

# Resettlement Plan

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## Lao People's Democratic Republic: Monsoon Wind Power Project

Prepared by ERM-Siam Co., Ltd. for the Impact Energy Asia Development as a requirement of the Asian Development Bank.

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# IEAD Supplementary E&S Study

## Resettlement Plan

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## Acronyms and Abbreviations

Name	Description
ADB	Asian Development Bank
AH	Affected Household
AIIB	Asian Infrastructure Investment Bank
AIP	Access to Information Policy
AOI	Area of Influence
AP	Affected People
BAP	Biodiversity Action Plan
BCPG	BCPG Public Co. Ltd.
CA	Concession Agreement
CDP	Community Development Plan
CEGDP	Community and Ethnic Group Development Plan
GC	Grievance Committee
CHMP	Cultural Heritage management Plan
CLO	Community Liaison Officers
CMU	Compensation Management Unit
COD	Commercial Operations Date
CRP	Compliance Review Panel
CSR	Corporate Social Responsibility
DAFO	Department of Agriculture and Forestry Office
DEG	Deutsche Investitions und Entwicklungsgesellschaft
DMS	Detailed Measurement Survey
DONRE	Department of Natural Resources and Environment
EDL	The state power company Electricity du Laos
EIA	Environmental Impact Assessment
EMG	Ethnic Minority Groups
EN	English
EPC	Engineering, Procurement, Construction
EPFI	Equator Principles Financial Institute
ERM	ERM-Siam Company Limited
E&S	Environmental and Social
ESIA	Environmental and Social Impact Assessment
ESMO	Environmental and Social Management Officer
ESMP	Environmental and Social Management Plan
EVN	Vietnam Electricity
FAQ	Frequently Asked Questions
FGD	Focus Group Discussions
FMO	Nederlandse Financierings-Maatschappij voor Ontwikkelingslanden N.V.
GAD	Gender and Development
GAP	Gender Action Plan
GBV	Gender-based Violence
GC	Grievance Committees
GESC	Guidelines for Environmental & Social Considerations
GIS	Geographic Information System
GLAD	German-Laos Association Development
GM	Grievance Mechanism

Name	Description
GOL	Government of Laos
GRM	Grievance Redress Mechanism
GW	Gigawatt
HH	Households
H&S	Health and Safety
ICP	Informed Consultation and Participation
IEAD	Impact Energy Asia Development
IFAD	International Fund for Agricultural Development
IFC	International Finance Corporation
ILO	International Labour Organization
IP	Indigenous People
IUCN	International Union for Conservation of Nature
JCR	Joint Committee for Resettlement
JICA	Japan International Cooperation Agency
KBA	Key Biodiversity Area
KII	Key Informant Interview
LAK	Laotian Kip (Official national currency of Laos)
LRP	Livelihood Restoration Plan
LWU	Lao Women's Union
MONRE	Ministry of Natural Resources and Environment
MP	Management Plans
MW	Megawatt
NA	Not Applicable
NGO	Non-Governmental Organizations
NTFP	Non-Timber Forest Product
OMF1	Operations Manual F1
PA	Protected Areas
PAFO	Provincial Agricultural & Forestry Office
PHC	Population and Housing Census
PAH	Project Affected Households
PAP	Project Affected People
PDA	Project Development Agreement
PDR	People's Democratic Republic
PGRU	Project Grievance Redress Unit
PIC	Project Information Centre
PID	Project Information Document
PM	Particulate Matter
PONRE	Provincial Department of Natural Resources and Environment
PRF	Provider Relief Fund
PS	Performance Standard
PSA	Project Social Area
RLCMS	Regional Land Cover Monitoring System
ROW	Right of Way
RP	Resettlement Plan
SE	Stakeholder Engagement
SEAH	Sexual Exploitation Abuse and Harassment

Name	Description
SEP	Stakeholder Engagement Plan
SFE	Service Fraternel d'Entraide
SPF	Special Project Facilitator
SPS	Safeguard Policy Statement
SR2	Safeguard Requirements 2
SUFORD	Scaling Up Participatory Sustainable Forest Management
TL	Transmission Line
UNDP	United Nations Development Programme
UNESCO	United Nations Educational, Scientific and Cultural Organization
USD	United States Dollars
WCS	Wildlife Conservation Society
WFP	World Food Programme
WHO	World Health Organization
WTG	Wind Turbine Generator
WWF	Worldwide Fund for Nature

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# 1 EXECUTIVE SUMMARY

## 1.1 Introduction

### Project Background

Impact Energy Asia Development (IEAD and/or the Project Proponent) is developing the Monsoon Wind Farm with an installed capacity of approximately 600 MW in Dak Cheung District of Sekong Province and Sanxay District of Attapeu Province in Lao People's Democratic Republic (Lao PDR). The development also includes a 500 kilovolt (kV) transmission line, which connects to the grid in Vietnam ("the Project").

IEAD signed a Memorandum of Understanding (MoU) with the Government of Lao PDR in 2011 to explore the possibility of developing a wind power project. Following the initial feasibility study, IEAD signed a Project Development Agreement (PDA) with the Government of Lao PDR on August 7, 2015 for the development of a wind power project with a capacity of 600 MW. The concession period for the Project is understood to be 25 years from the commercial operations date (COD). Construction is estimated to take approximately 30 months and COD is anticipated to be December 2025. Project is also the first cross-border wind power project to be approved by the GOL and Government of Vietnam (GOV) in accordance with the MoU to supply power from Laos' projects to Vietnam Electricity (EVN).

An Environment Impact Assessment (EIA) study for local Lao PDR permitting requirements was conducted in June 2014 (EIA 2014), and a second and third revision was conducted in May 2018 (EIA 2018), and September 2020 (EIA 2020), respectively. Innogreen Engineering Co., Ltd (Innogreen) on behalf of the Project Proponent has submitted the revised local EIA (2022) due to significant changes in the Project design to MONRE and was approved on 28 July 2022.

### The Resettlement Plan

This Resettlement Plan (RP) is prepared to address the social and economic impacts on affected households who will experience loss of land and other assets and/or facing loss of sources of livelihoods due to land acquisition for the development of wind farm components and other ancillary facilities. These include wind turbine foundations, laydown areas, internal roads, internal transmission line within the Project boundary and ancillary facilities including workers' accommodation, batching plants, and improvement of access roads. The RP provides details of the mitigation measures requiring compensation for losses incurred during preparation, construction, and operation of the Project. Eligibility and entitlements for compensation and other measures are described in **Section 5**, and strategy to address livelihoods restoration in **Section 6**. The objective of the RP is to ensure that adequate and appropriate replacement assets or cash compensation at full replacement cost are provided, the livelihoods of all displaced persons are improved or at least restored in real terms to the pre-project levels and the standards of living of the displaced poor and other vulnerable groups are improved to at least national minimum standards. The RP elaborates on institutional arrangements (**Section 8**), monitoring and reporting framework (**Section 10**), budget, and time-bound implementation schedule (**Section 9**).

## 1.2 Legal and Institutional Framework

The Lao PDR legislation and applicable Asian Development Bank (ADB) and International Finance Corporation (IFC) policies and guidelines are addressed in this Resettlement Plan (RP). The RP has been undertaken with reference to the provisions of the Laos PDR legislation, policies, standards, and guidelines that have been ratified by Lao PDR and are applicable to wind farm development. In addition, the Project will comply with the ADB Safeguard Policy Statement (2009), ADB Social Protection Strategy (2001), ADB Gender and Development Policy (1998), ADB Access to Information Policy (2018), and ADB's Accountability Mechanism Policy (2012). The IFC Performances Standards, specifically IFC Performance Standard 5, is also applicable to this development.

