survey (including population census that serves as an eligibility cut-off date, asset inventory, and socioeconomic survey), preferably at the project identification stage, to prevent a subsequent influx of encroachers of others who wish to take advantage of such	A notification of land acquisition or public purposes is published in the Gazette, which is also published at the convenient place in the concerned municipality. (Land Acquisition Act (1894) Article 4)	There is no specific description of identifying affected people as early as possible in the national law.	Census was initially conducted at the preliminary delineated boundary in April 2013, and the cut-off date was declared on April 4 th , 2013. Supplemental survey was conducted to the final boundary in May 2014 to September 2015 for identifying number of affected households as well as their socio-economic condition. Also, additional survey has been undertaken to identify new landowners who are not listed in the SLRD list.

No.	JICA Guidelines	Laws in Myanmar	Gaps Between Laws in Myanmar and JICA Guidelines	Measures to Fill Gaps
	benefits. (WB OP4.12 Para.6)			
12.	Eligibility of benefits includes, the PAPs who have formal legal rights to land (including customary and traditional land rights recognized under law), the PAPs who don't have formal legal rights to land at the time of census but have a claim to such land or assets and the PAPs who have no recognizable legal right to the land they are occupying. (WB OP4.12 Para.15)	Occupiers/stakeholders of lands to be acquired are explained about acquisition and claims to compensations. (Land Acquisition Act (1894) Article 9)	Detail procedures as well as eligibility criteria are not clearly defined. Also there is no specific indication about displaced persons without titles.	The project establishes eligibility for assistance to all households whose income sources or assets are confirmed as affected due to project implementation.
13.	Preference should be given to land-based resettlement strategies for displaced persons whose livelihoods are land-based. (WB OP4.12 Para.11)	Not Applicable	There is no regulation requiring to give preference to land-based resettlement strategies.	The possibility of land-for-land compensation was explored by YRG which concluded the option not viable.
14.	Provide support for the transition period (between displacement and livelihood restoration). (WB OP4.12 Para.6)	Not Applicable	SEZ law 2014 requires investors to relocate the persons so as not to lower their original standard of living (Art.80 b).	Support for the transition period is provided through IRP and other related activities. The details are presented in Chapter 7.
15.	Particular attention must be paid to the needs of the vulnerable groups among those displaced, especially those below the poverty line, landless, elderly, women and children, ethnic minorities etc. (WB OP4.12 Para.8)	Not Applicable	There is no regulation stipulating to provide particular attention to the vulnerable groups.	Additional support for the vulnerable groups is provided as discussed in Chapter 5.

CHAPTER 5 COMPENSATION AND ASSISTANCE PACKAGE FOR THE PROJECT AFFECTED PERSONS (PAPs)

5.1 Eligibility of Compensation and Assistance Package

Cut-off date (COD) is the day to determine eligibility for entitlement of compensation and/or assistance. Persons (or households) living or performing income generation activities inside the area of Thilawa SEZ on COD are eligible for compensation and/or assistance package¹⁷. The principles of eligibility for the compensation and/or assistance package are shown below:

- (1) Households living inside the Second Development Area (Area 2-2 East) on the day of COD.
- (2) Households occupying some area inside the Second Development Area (Area 2-2 East) on the day of COD by doing income generation activities or holding structures though living outside the Initial Development Area.
- (3) Households whose land is under the official land acquisition procedure.

Actually, three official notices were issued as follows: (i) banning of rice farming activities inside the Thilawa SEZ development area in August 2012, (ii) termination of supply of irrigation water or summer cropping in December 2012, and (iii) eviction from the Thilawa SEZ development area in January 2013. In accordance with or due to these notices, some households have already moved out from the area while some households remained and/or kept agriculture activities inside the area. YRG considers the necessity to assist these households already moved from the area due to the three official notices the same as household identified on COD from the view of fairness.

COD is normally the day that census begins according to World Bank Safeguard Policy OP 4.12. Based on this concept, COD for entire Thilawa SEZ development area (approximately 2,400 ha) was declared on 4 April 2013 which is the first day of the April Census. COD was announced formally by YRG through notice boards in public areas. The delineated area of Thilawa SEZ development has been also disseminated to public in order to avoid influx of population into the area. Those persons who are occupying the area after COD are not eligible for the assistance. However, various households/peoples encroached into the 2000ha Development Area after COD and some of them were difficult to be distinguished from the eligible households. In addition, some households surveyed at the April Census constructed new structures or divided a paddy field into a few small portions. Under these circumstances, confirmation of eligibility was exercised from March 2015 to September 2015: (i) by disclosing the lists of eligible households which were prepared based on the DMS results to hear opinions from public, and (ii) by holding a series of

¹⁷ Article 80 (b) stipulates that "the developer or the investors shall, to relocate the persons so as not to lower their original standard of living, to fulfill the fundamental needs and for facilitating such works, coordinate and carry out with the relevant Management Committee as may be necessary"

village meetings (inquiry sessions) among concerned households, TSMC, village authorities and a civil society group from each village.

As a result of the above exercises, eligible households/peoples were confirmed on the ground as described in Table 3-1.

5.2 Principle of Compensation and Assistance Package

5.2.1 Land Compensation

Since Area 2-2 East is the area where land acquisition procedure was not conducted in 1997, there are some more eligible households that were not included in the DMS, namely entitled households who are recorded in the SLRD’s list, do not live in the land plot and could not be identified on the ground. These entitled households will be separately examined by YRG/Southern District through the official land acquisition process etc. and entitled to the compensation and/or assistance package based on the entitlement matrix in the RWP.

5.2.2 Contents of Assistance Package

Physical and economic displacement may bring life-change to PAPs to some extent, and such changes need to restore at least to the pre-displacement level. In order to achieve this objective, physical and economic displacement will be supported by a combination of: i) assistance for loss of assets, income sources (livelihoods) and relocation, ii) assistance for vulnerable groups, and iii) special arrangement (arrangement of resettlement site and income restoration program (IRP) for applicable PAHs/PAPs) as shown in Figure 5-1.

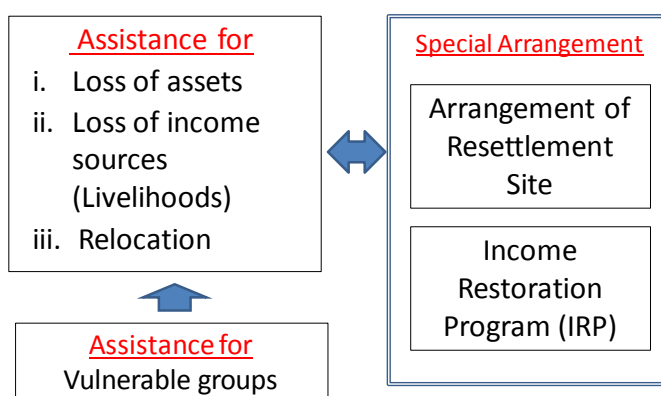


Figure 5-1 Overall Framework of Compensation and/or Assistance Package

(1) Assistance for loss of assets, income sources (livelihoods), and relocation:

- Loss of land is compensated as per the Land Acquisition Act of 1894 at full replacement cost (land compensation for households whose entitlement was confirmed by YRG)

- Loss of house is assisted by providing a substitute house at the resettlement site. If the floor area of a substitute house at the resettlement site is smaller than a currently living house, the difference is assisted by providing the current market price of materials for the different floor area. Assurances for losses of another fixed asset (livestock barn), movable assets for large livestock (buffalo and cow) and agriculture machines¹⁸ are also provided. As for standing crops, if the crops are affected by the project implementation, loss of these crops is compensated.
- Loss of means of livelihood is assisted for land-based or non land-based income sources with an adequate monetary approach for improving or restoring livelihood to at least pre-project level. As for land-based income source, assistance of a yield by referring national regulations and international practices is provided. As for non land-based income source, sufficient allowance of wage for the period of disrupting income generation activity due to relocation is provided.
- In addition to assistance for loss of assets and income sources, monetary assistance for moving, commuting and cooperation for relocation is provided to enhance smooth relocation and to support commuting after relocation.

(2) Assistance for vulnerable groups

- Assistance for vulnerable groups is provided since relocation affects vulnerable groups more severely than those that are better off. As mentioned in Section 3.5, the project defines a household headed by woman, disabled person or elderly (over 61 years old), a household including a member of disabled person or a household below the poverty line as vulnerable groups by referring international practice.

(3) Special arrangement (arrangement of resettlement site and income restoration program (IRP))

- Resettlement site with a house and necessary infrastructure is provided near the project area in order to keep the similar living and social conditions, which will be decided as per consultation with applicable PAHs.
- Income restoration program (IRP) will be provided to enhance vocational opportunities of PAPs (See 5.2.3 and Chapter 7).

5.2.3 Contents of Income Restoration Program (IRP)

- i) IRP, which is in-kind assistance, is provided in order to restore and stabilize income source of PAPs. More details are described in Chapter 7.
- ii) Main income sources of some of PAPs derive from farming such as cultivation of paddy rice and cash crops. Most farmers, in particular, will lose the current earning source for

¹⁸ Article 80 (b) stipulates that "the developer or the investors shall, to relocate the persons so as not to lower their original standard of living, to fulfill the fundamental needs and for facilitating such works, coordinate and carry out with the relevant Management Committee as may be necessary"

relocation. IRP supports PAPs in necessary techniques to obtain new income earning activities and empowers people to find stable jobs through a series of vocational trainings, technical advice, and so on. IRP assists PAPs to especially have the job opportunities in/around Thilawa SEZ as skilled labor, and to be engaged in small scale business and factory.

- iii) IRP will be provided to the following PAPs.
 - a) Farmers who need to alter income earning activity from farming to another activity
 - b) Odd job worker and other off-farming worker who desire to alter job place
 - c) Unemployed people who desire to improve technical skill for finding job opportunity
 - d) PAPs who do not need to change the current income earning activities but desire to improve technical skill and income level

5.3 Entitlement Matrix

Entitlement matrix shows the following fields: i) application, ii) entitled person, iii) assistance policy, and iv) consideration for implementation issues, in accordance with the nature of loss to restore economic and social livelihood of PAPs.

The Entitlement Matrix of Area 2-2 East is presented in Table 5-1, which is developed based on the impact identified through DMS and the outcome of comparison between international practices and laws and regulations in Myanmar described in Chapter 4.

Table 5-1 Entitlement Matrix of Area 2-2 East

Category for Assistance	Application	Entitled Person	Assistance Policy	Consideration for Implementation
1. Assistance for Loss of Assets				
1-1. Fixed Assets				
(1) Land (Paddy, Garden)	Paddy or garden land inside Area 2-2 East	Households whose entitlement was confirmed by YRG	- Cash compensation at full replacement cost ¹	- Land compensation amount is calculated based on the land area recorded in SLRD and the market price and agreed with target households through consultations
(2) House	House at own garden land inside Area 2-2 East	Owners of the house upon submission of the sufficient evidence or confirmed their habitation through village meetings	- Cash compensation at full replacement cost	- Assistance amount is calculated based on the floor area and materials of a structure confirmed at DMS
	House at other than own garden land inside Area 2-2 East including house previously existed inside but demolished due to notices	Owners of the house upon submission of the sufficient evidence or confirmed their habitation through village meetings	- A substitute house with necessary infrastructure in a resettlement site, AND - Cash assistance to difference in floor area if it is smaller in a substitute house than a previously living house.	- Assistance amount for difference in floor area is calculated based on the difference in floor area and materials of a structure confirmed at DMS
(3) Hut	Structures defined as huts and confirmed by DMS inside Area 2-2 East	Owners of a hut	- Cash assistance two (2) times of the current market price	- Assistance amount is calculated based on the floor area and materials of a structure confirmed at DMS.
(4) Other Structure (e.g. Toilet, Barn)	Other structures confirmed by DMS inside Area 2-2 East	Owners of a structure	- Cash assistance two (2) times of the current market price in case of own garden land, OR in kind assistance at a resettlement site in case of other than own garden land	- Assistance amount is calculated based on the floor area and materials of a structure confirmed at DMS.

Category for Assistance	Application	Entitled Person	Assistance Policy	Consideration for Implementation
(5) Standing Rice/Vegetable/Trees	Rice/vegetable/trees grown inside Area 2-2 East which is affected by the project implementation	Those who cultivating rice/vegetable/trees inside Area 2-2 East	- Cash assistance per yield amount	- Assistance amount is calculated based on yield amount confirmed at site
1-2. Movable Assets				
(1) Livestock (cow/buffalo for agriculture or milk)	Livestock (cow/buffalo for agriculture or milk) farmed inside Area 2-2 East	Those who farming livestock (cow/buffalo for agriculture or milk) inside Area 2-2 East	- Cash assistance per animal	- Assistance amount is calculated based on the number and type of livestock confirmed at DMS
(2) Agriculture Machines or Other Assets	Agriculture machines or other assets which are not able to be used after relocation	Owners of agriculture machines or other assets	- Cash assistance per asset in the current market price	- Assistance amount is calculated based on the number and type of agriculture machines confirmed at DMS
2. Assistance for Loss of Income Sources/Livelihood (regardless of main or secondary income)				
2-1. Land-Based Income				
(1) Paddy Farmer	Income obtained from rice cultivated inside Area 2-2 East	Those who obtain income from cultivating rice inside Area 2-2 East	- Cash assistance for three (3) years of yield amount in total in the current market price for those who obtain income from cultivating rice at own paddy, OR for six (6) years of yield amount in total in the current market price for those who obtain income from cultivating rice at other than own paddy, AND - Participate in IRP	- Assistance amount is calculated based on yield amount recorded in SLRD or confirmed at DMS
(2) Vegetable/ Tree Farmer	Income obtained from vegetable and/or tree cultivated inside Area 2-2 East	Those who obtain income from cultivating vegetable and/or tree inside Area 2-2 East	- Cash assistance for three (3) years of yield amount and/or number of trees in total in the current market price for those who obtain income from vegetable and/or tree at own garden	- Assistance amount is calculated based on yield amount and/or number of trees confirmed at DMS

Category for Assistance	Application	Entitled Person	Assistance Policy	Consideration for Implementation
			land, OR for four (4) years of yield amount and/or number of trees in total in the current market price for those who obtain income from vegetable and/or tree at other than own garden land, AND - Participate in IRP	
(3) Livestock Farmer (cow and buffalo for milk)	Income obtained from livestock (cow and buffalo for milk) farmed inside Area 2-2 East	Those who obtain income from livestock (cow and buffalo for milk) farmed inside Area 2-2 East	- Cash assistance for three (3) years of income from cow and buffalo for milk, AND - Participate in IRP	- Assistance amount is calculated based on income from livestock confirmed at DMS
2-2. Non Land-Based Income				
(1) Contracted worker, daily worker, self-employed person (e.g. carpenter, taxi-driver)	Income obtained from non-working days as the duration for disrupting income-generation activities	Those who obtain salary and their working places remain unchanged by relocation	- Cash assistance equivalent to seven (7) working days of income from income generating activities, AND - Participate in IRP if interested	- Assistance amount is calculated based on income from income generating activities confirmed at DMS
(2) Owner of business	Income obtained from business owned inside Area 2-2 East	Those who run business inside Area 2-2 East	- Cash assistance equivalent to three (3) years of income from running business - Participate in IRP if interested	- Assistance amount is calculated based on income from income generating activities confirmed at DMS
3. Assistance for Relocation				
(1) Moving Cost	—	All households living inside Area 2-2 East	- One-time cash assistance of 200,000 Kyats (lump-sum) per household	- Assistance amount is calculated based on the market price survey on general expenditures for moving
(2) Commuting Assistance	—	All persons whose work place become farther due to relocation	- One-time cash assistance of 87,000 Kyats (lump-sum) per wage worker	- Assistance amount is calculated based on the number of wage workers

Category for Assistance	Application	Entitled Person	Assistance Policy	Consideration for Implementation
	—	All school students whose study place become farer due to relocation	- One-time cash assistance of 12,000 Kyats per month per school student	confirmed at DMS and the market price survey on commuting cost - Assistance amount is calculated based on the number of students confirmed at DMS, the market price survey on commuting cost and the timing of relocation.
(3) Cooperation Allowance	—	All households who cooperate on-time relocation	- One-time cash assistance of 100,000 Kyats (lump-sum) per household (for PAHs living in Area 2-2 East)	- Assistance amount is provided per household regardless of size of a household
4. Assistance for Vulnerable Groups				
Vulnerable Groups	A household headed by a woman, a household including a member of the disabled person or the elderly (61 years old and over), a household below poverty line of 2010 in Poverty Profile ² , or a household with a pregnant woman at the time of relocation are defined as vulnerable households	The following persons of vulnerable groups in Area 2-2 East: - Disabled person and one support person in a family (total two persons), - Elderly person and one support person in a family (total two persons), - Unemployed persons ³ in a woman-headed household, AND - Unemployed persons in a household below poverty line of 2010 in Poverty Profile	- One-time cash assistance of 40,000 Kyats (lump-sum) per person (equivalent to one big bag, about 50kg, of rice per person), AND - Participate in IRP	- 50 kg of rice is based on calculation at about 15 kg of rice per person for three (3) months

Category for Assistance	Application	Entitled Person	Assistance Policy	Consideration for Implementation
5. Special Arrangement				
(1) Arrangement of resettlement site	(see 1, Assistance for Loss of Assets (2) House)	(see 1, Assistance for Loss of Assets (2) House)	- To be arranged as part of assistance for loss of asset	- In kind assistance as a plot at resettlement site with necessary infrastructure
(2) Income Restoration Program (IRP)	Loosing or decreasing income due to relocation	Those who are entitled for assistance for loss of income sources (livelihood) and assistance for vulnerable groups	- To be arranged as part of assistance for loss of income sources (livelihood) and assistance for vulnerable groups	- In kind assistance

Note

- 1: For land and assets, replacement cost is generally defined as the cost which is sufficient to replace assets without considering depreciation, plus necessary transaction costs associated with asset replacement, such as the cost of any registration and transfer taxes. Specifically, for houses and other structures, replacement cost is the market cost of the materials to build a replacement structure with an area and quality similar to or better than those of the affected structure, or to repair a partially affected structure, plus the cost of transporting building materials to the construction site, plus the cost of any labor and contractors' fees, plus the cost of any registration and transfer taxes.
- 2: Poverty line was defined as 376,151 Kyats per adult equivalent per year in Poverty Profile in June 2011 prepared by UNDP, UNICEF, SIDA and Ministry of National Planning and Economic Development.
- 3: Unemployed persons are defined in this project as the persons at workable age but not employed.