### 1.3 Project Description

The key Project components, Project activities and Project affected villages are outlined in the following **Table 1-1**.

**Table 1-1: Project Key Features**

Key Features	Description
<b>Project Key Components</b>	<ul style="list-style-type: none"> <li>■ 133 wind turbines (Envision EN 171-4.5 turbines) with total capacity of 600 MW, hub height is 110 m.</li> <li>■ 22 km of 500 kV overhead transmission line in Lao PDR and 500 kV Thanh My substation. The Right of Way (ROW) of the transmission line is 60 m (30 m on each side from the centre line)</li> <li>■ Underground and overhead 35 kV and 115 kV transmission cables to transfer electricity to the substation within the development area. The Right of Way (ROW) of 35 kV and 115 kV transmission lines is 15 m (12.5 m on each side from the centre line) and 40 m (20 m on each side from the centre line) respectively.</li> <li>■ Internal 33/115kV substations</li> <li>■ 500kV substation</li> <li>■ Internal road, with the pavement width of 5.0 m; the subgrade width of 6.0 m; designed speed of 15 km/h, will be newly built to connect the access road and all turbines for construction and operation of the Project.</li> <li>■ 108 km access road (highway road No. 16 B) from the municipality of Sekong to Dak Cheung District to the Project Site. Renovation work of road no.16B has been completed and it is entirely paved with asphalt. It is understood that the width of this road is sufficient for transportation of construction equipment.</li> <li>■ Other ancillary facilities including batching plants, laydown area, spoil disposal sites and worker accommodations</li> </ul>
<b>Other Related Facilities and Associated Facilities</b>	<p>Other related facilities have been assessed as to whether these are associated facilities. However, these have not been considered as associated facilities as per ADB SPS and IFC PS definition as per the rationale provided below:</p> <ul style="list-style-type: none"> <li>■ The 500 kV Station of Vietnam (Thanh My Station) and the transmission line route in Vietnam, this project is not funded by ADB or the Developer and is being conducted by EVN, which means that funding is provided separately by the borrower/client or by third parties. In addition, the viability and existence of the project is not exclusively for successful operation of the project, but are also being developed for more than just the Project Associated Facilities. EVN plans to use the 500kV line for other imported power projects from Sekong province. The maximum capacity of this 500kV double-circuit is approximately 4,000MW. Based on Vietnam's draft power development plan (PDP8), there is a planned 200MW hydro power project to connect to the Project substation and transmission line. In the agreed PPA and Concession Agreement, EVN and GOL, respectively, allow other projects to connect to the transmission line and sell electricity to Vietnam.</li> <li>■ Road No. 16 B improvements that connecting Lao PDR, Thailand, and Vietnam from west to east. This road will be used for the transportation of construction equipment. The upgrade of this road was completed in 2021 by the Government of Laos. As the Government of Laos funded the upgrade of the road, the road therefore is not considered as an associated facility, as it is not funded as part of the project. In addition, as the road network will not be utilized for only this Project and is not funded by the developer or ADB, it cannot be considered an associated facility since the viability and existence does not depend exclusively on the project but is develop for other uses as well.</li> </ul>
<b>Project Activities</b>	<p><b>Pre-Construction</b></p> <ul style="list-style-type: none"> <li>■ All work will be conducted in accordance with the detailed master construction schedule, provided by the EPC Contractor. Prior to commencement of work, all contractors would be required to provide detailed site specific plans.</li> <li>■ No land take, or dispossession of assets and no ground clearance or project activities shall take place unless land acquisition and compensation activities are completed for the project component following a land acquisition and</li> </ul>

Key Features	Description
	<p>resettlement plan and Indigenous Peoples Plan which meets the International regulatory framework.</p> <p><b>Construction (30 months)</b></p> <ul style="list-style-type: none"> <li>■ The EPC Contractor will prepare the site for construction, erection, and installation of the Project facilities, which will include earthwork activities, such as site clearing and soil excavation. The construction, design, and testing will be undertaken in accordance with the appropriate construction standards and the Laos' Decision on National Environmental Standards (No. 81/GOV, 2017).</li> </ul> <p><b>Operation, and Maintenance Phase (25 years)</b></p> <ul style="list-style-type: none"> <li>■ After the completion of the installation of wind turbines and the arrangement for the commencement of the production of electricity, there will be the officer to control, supervise, and maintain the wind turbine system in accordance with the agreement made with the manufacturer of the turbine. The frequency of the maintenance of 1 turbine generating electricity is approximately 2 times per year in order to verify the integrity of the hydraulic system, lubricants system, transformer and blade.</li> </ul>
<b>Project Affected Villages</b>	<p><b>Dak Cheung District, Sekong Province</b></p> <ul style="list-style-type: none"> <li>■ Agricultural land of 340 households in 18 villages will be impacted by Project land acquisition for wind turbine facilities, transmission line facilities, access and internal roads, and ancillary facilities. Of 340 households, two households will be permanently affected, 168 households will be temporarily affected, and 170 households will be permanently and temporarily affected.</li> <li>■ The following villages may be impacted by ancillary facilities: <ul style="list-style-type: none"> <li>- Potential workers' accommodation: Dak Chueng, Nonsavan, Dak Bong, Dak Rant, Dak Dor and Dak Terb</li> <li>- Potential strone production plant: Dak Xeng, Dak Tiem Trongmueang, Ngon Don,</li> <li>- Potential batching Plant: Dak Rant, Trongmueang, Dak Terb</li> <li>- Laydown area: Dak Xeng and Dak Tiem</li> </ul> </li> <li>■ 129.78 ha and 390.29 ha of communal land in 22 villages will be permanently and temporarily affected by the Project main components, respectively.</li> <li>■ 108.25 ha and 421.00 ha of NTFP collection area in 20 villages will be permanently and temporarily impacted by Project main components, respectively. It is assumed that all villagers (1,752 people) in 20 villages in Dak Cheung District are impacted by land acquisition of NTFP collection area.</li> </ul> <p><b>Sanxay District, Attapeu Province</b></p> <ul style="list-style-type: none"> <li>■ Agricultural land of A total of 38 households in four villages will be impacted by wind turbine facilities, transmission line facilities and access roads. Of 38 households, three households will be permanently affected, two households will be temporarily affected, and 33 households will be permanently and temporarily affected, respectively.</li> <li>■ 30.16 ha and 58.69 ha of communal land in five villages will be permanently and temporarily impacted by Project main components and ancillary facilities.</li> <li>■ 44.80 ha and 18.98 ha of NTFP collection area in five villages will be permanently and temporarily impacted by Project main components and ancillary facilities. It is assumed that all villagers (335 people) in five villages in Sanxay District are impacted by land acquisition of NTFP collection area. <ul style="list-style-type: none"> <li>- Refer to</li> <li>-</li> </ul> </li> </ul> <p>Figure 2-2 and <b>Figure 2-3</b> for the location of affected villages in relations to Project facilities.</p>

## 1.4 Summary of Project Impacts

### Land Acquisition Impacts

A total area of 1,260 ha will be affected by the Project land acquisition, of which 195.9 ha is permanently affected and 1,064.1 ha is temporarily affected. The breakdown of impacts to agricultural land, communal use land and NTFP collection area is provided in **Table 1-2**. A total of 185.61 ha of agricultural land (29.31 permanent effected and 156.53 temporarily effected) belong to 378 HHs across

22 villages will be impacted from the Project land acquisition. Of 378 HHs, 53 (14.02%) are considered significantly affected HHs (i.e., losing 10% or more of their productive assets). A total area of 609.49 ha (160.93 permanent and 448.56 temporary) of communal land and 535.48 ha (150.79 permanent and 384.69 ha temporarily affected) of NTFP collection areas will be impacted. The Project impacts on land acquisition is summarized in the table below. There are two potential structures and a school within the 300meter safety buffer zone. The Site team will conduct a survey to verify if are residential structures and their distance to the WTG. Measures are being taken to validate the structures to relocate the WTG or implement curtailment. It is noted that there is no physical displacement will be induced by the Project.

**Table 1-2: Summary of Project Land Acquisition Impact**

Province	Agricultural Land					Communal Use Land		NTFP Collection Area			
	Affected Area (ha)		Affected HHs (No.)		Significantly Affected HHs	Per. (ha)	Temp. (ha)	Affected Area (ha)		Affected HHs	
	Per.	Temp.	Per.	Pert & Temp.		Temp.			Per.		Temp.
Sekong	23.84	146.83	2	170	168	35	129.78	390.29	101.04	353.88	1,752
Attapeu	5.47	9.70	3	33	2	18	30.16	58.69	49.75	30.81	355
Total	29.31	156.53	5	203	170	53	160.93	448.56	150.79	384.69	2,107
Total HHs			378			53	NA	NA	NA	NA	2,107

*Note: The figures of affected land in this table may not match with Table 1.6 as some communal land overlaps with NTFP collection area (i.e., NTFP collection areas located within communal land)*

## Impacts to Cultural Heritage Resources

### Impact to Cemeteries

Cemeteries (*paa saa*) which are mostly forested area and regarded by the villagers as sacred areas, are observed in all surveyed villages. People are prohibited from entering cemeteries for disturbing activities such as hunting or collecting timber and NTFPs. The final Project layout has been optimized and refined to avoid impacts to all cemeteries—the Project has re-routed the transmission line and access road alignments to avoid cutting through almost all the cemeteries. It is noted that an overhead transmission line will pass over Dak Bong Cemetery. The transmission line is approximately 70 m above the ground, therefore there will be no modifications (i.e., vegetation clearance and earthwork) made to the cemetery area. The consultation with Dak Bong village on 21 July 2022 suggested that cutting of trees within ROW to maintain the height of trees under 3 m<sup>1</sup> in cemetery area is allowed; however, the Project is required to provide budget for the village to prepare and perform specific rituals to seek permission from spirits for such activities.

### Impact to Phou Koungking

Phou Koungking is located near Dak Lern, Dak Kung and Proa villages. Eight WTGs are proposed in the lower elevation which is designated as multi-use zone of the Phou Koungking Mountain, and therefore will not affect the higher elevation of Phou Koungking which is believed to be sacred forest by Prao village. Project activities within the lower elevation of the Phou Koungking Mountain are not prohibited and will not incur any impact on intangible cultural heritage if the Project consults with the villages and complies with villages' Heet-Kong (*Heet is long inherited traditions and Kong is social norm, custom or guidelines*).

### Impacts to Ceremonial Sites or other Sacred grounds

<sup>1</sup> Under the Regulation on Safety for High Voltage Transmission Line and Substation, EDL/ 2013, trees taller than 3 m are prohibited within the ROW area



There are no ceremonial grounds including sites for animal sacrifices or other sacred grounds which will be affected by permanent or temporary land acquisition.

## 1.5 Entitlement Policy and Principles

The following are the Project's key entitlement policy and principles developed to govern preparation and implementation of the RP:

- Wherever possible, in-kind compensation (e.g., land for land) will be offered to AHs. Cash compensation will only be considered based on the preference of AHs. Where the land for land is not available, the lack of land will be demonstrated and documented by the Project
- AHs whose land or assets are impacted by the Project's land acquisition at the date of the DMS completion (the cut-off date) will be entitled to compensation according to the DMS and the entitlement matrix. They may also be entitled to rehabilitation assistance to assist them in improving, or at least maintaining their pre-project living standards and productive capacities, as necessary.
- When involuntary resettlement impacts ensue, mitigation and rehabilitation measures will be put in place that will improve or at least restore living standards of affected persons to pre-project levels. All compensation will be based on the principle of full replacement cost (including any fees or taxes, registration or land transfer cost at the time of compensation).
- A household is considered significantly affected if it loses 10% or more of its productive assets.
- Displaced persons without title or any recognizable legal rights to land are eligible for compensation for non-land assets at replacement cost and assistance including income restoration measures. In accordance with Lao Law as outlined in **Section 3.1.2**, APs living in rural or remote areas, who do not have proof of land-use rights and who have no other land in other places, will be compensated for their lost rights to use land and for their assets at replacement costs and other additional assistance.
- The affected households should receive compensation payments at replacement cost or replacement assets before the Project or EPC takes possession of site and no later than site clearing or start of any construction activities.
- Resettlement identification, planning and management will ensure that gender concerns are incorporated, including gender-specific consultation and information disclosure. This includes special attention to guarantee women's assets, property and land-use rights, and to ensure the restoration of their income and living standards
- All cultural heritage sites, including but not limited to cemeteries, burial huts, ceremonial sites, sacred forests, animal sacrifice sites will be avoided. Existing cultural and religious practices will be respected and, to the maximum extent practical, preserved.
- Special measures will be incorporated in the resettlement plan to protect socially and economically vulnerable groups. Vulnerable AHs will be provided with additional assistance to ensure that they are equal beneficiaries of the project and are not further disadvantaged by the process of land acquisition. Vulnerable households will be prioritized in livelihood programs and other social programs.
- There will be effective grievance mechanism for receiving and resolving grievances during updating and implementation of the RP, without impeding access to the national, judicial or administrative remedies. Grievance redress mechanisms will include representation from the AHs, especially women, minority ethnic groups, and other vulnerable groups.

## 1.6 Livelihood Restoration Plan (LRP)

The LRP has been developed to provide diverse range of livelihood options to restore PAPs livelihood to pre-project levels. LRP shall be complemented by the community development programs. LRP will

have an emphasis on the income generating (livelihood related) initiatives specifically targeted to total of 378 HHs of PAPs.

**Livelihood Restoration includes the following key components:**

- **Local Employment & Capacity Building:** The main objective is to emphasize local employment potential, to which communities foresee this Project as providing income generating employment opportunities that would substantiate their livelihood improvement. The local employment opportunity has the potential to transform and upgrade the livelihoods, however it needs to be complemented by the supplementary saving & credit scheme, where local communities can connect their income to savings and credit funds.

The PAPs will be able to participate to the short-term project employment for the period of three years during project construction and beyond. The direct employment potential from the project shall contribute to reducing the impacts on the loss of livelihoods from the land acquisition.

Various skill development trainings particularly in line with future employment potential shall be identified by the project. In addition to internal employment to project, it will extend to employment potential. This initiative is intended to increase the local capacities in developing the required skills and capacity to expand their employment potentials and increase their probability in obtaining employment in different sectors.

- **Agriculture Production Enhancement & Livelihood Improvement:** The main objective is to improve the quality of agriculture- based livelihoods through improved quality and soil improvement techniques with the supply of inputs to agriculture, agricultural production, introduction of agroforestry, other upland crops, NTFP domestication and the processing of outputs - of agriculture-based livelihoods and industrial products, its distribution, marketing, and retailing; and sale.