5.4 Structure Classification

Structures are basically classified as a house or a hut. A house is defined as a living structure with an appropriate form such as pier, roof, floor, door and kitchen and possession of sufficient equipment in a structure for continuous living, while a hut is defined as *Lel Sank Tae* in Myanmar language which is used as a rest place during agricultural activities or placing livestock and agriculture equipment. The above definition was also confirmed through DMS and a village meeting for eligibility confirmation among concerned peoples.



Photo 5-1 Example of House and Hut

CHAPTER 6 RESETTLEMENT SITE PLAN

6.1 Applicable PAHs

PAHs satisfying the following criteria are applicable for relocation to the resettlement site.

- Households confirmed their habitation at the pasture land or others' land in Area 2-2 East

6.2 Location and Specification of Resettlement Sites

6.2.1 Process to Determine Resettlement Sites

In the past, PAHs' general preference for alternative resettlement sites were discussed by various PAHs in the past public consultation meetings, feedback workshops of the Framework and other occasional discussions. The location and specifications of the possible resettlement sites specifically for Area 2-2 were initially discussed in the public consultation meetings held on 3 April 2016 and in another public consultation meeting held on 10 December 2016 for Area 2-2 East. The discussion was followed up in the meetings on 19 December 2016 and 30 December 2016 for Area 2-2 East.

In the past consultation for the Framework and for the RWP for Area 2-1, among PAHs in the entire Thilawa SEZ area, there are overall 3 preferred options on the resettlement site(s): namely, 1) relocating to a place near their current residential area in the SEZ which is mostly observed in the PAHs living for a longer term as well as farmer PAHs cultivating within the SEZ area; 2) relocating to anywhere which is mainly observed in the PAHs living for a shorter term, and 3) some specific resettlement sites were identified and proposed by PAHs.

However, as for Area 2-2 East, the preference of PAHs to be resettled on early relocation was expressed during the visit of PAHs from Area 2-2 East and other areas to Thilawa SEZ on 11 November 2016 and some other occasions. At the time, PAHs from Area 2-2 East also expressed an interest in the resettlement site in Myaing Tharyar Ward. In the consultation meeting with PAHs to be resettled of Area 2-2 East on 30 December 2016, the resettlement site in Myaing Tharyar Ward was proposed by YRG, and it was preferred and accepted by PAHs of Area 2-2 East. However, it would take additional time to develop the resettlement site in Myaing Tharyar Ward for all the PAHs to be resettled of Area 2-2 East, the phased relocation including the temporal relocation option and specific timeline were also discussed and agreed by respective PAHs on 30 December 2016.

6.2.2 Planned Resettlement Sites

(1) Location

The planned resettlement site is located in Myaing Tharyar Ward, Kyauktan Township as indicated in Figure 6-1. The site belongs to Department of Urban and Housing Development (DUHD) of MOC. Currently, approximately 24 acres of land is available. Out of 24 acres, 3 acres were already developed for applicable PAHs of Zone A, and a part of the remaining area is planned to be

developed for the applicable PAHs of Area 2-1. The further remaining area will be developed as a resettlement site for applicable PAHs in Area 2-2 East and later for applicable PAHs of other Thilawa SEZ areas. The planned resettlement site is approximately 4.5 km away from houses of PAHs who live in Area 2-2 East.

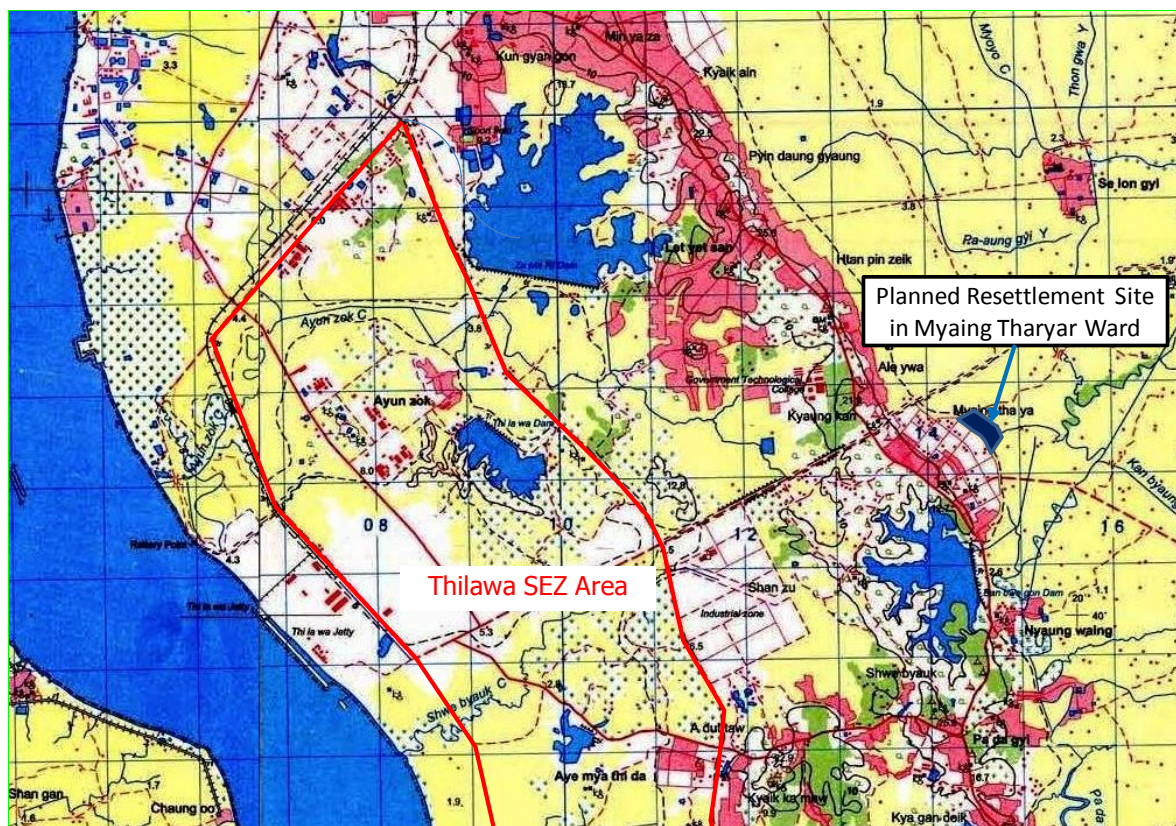


Figure 6-1 Location of the Planned Resettlement Site

(2) Facilities

In the planned resettlement site, necessary infrastructure such as roads, wells, electric-supply facilities and common open spaces are planned to be developed in addition to housing plots. Various social infrastructures (e.g. school, health center, administrative office, monastery, pagoda) are available mainly along the Thanlyin- Kyauktan Road as shown in Table 6-1. Additionally, a community center is under construction for Zone A PAHs, which will be also available for Area 2-1 PAHs and Area 2-2 East PAHs.

These existing social infrastructures are able to be used or will be expanded/ enhanced based on the number of the PAHs to be resettled in each relocation stage. Preliminarily, the availability of social infrastructure, especially education and health, was checked on 13 December 2016. Myaing Tharyar School mentioned that it has enough space/land but needs more classrooms for new students if Area 2-2 East PAHs are moving to the planned resettlement site and their children are coming to the

school. Arrangements for classrooms including the temporal arrangement will be discussed among the school and YRG based on information from TSMC regarding the exact number of the school age children of the PAHs to be resettled and going to that school. The Myaing Tharyar Rural Health Center explained that upgrading of the Rural Health Center to the Station Health Unit is decided by the government based on the number of the population of the coverage area. However even if Area 2-2 East PAHs move to the planned resettlement site, the population of the coverage area does not reach the population to upgrade the Rural Health Center to the Station Health Unit. Additionally, it was mentioned that Myaing Tharyar Ward is close to the center of Kyauktan Township and not very far from Thanlyin Township. The upgrade of the Rural Health Center will be considered based on the future population in this area.

Table 6-1 Existing Social Infrastructure near the Planned Resettlement Site

Sr.	Description	Location
1	Myaing Tharyar Rural Health Center	Thanlyin-Kyauktan Road
2	Kindergarten	Thanlyin-Kyauktan Road
3	Middle School (Branch High School)	Thanlyin-Kyauktan Road
4	Nyaung Wyne Primary School	Thanlyin-Kyauktan Road
5	Banbwe Kone Primary School No.1	Thanlyin-Kyauktan Road
6	Bant Bway Kone Primary School No.2	Myaing Tharyar (1) Ward
7	Shansu Primary School	Thanlyin-Kyauktan Road
8	Village Administration Office	Thanlyin-Kyauktan Road
9	Ah Lin Tan Library	Thanlyin-Kyauktan Road
10	Pyi Taw Aye Monastery	MyaingThar Ya 2 area
11	Zambu Aye Monastery	Myaing Thar Yar 1 area
12	Zamby U Shaung Monastery/ Monastic Educational School for Nun	Myaing Thar Yar 1 area
13	Kyeik Myat Kha Mon Pagoda	Thanlyin-Kyauktan Road
14	Pagoda	Thanlyin-Kyauktan Road

Location of the planned resettlement site and available/ accessible social service infrastructure is illustrated in Figure 6-2.

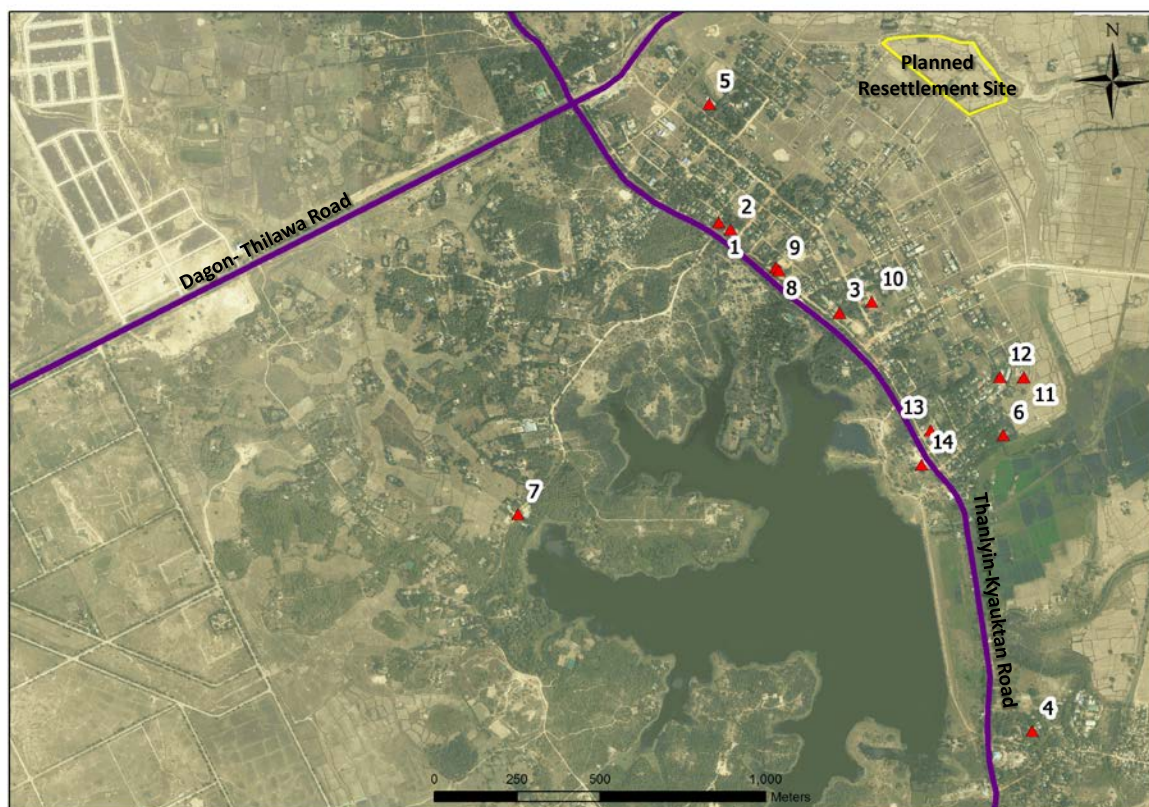


Figure 6-2 Location of Existing Social Infrastructure near the Planned Resettlement Site (as of February 2016)

6.3 Environmental and Social Considerations on Resettlement Site

The planned resettlement site is mainly open space or abandoned paddy, but will be altered to residential use. The environmental and social considerations on this resettlement site arrangement are summarized in Table 6-2.

Table 6-2 Major Environmental and Social Considerations on the Planned Resettlement Site

Items	Evaluation	Management and Mitigation Measures
1. Natural Environment		
Flora, Fauna and Biodiversity	As the resettlement site is mainly anthropogenically-influenced open space (previously used as paddy) or now used as paddy, impact on flora, fauna and biodiversity is considered as negligible. On the other hand, population's pressure would bring negative impact on natural resources surrounding the resettlement site by collecting activities	Guidance for proper use and management of the surrounding natural resources will be provided to PAPs.
2. Social Environment		
Involuntary Resettlement	The households currently occupying the area or doing income generating activities are necessary to relocate.	Appropriate assistant will be provided to those who need to be relocated according to international practices.

Items	Evaluation	Management and Mitigation Measures
Local Economy	Positive impacts during construction and after resettlement are anticipated by creating job opportunities in and around the resettlement site.	Job opportunities generated in and around the resettlement site will be allocated to PAPs and host communities preferentially according to their capability and interest.
Land Use	Open space and portions which are currently used as paddy and residence will be changed by the arrangement of the resettlement site.	Open spaces which can be used commonly by the PAPs will be secured at the resettlement site.
Conflict of interest within the region	There is a possibility to arise a conflict between relocated PAPs and host communities since their living styles and conditions etc. may be different.	Consultation meetings will be held with host communities to avoid any unnecessary conflicts and to facilitate harmonization and cooperation among them.
Consideration for women, children and vulnerable groups	Changes of commuting to work or school would be required after resettlement due to change of living places. There is a risk for vulnerable groups to face economic difficulty more than general PAPs.	Commuting allowance will be provided. In addition, arrangement of ferry bus services to the resettlement site will be considered. As for vulnerable groups, supplemental assistance will be provided.
3. Pollution		
Water Pollution	Impacts on surrounding water by construction activities are temporal and negligible as construction will be done mainly during dry seasons. On the other hand, generation of domestic wastewater is anticipated at some extent after resettlement.	Fly proof latrine will be installed at each house and regular desludging and hauling of septage will be requested to Kyauktan Township. The workshops on maintenance of wells and latrine to PAHs to be provided.
Noise and Vibration	Impacts on noise and vibration by construction activities are temporal and negligible as construction will be done daytime only. On the other hand, neighborhood noise issues are anticipated due to noise from home electronics such as TV after resettlement.	Guidance or awareness raising activities for adjusting PAP's attitude to the new life will be provided.
Solid Waste	Generated waste during construction is temporal and limited. On the other hand, generation of solid waste is anticipated from each household at some extent after resettlement.	Solid waste collection pits will be arranged at the resettlement site. Guidance for proper use and management of these pits will be provided to PAPs. In addition, regular collection service from the pits at the resettlement site will be requested to Kyauktan Township.

CHAPTER 7 INCOME RESTORATION PROGRAM

7.1 Approach of Income Restoration Program (IRP)

Income Restoration Program (IRP) is planned to restore and stabilize livelihood of displaced PAHs at least to pre-project level after relocation and resettlement as “in-kind assistance” taking advantage of economic activities being developed in and around the Thilawa SEZ area. The approach of IRP for Area 2-2 East is prepared based on international practices, the assistance policy of the Framework and lessons learned from Zone A precedence in this chapter, and will be further updated in consultation with PAHs and stakeholders. Since IRP includes a wide range of activities, such as household account management, vocational training, learning business rules at a company and community development at new living place, the details of each IRP program will be further examined and fine-tuned in consultation with PAHs as well as the stakeholders.

IRP is proposed to be composed of two main components: Component-1: as for all PAPs, support for restoration of economic conditions through a combination of activities for enhancement of income earning opportunities and household account management, Component-2: as for PAPs who are resettled to new place, support for adapting environmental and social living conditions through community development. Activities of Components-1 and -2 will be monitored and followed up to see the degree of livelihood restoration of PAPs, and their basic frameworks are shown in Figures 7-1 and 7-2, respectively.