The main components of this program shall include (i) Coffee and cassava production and strengthening the local capacities to generate revenue (ii) agriculture-based income generating (alternative and modern agriculture techniques) activities (iii) Livestock based income generating activities and (iv) other programs such as agro-forestry, NTFP domestication, aquaculture, introduction of new upland crops; and (v) provision of equipment and support infrastructure (e.g. rice and coffee milling equipment, research training center)

- **Local Procurement of Goods and Services from PAPs:** This intervention will empower the PAPs in contributing to their income generating capacity. The PAPs can provide various local services, goods to the project and project personnel during the project development and amplify the PAPs income generating trend.

The project components are proposed here with the intent that the project will obtain services and goods from the PAPs. The major components and activities include the following:

- Local accommodation, food consumption
- Various services to the needs and requirements of project developments
- Project site office set up and the local employment (PAPs) to support staffs

- **Women led Home Business/Micro Business Support:** This program is intended to empower women PAPs to obtain multiple alternatives to income generating opportunities and engage in activities to escalate their income-based livelihood options. There shall be three major components to this initiative (i) potential income generating activities such as weaving, local material productions based on traditional craftsmanship; (ii) home-based income generating activities; and (iii) Women Capacity Building.
- **Education Scholarship Assistance:** The education scholarship assistance can provide a substantial economic transformation, particularly even more significant in terms of PAPs where this



program can expedite the process of livelihood improvement and provide a sustainable livelihood income in the long term on the basis of education status.

There will be four major components to this program (i) Annual scholarships to colleges (academic and athletic based scholarships); (ii) Sponsorship based funding to the most vulnerable and indigent children from PAPs (Kindergarten to 12); (iii) Disabled Support for the disabled and handicapped children and facilitate learning activities via funding assistance or material support; and (iv) Empowering Girl child to obtain education services and opportunities as equal as boys with various incentive models to HHs

## 1.7 Information Disclosure and Consultation

### Consultations

The Project's information disclosure and consultation activities have been driven by the principles of meaningful consultation and Informed Consultation and Participation (ICP). The Project started to engage affected IPs in 2014 when the Project was initiated. PAPs and relevant participants such as governmental organizations and relevant Ministries were included in the stakeholder engagement activities. Such activities included consultation meetings at the village level (November 2014 and September 2020), district level (May 2016), and a meeting with technical personnel (July 2018).

During the ESIA preparation in November – December 2021, the engagements sought to update its understanding of project impacts, including perspectives of IPs and vulnerable groups such as women and youth through focus group discussions (FGDs). FGDs with livelihood groups, IPs, women, youth and vulnerable groups and key informant interviews (KIIs) with village head and healthcare representative were undertaken in 31 villages directly and indirectly affected by the Project. The consultations were two-way communications undertaken in atmosphere without coercion/intimidation whereby views of affected peoples were included in the Project design, ESIA and management plans. The consultations were conducted in Lao where the village head or Village Coordinator was present during the consultation to facilitate translation to Triang language, particularly for women and elderly who have limited capability in communication in Lao language.

In February 2022, the Compensation Committee arranged a meeting to consult village heads of 23 villages in Dak Cheung District, Sekong Province on compensation unit rates which were later approved on 31 March 2022. During 30-31 March 2022, the Compensation Committee consulted with five villages including Dak Nong, Dak Padou, Dak Samor, Dak Xeum, and Dak Yok on compensation unit rates which were later approved on 12 May 2022. It is noted that the Committee utilized this approach as a means to conduct market price survey for its consideration of determination of compensation unit rates.

Detailed measurement survey was conducted during 17 May to 21 June 2022 in Dak Cheung District, Sekong Province and 14-18 June 2022 in Sanxay District, Attapeu Province.

Following the completion of ESIA study and development of management plans (MPs), information related to ESIA findings, proposed mitigation measures and MPs were disclosed to PAPs in July-August 2022 through a presentation and disclosure booklet in Lao. The participants of the consultation include village heads and PAPs – women were ensured to participate in the sessions in all villages, Project developer (IEAD) and its local E&S consultant (Innogreen) and international E&S consultant (ERM), lenders' E&S representatives including ADB (and Artelia as its lender E&S advisor), DEG (also representing FMO), AIIB and JICA. After the presentation, the participants were also given opportunities to ask questions, share their concerns or needs to the Project developer or the E&S consultants. The participants were consulted after the information disclosure activity with focus on understanding villagers' beliefs towards the Phou Kounking (Kounking Mountain), villagers' concerns regarding Project development in Phou Kounking area and Dak Bong cemetery and villages' requirements for such activities and their assessment on the impact of the project on their dignity, culture and community as defined by them. These consultations also served as venue for everyone to understand resettlement and compensation process and receive feedback on proposed livelihood restoration plan and community and ethnic group development plan (CEGDP).

## PAPs' Concerns and Project's Addressal of the Concerns

The PAP's concerns and how they have been addressed are summarized in **Table 1-3**.

**Table 1-3: Summary of Consultations**

Date	Location	Issues and Concerns	Considerations in the ESIA or Project Design/Actions Taken
12-21 Nov 2014	16 villages located in the Project area and nearby areas	<ul style="list-style-type: none"> <li>■ The Project should provide funding and assistance to improve water supply system (e.g., gravity-fed) to the villages and irrigation systems for rice paddies.</li> </ul>	<ul style="list-style-type: none"> <li>■ Information dissemination is considered in the ESIA and SEP. A SEP will be prepared for the Project including future and on-going engagement required to ensure stakeholders are provided sufficient information on the potential impacts.</li> </ul>
7-26 Sep 2020	18 villages located in the Project area	<ul style="list-style-type: none"> <li>■ The Project should help to improve the access road to the village and within village and the access roads to production land e.g., rice, coffee, and cassava plantations.</li> <li>■ The Project should provide funding and assistance to establish and improve school facilities, supplies and personnel.</li> <li>■ The Project should provide funding and assistance to establish and improve dispensary and healthcare centres in the villages.</li> <li>■ The Project should provide funding assistance to establish a village administrative office.</li> <li>■ People in the potentially affected villages should be able to benefit (i.e., access to electricity generated by the Project).</li> <li>■ The Project should provide reasonable and fair compensation to those households affected by land acquisition.</li> <li>■ The Project should provide assistance to poor families in the affected villages. In addition, the Project should provide assistance for improvement of vocations in the villages and offer job opportunities for the village members to work on the Project.</li> <li>■ Request for the Project to provide financial support to the villages/village fund/monthly tax to the villages.</li> </ul>	<ul style="list-style-type: none"> <li>■ The impact assessment including information on mitigation measures for the social receptors is provided in <b>Section 8.5</b> of the ESIA Report.</li> <li>■ Impacts to livelihoods and land use, including rice paddies, is included in <b>Section 8.5.3</b> of the ESIA Report. This includes proposed mitigation measures.</li> <li>■ Land and economic displacement is assessed in <b>Section 8.5.3</b> of the ESIA Report. This includes proposed mitigation measures. The Project will ensure all required processes for land acquisition are conducted in conjunction with relevant stakeholders.</li> <li>■ Impacts and processes for land acquisition are provided in <b>Section 8.5.3</b> of the ESIA Report. Note that this is based on preliminary land and asset registration undertaken by Innogreen in November and December 2021.</li> <li>■ Village heads will be informed prior to construction, this commitment is included in <b>Section 9 (ESMP)</b> of the ESIA Report.</li> </ul>
November – December 2021	31 villages located in the Project area	The Project should minimise impacts to sensitive receptors and houses and paddy field as much as possible.	<ul style="list-style-type: none"> <li>■ The impact assessment including information on mitigation measures for the social receptors is provided in <b>Section 8.5</b> of the ESIA Report.</li> <li>■ Impacts were minimized by reducing the number of WTGs</li> </ul>

Date	Location	Issues and Concerns	Considerations in the ESIA or Project Design/Actions Taken
			under a new design and avoiding houses and minimize impacts to paddy fields.
		The Project development will impact the cultivation land, particularly rice paddy field as suitable land for rice cultivation is highly limited due to mountainous terrain of the region.	<ul style="list-style-type: none"> <li>Impacts to livelihoods and land use, including rice paddies, is included in <b>Section 8.5.3</b> of the ESIA Report. This includes proposed mitigation measures.</li> </ul>
		The Project should ensure that there will be no encroachment into villagers' land containing houses/dwellings.	<ul style="list-style-type: none"> <li>Land and economic displacement is assessed in <b>Section 8.5.3</b> of the ESIA Report. This includes proposed mitigation measures.</li> <li>The Project will ensure all required processes for land acquisition are conducted in conjunction with relevant stakeholders.</li> </ul>
		Concern about nuisance from noise from wind turbines during operation.	<ul style="list-style-type: none"> <li>Noise impacts (including from turbines) are assessed in <b>Section 8.3.7</b> and <b>Section 8.5.7</b> of the ESIA Report. This includes proposed mitigation measures.</li> <li>WTGs have been relocated to ensure distance from villages. The nearest WTG to village is located more than 500 m from the village</li> </ul>
		Concern about nuisance from shadow flicker and negative impacts on agricultural productivity.	<ul style="list-style-type: none"> <li>Shadow flicker impacts are assessed in <b>Section 8.3.10</b> and <b>Section 8.5.7</b> of the ESIA Report. This includes proposed mitigation measures.</li> <li>Impacts were minimized by reducing the number of WTGs under a new design and avoiding houses and minimize impacts to paddy field</li> </ul>
		Concern that the Project development may impact cemeteries of the village.	<ul style="list-style-type: none"> <li>Impacts to cemeteries and other cultural heritage are assessed in <b>Section 8.5.9</b> of the ESIA Report. This includes proposed mitigation measures.</li> <li>Project layout has been optimized to avoid impacts to all cemeteries</li> </ul>
		Some people expressed that they cannot articulate their concerns as they do not have sufficient information about the Project and its potential impacts	<ul style="list-style-type: none"> <li>Information dissemination will be considered in the ESIA and SEP. A SEP (this document) has been prepared for the Project including future and on-going engagement required to ensure stakeholders are provided sufficient information on the potential impacts.</li> <li>Project Information disclosure and consultations were</li> </ul>

Date	Location	Issues and Concerns	Considerations in the ESIA or Project Design/Actions Taken
			conducted in July 2022. Refer to <b>Section 8.5.2</b> for more details.
		Concerns about unfair compensation for those impacted by land acquisition of the Project, and there will be no replacement land for cultivation and animal husbandry and therefore people will lose their main source of livelihood.	<ul style="list-style-type: none"> <li>Impacts and processes for land acquisition are provided in <b>Section 8.5.3</b> of the ESIA Report. Note that this is based on preliminary land and asset registration undertaken in November and December 2021.</li> <li>RP and livelihood restoration programs have been developed.</li> </ul>
		Concerns around safety of life and property and livestock of households nearby the wind towers and safety of those that conduct agricultural activities under the transmission line.	<ul style="list-style-type: none"> <li>Impacts to community health and safety are assessed in <b>Section 8.5.4</b> of the ESIA Report. This includes proposed mitigation measures.</li> </ul>
		Prior to commencement of the Project construction, the village heads should be informed.	<ul style="list-style-type: none"> <li>Village heads will be informed prior to construction, this commitment is included in <b>Section 9</b> (ESMP) of the ESIA Report.</li> </ul>
		The people in the affected villages were not sure if they can use electricity generated by the Project.	<ul style="list-style-type: none"> <li>Household solar power systems will be provided to the affected villages. Priority will be given to the households affected by the Project's land acquisition, then poor households within the Project's affected communities, and finally the entire the affected villages if possible. Refer to <b>Section 8.5.2</b> and CEGDP for more details.</li> </ul>
		During construction and operation of the Project, there will be influx of workers and people from outside to the villages. There are concerns that these people may bring transactional sex to villagers, disrupt community dynamics, increase gender-based violence, and/or negatively impact on public infrastructure and resources.	<ul style="list-style-type: none"> <li>Impacts from worker influx are assessed in <b>Section 8.5.6</b> of the ESIA Report. This includes proposed mitigation measures.</li> </ul>
		Concerns about the Project's impact on landslides	<ul style="list-style-type: none"> <li>Impacts from unplanned events (including those impacts as a consequence of natural hazards) are assessed in <b>Section 8.6.3</b> of the ESIA Report. This includes proposed mitigation measures.</li> </ul>
		Concerns about the Project's impacts to forest resources as people are highly dependent on NTFP collection from the forests.	<ul style="list-style-type: none"> <li>Impacts on communities' livelihoods associated with NTFPs are assessed in <b>Section 8.5.3</b> of the ESIA Report. This includes proposed mitigation measures.</li> </ul>

Date	Location	Issues and Concerns	Considerations in the ESIA or Project Design/Actions Taken
July-August 2022		<p><b>Main concerns include</b></p> <ul style="list-style-type: none"> <li>■ Impacts to agricultural land</li> <li>■ Safety risks associated with transportation of Project components during construction.</li> <li>■ Wastewater and sedimentation from project construction activities will enter the water sources of the village</li> <li>■ Impacts of WTGs during operation to productivity of agricultural land.</li> <li>■ Noise from WTGs</li> <li>■ Dust from construction activities</li> <li>■ Concerns about impact of Project land acquisition on rice paddies as currently they hardly have sufficient rice for consumption</li> <li>■ The Project must compensate for any impacts on land according to the laws</li> <li>■ Concerns related to influx</li> </ul> <p><b>CDP Needs and priority</b></p> <ul style="list-style-type: none"> <li>■ Healthcare facility improvement and medical supplies and transportation to healthcare facility</li> <li>■ Support plantation of fruit trees such as pomelo, rambutan, etc.</li> <li>■ Support on education supplies and sport equipment</li> <li>■ The Project to ensure that the roads are not too dangerous where villagers can also use it</li> <li>■ Water supply and Irrigation system as the village experiences water shortage during dry season</li> <li>■ Village office with computers</li> <li>■ The Project to comply with village's Heet-Kong</li> <li>■ Scholarship for higher education</li> <li>■ Livelihood/Occupation/Vocational training</li> <li>■ Project employment</li> <li>■ Support on livestock raising and agriculture</li> <li>■ Water supply and irrigation system</li> <li>■ The Project to provide support on village office</li> <li>■ The Project to provide assistance to poor households</li> </ul>	<ul style="list-style-type: none"> <li>■ Livelihood restoration programs and CEGDP have been prepared.</li> <li>■ Impacts to livelihoods and land use, including rice paddies, is included in <b>Section 8.5.3</b> of the ESIA Report. This includes proposed mitigation measures.</li> <li>■ Land and economic displacement is assessed in <b>Section 8.5.3</b> of the ESIA Report. This includes proposed mitigation measures. The Project will ensure all required processes for land acquisition are conducted in conjunction with relevant stakeholders.</li> <li>■ Noise impacts (including from turbines) are assessed in <b>Section 8.3.7</b> and <b>Section 8.5.7</b> of the ESIA Report. This includes proposed mitigation measures.</li> <li>■ Impacts associated with shadow flickers are assessed in <b>Section 8.3.8</b> of the ESIA report. This includes proposed mitigation measures.</li> <li>■ WTGs have been relocated to ensure distance from villages. The nearest WTG to the village is located more than 500 m from the village</li> <li>■ Impacts were minimized by reducing the number of WTGs under a new design and avoiding houses and minimize impacts to paddy field.</li> <li>■ Impacts on surface water quality is assessed in <b>Section 8.3.6</b> of the ESIA report. This includes proposed mitigation measures.</li> <li>■ Impacts on air quality are assessed in <b>Section 8.3.4</b> of the ESIA report. This includes proposed mitigation measures.</li> <li>■ Shadow flicker impacts are assessed in <b>Section 8.3.10</b> and <b>Section 8.5.7</b> of the ESIA Report. This includes proposed mitigation measures.</li> </ul>