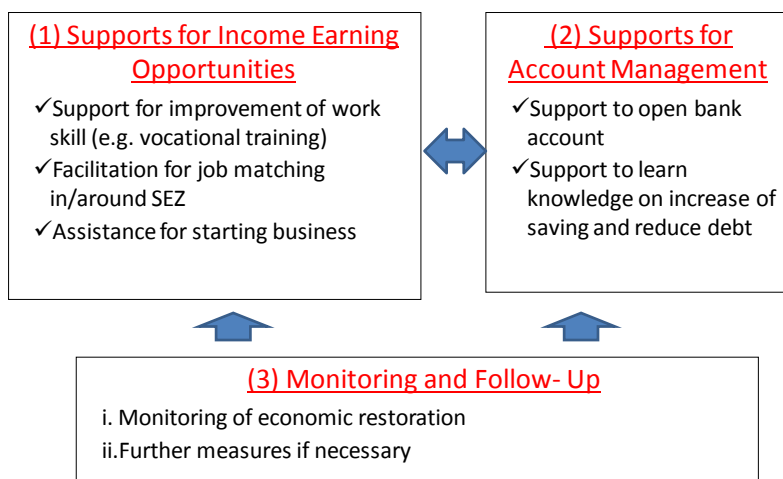


Figure 7-1 Basic Framework of Restoration of Economic Conditions (Component-1)

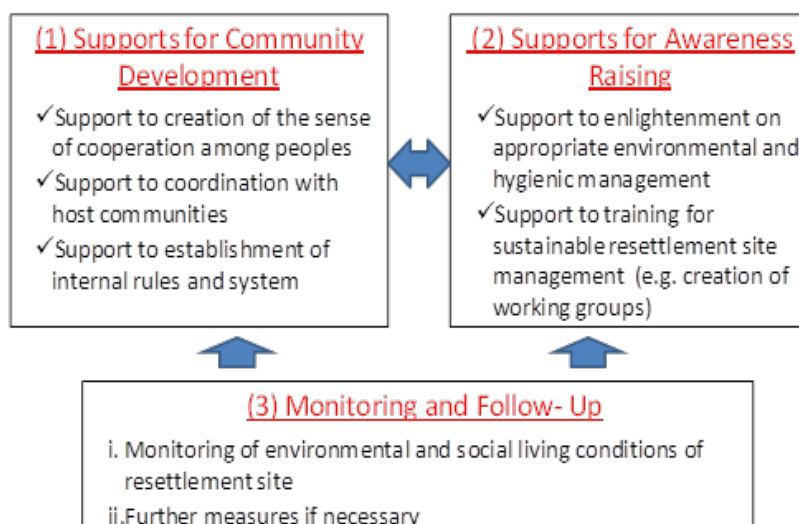


Figure 7-2 Basic Framework of Support for Adapting to Environmental and Social Living Conditions (Component-2)

7.2 Past and Planned Vocational Training under the IRP for Zone A

The following vocational training was/is to be provided for PAHs of Zone A in consultation with PAHs in addition to other IRP activities such as participatory workshops for IRP, household account management training, job matching support, site tour (factory visit) to Thilawa SEZ, micro finance program, infrastructure improvement, clean campaign (trash collecting campaign) of the resettlement site as summarized in Table 7-1. The similar vocational training options can be offered to the PAHs of Area 2-2 East after discussions with PAHs. Additionally, the other training opportunities can be tailored by incorporating PAHs' requests, analyzing existing sources of income, and current economic conditions, as well as identifying new opportunities.

Table 7-1 Summary of Past and Planned Vocational Training under the IRP for Zone A

No.	Contents	No. of Trainees	Status
1	Basis arithmetic training*	20	Provided between June and Aug 2015
2	Car driving training	6	Provided in Oct 2015
3	Tailoring technical training course	14	Provided in Oct 2015
4	Language skill training course (English)	1	Provided in Nov 2015
5	Computer skill training course	1	Provided in Nov 2015
6	Electricity installing training course	8	Provided in Nov 2015
7	Car repairing training	-	Planned
8	Cycle repairing training	-	Planned
9	Welding training	-	Planned
10	Dynamo repairing training	-	Planned
11	Printing training	-	Planned
12	TV repairing training	-	Planned
13	Security training*	7	Provided in Nov 2015
14	Mushroom plantation training	3	Provided in Feb 2016
-	Total	60	-

Note: *These trainings have been supported Myanmar Japan Thilawa Development Limited (MJTD) and FUJIWORK CO., LTD.



Photo 7-1 Needs Survey on Training



Photo 7-2 Tailoring Technical Training



Photo 7-3 Mushroom Plantation Training



Photo 7-4 Site Tour to Thilawa SEZ

Additionally, MJTD, the developer, also provides some training course and assistance such as the assistance in job accession, sewing training, English language class and others to local communities including the PAHs of Thilawa SEZ as its Corporate Social Responsibility (CSR) activities.

7.3 Outline of IRP

7.3.1 Target of IRP

IRP will be provided to the following PAPs to enhance their vocational opportunities:

- a) Farmers who need to alter income earning activity from farming to another activity
- b) Odd job worker and other off-farming worker who desire to alter job place
- c) Unemployment people who desire to improve technical skill for finding job opportunity
- d) PAPs who do not need to change the current income earning activities but desire to improve technical skill and income level

7.3.2 On-going and Proposed IRP Contents

The following contents and timeline are proposed for Area 2-2 East based on the lessons learned from Zone A in implementation and international practices. The IRP contents were generally introduced and discussed with PAHs/PAPs in the public consultation meetings held on 3 April 2016 and 10 December 2016, and will be further discussed with PAHs/PAPs in the other follow up consultations and to be updated.

(1) Component-1: Support for Restoration of Economic Conditions

(a) Supports for income earning opportunities

Supports for income earning opportunities are to include, i) series of technical support for improvement of work-skill, ii) facilitating job matching in and around the Thilawa SEZ area, and iii) assistance for starting business.

The activity of item i) series of technical support, will provide vocational trainings to PAPs in order to improve their skills for enhancing job opportunities. The following steps will be included in the support.

- ✓ Preparation of the menu of vocational trainings to PAPs: The possible vocational trainings will be screened by analyzing possible job opportunities in/near SEZ area and the qualification requirements (e.g. skills, age, academic qualification, transportation and others).
- ✓ Conducting a factory visit: The SEZ factory visit is being also arranged for PAP representatives and/or willing PAPs so that PAPs could understand the nature of available jobs clearly. It also aims to help understanding of PAPs who are less literate. The initial visit by representatives of PAPs from Area 2-2 East and other areas was conducted on 2 December 2016 so that they can familiarize themselves with expected jobs and work environment in the Thilawa SEZ easily. More details of the visit are described in Chapter 8.
- ✓ Preparation of a job booklet: Since there was a gap regarding the offered job openings and the jobs PAP preferred, the job booklet will be prepared for PAPs so that PAPs can understand for which kind of job the PAPs can apply immediately and can apply after improving their skills through a certain vocational training. The booklet will be produced based on job matching experiences during Zone A experiences and would cover examples of construction workers, health and safety personnel, cleaners, security guards, gardeners, electricians, manufacturing factory workers, and office workers).
- ✓ A series of IRP workshop/job counseling will be organized between PAHs and TSMC to understand the PAHs' preference, the job openings for PAHs or the general public the Developers and the locators (SEZ tenants) could offer, and the qualifications for job openings and select the actual vocational trainings to be provided.

- ✓ Since some ministries provide several types of vocational training, which could be utilized as part of IRP, cooperation with these concerned ministries will be taken into consideration.

As for item ii) facilitating job matching in and around the Thilawa SEZ area, PAPs are expected to find job opportunities in and around the Thilawa SEZ area through vocational training and assistance in job matching provided by MJTD and TSMC which are mentioned item i). Introducing a job vacancy which is suitable for the interest and capability of PAPs will be enhanced in cooperation with the developer and the locators and conducted through IRP workshops and job counseling between TSMC and PAPs. This includes cooperation and facilitation with Dept. of Labor under Ministry of Labor and Employment and relevant departments in townships.

In addition, assistance will be considered for those who wish to start their own business as part of the activity of item iii) assistance for starting small business including business plan preparation.

(b) Supports for account management

As for supports for household account management, two types of supports will be included in order to manage income and expenditure properly to avoid spending without proper plan: i) support to open a bank account not only to receive compensation and assistance money in safe but also to save money, avoid misuse and earn interest, and ii) support to learn knowledge on increase of saving and reduce of debt.

Although it is a common challenge of involuntary resettlement in the world, there is a tendency that PAHs misuse the compensation and assistance money in the initial stage since usually the compensation and/or assistance is provided at once before resettlement. In Zone A, the similar problem was found and many PAHs had the larger expenditure than the income for a while after relocation. Therefore, sometime between the compensation payment and relocation, household account management training will be provided so that PAHs will plan how to utilize compensation and assistance money in a longer term.

(2) Component-2: Support for Adapting to Environmental and Social Living Conditions

(a) Support for community development

After resettlement, as relatively densely populated conditions are expected at the resettlement site, a sense of community needs to be built and internal rules also need to be prepared in the new resettlement site for better environmental and social living conditions.

Since generally the PAPs have existing living standards and customs, harmonization with host communities (i.e. existing communities around/in the resettlement site) and PAHs to be resettled at the same resettlement site, is an important factor to develop social living conditions.

With respect to functions of community after its development, establishment of appropriate rules and system is necessary. To realize these important factors, the following supports will be offered; i) support to creation of the sense of cooperation with peoples from the host communities, and ii) support to coordination with host communities through having the meetings and discussions among the host communities around the resettlement site, the PAHs of Zone A and PAHs to be resettled from Area 2-2 East.

Social integration also needs to be facilitated at the resettlement site where the host community exists so that new comer PAHs are able to understand the existing social rules and system and adapt to them as early as possible. Therefore, necessary assistance to coordinate with the local leaders of the existing community will be provided to the PAHs so that the PAHs are get used to the rules and systems of the existing community as early as possible.

It is also expected social integration will be improved through benefit sharing such as promoting MJTD's CSR activities such as vocational training which is open to not only the PAHs but also the local communities.

(b) Support for awareness raising

Similarly, after resettlement, as relatively densely populated conditions are expected at the resettlement site, environmental and hygienic management will be required such as management of common wells, private toilets, garbage, and noise from neighbors' houses. For this, raising of awareness on their life style change from the rural lifestyle to the semi-urban lifestyle at the resettlement site becomes important to maintain the resettlement site in a sustained manner with community members. Therefore, i) supports for enlightenment on appropriate environmental and hygienic management is to be included as part of the supports for awareness raising. In addition, ii) support for training for sustainable resettlement site management are to be included, which include creation of working groups against each issue so that the peoples will be able to deal jointly with the issues.

(3) Monitoring and Follow-up

Progress and issues of both components, (namely restoration of economic conditions and adapting to environmental and social living conditions), will be monitored as part of internal and external monitoring (see Chapter 12). It is planned that internal monitoring will be conducted by the village administrator as a representative of Income Restoration Program Implementation Committee (IRPIC, see Chapter 9) monthly and the external monitoring will be conducted by the independent expert bi-annually. Based on the results of the monitoring, follow-up activities including further measures will be carried out if necessary.

7.3 Provisional Implementation Schedule of IRP

IRP is prepared through a series of participatory workshops in order to confirm and examine needs and capacity of PAPs and availability of training courses. A series of participatory workshops will be started once relocation schedule is particularly fixed, and registration and implementation of IRP will be started accordingly when IRP is finalized.

CHAPTER 8 PUBLIC PARTICIPATION AND INFORMATION DISCLOSURE

8.1 Approach of Public Participation and Information Disclosure

Public participation is an important activity to secure transparency of the procedures for preparing the RWP including IRPs by disseminating relevant information to public as well as PAHs/PAPs in timely manner. Effective public participation in planning of resettlement works helps to reflect PAPs' opinions concerning the impacts and benefits of the project into the RWP. It also enhances mutual understandings among peoples/organizations concerned on compensation and assistance package, timing of relocation, and contents of IRP.

In the course of development of the RWP, the following consultations were taken for securing meaningful public participation:

- (a) Held a series of consultation meetings at respective timings at the time of field survey (DMS) between May 2014 and October 2015.
- (b) Held a series of village level meetings at each village to enhance dialogue among peoples/organizations concerned on eligibility and assistance package after disclosing the eligibility list prepared from the DMS results between March 2015 and September 2015.
- (c) Held a series of village level workshop at each village to feedback the outcomes of the comments on the Framework between December 2015 and January 2016 including Area 2-2.
- (d) Holding public consultation meetings (PCMs) with PAPs and other stakeholders on 3 April 2016 on the draft RWP for Area 2-2.
- (e) Disclosure the draft RWP for Area 2-2 from 25 May 2016 for one month to receive comments from the public.
- (f) Holding 1 village level meeting in order to clarify the current entitlement of the land on 26 November 2016.
- (g) Visit by PAHs of Area 2-2 East and other areas to Thilawa SEZ on 2 December 2016
- (h) Holding a PCM with PAPs and other stakeholders on 10 December 2016 on the draft RWP for Area 2-2 East.
- (i) Additional DMS for newly identified PAHs such as new landowners was also conducted initially on 10 December 2016 and is continued in December 2016 for Area 2-2 East.
- (j) A follow up meeting was organized on 15 December 2016 with landowner PAHs
- (k) Disclosure of the draft RWP for Area 2-2 East from 23 December 2016 for 10 days to receive comments from the public and reflect them in this RWP.
- (l) Another follow up meeting was organized with PAHs of Area 2-2 East on 19 December 2016 regarding the RWP.

- (m) Another follow up meeting was organized with respective PAHs on resettlement on 30 December 2016.

8.2 Method of Public Consultation Meeting (PCM)

During the 1st PCM on 3 April 2016, the PCMs for Area 2-2 were held to explain the project brief, the expected scope of relocation, the proposed entitlement matrix on the compensation and assistance package, possible resettlement sites, and the planned schedule. Since the estimated number of the participants was relatively larger, meetings were planned to be held to PAHs in each village tract/ward. One meeting (session) for each village tract/ward, i.e. total two sessions, was held at MOC temporal office in Kyauktan Township on weekend to ensure the participation of the PAPs who are not available during weekdays. The venue was selected at around Thilawa SEZ area and the meeting room capacity of the building. Considering accessibility of the participants, ferry buses were arranged for transportation of the meetings. During the 2nd PCM on 10 December 2016, the PCM for Area 2-2 East was held to explain a brief plan and the boundary for Area 2-2 East, the contents of the resettlement work plan for Area 2-2 East and feedback to public comments on the previous draft RWP of Area 2-2 at the same venue as the 1st PCM.

PAHs of Area 2-2/Area 2-2 East, relevant governmental organizations, and anyone, including Civil Society Organizations (CSOs), who are interested, were invited by sending the invitation letters to each PAH identified by DMS or confirmation meetings and posting the notice on the PCMs at the village tract/ward offices, etc. The invitation letter on the meeting was delivered to each PAH and posted in each village tract/ward one week in advance.

The presentation and handout were prepared and explained in Myanmar language. The opinions from the participants were received in the question and answer session of the PCMs, and feedback forms were additionally provided to the participants so that the people who hesitate to speak out in public can share their views and comments. As the special arrangement for the vulnerable group, assistants were available to fill out the form in case the participant needs assistance in writing/reading and, female assistants were also available for the female participants who need any assistance.

Other consultation meetings such as follow up consultation meetings and village level meetings were also organized based on the needs of respective PAHs in line with the standard practice of PCM.

8.3 Results of PCMs

The two sessions of the 1st PCM for the Draft RWP for Area 2-2 and the one session of the 2nd PCM for the Draft RWP for Area 2-2 East were held on 3 April 2016 and 10 December 2016 respectively at MOC temporal office in Kyauktan Township (previous TSMC temporal office).

Additionally, to follow up the past PCMs, another consultation meeting was organized with PAHs on 19 December 2016 at MOC temporal office in Kyauktan Township in order to have any feedback from PAHs on the discussions in the previous PCMs and elaborate the discussions. The summary of the meetings are presented in Table 8-1, Table 8-2 and Table 8-3, and the record of meetings and the participants list are included in Annex-2.

Table 8-1 Summary of 1st Public Consultation Meeting for Draft RWP (Area 2-2)

Items	Contents
1. Date and Time	Date: 3 April, 2016 (Sunday) Time: 1st session 8:30-10:00, 2nd session 11:30-13:00
2. Venue	MOC temporal office in Kyauktan Township (previous TSMC temporal office)
3. Invitees	PAHs of Area 2-2 (1st session: PAHs in Shwe Pyauk Village Tract, 2nd session: PAHs in Aye Mya Thida Ward)
4. Participants	1st session: Approximately 60 persons, 2nd session: Approximately 99 persons
5. Main invitees/ participants from government/others	<ol style="list-style-type: none"> 1. Administrator, General Administration Department, Thanlyin Township 2. Administrator, General Administration Department, Kyauktan Township 3. Village Administrator, Shwe Pyauk Village Tract 4. Village Administrator, Aye Mya Thida Ward 5. 100 /10 household head (HH), Shwe Pyauk Village Tract 6. 100 /10 household head (HH), Aye Mya Thida Ward 7. Villagers from Shwe Pyauk Village Tract 8. Villagers from Aye Mya Thida Ward 9. Other organizations and individuals who are interested in the meetings
6. Main Agenda	<ol style="list-style-type: none"> 1. Background and RWP activities 2. Area of 162 ha Second Development Area (Area 2-2) 3. Eligible households for Area 2-2 4. Proposed compensation and assistance package 5. Planned implementation organization 6. Planned grievance redress mechanism 7. Possible resettlement sites 8. Further steps 9. Q & A
7. Major opinions and comments from participants and responses	<p><u>1st session</u></p> <p>Q-1: PAHs in Area 2-2 only should be invited to the meetings. A-1: PAHs in Area 2-2 were invited, but if the interested persons come to the meetings, we are accepting their participation.</p> <p>Q-2-4: Please re-check my eligibility. A-2-4: It will be confirmed again.</p> <p><u>2nd session</u></p> <p>Q-1: I would like to know compensation and assistance amount and resettlement site. A-1: We would like to explain resettlement issues step by step in accordance with international practices. All relating activities will be also done step by step.</p> <p>Q-2: I would like to clarify the difference between two notices (31 January 2013 and 30 June 2014). A-2: The former notice was to evict the people, but the latter notice was for</p>

Items	Contents
	<p>official land acquisition procedures.</p> <p>Q-3: I would like to know situation of my eligibility which I requested to re-check.</p> <p>A-3: Eligibility was confirmed through village meetings (inquiry sessions). But if you still inquiry, you can send a letter to TSMC.</p> <p>Q-4: I would like to know how Land Acquisition Act 1894 was applied.</p> <p>A-4: Land Acquisition Act 1894 is still active and land acquisition activities should be done under this act.</p> <p>Q-5: Shall I repair the structure for the coming rainy season?</p> <p>A-5: Yes, you can repair it.</p>



Photo 8-1 Photos of 1st PCM on 3 April 2016

During the consultation meetings, feedback forms were distributed to the participants to receive frank comments and opinions from them. The major comments and opinions written in the collected feedback forms (total seven feedback forms were collected) are as follows:

- Please invite and meet the PAHs who have eligibility to the target area (Area 2-2) only for further public consultation meetings.
- Please check my eligibility again with my neighbors.
- Although I have farmlands, I want to have compensation and move to the resettlement site as soon as possible. My neighbors also want to move to the relocation site.
- Please start resettlement works and give us compensation as soon as possible so that we will start our family business earlier.
- I would like to know the location and area of the resettlement site, and amount of compensation.
- Since my farmland was acquired in 1997 and I have had a hard time making a living, please provide compensation.

Table 8-2 Summary of 2nd Public Consultation Meeting for Draft RWP (Area 2-2 East)

Items	Contents
1. Date and Time	Date: 10 December, 2016 (Saturday) Time: 10:55-12:45
2. Venue	MOC temporal office in Kyauktan Township (previous TSMC temporal office)
3. Invitees	PAHs of Area 2-2 East
4. Participants	119 persons
5. Main invitees/ participants from government/others	<ol style="list-style-type: none"> 1. Minister for Electricity, Industry, Road & Transportation, Communication, YRG 2. Deputy Director, General Administration Department, YRG 3. Deputy Commissioner, Southern District 4. Administrator, General Administration Department, Kyauktan Township 5. Other organizations and individuals who are interested in the meetings 5. Witness: Capacity Building Initiative (CBI) and Local Resource Center (LRC)
6. Main Agenda	<ol style="list-style-type: none"> 1. Background and RWP activities 2. Area of 108 ha Development Area (Area 2-2 East) 3. Eligible households for Area 2-2 East 4. Proposed compensation and assistance package for Area 2-2 East 5. Planned implementation organization for Area 2-2 East 6. Planned grievance redress mechanism for Area 2-2 East 7. Possible resettlement sites for Area 2-2 East 8. Feedback to Comments received during Disclosure 9. Further steps for Area 2-2 East 10. Q & A
7. Major opinions and comments from participants and responses	<p>Q-1: Please re-check my eligibility. A-1: It will be confirmed again.</p> <p>Q-2: Please re-check the living cowshed, which is not recorded as living cowshed. Q-3: Please count the Gum tree Q-4: Please provide fair compensation Q-5: Please follow up the compliant letters Q-6: Please provide compensation lawfully A-2-A-6: Noted Q-7: When PAH can be resettled? Q-8: When PAH can receive the compensation? Please provide the compensation as soon as possible. Q-9: I (one of the PAHs) requested to PAHs accept the calculations, which are made according to the data that YRG and related organizations surveyed. Q-10: Please provide compensation for both Area 2-1 and Area 2-2 East not later than the end of this month (December 2016). A-7-A-10: The Area 2-2 East PAHs will be informed of the amount of compensation and assistant that will be provided after the data is analyzed and the calculation is done. The compensation payment will be made through bank transfer.</p>



Photo 8-2 Photos of 2nd PCM on 10 December 2016

The major comments and opinions written in the collected feedback forms (total two feedback forms were collected) are as follows:

- I would like to advise to invite the Shwe Pyauk villagers who are being included in Zone B (Area 2-2 East), explain to them, negotiate with them, and then to implement [resettlement]. The compensation should be considered fairly and consistently for all Shwe Pyauk villagers.
- My family is poor and has disable persons. I have no place to move except the current living place. Although we were surveyed in the past, we are currently not listed as an eligible person. I would like to request the responsible persons to re-examine my case in front of witnesses who know my case.

Table 8-3 Summary of Follow-up Consultation Meeting for Draft RWP (Area 2-2 East)

Items	Contents
1. Date and Time	Date: 19 December, 2016 (Monday) Time: 13:00-14:30
2. Venue	MOC temporal office in Kyauktan Township (previous TSMC temporal office)
3. Invitees	PAHs of Area 2-2 East
4. Participants	98 participants
5. Main invitees/ participants from government/others	1. Deputy Director of YRG 2. Member of Parliament 3. Administrator, General Administration Department, Kyauktan Township 4. Other organizations and individuals who are interested in the meetings 5. Witness: CBI
6. Main Agenda	1. Why is RWP prepared? 2. Major Steps for RWP based on International Practice 3. Information Disclosure of Draft Area 2-2 East 4. Proposed Grievance Redress Mechanism for Area 2-2 East 5. Proposed Compensation & Assistance Package 6. Examination of Market Price/Replacement Costs 7. Sample agreement document 8. Planned Income Restoration Program 9. Proposed Resettlement Site for PAHs to be Resettled 10. House Construction Options & Schedule for PAHs to be Resettled

Items	Contents
	11. Question and Answer
7. Major opinions and comments from participants and responses	<p>Q-1: Deputy Director explained that it will take around one month to finalize the RWP of Area 2-2 East and he would like to know the opinions and wills of the PAPs as YRG may adjust the speed of finalizing/appraising the RWP. A-1: A representative of PAPs, a Former Administrator of Shwe Pyauk Village and PAPs together raised the voice that even one week is too long and they would like the RWP to be finalized within 5 days so that the implementation, including payment of compensation and assistance can start earlier.</p> <p>Q-2: A PAP asked the other PAPs whether they would like to choose official GRM or Community-Driven OGM which is being designed. A-2: Most PAPs answered that they preferred official GRM than the second one since they would like to communicate with the officers directly.</p> <p>Q-3: Township-level Committee explained that the relocation timing would be divided into two phases. First, about 40 PAHs who currently live in the Area 2-2 East can be prioritized and the plots will be given to each PAH after first batch of the relocation site is prepared. Then PAHs who are entitled to receive a plot but not currently live in Area 2-2 East will be relocated in several batches in accordance with the preparation of the resettlement site. A-3: A PAP responded on behalf of all PAPs who attended the meeting about the proposed procedures for resettlement sites. He said all PAPs agree to that option even though some of the PAPs who already moved out due to eviction notice in 2013 may need to wait a while despite their wishes to be relocated first. He also added that all the PAPs in Area 2-2 East is sincere and flexible, and cooperate to implement RWP smoothly.</p> <p>Q-4: A PAP (Shwe Pyauk former Administrator) said that he is a member of Peace and Development Network in Thilawa (PDNT, association of local people), and he said that PAH will collaborate with MJTD. Additionally, he requested to provide the compensation amount as soon as possible. A-4: YRG noted.</p> <p>Q-5: A PAP continued that the PAPs discussed each other and consulted with experts on the issue of house construction, and PAPs found out that it is very difficult to build a new house with 50 lakhs so they would like to request to increase house construction assistance amount from 50 lakhs to 60 lakhs. A-5: Deputy Director said that YRG understand the difficulty and does not want to act against the PAPs' honest request. Deputy Director said YRG agrees to increase the assistant amount for house construction to 60 lakhs.</p> <p>Q-6: A PAP (Shwe Pyauk) requested to prioritize the PAPs for employment if any job opportunities happened in the Thilawa SEZ or surrounding areas. A-6: Deputy Director said that PAPs will be considered as a priority in employment whenever job opportunities come.</p> <p>Q-7: A PAP explained he was a soldier and he retired due to the loss of two legs and one eye while in service. He heard that some PAPs who cut the</p>

Items	Contents
	<p>trees or harvest crops right before DMS are not getting compensation while others who did not cut/harvest are going to get it. Therefore, he would like to request the officers to review his cultivating areas again by using aerial photos and GPS data.</p> <p>A-7: Deputy Director replied that the officers will review his cultivating area again and will inform it after that.</p> <p>Q-8: A PAP (Former Shwe Pyauk Administrator) said that he represents all the PAPs and he explained about their plans for house construction which is hiring a contractor to construct the houses in order to finish the house construction at the same time. In addition, they will set up a monitoring group (villagers volunteer to participate in the group) to check the quality of house construction.</p> <p>A-8: YRG noted.</p> <p>Q-9: A PAP mentioned that he has one more issue to report to the officers about the ownership conflicts about 620-29/1 and 620-29/5. He explained that an old farmer had to move out and gave up her lands due to the land eviction notice in 1996/97 then after a few year later, the government allowed the farmers to cultivate again in that areas and many farmers came and registered at SLRD office till 2012/2013.</p> <p>A-9: Representative of Member of Parliament (MP) said that he knew about that land eviction and land acquisition issue in 1996/97 and at that time those areas are acquired by the Government in order to implement the economic zones but practically, it was postponed due to some constraints. Then, in 2013, Government planned to implement the SEZ by partnering with Japanese Government. Due to the longer time gap from 1996/97 to 2013, those kinds of issues have been raised like this and however, he said he and the officers will review the office records and will solve this issue in accordance with law and regulation.</p> <p>Then, MP and Township-level Committee said that the land compensation for those plots will be deposited at the bank until the rightful owner has been determined by the respective officers. They also added that they (old land owner and new land owners) are relatives.</p> <p>Q-10: A PAP requested to the officers to check the number of his gum trees which he has been cultivating since 2013 but not included in the DMS.</p> <p>A-10: Representative of MP said that the officers will check again with the survey team later.</p> <p>Q-11: A participant (Shwe Pyauk) said that he already reported the officers to review his eligibility and nobody has checked or surveyed to his house till now and he was not invited to the meeting.</p> <p>A-11: Township-level Committee replied that the survey team came around there to check and count the number of trees and crops and not for checking any eligibility. In addition, all of the necessary data and background for his case has been filed and they will inform him again regarding to his eligibility.</p>



Photo 8-3 Photo of Follow-up PCM on 19 December 2016

8.4 Results of Land Entitlement Confirmation Village Level Meeting

In order to clarify the current entitlement of the land within Area 2-2 East, the village level meeting was organized on 26 November 2016 by inviting the households as per the SLRD records and other concerned persons to confirm the latest land entitlement from all the concerned parties. The invitees were requested to bring the evidence which shows the land entitlement and explained the current status to the Township committee/the Southern District. It was also attended by the witness, LRC.

8.5 Results of Follow-up Village Level Meeting

In order to follow up the PCMs held on 10 December 2016, the village level meetings was organized on 15 December 2016 with landowners, and another meeting for PAHs to be resettled was organized on 30 December 2016. The summary of the village level meetings is presented in Tables 8-4 and 8-5, respectively.

Table 8-4 Summary of Village Level Meeting for Draft RWP (Area 2-2 East)

Items	Contents
1. Date and Time	Date: 15 December, 2016 (Thursday) Time: 9:30-10:30
2. Venue	MOC temporal office in Kyauktan Township (previous TSMC temporal office)
3. Invitees	Landowner PAHs of Area 2-2 East
4. Participants	4 Landowner PAHs of Area 2-2 East and 4 family members
5. Main invitees/ participants from government/others	1. Deputy Director of YRG 2. MP Representative, Township Representative 3. Township Level Committee: Second Township Administrator, Kyauktan GAD; Executive Officer, Township Development Committee; Township Officer, Immigration Department; Ward Administrator, AMTD Ward; Second Staff Officer, Agricultural Department; Staff Officer, DUHD. 4. Witness, LRC
6. Main Agenda	Additional explanation and discussion regarding the land unit price with landowner PAHs
7. Major opinions and comments	First of all, Deputy Director recalled to the last meeting on 10 December 2016 and explained briefly about the compensation and the assistance

Items	Contents
from participants and responses	<p>package of the RWP for Area 2-2 East. He continued that after YRG discussed with local landowners for several times, the unit price for farmland and garden land were fixed and confirmed by the Minister at 250 lakhs kyats per acre and 270 lakhs kyats per acre respectively for Area 2-1. Then he opened the floor for discussion.</p> <p>Second Session - Q&A Session</p> <p>Q1: Wife of a PAH requested to Deputy Director to measure their lands again because they are cultivating over 9 acres but it has only 3.82 acres in the SLRD list.</p> <p>A1: Deputy Director and Representative of MP replied that if they cultivated over 9 acres, they are entitled for the crops in their entire cultivating areas. But the land compensation will be made based on the SLRD list.</p> <p>Q2: Wife of a PAH asked when payment of compensation will be made.</p> <p>A2: Deputy Director replied that the compensation payment will be carried out as soon as possible based on their agreement.</p> <p>Q3: Representative of a PAH explained that the surveyors could not record the cultivating data in the DMS since all the farmlands were flooded due to the heavy rain at the time of DMS.</p> <p>A3: A representative of Township Level Committee explained that the surveyors only are able to record the data which they could investigate and/or witness the evidences of cultivating if they could not see those cultivated areas on the ground at the time of the survey.</p> <p>Q4: Wife of a PAH said that they have paid the tax for their lands and hence, they are entitled to get the crop compensation.</p> <p>A4: Deputy Director explained that for this project, the mixture of Myanmar Law and the internal rules and guidelines are applied to the RWP since this is the international project. That is why the crop compensation is only entitled to the cultivator not the land owners who do not cultivate.</p> <p>A PAH said that the farmlands cannot be left without cultivating due to the rules and regulation. For instance, if the farmer does not cultivate on his or her farmlands, then the officers can seize and sentence the farmer for not cultivating on it.</p> <p>Q5: A PAH said that they will sign [the agreement] after they discuss some other issues with YRG and requested to pay the compensation as soon as possible to the agreed PAHs.</p> <p>Separately, the number of gum trees owned by 2 PAHs was discussed between them in the meeting venue since there was an uncertainty.</p>



Photo 8-4 Photos of Village Level Meeting for Discussion with Land Owners

Table 8-5 Summary of Village Level Meeting for Draft RWP (Area 2-2 East)

Items	Contents
1. Date and Time	Date: 30 December, 2016 (Friday) Time: 10:30am – 11:15am
2. Venue	MOC temporal office in Kyauktan Township (previous TSMC temporal office)
3. Invitees	PAHs to be resettled of Area 2-2 East
4. Participants	78 PAHs of Area 2-2 East and 12 PAHs from other areas
5. Main invitees/ participants from government/others	1. Deputy Director of YRG 2. Township Level Committee: Second Township Administrator; Deputy Range Officer, Forest Department; Staff Officer, Immigration Department; Second Staff Officer, SLRD; Executive Director, Township Development Committee; Second Assistance Officer, Agriculture Department; and others. 3. Witness, CBI
6. Main Agenda	Additional explanation and discussion regarding resettlement including the resettlement site and timeline
7. Major opinions and comments from participants and responses	Deputy Director explained about (1) the location and layout plan of Mying Tharyar resettlement site; (2) who is going to construct the house; (3) the provisional resettlement schedule; and (4) provision of the additional moving assistance for temporal relocation/past relocation. Discussion and Q&A Session Q1: Deputy Director explained that PAH will be provided 3 lakh kyats per HH for moving assistance, i.e. temporal relocation assistance for PAHs living inside of Area 2-2 East and assistance for past relocation for PAHs used to live in Area 2-2 East but currently living outside. In case of the temporary relocation, PAHs will be provided 1 lakh kyats per month for 4 months until the resettlement site is ready as the rent assistance during the temporary resettlement. A1: PAHs noted. Q1: A PAH said that according to the Myanmar traditional way, people should move not later than 15 days from now which is the beginning of the month of Pyar Tho (Myanmar Calendar). After that 15 days, Myanmar

Items	Contents
	<p>people normally do not move their houses from here to there according to Myanmar people belief.</p> <p>A1: Deputy Director and Township Level Committee said they will try to proceed the process quickly. Township Level Committee said they will check and confirm their possession of affected assets and the compensation assistance amount with individual HH.</p> <p>PAH (former SP village administrator) said that he discussed with a contractor to construct the houses with same quality and similar design within 60 lakh kyats. He said he will explain to PAHs the detailed plan to construct the houses and the construction material usage. He added that he is just facilitating between PAHs and officers and explained that he does not get any benefit from this facilitation.</p> <p>Q: Township Level Committee asked PAHs whether they have any question or suggestion regarding construction at the resettlement site.</p> <p>A: All of the PAH claimed that they do not have any other suggestion and they said they agreed with all the resettlement procedure and assistance.</p>



Photo 8-5 Photos of Village Level Meeting for Discussion with PAHs to be Resettled

8.6 Results of Visit to Thilawa SEZ by PAHs from Area 2-2 East and Other Areas

It was mutually decided to organize the PAHs' visit to Thilawa SEZ so that they can understand types of possible jobs and working environment in Thilawa SEZ better. The visit consisted of a presentation of the development plan and future locators and factory visit.