Date	Location	Issues and Concerns	Considerations in the ESIA or Project Design/Actions Taken
			<ul style="list-style-type: none"> <li>■ Community Health and safety impacts are assessed in <b>Section 8.5.4</b> of the ESIA report. This includes proposed mitigation measures.</li> <li>■ RP and Livelihood restoration plan have been prepared to minimize impacts to affected people from Project land acquisition.</li> <li>■ CEGDP has been prepared to reflect community needs.</li> <li>■ CHMP has been developed to ensure Project's compliance to villages' Heet-Kong.</li> <li>■ Village heads will be informed prior to construction. This commitment is included in <b>Section 9</b> (ESMP) of the ESIA Report</li> </ul>

## Grievance Mechanism

The main objective of the grievance mechanism is:

- To address grievances promptly and effectively, in a transparent manner resulting in fair, effective and lasting outcomes.
- To provide a grievance management process that is culturally appropriate and readily accessible to all Project affected parties.
- To build trust as an integral component of the Project community relations activities.
- To enable a systematic identification of emerging issues facilitating correcting actions and pre-emptive engagement.

Project Grievance Redress Unit (PGRU) will be set up as a part of ESMO which will be established within 90 days of CA effective date (tentatively early September 2022).

Grievance Committee (GC) will be established to facilitate resolution at Level 2 and Level 3 which consist of (as relevant to each level): the Community Relations Manager, Village Heads, Land Department representative, the District/Provincial Administration representatives relevant to land acquisition and resettlement, and a local NGO representative who has extensive knowledge on land dispute facilitation.

As per the Compensation and Resettlement Decree No. 84/GOL, dated 5 April 2016 (Article 68 -73) and the Decree on Environmental Impact Assessment No. 21/GOL, dated 31 January 2019 (Article 23-25), if the grievance cannot be resolved at level 3, the PAPs can appeal to the court according to the judicial process (level 4). It is noted that although the Project recognises and accepts that complainants may go directly to this level of resolution.

Refer to **Box 1-1** for an overview of the Project Grievance Resolution System.



During pre-construction and start construction phase, the Project will establish interim ESMO which consist of the local team and Innogreen who will be engaged as the Project's temporary E&S management team. The local team, with the Area Director (Chaovalit Khunchaiyaphum) as the main contact, will receive and address all grievances until the ESMO and GC can be established. The contact information for receiving grievance was disclosed during the July 2022 consultation and provided in the booklet disseminated to villagers. Innogreen will provide support for other responsibilities of ESMO needed during this period until the ESMO is set up. The grievances received will be documented and raised to the Compensation Committee if cannot be solved by the interim ESMO.

#### Box 1-1: The Project Grievance Resolution System

After grievance is received, the CLOs and/or the Project Grievance Redress Unit (PGRU) (which will be set up as part of the ESMO) will assess and classify the complaints according to エラー! 参照元が見つかりません。 and assign priority and responsibilities.

**Resolution Level 1:** This level of resolution is for complaints that can be resolved by the Project Grievance Redress Unit (PGRU) and Village Committee directly. This level of complaint can be dealt with through immediate corrective action or mediated before such grievance is proceeded further with formal grievance mechanism which involves the government.

**Resolution Level 2:** If the complainants are not satisfied with the resolution proposed by the PGRU and the Village Committee, they can appeal to the District Committee.

**Resolution Level 3:** If the complainants do not accept the resolution or decision at Step 2, they can appeal to the Provincial Committee.

**Resolution Level 4:** If the complainants do not accept the resolution or decision at Step 3 then they can take legal action at the judicial system which is composed of the Provincial Court, Central Appeal Court and the High Supreme Court.<sup>1</sup> The Project does not control this level of resolution but acknowledges this process is available to stakeholders. It also acknowledges that some complainants may choose to proceed directly to this level of resolution.

## 1.8 Institutional Arrangement

**Table 1-4** summarizes institutional arrangement and its responsibilities related to planning and implementation of the RP.

**Table 1-4: Roles and Responsibilities**

Organization/Institution	Responsibility
<b>The Compensation Committee</b> The GOL body with the overall responsibility for supervising and ensuring the correct and timely implementation of the Company's obligations under Clause 4.15 of the CA	<ul style="list-style-type: none"> <li>■ supervise, guide and manage the planning and implementation of the Compensation Plan by the Company and the Compensation Management Unit (CMU);</li> <li>■ consider and promptly respond to requests relating to compensations activities;</li> <li>■ approve and periodically review the implementation plan for the Compensation Plan;</li> <li>■ periodically report to the GOL through its implementing body and technical advisory body on the implementation of the Compensation Plan;</li> <li>■ issue decisions or notices as references for the implementation of the Compensation Plan;</li> <li>■ provide information to PAPs and other stakeholders concerning the development project, benefits and impacts, progress in the implementation of the Compensation Plan throughout the implementation of the Project;</li> </ul>

Organization/Institution	Responsibility
	<ul style="list-style-type: none"> <li>■ exercise rights and perform other duties as assigned by GOL.</li> </ul>
Compensation Management Unit (CMU)	<ul style="list-style-type: none"> <li>■ serve as the secretariat and executive body of the Compensation Committee in co-ordination with all parties of state organizations and the Company with regard to the implementation of the Compensation Plan;</li> <li>■ serve as the core co-ordination body with the relevant parties both at central and local levels and the Company in the implementation of the obligations of the Company relating to compensation;</li> <li>■ plan detailed activities and budget for the implementation of Compensation Plan by the committee in coordination with the Company for the approval of the Compensation Committee; and</li> <li>■ supervise the performance of the District Working Group.</li> </ul>
Social Specialist	<ul style="list-style-type: none"> <li>■ Ensures the RP implementation in close coordination with the Joint Committee, Compensation Committee and the Compensation Management Unit.</li> <li>■ Minimise the impact of their activities on local communities in the Social Aol/social context wherever practical and reasonable.</li> <li>■ Comply with IEAD company policies and procedures and with the requirements of this plan.</li> <li>■ Report actual and potential community health and safety and other impacts, from affected ethnic groups to the IEAD Executive and Lenders.</li> <li>■ Refer any issues, concerns potential grievances to the IEAD Grievance Management Team.</li> </ul>
Social Management Office of the ESMO	<ul style="list-style-type: none"> <li>■ Carry out consultation with the PAPs on the compensation agreement form with all PAPs to inform them on the affected asset and compensation cost. After agreement, the PAPs will sign the compensation form and certified by village heads and the Committee</li> <li>■ Actual disbursement of compensation to the PAP: Land for land compensation, Cash compensation payment</li> <li>■ Report to the relevant committees on the completion of compensation</li> <li>■ Implementation of livelihood restoration programs</li> <li>■ Monitoring and reporting</li> </ul>
Interim ESMO (and Project Grievance Redress Unit (PGRU))	<ul style="list-style-type: none"> <li>■ A temporary unit established by the Project to carry out responsibilities of the ESMO and PGRU during pre-construction and the start of construction until the ESMO and PGRU are set up</li> </ul>

## 1.9 Monitoring and Evaluation Framework

### Internal Monitoring

IEAD will monitor and measure the progress of implementation of the RP in collaboration with the Compensation Management Unit (CMU), and other relevant local authority to ensure full compliance with its obligations and will notify the Compensation Committee any breaches or non-compliance. IEAD is responsible for conducting the internal monitoring of RP implementation and submit quarterly progress report during construction and semi-annual progress report during operation to ADB and other Lenders including AIIB, DEG, FMO and JICA for supervision and disclosure. The progress reports will describe the progress of the implementation of the RP activities and any compliance issues and corrective actions. The progress reports should closely follow the resettlement monitoring indicators. In addition, it shall be ensured that any results of self-monitoring are not shared or released in any way to the public or any other entity, in exception for the public release of information. Quarterly and semi-annual monitoring reports are disclosed on ADB website.