Table 8-6 Summary of Visit to Thilawa SEZ

Items	Contents
1. Date and Time	Date: 2 December, 2016 (Friday) Time: 10:00-12:30
2. Venue	Thilawa SEZ
3. Invitees	Representatives of PAHs of Area 2-2 East and other areas
4. Participants	Committee Members of Peace and Development Network in Thilawa, MJTD representatives, TSMC representative, JICA Expert Teams
5. Main Agenda	To learn Thilawa SEZ development and visit to SEZ to see the locators

Items	Contents
7. Major opinions and comments from participants and responses	<p>A representative of MJTD gave the opening speech and explained about the phases which are being implemented in Thilawa SEZ. Moreover, she explained the type of industries that are operating in Thilawa SEZ and the infrastructure and facilities that are provided in Zone A. She also added explanation about the industries which will come and operate in year 2017.</p> <p>Q&A Session</p> <p>Q1: Par Da Gyi village representative requested to post the job vacancy information sheet in most of the public places and he explained that people usually do not come to MJTD office and they do not know about the job vacancy information.</p> <p>A1: MJTD answered that they are preparing to place information boards at the junctions to post the job vacancies from companies. Another representative of MJTD answered that job vacancies are also announced through the village administrative office and she said that she will note down the suggestion by Par Da Gyi village representative.</p> <p>Q2: Shwe Pyauk village representative said that this presentation should not be held only with village representatives but also with all the villagers. He said that if all of the villager can have a chance to listen to this kind of presentation and explanation, they can understand what is happening and which kind of industries have been operating in this Thilawa SEZ. Then he added that villagers will easily agree with the project implementation. He also said that Japanese investors think about the local people and try to contribute to the development of the local people. He also said that the development of Thilawa SEZ can give the better life to the local people.</p> <p>A2: A representative of TSMC explained that there is a one stop service center which can provide the services at once for people who need them by organizing 10 departments in an office. She also said that there are three banks in MJTD building. She further explained that as they provide one stop service to the investors, investors would like to come and invest in Thilawa SEZ. She added that government is getting the withholding tax from the investors as well and the tax will be used as the development of the country.</p> <p>Q3: An Ah Lwan Sut (ALS) village representative asked that how will the provision of assistance for ALS villagers be and he said that ALS villagers are willing to agree with the zone development.</p> <p>A3: A representative of MJTD answered that MJTD is helping PAPs for their need such as medical assistance, vocational training and scholarship for students who are outstanding in education.</p> <p>As a conclusion, Shwe Pyauk village former administrator said that there are three types of PAPs in Zone B. (1) PAPs who are the local land owner and willing to agree with the land compensation unit price, (2) PAPs who are business land owner and (3) PAPs who are local people and willing to demand more amount than the unit price. He said that PAPs who are local people and willing to demand more amount than unit price will come and agree, when payment has been made for the agreed land owners.</p> <p>After the meeting, all the participants of the meeting visited Dowa Sewage Treatment factory.</p>



Photo 8-6 Photos of Thilawa SEZ Visit

8.7 Disclosure of the Draft RWP

The Draft RWP for Area 2-2 was disclosed at several places in and around Area 2-2 from 25 May 2016 to 24 June 2016. Disclosure places for the Draft RWP are listed in Table 8-7. In addition, the Draft RWP both in English and Myanmar language was uploaded on the website of TSMC. The newspaper advertisement was also posted on 2 newspapers on 3 June 2016 to inform of the public disclosure and request for comments on the draft RWP for Area 2-2.

The Draft RWP for Area 2-2 East was disclosed at several places in and around Area 2-2 East from 23 December 2016 until 1 January 2017 for 10 days. Disclosure places for the Draft RWP for Area 2-2 East are listed in Table 8-7. The Draft RWP both in English and Myanmar language was also uploaded on the website of TSMC for public disclosure. The newspaper advertisement was also posted on 2 newspapers on 23 December 2016 to inform of the public disclosure and request for comments on the draft RWP for Area 2-2 East.

Table 8-7 Draft RWP Disclosure Places (Area 2-2 and Area 2-2 East)

<ol style="list-style-type: none"> 1. MOC temporal office in Kyauktan Township (previous TSMC temporal office) 2. Office of TSMC, Thilawa SEZ 3. Office of DUHD of MOC in Yangon 4. Administrative office of Southern District 5. Administrative office of Kyauktan Township 6. Administrative office of Thanlyin Township 7. Administrative office of Shwe Pyi Thar Yar Ward 8. Administrative office of Aye Mya Thida Ward 9. Administrative office of Shwe Pyauk Village Tract 10. Houses of Village/Ward Administrators, 100 households head of above Ward and Village (applicable for Area 2-2 East) 11. Ordination Hall (applicable for Area 2-2 East)

Public comments received with the comment form at the disclosure places or by e-mail either in Myanmar language and English.

8.8 Comments on the Draft RWP

Major comments received at the disclosure places or by e-mail during the information disclosure of the Draft RWP for Area 2-2/Area 2-2 East and responses to the comments are summarized in Table 8-8 and Table 8-9.

Comments on the Draft RWP for Area 2-2 was received from 1 NGO by e-mail and were summarized in Table 8-8. As for the Draft RWP for Area 2-2 East, comments were received from 19 persons at the disclosure places.

Table 8-8 Summary of Public Comments on the Draft RWP for Area 2-2 and Responses

No.	Summary of Public Comments	Responses
1	<p><u>[General Issues]</u> Regarding international best practice on resettlement issues, the RWP should specify what it is referencing exactly, and whether following these practices would include hiring specialists who are familiar with such practices.</p>	<p>The draft RWP has been prepared in line with JICA Guidelines for Environmental and Social Considerations which refer World Bank's safeguard policies including OP4.12 as a benchmark. The RWP has been prepared by YRG and TSMC with technical assistance from JICA experts who are familiar with safeguard policies and practices of JICA and other international financing agencies.</p>
2	<p><u>[General Issues]</u> The RWP must indicate how parties involved in various aspects of the resettlement process (e.g. those who will conduct trainings, set up microfinance, etc.) will be chosen to ensure objectivity, and other relevant details of their roles. PAP approval of these parties is important and it is recommended that the process for obtaining their approval be included in RWP.</p>	<p>As above, the draft RWP has been prepared by YRG and TSMC with technical assistance from JICA experts. RWP-related activities are also being undertaken under the auspice of YRG and TSMC while TSMC provide vocational training as part of the Income Restoration Program and additionally MJTD and several investors also do provide training as part of their CSR. There are</p>

No.	Summary of Public Comments	Responses
		also other activities such as microfinance that are being prepared/implemented by local monk which target the local community in Thilawa.
3	<p><u>[General Issues]</u> Overall, the level of detail around activities already conducted and future plans is lacking. While many actions and plans are mentioned throughout the RWP, they do not include details of what the plans entail. These details are critical to determining whether or not adequate action was taken, and whether responsibilities are being met for future actions.</p>	RWP text has been expanded to include more details and clarity. The responses in this table are some examples of additional explanations added to the draft RWP.
4	<p><u>[General Issues]</u> Although the RWP claims to incorporate lessons learned from Zone A, this RWP has consistently ignored a large number of comments and recommendations given by both ERI and the villagers in the comments for Area 2-1, as well as in the RWP for Zone A. There has also been no communication with the PAPs regarding the comments that they submitted, or the status of a revised RWP for Area 2-1. If the RWP really intends to follow its commitment to public participation and transparency, as outlined in Chapter 8.1, then the PAPs need to be invited to participate more fully.</p> <p>This concern is further amplified by Chapter 10, and the decision not to include the CD-OGM in the chapter on grievance redress mechanisms. This appears to reflect an unwillingness to engage with the villagers in good faith on a subject that has been discussed numerous times both internally and publicly.</p>	<p>For Area 2-1 RWP, a table summarizing comments and responses was added in Chapter 8. In addition, a number of consultations and discussion meetings were held at different levels to address PAHs' questions and concerns in the process of finalizing RWP as described in the same chapter.</p> <p>For Area 2-2 RWP, the same table has been added to the draft RWP for Area 2-2 East. The draft RWP East was disclosed after the 2nd round of PCM on 10 December, 2016 for additional comments and feedback. In addition, follow-up meetings on RWP were organized to provide additional explanation about RWP and procedures of its implementation. As was the case for PCM on 10 December, 2016, all PCMs for RWP were publicly announced in advance, and while individual invitation was sent to each PAH of the target area only, other interested persons were also welcome to attend the meeting as stated in the public notice.</p> <p>For issues related to CD-OGM, see responses No. 28 and No. 30.</p>
5	<p><u>[General Issues]</u> This RWP also ignores the recent announcement from the President's Office regarding the Central Review Committee on Confiscated Farmlands and Other Lands.</p>	Farmlands targeted in the draft RWP for Area 2-2 East was not confiscated in the past. The land acquisition is now being carried out in line with the JICA Guidelines as well as relevant Myanmar laws. The Presidential Notification is about addressing past land acquisition that was carried out improperly, and therefore, not relevant to ongoing land acquisition in Area 2-2 East.
6	<p><u>[Chapter 2: Relocation Scope]</u> Section 2.2 of the draft RWP here claims that "the measures to minimize relocation impacts have been taken into consideration as much as possible." In our last comment, we offered the recommendation that "the RWP should detail what mitigation measures and alternatives to current design were considered, pursuant to JICA resettlement procedures." This has not been done. We reiterate the need to include the required level of detail for explaining what alternatives were explored and why none of them were viable.</p>	Prior to the preparation of the Resettlement Framework for the 2000ha Development Area and individual RWP, a Strategic Environmental Assessment was carried out to explore different land use options for Thilawa SEZ development. Subsequently, the EIA for Industrial Area of Zone B assessed three alternatives (including zero option) were compared in order to assess several options regarding the shape of the industrial areas. The individual RWP builds on these prior studies which are separately published as a stand-alone report.

No.	Summary of Public Comments	Responses
7	<u>[Chapter 3: Socio-Economic Profile]</u> The RWP should include as annexes all documentation pertaining to the surveys, particularly documentation of participation from the villagers on those surveys, or a detailed explanation of why there was not participation. Further, the RWP should include details of any village meetings relating to the DMS.	The DMS was carried out as part of preparing the Resettlement Framework for the 2000ha Development Area, and records of meetings and workshops are included in the annexes of the Framework.
8	<u>[Chapter 3: Socio-Economic Profile]</u> In Tables 3-10 and 3-11, the options given appear to fail to account for hired farmworkers (odd job worker, wage worker, and self-employed may all fall under that category). This ignores a large group whose livelihoods will also be impacted by relocation and lack of replacement land. These interviews need to be updated to reflect accurate descriptions of the livelihoods of the PAPs.	In Area 2-2 East, hired farmworkers are being identified through village confirmation meetings. The assistance will be provided to these group based on the impacts (which depend on the nature of contract between landowners and farmworkers).
9	<u>[Chapter 4: Legal Framework]</u> In 4.3, while a summary is fine, the RWP should cite the specific sections of the JICA Guidelines for each point listed. In the World Bank summary, sections b), c), and d), the RWP needs to clarify how those are being addressed.	The summary is drawn from Appendix 1, Section 7 of the Guidelines. Meanwhile, additional explanations have been added about activities aimed at addressing b), c) and d) of WB policy summary are described in Chapters 2, 5 and 6.
10	<u>[Chapter 4: Legal Framework]</u> The RWP needs to clearly state what actions are being taken to fill the gaps. The RWP does not say what those measures are. This section does not provide any substantive information, thus it is impossible to ascertain whether the gaps are actually being filled. The RWP must fill in the gaps with more detailed explanations of the measures to fill the gaps.	Description of Table 4.2 was expanded and references to other chapters where more detailed description related to gap-filling activities were added.
11	<u>[Chapter 5: Compensation and Assistance Package]</u> There remain legitimate questions regarding whether the land claimed to have been acquired in 1997 was actually done legally and if the required compensation was paid. Due to the ongoing dispute over land ownership, confiscation, and compensation in 1997, the PAPs are entitled to have this Committee review their claims.	The land inside Area 2-2 is currently undergoing administrative acquiring procedures by YRG in accordance with the JICA Guidelines as well as relevant Myanmar laws. The RWP recognized all households living in Area 2-2 East at the time of COD and households who demolished their housing structure due to notice prior to COD as PAPs regardless of legal rights to land, and describes assistant policy for them in the Entitlement Matrix accordingly.
12	<u>[Chapter 5: Compensation and Assistance Package]</u> Section 5.2.1 needs to include further details about how it concluded that all of the entitled households “do not live in the land plot and could not be identified on the ground.”	The description was expanded in Chapter 8 to include more details of village-level confirmation processes that were taken to identify entitled households during the preparation of RWP.
13	<u>[Chapter 5: Compensation and Assistance Package]</u> Section 5.2.2, it is inaccurate to say that “physical and economic displacement may bring life-change to PAPs to some extent.” It is very clear that this resettlement will bring immense life changes to the PAPs. This language should be amended.	The sentence in section 5.2.2 was revised. While the resettlement will bring immense life change to many PAPs, it is also important to note that the degree of impact varies significantly (as some PAPs do not live in or near the project area and have source of income not dependent on land in project area.
14	<u>[Chapter 5: Compensation and Assistance Package]</u> The income-generating nature of a land-based livelihood is not replaceable in the same way as wage-earning livelihoods. If the RWP plans to follow international practice, then it needs to provide more than a yield. The PAP must be given either replacement land of equal value, or adequate training to a new livelihood. The monetary assistance for moving should	In addition to IRP, moving allowance and commuting assistance will be provided to support PAPs in transition. Also, landless farmers will receive more assistance compared with landowner farmers, taking into account greater difficulties they might face. Also, resettled PAPs

No.	Summary of Public Comments	Responses
	include sufficient transitional assistance for PAPs who are forced to switch livelihoods.	can maintain small garden in their housing plot in the resettlement site (e.g. With the support of IRP, a PAP in Zone A resettlement site is now growing mushroom in her plot).
15	<p><u>[Chapter 5: Compensation and Assistance Package]</u> JICA Guidelines, which instruct that measures to improve displaced persons' standard of living should include "supporting means for an alternative sustainable livelihood, and providing the expenses necessary for the relocation and re-establishment of communities at resettlement sites." The policies of the international financial institutions provide ample guidance on best practice for developing adequate livelihoods restoration programs. This support must reflect the reality of the time for this transition.</p>	<p>In case of Zone A, in addition to the compensation and assistance package described in the Entitlement Matrix, 3 acres of land behind the Zone A resettlement site will be open to Zone A PAHs as a community garden. Also, social welfare support financing amounting to 3 million kyats per household is provided in three trenches to each PAH to support the transition. Periodic monitoring indicates that differences between PAHs' income and expenditure are increasing on average and that the number of indebted PAHs is decreasing. As for Area 2-2 East, IRP activities such as vocational training, job counseling, and household account management will be provided before resettlement, and post resettlement livelihood of Area 2-2 East PAHs will be monitored, and if any unexpected impact is found, mitigatory measures will be provided in consultation with PAHs and stakeholders.</p>
16	<p><u>[Chapter 5: Compensation and Assistance Package]</u> The PAP must be given either replacement land of equal value, or adequate training to a new livelihood. [...] 5.2.3 Contents of Income Restoration Program (IRP) does not even discuss an attempt to find replacement land.</p> <p><u>[Chapter 7: Income Restoration Program]</u> The IRP, as with the RWPs for Zone A and for Area 2-1, fails to offer replacement land or offer opportunities to continue farming. Financial institutions are expected to verify that adequate replacement land is unavailable before agreeing to resettlement plans that turn farmers into wage laborers against their will; indeed, both the World Bank and the ADB require that "[t]he lack of adequate land must be demonstrated and documented." Many of the PAPs have expressed a desire to maintain their land-based livelihood. As such, the RWP is required to seek out replacement land, and if none is available, it must be documented in detail.</p>	<p>As for Area 2-2 East, replacement land was not requested by PAHs in the past PCMs, and most PAHs prefer cash compensation. Therefore, as you also suggested, for Area 2-2 East, adequate training to a new livelihood is proposed to PAHs. The vocational training is flexible to meet various needs of PAHs and will be tailored as per the PAH's preference, qualification and job market. It will be taken cared by TSMC and MJTD together.</p> <p>Moreover, YRG will determine the mode of land compensation in consultation with PAHs during the negotiation.</p> <p>In case that there is any PAH whose livelihood is going to be affected significantly due to non-availability of replacement land, special attention will be paid to such PAH and a remedy action will be taken together with close-monitoring.</p> <p>Meanwhile, the plot size of the resettlement site for Area 2-2 East PAHs is larger than that of Zone A, allowing PAHs to maintain backyard garden.</p>
17	<p>In the most recent Multi-Stakeholder Advisory Group (MSAG) meeting on March 17, 2016, U Kyaw Than from the TSMC said that the community's request to be relocated to locations near their current villages, rather than the Myaing Tharyar resettlement site, had been submitted to the Yangon Regional Government. Yet there is not mention of that in this RAP, and to our knowledge, there have been no updates given to the villagers.</p>	<p>In the case of Area 2-1, extensive discussions about resettlement site options were undertaken between YRG and PAHs to be relocated before and after the finalization of RWP for Area 2-1, including possibility of providing relocation site near PAH's current residence. These meetings specifically targeted to PAHs to be relocated, but witness (local NGO representative) attended the meeting to ensure the decision was not made in a coercive manner.</p> <p>Similar steps will be taken for Area 2-2 East</p>