## External Monitoring

**Monitoring by ADB and other Lenders:** The project involves significant involuntary resettlement impacts and is classified as Category A on involuntary resettlement. IEAD engaged qualified and experienced external experts who form part of the Lenders Environmental and Social Advisors to act as an external monitor as required in the ADB 2009 SPS for projects with significant impacts. The LESA will periodically (i.e., quarterly monitoring and reporting during construction and semi-annual monitoring and reporting during operation for the first two years, thereafter annually) verify the monitoring information and confirm that Lenders' requirements and resettlement principles adopted by the Project are complied with. Through desk review and virtual or actual site visit, the external social monitor (LESA Social Expert) will confirm that compensation payments have been paid prior to impacts. The external experts will assess whether resettlement objectives have been met and whether the livelihoods and living standards have been restored or enhanced, including those of the non-titled displaced persons.

**Monitoring and Inspection by MONRE:** The Ministry of Natural Resources and Environment (MONRE), acting through its Department of Environment (DOE) and Natural Resources and Environment Inspection Office (NEIO), is the Environmental Oversight Body regarding the exercise of the GOL's rights and the performance of its duties pertaining to environmental and social issues as described in CA Annex C. The CA Annex C prescribes MONRE's responsibility as "*The Technical Environmental Oversight Body shall coordinate as appropriate with relevant departments of GOL for the performance of such monitoring activities.*"

## Reporting

Prior to start of any site clearing or construction activities in a particular area, IEAD will prepare a land acquisition compensation completion report confirming that affected people have received compensation for the land area for permanent or temporary use by the Project including the EPCC and its subcontractors. The report could be stand alone or integrated into the applicable quarterly report. During the period from the first day of the month immediately after the commencement of the land acquisition compensation payment process, pre-construction, construction period through and including the end of the Concession period, IEAD is required to conduct quarterly monitoring and reporting during construction phase and semi-annual monitoring and reporting during operation for the first two years, thereafter annually. The monitoring reports are readily disclosed on ADB website that include the progress in compensation payments, as well as other resettlement and livelihood restoration activities. The monitoring reports will be disclosed on IEAD's or project website as well. The relevant information in the monitoring reports will also be disclosed to the affected persons in a form and language they understand. Key information such as implementation status of the RP, information on the compensation disbursement, land and asset acquisition and relocation progress, livelihood/income restoration progress and any information on benefit sharing, and any new-identified compliance issues and corrective action plan.

In addition to reporting to ADB and other Lenders and disclosure of monitoring reports on ADB and IEAD website, Annex C to the CA regulates that the Company shall regularly report to the Compensation Committee and the Implementing Agency on the status of the implementation of the Compensation Plan.

## Mid-Program Review and Resettlement Completion Audit

The key objective of mid-program review completion audit by external evaluation is to determine whether the Project's effort to restore the living standards and livelihood of the PAPs have been properly implemented. The audit should verify that all commitments in the RAP have been delivered. In addition, the audit should also evaluate if the mitigation measures proposed in the RAP contributed to desired effect. The socio-economic status of the affected population should be measured against the baseline conditions of the population before economic displacement.

## 1.10 Implementation Schedule and Budget

**Table 1-5** presents indicative budget for implementation of the RP. The total budget is USD 2,027,052.44 which can be broken down into USD 1,829,052.44 for activities before COD and USD 198,000.00 post-COD. It is noted that this is an indicative budget which will be updated following the discussion and agreement with MONRE as part of CA. **Table 1-5** presents the indicative RP implementation schedule. It is possible that budgets allocated prove to be either under-estimated or over-estimated. The Company will propose annually an update of the overall environmental and social budget with suggestions on the way to reallocate funds.

**Table 1-5: Indicative Budget**

Budget	Pre-COD (USD)	Post COD (USD)	Total (USD)
<b>Compensation</b>	<b>784,052.44</b>	<b>0</b>	<b>784,052.44</b>
<b>Sekong Province</b>			
Agricultural land (including paddy fields, rice fields, etc.)	120,549.81	0	120,549.81
Booking land	7,733.08	0	7,733.08
Allocated Residential Land*	7,698.30	0	7,698.30
Agricultural Products	554,949.02	0	554,949.02
Ancillary Structures	16,245.98	0	16,245.98
<b>Attapeu Province</b>			
Agricultural land (including paddy fields, rice fields, etc.)	45,008.23	0	45,008.23
Booking land	1,126.58	0	1,126.58
Allocated Residential Land*	-	0	-
Agricultural Products	26,619.47	0	26,619.47
Ancillary Structures	4,121.98	0	4,121.98
<b>Livelihood restoration programs</b>	<b>165,000.00</b>	<b>25,000.00</b>	<b>190,000.00</b>
Local employment and capacity building	23,812.50	5,000.00	28,812.50
Agriculture production enhancement & Livelihood Improvement	98,062.50	10,000.00	108,062.50
Women Led Home/Micro Business Support	28,125.00	10,000.00	38,125.00
Education Scholarship Assistance	15,000.00	Not included in LRP, included in CEGDP budget	15,000.00
<b>CMO and ESMO operation cost</b>	<b>405,000.00</b>	<b>75,000.00</b>	<b>480,000.00</b>
ESMO	310,000.00	55,000.00	365,000.00
CMO	25,000.00	N/A	25,000.00
Compensation Committee	20,000.00	N/A	20,000.00
Capacity building for ESMO, CMO, and other government officials	50,000.00	20,000.00	70,000.00
<b>Surveys, studies and reports</b>	<b>100,000.00</b>	<b>25,000.00</b>	<b>125,000.00</b>

Budget	Pre-COD (USD)	Post COD (USD)	Total (USD)
External Monitoring (Lender's Environmental and Social Advisor)	220,000.00	35,000.00	255,000.00
Grievances redress mechanism operations	60,000.00	20,000.00	80,000.00
Contingency (10-20%)	95,000.00	18,000.00	113,000.00
<b>Total</b>	<b>1,829,052.44</b>	<b>198,000.00</b>	<b>2,027,052.44</b>

\* This is land allocated as residential land by the Laos government; however, there are no residential buildings on these lands identified within the Project development area

\*\* Exchange rate as of 21 September 2022 1 USD = 16,036 KIP (Bank of Lao PDR  
<https://www.bol.gov.la/en/ExchangRate>)

Implementation schedule can be found on the next page, while a detailed schedule is outlined in **Section 10** of this RP.