No.	Summary of Public Comments	Responses
		PAHs, but at the time of preparation of this RWP, majority of PAHs to be relocated have a desire to move to the current resettlement site as soon as possible.
18	<p><u>[Chapter 6: Resettlement Site Plan]</u> The details of the accessibility and capacity of the existing facilities in the proposed relocation area needs to be articulated. The RAP states that “[t]hese existing social infrastructures are able to be used or will be expanded/enhanced if necessary.” There needs to be an indication that these existing infrastructures can handle all of the new PAHs before deciding whether to expand, because expansion would need to happen prior to relocation.</p>	PAHs to be relocated for Area 2-1 development agreed to move to the resettlement site at Myaing Tharyar on condition that the resettlement site is equipped with proper social infrastructure such as electricity and water, and YRG is committed to ensure that this condition is met. The resettlement site for Area 2-2 East PAHs will be designed in the same standard for Area 2-1 PAHs.
19	<p><u>[Chapter 6: Resettlement Site Plan]</u> In 6.3 Environmental and Social Considerations on Resettlement Site, as we stated in our last comment, “[w]e are also concerned about the suitability of using paddy fields for the relocation site in terms of water levels. Plans for the expansion of Myaing Tharyar must take into consideration that this area is prone to flooding and designed accordingly, including adequate water drainage systems.” Using paddy fields also removes land that could be used for farming. It also risks conflicts with existing communities who may be currently using the area as paddy fields. The evaluation determination of “negligible impact” needs to be amended to reflect its more serious nature.</p>	Initial Environmental Examination (IEE) was carried out to assess likely environmental impact associated with the development of the resettlement site.
20	<p><u>[Chapter 7: Income Restoration Program]</u> We welcome the additional information provided in 7.2 Past and Planned Vocational Training under the IRP for Zone A. However, it is not made clear what purpose this serves. If it is intended as the list of planned vocational training for Area 2-2, this needs to be stated clearly. And if it is intended to be for Area 2-2, the RWP needs to include details of why these vocations were chosen: are they particular skills that will help the PAPs get hired in or near the SEZ? Will they provide an income that is equal to or greater than the previous livelihood of the PAP, taking into account additional costs due to loss of subsistence farming and the loss of stability they had from a farming livelihood? Were the vocations proposed by the PAPs? If so, were all voices reflected and represented?</p> <p>While the job booklet notes that there were gaps in preference and availability, the RWP does not address how it will remedy that. If the booklet does indeed address this, then the RWP needs to make that clear.</p> <p>For jobs that require additional training, the IRP must take the time into account and provide transitional financial assistance through paid apprenticeships or paid trainings. The PAPs must be able to have an income while building these skills.</p> <p>The explanation for item ii) is very unclear. It appears to place the responsibility on the PAP, though the title of the action is facilitating job matching. There must be a designated person or team to facilitate this, and the RWP must include a clear description of what that facilitation will look like. We also suggest including assurances that PAPs will have guaranteed employment, or that parties involved in the SEZ are required to give preference to PAPs.</p>	<p>The text of Chapter 7 was elaborated to add more details and clarity.</p> <p>IRP activities for Area 2-1 are described in the draft RWP for Area 2-2/Area 2-2 East since the same or similar activities are available for Area 2-2/Area 2-2 East. Additional clarification was added as per your suggestion.</p> <p>These vocational training activities were identified based on the PAHs’ requests and consultation with PAHs.</p> <p>Often in the past, it was found that PAHs tend to wish to have a well paid high skill job at the modern work place, though majority of PAHs do not have such working experience yet. Therefore, the vocational training needs to be taken by PAHs step by step while building their working experiences at Thilawa SEZ. Since there would not be an easy and quick solution to fill the gap, PAHs need to understand and are highly encouraged to take a step by step career development. For Zone A, there are some successful PAHs who improved their skills gradually and have a better job. Such examples will be explained in the booklet as success stories so that PAHs can be encouraged more and can have their own clear target and picture of their new life with a new job.</p> <p>As you suggested, IRP activities were started for Area 2-2 East from early December 2016. The initial activity was Thilawa SEZ visit by representatives of PAHs including PAHs from</p>

No.	Summary of Public Comments	Responses
		Area 2-2 East and other areas. The visit help PAHs to understand what kind of jobs will be available at the Thilawa SEZ and how the possible work environment looks like. The visit can be repeated any time upon PAHs' request. Other activities will be started shortly such as workshops to tailor the vocational training courses, training on household account management and microfinancing, consultation and planning on the house construction in the resettlement site and others.
21	<p><u>[Chapter 7: Income Restoration Program]</u> While we welcome the supports for account management in subsection b), the RWP needs to acknowledge that this can only be applied fully if the PAPs are not in debt. Thus, the vocational training must be fully implemented by the time the PAPs account management support, so that they have a secure income with which to utilize these new management skills.</p>	Household account management skill is also helpful when PAHs are in debt as it helps PAHs to make a viable repayment plan based on their income and expenditure level.
22	<p><u>[Chapter 7: Income Restoration Program]</u> The lack of detail in 7.3 Provisional Implementation Schedule of IRP is particularly troubling, considering the challenges with the implementation in Zone A. This is discussed in more detail below in our comments to Chapter 11. We noted in our comment to the Zone A RWP, and raised again in our comment on Area 2-1, the need to ensure sufficient time for transition. This recommendation was ignored, and as a result, the majority of the PAPs in Zone A became, and many still are, in serious debt. We hope that the RWP will truly take lessons learned from Zone A and provide realistic transitional support.</p>	<p>As discussed above (No.15), the number of indebted PAHs is steadily decreasing. In addition, a legitimate question can be posed in terms of the alleged causal link between PAHs' debt and resettlement. PAHs who are in debt at the time of preparation of this RWP are, for example, household heads not participating in the household account management training and having other social problems such as an alcohol problem and gambling.</p> <p>For continuous supporting to such PAHs, job opportunities to family members and relatives as well as the household head will be provided.</p>
23	<p><u>[Chapter 7: Income Restoration Program]</u> As we said in the comment to Area 2-1, support for the community development in the IRP needs to also include the responsibilities of other parties. Basic infrastructures need to be put in place, such as water and waste management. While the PAPs may need training and support on how to ensure that these are maintained properly, building the infrastructure itself is not their responsibility. This should be fully in place and fully functional before relocation.</p>	As discussed above (No.18), for Area 2-1 and Area 2-2 East, the resettlement site will be equipped with proper social infrastructure such as electricity and water. Training and support for maintenance will also be provided as part of IRP.
24	<p><u>[Chapter 7: Income Restoration Program]</u> We repeat the need for a more clearly developed plan on how to harmonize with the host community.</p>	<p>To start with social integration, an introductory meeting will be arranged between the representative of PAHs and the representatives of host communities, and follow-up meetings will be facilitated to discuss the schedule of construction work, the schedule of resettlement and any community activities and rules.</p> <p>In principle, to avoid local conflict and misdistribution of the benefits from Thilawa SEZ, the concept of benefit sharing is very important. Therefore, assistance and training under CSR activities and job matching service will be also introduced to the host communities.</p> <p>Additionally, as one of preparatory works, the capacity of a school and a health center of the host community has been studied in</p>

No.	Summary of Public Comments	Responses
		mid-December 2016, and measures are being considered to fill the gap.
25	<p><u>[Chapter 8: Public Participation and Information Disclosure]</u> The RWP needs to give details of all of the consultations, meetings, workshops, etc. For example, how many consultations were in the series, and who were they with? What measures were taken to ensure people felt comfortable to come and to participate?</p> <p>We are pleased that the public consultation meetings included handouts, but these handouts must be accessible to minority language speakers and people with low literacy levels. We welcome the use of feedback forms, but emphasize that they need to be anonymous/confidential if desired, in order to ensure that the PAPs feel safe offering their honest feedback. We welcome the assistance for women in the feedback forms but the RWP does not indicate whether any other measures were taken to include women’s voices. The locations of the consultations should also be somewhere that the PAPs feel safe.</p>	<p>The description of Chapter 8 was expanded. Also, the additional documentations of the consultation meetings are provided in annexes of the RWP. Meanwhile, the details of some meetings that were held individually with PAHs or with specific groups of PAHs are not included as the discussion in these meetings contain private and personal information, including the amount of compensation and assistance that each PAH will receive, and therefore, not included in the RWP.</p>
26	<p><u>[Chapter 8: Public Participation and Information Disclosure]</u> We suggest including more access points for the disclosure of the draft RWP. We were informed that the villagers did not receive notice of the RWP for Area 2-2. These important documents should be made more available than just in the offices if the RWP truly desires public participation.</p>	<p>The RWP for Area 2-2 East was disclosed at 15 places including village administrative office and posted on the website as shown in Table 8-7. The disclosure was announced on two newspapers. The villagers were informed of the disclosure process at the 2nd PCM on 10 December 2016, but there was no request to have more access points (rather, there are demands to quickly finalize the RWP with shorter disclosure period).</p>
27	<p><u>[Chapter 9: Institutional Arrangement]</u> As stated in our comment to area 2-1, “While we are pleased that the Relocation Implementation Committee and Income Restoration Program Implementation Committee include representatives from the villages and from civil society, the RWP needs to articulate more clearly what role these parties will play, what influence they will have, and how all of the representatives are chosen. The role of the MSAG in relation to the implementation committees must be clarified as well.”</p>	<p>Main functions of RIC and IRPIC are to coordinate various governmental organizations as well as other stakeholders to implement relocation and IRP activities. Representative villagers, CSOs, and other concerned parties will be involved in RIC and IRPIC. In the course of implementation of RWP, the practical roles/functions of RIC and IRPIC will be adjusted/ refined in consultation with PAHs. The role of the MSAG was discussed in Chapter 9 of the RWP.</p>
28	<p><u>[Chapter 10: Grievance Redress Mechanism]</u> We are extremely concerned with the proposed “Formal Mechanism,” and the decision to delete any reference to the Community-Driven OGM (CD-OGM). As discussed numerous times, “the community in Thilawa is in the process of designing a community-driven operational-level grievance mechanism (CD-OGM) that they feel would best resolve the issues that they are already facing and are likely to face due to the operation of the SEZ. This mechanism has been discussed with stakeholders from TSMC, MJTD, JICA, and the Myanmar Centre for Responsible Business, both in private meetings and publicly.” For example, TSMC, MJTD, and JICA all sat together on a panel at the UN Forum on Business and Human Rights, where a villager from Thilawa spoke about the proposed CD-OGM. It is a regular agenda item in the MSAG meetings, with community representatives sharing their progress thus far.</p> <p>Thus the proposed design of the CD-OGM is common</p>	<p>The reference to the CD-OGM was added as a mechanism that is being designed for addressing issues that the community in Thilawa faces due to the operation of the SEZ.</p> <p>However, it is also worthwhile to recall the independent review of MSAG that raises a question about representativeness of the current community representatives in MSAG meetings. It may be necessary to review to what extent the demand for CD-OGM expressed by the community representatives and ERI in past MSAG meetings reflects the current and true desire of villagers in Thilawa. As for PAHs in Area 2-2 East and Peace and Development Network in Thilawa (PDNT) members, no such requests have been voiced from them.</p>

No.	Summary of Public Comments	Responses
	<p>knowledge to all involved stakeholders. ERI has even been asked very recently by to provide a training on the model to better understand it to stakeholders other than the villagers. Failing to acknowledge it in the RWP can easily be taken to mean that it is actively being disregarded. If this is indeed the case, then it reflects a lack of willingness to engage in good faith on the part of TSMC, JICA, and MJTD. If this is not the case, then the RWP must add back in reference to it, in order to avoid presenting inaccurate or misleading information. The RWP can acknowledge that at the time of writing, the CD-OGM was still being designed. There is perhaps a misunderstanding, and what the RWP refers to as the community mechanism is the Interim Mechanism. However, the Interim Mechanism is distinct from the Community-Drive OGM that has been discussed many times, and this distinction was clarified in great detail in the comments to Area 2-1. If there was a misunderstanding, the RWP should be revised to reflect that.</p>	<p>Additionally, in the public consultation meeting on 19 December 2016, PAHs of Area 2-2 East preferred the official Grievance Redress Mechanism (GRM) since they would like to communicate and negotiate with the officers directly.</p>
29	<p><u>[Chapter 10: Grievance Redress Mechanism]</u> The description of the formal mechanism in the RWP falls very short of best practice. For example, it is not based on engagement and dialogue and is not legitimate because it is directly at odds with what the villagers have clearly stated that they want. It is not predictable because the process is unclear. PAPs do not know who to go to for which complaint, the complaints get re-routed for reasons that are not spelled out, there is no timeline for responses, nor is there even a general scope of what remedies might be offered. It is not a source of continuous learning because this method of problem-solving has already been shown not to work.</p>	<p>The proposed GRM is designed primarily as a mechanism to address issues that PAHs face and will face in the implementation of the RWP, and as such, it has been designed to meet the expectations of PAHs. No concerns or suggestions regarding the current design of GRM were raised during the disclosure period of draft RWP for Area 2-2 East and at the 2nd PCM for draft RWP for Area 2-2 East.</p> <p>Also, the proposed method is not “shown not to work” as the comment claims. PAHs can freely lodge grievance to one of the contact points as they feel fit, and the fact that the number of grievance keeps decreasing indicates that the existing system is actually working.</p> <p>Additionally, in the public consultation meeting on 19 December 2016, PAHs of Area 2-2 East preferred the official GRM since they would like to communicate with the officers directly.</p>
30	<p><u>[Chapter 10: Grievance Redress Mechanism]</u> One of the main reasons that the villagers want to design the CD-OGM is because of their disappointment and frustration at the ineffectiveness of the existing problem-solving methods, and their subsequent lack of trust in them. They have repeatedly stated that they want a clear, predictable, transparent process, where responsibilities are defined and commitments are followed through on. The design as proposed does not enable any of that. It continues in an ad-hoc manner without sufficient organization or capacity, and results in passing along responsibilities and not actually resolving the grievance. Further, it disregards all of the efforts that the villagers have put in to date on designing the CD-OGM. This serves only to weaken the relationship with the community.</p>	<p>While the PAHs at the resettlement site for Zone A were frustrated in the beginning due to several difficulties they faced, the level of frustration was considerably lessened by now, which is evident from the steadily decreasing number of grievance.</p>
31	<p><u>[Chapter 11: Implementation Schedule]</u> We are pleased that the revised implementation schedule puts relocation after the implementation of the IRP. We are concerned, however, with two issues related to that. First, because it is noted as being subject to change, there is no guarantee that the PAPs will not be relocated before the</p>	<p>The IRP activities targeting PAHs of Area 2-2 East have already been started during the preparation this draft RWP. While the schedule is subject to change due to various reasons, including weather conditions, assistance will be</p>

No.	Summary of Public Comments	Responses
	<p>vocational training, as was the case in Zone A. Second, even if the implementation of the IRP does begin before relocation, the time planned in the tentative schedule is not sufficient for transitioning from a land-based livelihood to a wage-earning livelihood.</p>	<p>provided to PAHs to support transition from a land-based livelihood to a wage-earning livelihood on a continuous basis.</p>
32	<p><u>[Chapter 11: Implementation Schedule]</u> The consideration of the time needed for transition was discussed at length in our comment to the RWP for Zone A. “Best practice requires realistic consideration of the finances and time needed for resettlement, particularly when making the drastic transition from agriculture to a wage-based livelihood. This transition in particular takes much more time and effort, and must be analyzed in detail in any LRP in order to provide sufficient time for training and adequate transitional assistance during the period of adjustment.”</p> <p>The policies of the international financial institutions generally stress the importance of securing assistance prior to relocation, especially where livelihoods mitigation strategies will require “substantial upgrading of skills of displaced persons.” Preparatory measures such as compensation, replacement land, start-up inputs, training and credit, and transitional assistance should all be provided “as early as possible . . . [.]” More time needs to be given to prepare the PAPs before relocation, and that timeframe cannot be subject to change.</p>	<p>Considering the need for time needed for transition, IRP activities were started during the preparation of this RWP. The details of the IRP activities are now being fine-tuned based on the feedback from PAHs and the local community group and the schedule will be reviewed and updated in the pre-implementation stage and the implementation stages.</p>
33	<p><u>[Chapter 12: Monitoring and Evaluation]</u> One of the goals of 12.2 internal monitoring claims to be “[p]articipation of PAPs into preparation and implementation of RWP,” however, as discussed above, there has yet to be any response to comments provided by the PAPs to the RWP for Area 2-1.</p> <p>Monitoring during the relocation stage needs to include monitoring the progress of the implementation of the IRP and vocational training. This cannot be left until after the relocation.</p> <p>We are concerned about the language in section 12.3 (3) (a), and in Annex 3, Table 2, which states that external monitoring will only include interviews with PAPs “if necessary.” Feedback from the PAPs is important for identifying issues and addressing them before they get worse. This language needs to be removed and all monitoring needs to include interviews and feedback collection from the PAPs.</p>	<p>As discussed above (No.25), responses to comments are provided in the Area 2-1 RWP and feedback/responses to PAHs’ questions and concerns were provided in a number of discussions and meetings with PAHs. The same approach is being adopted in the preparation of Area 2-2 East RWP.</p> <p>The monitoring for IRP will be started prior to relocation as the IRP activities already began at the time of preparation of the RWP (as shown in No.31). Table 12-1 Outline of Internal and External Monitoring was modified accordingly.</p> <p>External monitoring will include the interview with respective PAHs who are willing to participate and contribute to the external monitoring activities, and thus the phrase “if necessary” in the text in section 12.3 (3) (a) was removed.</p>
34	<p><u>[Chapter 12: Monitoring and Evaluation]</u> More generally, as we discussed in the RWP comment to Area 2-1, “[f]or both internal and external monitoring, the RWP should clarify what the monitoring activities will be and how they will be conducted.”</p> <p>The RIC should not compile the internal and external report, as indicated in 12.4. The external reports should remain external and be reported separately both to the YRG and TSMC, as well as the public. Additionally, the external body chosen to conduct the external monitoring must be independent and demonstrated to be trusted by all parties. All of the monitoring reports should be publicly available, and the results of the reports should lead to actions to address</p>	<p>The monitoring plan and the method are explained from Section 12.1 to Section 12.4. As for the external monitoring, the sample TOR is attached in Annex of the RWP.</p> <p>The RIC will compile the internal monitoring report and the external monitoring report as one report to YRG and TSMC; however, it means the reports will be submitted together to YRG and TSMC and does not mean that RIC will make modifications of the contents or conclusions of the external monitoring report. The explanation in Chapter 12 was modified for clearer</p>

No.	Summary of Public Comments	Responses
	<p>issues raised.</p> <p>12.5 does not indicate who will be conducting the evaluation. This must be done by a trusted external party.</p>	<p>understanding.</p> <p>Section 12.5 mentions that the evaluation will be conducted externally by the independent expert such as the individual or firm/NGO.</p>

Table 8-9 Summary of Public Comments on the Draft RWP for Area 2-2 East and Responses

No.	Summary of Public Comments	Responses
1	<p>[General Issues]</p> <p>I appreciated and welcomed that Area 2-1 and Area 2-2 will be developed. (from 4 persons)</p> <p>I appreciated about the resettlement plans for PAPs, compensation and assistance amount. (from 1 person)</p> <p>I feel grateful for Thilawa SEZ development project in order to reduce environmental problems, to improve health, education, business and development for villagers. (from 1 person)</p>	<p>Comments are noted and your cooperation is highly appreciated.</p>
2	<p>[General Issues]</p> <p>The development of Thilawa SEZ (Area 2-2 East, Zone B) is good and I agreed about all those development plans (from 1 person) as well as the resettlement plan. (from 5 persons)</p>	<p>Comments are noted and your cooperation is highly appreciated.</p>
3	<p>[General Issues]</p> <p>I would like to know more information about the resettlement plans in order to make villagers understand. I would like villagers to know that there will be many opportunities because of Thilawa SEZ development project. (from 1 person)</p>	<p>Since the RWP and resettlement works are complex especially for Thilawa SEZ project area, the consultation meetings will continue during the pre-resettlement stage, the resettlement implementation stage, and the post-resettlement stage. For any inquiry on more information on the resettlement plan or resettlement-related questions, respective government organizations such as YRG or TSMC can be contacted by PAHs through the ward/village administrator or any other channel.</p>
4	<p>[General Issues]</p> <p>I would like to know more environmental conservation. (from 1 person)</p>	<p>If you are interested in the environmental conservation of Thilawa SEZ development project, it is suggested to check the Environmental Impact Assessment (EIA) of Thilawa SEZ development project. The respective EIA reports are available in the TSMC office and also on the official website of TSMC.</p> <p>http://www.myanmarthilawa.gov.mm/public-disclosure-final-environmental-impact-assessment-eia-report-and-scoping-report-thilawa</p> <p>For any inquiry on more information on environmental conservation of Thilawa SEZ, TSMC can be contacted by PAHs through the ward/village administrator or any other channel.</p>
5	<p>[General Issues]</p> <p>I suggest to proceed with the RWP without resulting any grievance to PAHs. (from 1 person)</p>	<p>Your suggestion is noted. The negative impact on PAHs will be minimized as much as possible. To minimize the negative impact on PAHs, the resettlement and social impacts will be monitored internally and externally as per the monitoring plan described in the RWP. Additionally, in case of any grievance, the official GRM will facilitate to solve the issue as early as possible.</p>

No.	Summary of Public Comments	Responses
6	<p><u>[General Issues]</u> I would like to advice to think the benefits of all the villagers as a priority. (from 1 person)</p>	Your advice is noted. The resettlement will be implemented in consultation with PAHs to secure fair opportunities and benefit to the villagers.
7	<p><u>[General Issues]</u> I would like to suggest that it is better the resettlement plans of Thilawa SEZ such as DMS and all activities of the project will perform under rules and regulations, and accurately. (from 1 person)</p>	Resettlement will be implemented in a systematic manner as per the principles and the plan in the RWP for the consistent implementation. Additionally, for the RWP for Area 2-2 East, the land acquisition and resettlement will be conducted as per the Land Acquisition Act of Myanmar as well as other international good practices.
8	<p><u>[General Issues]</u> Early implementation of Thilawa SEZ including compensation and relocation was suggested from 13 persons. Some specific comments are as follow:</p> <ul style="list-style-type: none"> - I suggest to proceed with relocation processes to be finished before rainy season starts. (from 1 person) - Job opportunities and the socio-economic activities will be improved and developed fast if the implementation of Zone B started as soon as possible. (from 1 person) - It is suggested to implement the initial development of Area 2-2 East (108 ha) which can bring benefits to the local community as soon as possible without paying attention to the small group who are against in the development of Thilawa SEZ Zone B. (from 1 person) - It has been 4 years that the notice letter to stop cultivating in the farms was received. It is suggested that to implement Thilawa SEZ Zone B as soon as possible by forwarding the national economic development. (from 1 person) - It is better if all the resettlement plans for PAPs are going to apply as soon as possible because in the later stage, PAPs might not have good job opportunities/ economic situation and the lands are also becoming unused which is not good for PAPs. (from 1 person) 	Your sincere request is well noted. YRG is prioritizing the RWP finalization to proceed land acquisition, resettlement and provision of the compensation and assistance to PAHs as early as possible. Your cooperation is highly appreciated.
9	<p><u>[Chapter 6: Resettlement Site Plan]</u></p> <ul style="list-style-type: none"> - In the RWP of Thilawa SEZ Zone B, I would like to suggest to provide the houses with better qualities of living standards and to prepare the resettlement site as soon as possible. (from 1 person) - As the Thilawa SEZ development goes, movable workers are settling (have settled right now) at Shwe Pyauk village and nearby. So, there may be crowded in schools, insufficient health care and increase in crimes. In order not to happen like this, it is suggested that it needs to take into consideration the education, health and well-governance for the villages near the Thilawa SEZ development area. (from 1 person) 	<p>Your suggestion is noted. Consultation with PAHs on planning for the resettlement site development and house construction has just started from December 2016. Currently, the planning works are ongoing, and the construction work will be started as soon as the plan is finalized.</p> <p>As for social infrastructures, there are existing social infrastructures are near the planned resettlement site such as schools, heal care center and government office. Necessary expansion/enhancement of these facilities will be discussed with concerned authorities taking into consideration the projected population in and around the planned resettlement site.</p>

No.	Summary of Public Comments	Responses
10	<p><u>[Chapter 7: Income Restoration Program]</u></p> <ul style="list-style-type: none"> - I suggest to prioritize the PAPs whenever the job opportunities come (from 3 persons) and to assist to restore the livelihood of PAPs (from 1 person). - Compensation is good enough; however, since local villagers only know about cultivation and farming, in the long term, it is better if the villagers have enough knowledge to fit in the job opportunities and they can earn money by themselves.(from 1 person) 	<p>Your suggestion is noted. YRG and TSMC assure PAPs will be prioritized for the job opportunities as discussed in the consultation meeting on 19 December 2016.</p> <p>From January 2017, activities for the job booklet preparation, SEZ tour, job counseling, job matching and vocational training will be started as a part of the Income Restoration Program.</p>
11	<p><u>[Chapter 10: Grievance Redress Mechanism]</u></p> <p>It was read that CD-OGM which can solve the difficulties and issues of local people resulting from the implementation of Thilawa SEZ Zone B was suggested to adopt officially in the RWP. Then all of the PAPs from the Area 2-2 East answered to the officer that they do not need any CD-OGM. If any issues or difficulties happen, PAPs would like to contact and report either to ward/village administrator, the elders of the community, members of PDNT or the PAPs will contact directly to YRG, TSMC or MJTD by themselves and also PAPs have the chance to do so. Hence, all of the PAPs preferred to have the formal GRM which is simple and can have simple discussions rather than CD-OGM which is complicated and difficult to understand for PAPs. (from 1 person)</p>	<p>The suggestion is noted. In principle, the Formal Mechanism including the Less Formal Mechanism proposed in Chapter 10 of this RWP will be adopted for any issues or difficulties in Area 2-2 East since the PAHs of Area 2-2 East prefer to discuss their requests and issues with government officers or concerned organizations directly according to their suggestions and comments. The CD-OGM which was considered as one of the future options during the RWP preparation period could be considered again as one of possible options in case the PAHs request for alternative mechanism.</p>

8.9 Disclosure of the Final RWP

The RWP was prepared by incorporating comments received during the disclosure period as well as during consultation meetings. The Final RWP will be disclosed at the same places where the Draft RWP was disclosed as shown in Table 8-7. In addition, the final RWP both in Myanmar and English language will be uploaded on the website of TSMC.

CHAPTER 9 INSTITUTIONAL ARRANGEMENT

9.1 Official Implementing Committees

Two committees, namely Relocation Implementation Committee (RIC) and Income Restoration Program Implementation Committee (IRPIC), have been established as the supporting organizations for implementing relocation/resettlement works including IRP activities of the entire Thilawa SEZ (2,400 ha) according to the decisions issued by YRG. These organizations will be also in-charge of actual resettlement works for Area 2-2 East.

In July 2016, YRG established Resettlement and Income Restoration Supervisory Committee (Steering Committee), as a supervising body to oversee the activities of the two committees mentioned above. This Steering Committee is expected to supervise and support those two committees. Figure 9.1 shows the structure of the Steering Committee, RIC and IRPIC.

While three committees in Figure 9-1 function for supporting implementation, Multi-Stakeholder Advisory Group (MSAG) was established for advising the resettlement works during the implementation of Zone A resettlement. Broader stakeholder engagement will assist in making progress of resettlement works and resolving some of the challenges, as well as providing lessons learned from Zone A to the implementation of resettlement for Area 2-2 East. In RIC, IRPIC and MSAG, representatives from villages who are selected among villagers are involved as members to reflect the public opinion into the resettlement process.

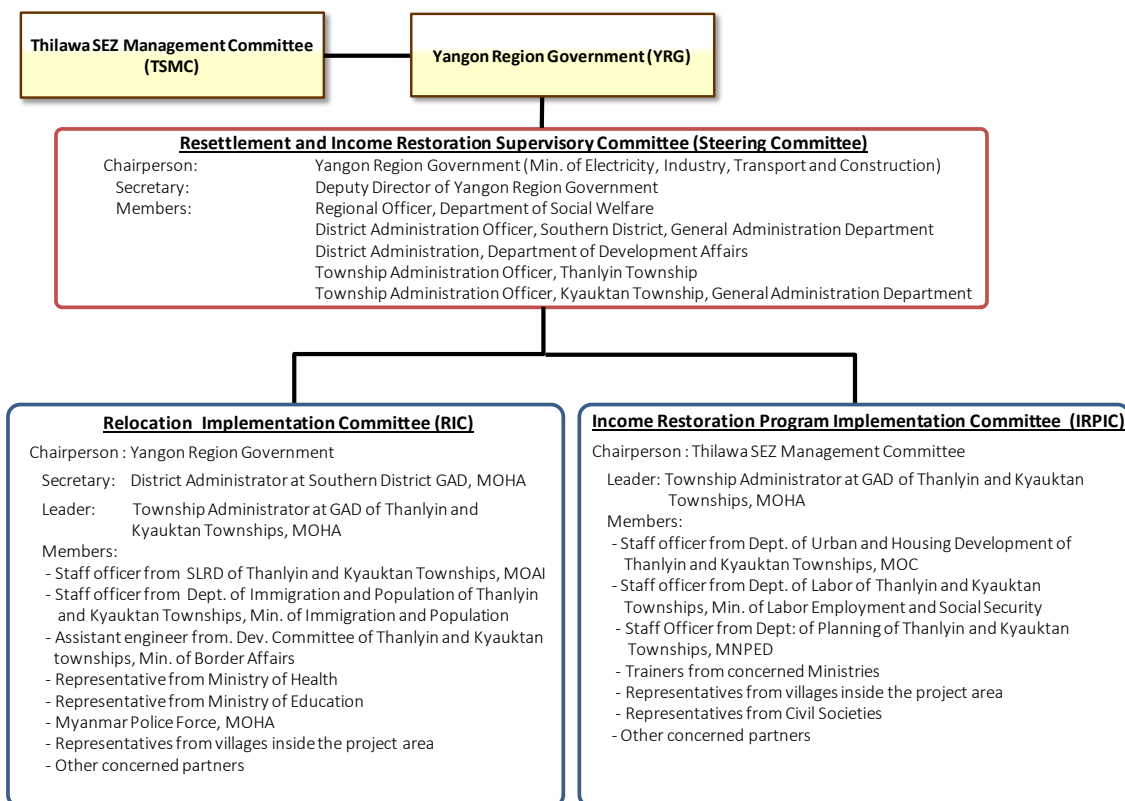


Figure 9-1 Structure of Implementing Resettlement Works for Area 2-2 East

9.2 Multi-Stakeholder Advisory Group (MASG)

During Zone A implementation, MSAG was established to advise on the implementation of the Thilawa SEZ Zone A development and to respond to the recommendations from external monitoring and evaluation conducted for Zone A resettlement works, civil society interests and concern about IRP. MSAG consists of representatives from TSMC, IRPIC, developer, PAPs, mediators, local and international NGOs such as Paung Ku and Earth Rights International, and Thilawa Social Development Group (a local residents' organization), and Myanmar Center for Responsible Business (a CSO) for ensuring effective and transparent dialogue. Four meetings have been held as of December 2016¹⁹, and the meeting minutes are posted on the website of Myanmar Centre for Responsible Business.

¹⁹ 15 May, 2 September, 15 December in 2015 and 17 March 2016. In addition, an informal meeting to prepare for the MSAG was held on 19 February 2015.

CHAPTER 10 GRIEVANCE REDRESS MECHANISM

Regarding Zone A, issues on RWP and IRP from PAPs, in practice, have been conveyed to TSMC or other relating organizations such as developers. These channels have been emerged not only during the resettlement works of Zone A but also public participation exercises of the preparation of the Framework because TSMC and developers have made the community level supports for PAPs as well as led the dialogs and meetings with PAPs. Taking into account these on-going practices on the ground, TSMC and other relating organizations could be the contact points for direct lodging of issues from PAPs who would like to convey their issues to them directly. These existing practices will be applied in the grievance redress mechanism of the RWP for Area 2-2 East as well. However, it has been discussed among stakeholders to establish additional contact points which PAPs can contact more easily in order to establish more effective grievance redress mechanism. In this regard, community representatives, who are selected by mutual vote of residents, will be also involved in the grievance redress mechanism as one of the contact points.

On the other hand, since village officers i.e. a village administrator, 100-household head and 10-household head are regarded as customary leaders in a community in Myanmar, generally they are the focal point between administrative side and PAPs. In a customary way, grievance from PAPs, especially formal/governmental issues on compensation and assistance package and relocation and assistance after relocation, is expected to be lodged to village officers first. If village officers are not able to manage the received issues, it will be forwarded to the upper administrative levels, i.e. townships or YRG including Southern District. Then, it will be forwarded up to the Union level or the district court step by step if it is not resolved. This grievance redress mechanism is regarded as “the Formal Mechanism”. The proposed grievance redress is shown in Figure 10-1.

Firstly, the issues can be received from the complainants (PAPs) by community representatives, TSMC, and/or other relating organizations in addition to village officers. These organizations attempt to resolve the issues at their levels as much as possible with assistance from concerned parties. If each contact point is not able to resolve the received issues, it will be forwarded to TSMC. If required, CSO support the complainants (PAPs) to raise the issues, while the religious leader advises to resolve the issues. The issues which are received by village offices are forwarded to TSMC or the Formal Mechanism according to its’ nature.

Secondly, TSMC coordinates with concerned parties to resolve the issues which are not able to be resolved by each contact point. Depending on the nature of the grievance, the issues are forwarded to the Formal Mechanism or the less formal grievance redress mechanism.

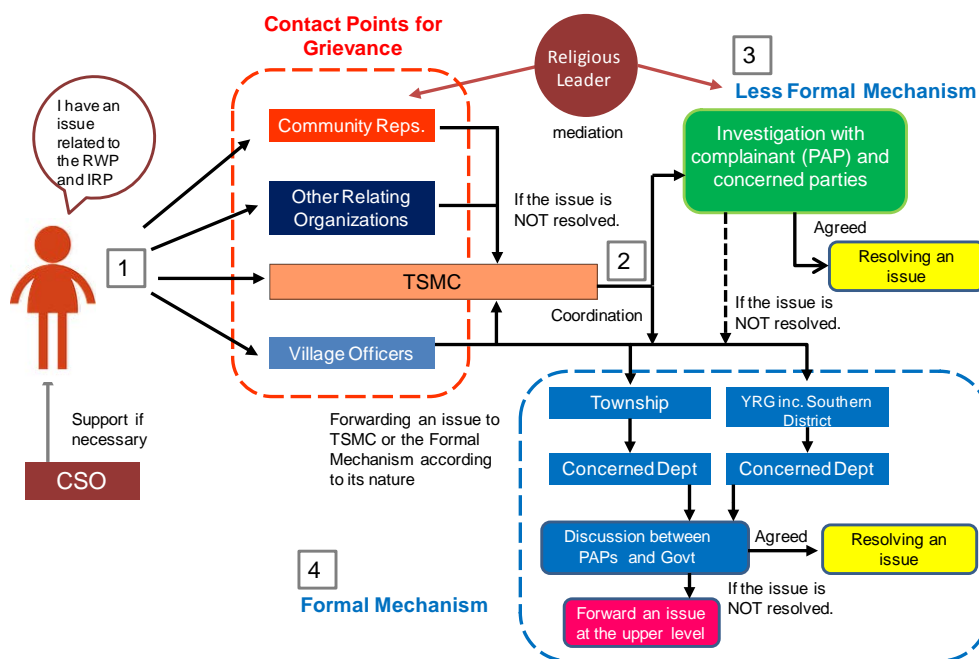


Figure 10-1 Proposed Grievance Redress Mechanism for Area 2-2 East

Thirdly, if the above issues are considered as “less formal” ones such as the social facility in the resettlement site or any other daily issues, they are investigated with the complainant (PAP) and concerned parties, and also the remedy/resolution is discussed and identified in the Less Formal Mechanism. Again, if required, the religious leader advises to resolve the issues.

Fourthly, if the above issues are not resolved in the Less Formal Mechanism or considered as “formal” ones, such as ones related to compensation and assistance package, as well as relocation and assistance after relocation, which need to be resolved by the respective government, such issues are forwarded to the Formal Mechanism. The results of the above grievance redress mechanism are reported to RIC/IRPIC for further actions and consideration, and also shared with the MSAG members for their effective dialogues.

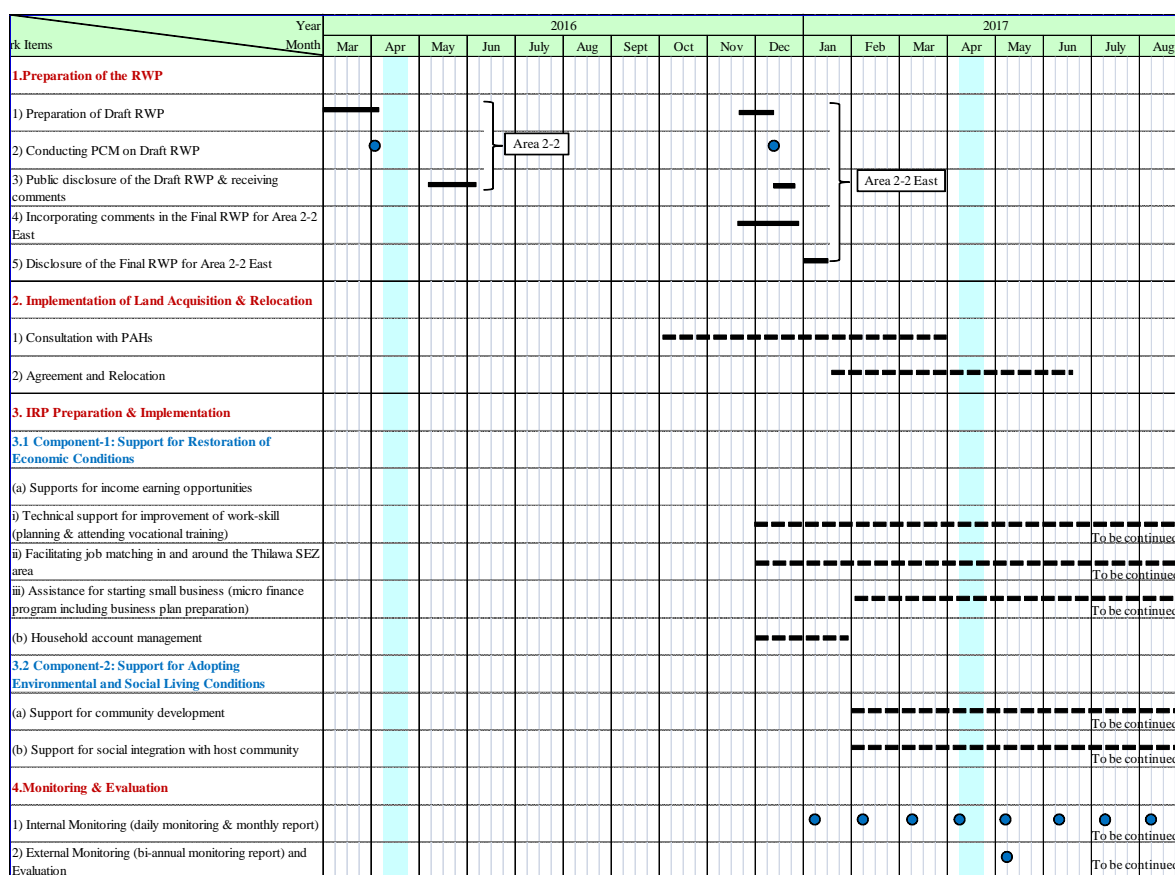
In addition to the above-mentioned mechanism, a Community-Driven Operational Grievance Mechanism (CD-OGM), which is being designed by some members of the community as a tool to address issues that the community is facing due to the operation of the SEZ, was considered as one of the future options. Although it was discussed in the past consultation meetings occasionally for Area 2-2 East, it was found that the PAHs prefer to discuss their requests and issues with government officers or other relating organizations directly according to their suggestions and comments received in the consultation meetings and the information disclosure of the draft RWP. Therefore, the Formal Mechanism including the Less Formal Mechanism will be adopted for Area 2-2 East as discussed above. As for the CD-OGM, it could be considered again as one of future

possible options in case the PAHs request for alternative mechanism, and once its clear idea is formed and the PAHs think it is operational and effective.²⁰

²⁰ EarthRights International (ERI) is working with the community to develop CD-OGM, and has held thirteen workshops to develop CD-OGM (as of March 2016, as per the discussion at MSAG meeting). Meanwhile, an independent review of MSAG raises a question about representativeness of the current community representatives in MSAG meetings who advocated the proposed CD-OGM. It may be necessary to assess to what extent the demand for CD-OGM expressed by the “community representatives” reflects the desire of the affected people before CD-OGM is rolled out.

CHAPTER 11 IMPLEMENTATION SCHEDULE

The resettlement works for Area 2-2 East mainly consist of conducting of PCMs and disclosure, finalization of RWP incorporating comments, continuous consultations with PAHs for agreement and award of assistances for loss of assets and income source/livelihood, arrangement of the resettlement site, actual relocation, preparation, registration and implementation of IRP, and monitoring and evaluation of the resettlement implementation activities after disclosure of Final RWP. The provisional implementation schedule of the resettlement works is shown in Figure 11-1. However, the sequence or schedule may be changed due to circumstances and accordingly will be adjusted for the resettlement works implementation.



Note: — — Expected implementation period but subject to change due to consultation with PAHs

Figure 11-1 Provisional Implementation Schedule of Resettlement Works (Area 2-2 East)

CHAPTER 12 MONITORING AND EVALUATION

12.1 Purpose and Outline of Monitoring and Evaluation

In general, monitoring aims at; (1) verifying whether project activities are being effectively implemented in terms of quantity, quality and timeliness and (2) assessing whether and how well these activities are achieving the stated goal and purpose of the project. Thus, effective monitoring will usually provide good opportunities and the necessary baseline data for problem/constraint identification, analysis and preparation of corrective measures during implementation of the work.

For resettlement implementation, monitoring also provides systematic information/data on resettlement activities and enables YRG, TSMC and other concerned parties to make daily decisions and corrective measures on resettlement activities.

According to the Draft Guidelines on Monitoring & Evaluation of Resettlement (21 April 2003, ADB), a 2 tier monitoring and evaluation system, internal monitoring by the project proponent and the external one by an independent agency is suggested for effective and transparent monitoring. Moreover, there are 2 types of the monitoring stages, such as monitoring before relocation (mostly the pre-construction stage) and monitoring after relocation (mostly during construction), so called post-resettlement monitoring.

Additionally, evaluation is also commonly conducted in addition to monitoring, and evaluation is more comprehensive analysis to assess effectiveness, analyze challenges and make recommendations by the independent expert based on the available monitoring reports and other additional information collected from the interviews, site visits and focus group discussions.

All the monitoring and evaluation activities are summarized in Table 12-1 and also elaborated in the following sections.

Table 12-1 Outline of Internal and External Monitoring

Stage	Monitoring	Major Objectives	Monitoring Item	Frequency	Implementation
During relocation (resettlement, IRP)	Internal	- Confirmation of progress and issue of relocation related activities	- Progress of payment of assistance amount - Progress of IRP activities started before relocation - Progress of relocation - Grievance raised by PAPs and other concerned parties	Every month up to completion of relocation and payment of assistance amount	RIC together with TSMC
	External	- Examination of procedure and effectiveness of RWP	- Contents and process of preparing RWP - Effectiveness of IRP activities started before relocation - Effectiveness of relocation - Effectiveness of grievance redress mechanism - Necessity of further measures	Twice a year	External monitoring experts (individual or firm/NGO)

Stage	Monitoring	Major Objectives	Monitoring Item	Frequency	Implementation
After relocation (resettlement, IRP)	Internal	- Confirmation of progress and issues of IRP and management of resettlement site	- Progress of IRP - Issues on management of resettlement site - Grievance raised by PAPs and other concerned parties	Every month up to completion of IRP	IRPIC together with TSMC
	External	- Examination of procedure and effectiveness of IRP	- Restoration of socio-economic condition of PAPs - Effectiveness of IRP - Effectiveness of grievance redress mechanism - Necessity of further measures	Twice a year	External monitoring experts (individual or firm/NGO)
Evaluation	External	- Examination of procedure and effectiveness of RWP including IRP	- Overall effectiveness of RWP and IRP - Any identified issues and emerging challenges - Lessons learned and recommendations	Once a year	External monitoring experts (individual or firm/NGO) If appropriate, it can be done together with the external monitoring.

12.2 Internal Monitoring

RIC in cooperation with YRG and TSMC serves as the internal monitoring body during the relocation phase. After the relocation phase, IRPIC is the main body of internal monitoring.

(1) Monitoring during the Relocation Phase

The objectives of the monitoring during the relocation phase are: i) to monitor whether assistance is provided in accordance with RWP, and ii) to examine unforeseeable issues on assistance package at the time of planning it. The principal items to be checked at internal monitoring include the following:

- Timely and complete disbursement of compensation & assistance amount to each PAH in accordance with agreed conditions between YRG and each PAH
- Timely development and allocation of the relocation site
- Participation of PAPs into preparation and implementation of RWP
- Information disclosure and consultation procedures
- Effectiveness of grievance mechanism and raised issues
- Unforeseeable issues or additional measures to be taken

RIC submits internal monitoring reports to YRG and TSMC during the relocation phase including the following:

- Status of disbursement of assistance amount to PAHs
- Status of relocation progress
- Issues raised at the grievance mechanism and measures taken

(2) Monitoring after the Relocation Phase

The objectives of the monitoring after the relocation phase are: i) to monitor progress of IRP, ii) to monitor settlement status after relocation, and iii) to examine further measures if necessary. The principal items to be checked by internal monitoring include the following:

- Effectiveness of grievance mechanism and raised issues
- Status of implementing IRP
- Issues for implementing IRP (i.e. implementation schedule, budget or personnel, personnel capacity, facilitation among relevant parties) and proposed remedial measures

IRPIC submits internal monitoring reports to YRG and TSMC after the relocation phase including the following:

- Course of IRP and number of participants
- Status/progress of IRP
- Settlement status at the resettlement site
- Issues raised at the grievance mechanism and measures taken

12.3 External Monitoring

(1) Objectives

The main objectives of external monitoring are to provide an independent periodic review and assessment of: (i) achievement of resettlement objectives; (ii) restoration of the economic and social base of PAPs; (iii) effectiveness and sustainability of entitlements; and (iv) the needs for further mitigation measures. These objectives will be achieved through the following activities:

- a) Review internal monitoring reports, existing baseline data and gather additional socio-economic information.
- b) Identify any discrepancy between assistance package agreed in the RWP and its actual implementation.
- c) Evaluate the effectiveness, impact and sustainability of resettlement activities, management and procedure.
- d) Provide recommendations in the implementation of the RWP and IRP to improve effectiveness.

(2) Scope of Works of External Monitoring Expert(s)

External monitoring expert(s) will address the following specific issues, while TORs for the external monitoring experts(s) are attached in Annex 3.

- a) Relocation procedure including payment as per the agreed in RWP
- b) Effectiveness and efficiency of grievance redress mechanism (documentation, process, resolution)

- c) Effectiveness, impact and sustainability of entitlements and IRP, and the need for further improvement and mitigation measures
- d) Procedure and quality of relocation site and housing
- e) Level of settlement at the relocation site
- f) Level of restoration/re-establishment of livelihoods and living standards
- g) Institutional capability, internal monitoring and reporting
- h) Any impacts caused during relocation activities
- i) Participation of PAPs to preparation and implementation of RWP

(3) External Monitoring Methodology

External monitoring will commence when relocation procedure starts. External monitoring expert(s) conduct monitoring and evaluation of implementing RWP based on desk review and field visits, meeting with relevant authorities and PAPs. The methods to be applied for external monitoring are outlined as follows:

- a) During the relocation phase: i) review of DMS documents including socio-economic survey for establishing a baseline for monitoring and evaluating project benefits, ii) review internal monitoring report to confirm progress and raised issues at document level, iii) interview with relevant authorities involved into implementation of relocation to confirm actual situation at the field level, and iv) interview with PAPs.
- b) After relocation phase: i) interview with PAPs to examine restoration/rehabilitation of their livelihood, ii) review internal monitoring report to confirm the progress of IRP at document level, and iii) interview with relevant entities involved into implementation of IRP to confirm actual situation at the field level and with PAPs to confirm level of livelihood restoration (special attention will be paid to the inclusion of vulnerable groups).

(4) External Monitoring Period and Reporting

External monitoring activities will be carried out for a period of three years in principle. Frequency of monitoring will be biannually basis at the after relocation phase. The report to be prepared at each monitoring period will summarize the findings including: (a) progress of implementing RWP including any deviations from the provisions of the plan, (b) progress of implementing IRP including level of livelihood restoration and community formulation/stabilization, (c) identification of problem issues and recommended solutions, (d) identification of specific issues on vulnerable groups, as relevant, (e) report on progress of the follow-up of issues and problems identified in the previous reports. The sample monitoring forms are as per attached in Annex 4.

12.4 Overall Monitoring Structure

During the relocation phase, RIC will compile the result of internal monitoring into a report, and submits it to YRG. The external monitoring report will be submitted to YRG separately whenever it is prepared. YRG will share the respective monitoring report with TSMC. After the relocation phase,

IRPIC will compile internal monitoring results into a report, and reports it to YRG. The external monitoring report will be submitted to YRG separately whenever it is prepared. YRG will share the respective monitoring report with TSMC. Figures 12-1 and 12-2 show the procedure of monitoring and reporting.

The monitoring reports and evaluation reports will be available at TSMC offices for public viewing.

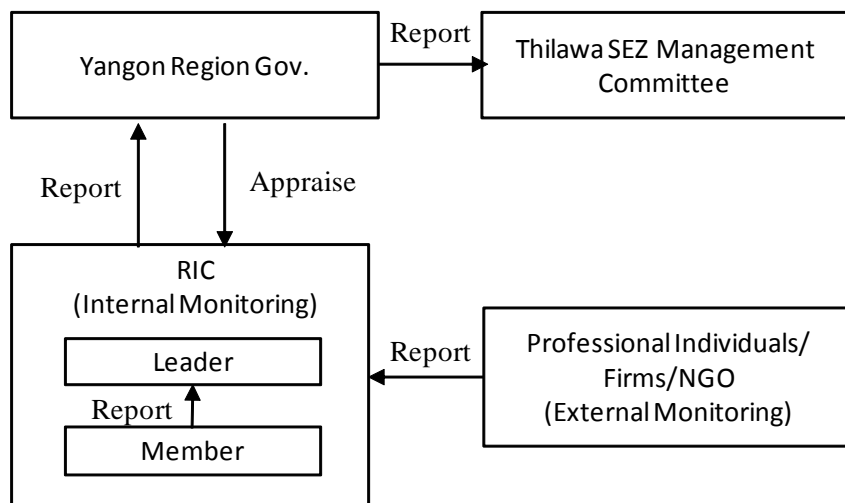


Figure 12-1 Monitoring and Reporting Procedure during Relocation Phase

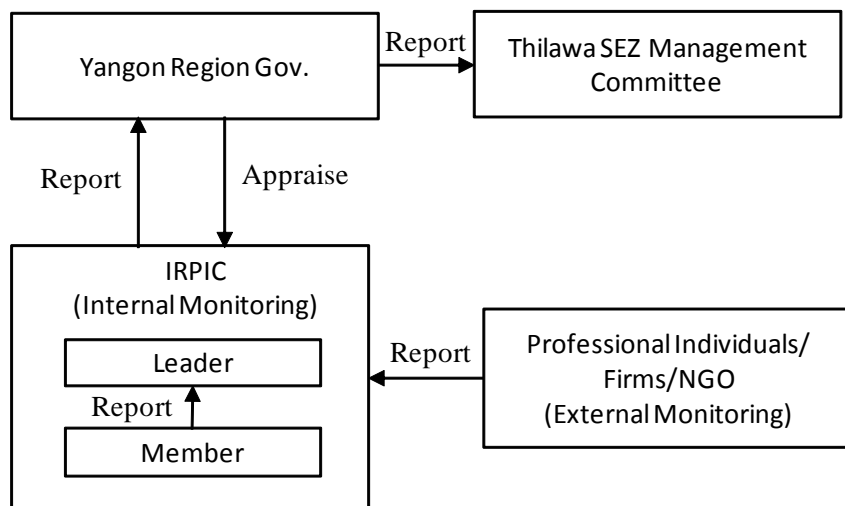


Figure 12-2 Monitoring and Reporting Procedure after Relocation Phase

12.5 Evaluation

The methodology for evaluation is based mainly on a comparison of socio-economic status of PAHs prior to and following displacement and level of satisfaction taking into consideration external conditions. Socio-economic status and level of satisfaction will be examined through interview with

PAPs at each period of external monitoring. If the findings would indicate that the objectives of RWP or IRP have not been achieved, IRPIC and TSMC or YRG would propose appropriate additional measures to support PAPs to rehabilitate themselves to at least their pre-project situation. For this purpose, the evaluation will be done 2 times (one time when relocation is completed and three years after relocation) in principle or whenever it is considered necessary.

Strategic lessons for future policy formulation and implementing relocation or livelihood restoration to be implemented at the surrounding area of the project area will also be drawn from the monitoring and evaluation of relocation/resettlement throughout the monitoring process.