Table 1-6: RP Implementation Schedule

No.	Activity	2020				2021				2022				2023				2024				2025			
		Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
1	Established compensation committee for Dak Cheung District, Sekong Province with the CMU as the secretariat and executive body				26 Nov																				
2	Established compensation committee for Sanxay District, Attapeu Province with the CMU as the secretariat and executive body									7 Mar															
3	Agreement of unit rates for compensation for 600 MW wind farm project and 500 kV transmission line to be developed by IEAD in Dak Cheung District, Sekong Province										16 May														
4	Socio-economic household survey was conducted for ESIA preparation								Nov-Dec																
	Preparation of RP								Dec																
5	The Committee conducts a market survey of affect assets and consults with project affected villages regarding unit compensation rates for various types of assets.									30 Mar	12 May														
6	Detailed measurement survey 17 May to 21 June 2022 in Dak Cheung District 14-18 June 2022 in Sanxay District July 2022– revise access route to avoid permanent buildings, cemeteries, and main substation										May-July	May-July													
7	Revised EIA (2022) Approval											28 July													
8	Draft RP											Aug													
9	Formal issuance of cut-off date											End Aug													
10	Disclosure of the compensation policy and final unit compensation rates by the relevant government authority with support from the Project Developer											Mid Sep													
11	Final RP											16 Sep													
12	Carry out consultation with the PAPs on the compensation agreement form with all PAPs to inform them on the affected asset and compensation cost. After agreement, the PAPs will sign the compensation form and certified by village heads and the Committee											Mid Sep	Mid Nov												
13	Land for land compensation											Mid Sep	Mid Oct												
14	Cash compensation payment											Mid Sep	Mid Dec												
15	Report to the relevant committees on the completion of compensation												Dec												
16	Implementation of livelihood restoration programs*																								
17	Monitoring and reporting**																								→
18	Construction											Oct***													
19	Signing of the CA with GOL												Early Oct												
20	Set up on Interim ESMO and Interim PGRU											Oct													

No.	Activity	2020				2021				2022				2023				2024				2025			
		Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
20	Set up of ESMO and PGRU													Jan											
21	Set up the Grievance Committee													Jan											
23	COD****																							End Dec	

\*Implementation of livelihood to ensure that income and livelihood of PAPs are restored which is likely to extend to post-COD.

\*\*Monitoring and reporting will be conducted quarterly during construction, semi-annually during the first two years of operation, thereafter annually.

\*\*\*Activities in October will be site preparation, design, etc. However, IEAD will ensure compensation disbursement prior to any land-related construction activities.

## 2 INTRODUCTION

The Resettlement Plan is one of several documents prepared by Impact Energy Asia Development (IEAD and/or the Project) for the Lao Monsoon Wind Farm to meet the requirements of its Concession Agreement (CA) and its reference ring standards, including those of the International Finance Corporation (IFC) and the Asian Development Bank (ADB). These documents include assessments and measures to address specific environmental and social impacts of the Project and will be disclosed to affected people and to the public as required by the Project's CA and in compliance with lenders safeguards and social requirements. Further details on information disclosure are included in **Section 7**.

This Resettlement Plan (RP) is prepared to address the social and economic impacts on affected households who will experience loss of land and other assets and/or facing loss of sources of livelihoods due to land acquisition for the development of wind farm components and other ancillary facilities. These include wind turbine foundations, laydown areas, internal roads, internal transmission line within the Project boundary and ancillary facilities including workers' accommodation, batching plants, and improvement of access roads. The RP provides details of the mitigation measures requiring compensation for losses incurred during preparation, construction and operation of the Project. Eligibility and entitlements for compensation are described in **Section 5**, and strategy to address livelihoods restoration in Section 6. The objective of the RP is to ensure that adequate and appropriate replacement assets or cash compensation at full replacement cost are provided, the livelihoods of all displaced persons are improved or at least restored to the pre-project levels and the standards of living of the displaced poor and other vulnerable groups are improved to at least national minimum standards. The RP elaborates on institutional arrangements (**Section 8**), monitoring and reporting framework (**Section 10**), budget, and time-bound implementation schedule (**Section 9**).

According to the current Project design (Envision) and the detailed measurement survey (DMS), there will be no physical displacement induced by the Project. There are 2 potential residential structures and a school within the 300meter safety buffer zone. Measures are being taken validate the structures to relocate the WTG or implement curtailment. This RP will be updated in the future to incorporate the change in impacts, if any.

### 2.1 Project Background

The Project Developer (Impact Energy Asia Development/IEAD) signed a Memorandum of Understanding (MoU) with the Government of Lao PDR in 2011 to explore the possibility of developing a wind power project. Following the initial feasibility study, IEAD signed a Project Development Agreement (PDA) with the Government of Lao PDR on August 7, 2015 for the development of a wind power project with a capacity of 600 MW. A Concession Agreement (CA) was negotiated with the Government of Lao PDR (GoL) and expected to be signed early September. The concession period is for 25 years from the commercial operations date (COD). Construction is estimated to take approximately 30 months and COD is anticipated to be December 2025.

The Project will be designed, implemented, maintained, and operated by IEAD on a build, operate, transfer agreement with GoL. with an installed capacity of approximately 600 MW. It will be located in two districts and provinces of the Lao People's Democratic Republic (Lao PDR), Dak Cheung District of Sekong Province and Sanxay District of Attapeu Province. The development also includes a 22 km 500 kilovolt (kV) transmission line, which connects to the grid in Vietnam ("the Project"). The Project location including the wind farm and transmission line is provided in **Figure 2-2**.

An Environment Impact Assessment (EIA) study for local Lao PDR permitting requirements was first conducted in June 2014 (EIA 2014), with updates in 2018 (EIA 2018), and September 2020 (EIA 2020), respectively. Innogreen Engineering Co., Ltd (Innogreen) on behalf of the Project Proponent has submitted the revised local EIA (2022) due to significant changes in the Project design to MONRE. MONRE's approved the revised EIA in July 2022. A draft Environmental and Social Impact Assessment (ESIA) was prepared and publicly disclosed on the ADB's website in May 2022 in compliance with its safeguard requirements.

## 2.2 Project Description

The key features and location of the Project are provided in **Table 2-1** and **Figure 2-1**.

**Table 2-1: Project Key Features**

Key Features	Description
<b>Project Owner</b>	Impact Energy Asia Development (IEAD)
<b>Project Location</b>	Dak Cheung District of Sekong Province and Sanxay District of Attapeu Province in Lao PDR
<b>Project Area</b>	70,828 hectares <sup>2</sup>
<b>Project Background</b>	IEAD signed a Memorandum of Understanding (MoU) with the Government of Lao PDR in 2011 to explore the possibility of developing a wind power project. Following the initial feasibility study, IEAD signed a Project Development Agreement (PDA) with the Government of Lao PDR on August 7, 2015 for the development of a wind power project with a capacity of 600 MW. The concession period for the Project is understood to be 25 years from the commercial operations date (COD). Construction is estimated to take approximately 30 months.
<b>Approval of EIA</b>	An Environment Impact Assessment (EIA) study for local Lao PDR permitting requirements was conducted in June 2014 (EIA 2014), and a second and third revision was conducted in May 2018 (EIA 2018), and September 2020 (EIA 2020), respectively. Innogreen Engineering Co., Ltd (Innogreen) on behalf of the Project Proponent has submitted the revised local EIA (2022) due to significant changes in the Project design to MONRE. MONRE approved the revised EIA on 28 July 2022.
<b>Project Key Components</b>	<ul style="list-style-type: none"> <li>■ 133 wind turbines (Envision EN 171-4.5 turbines) with total capacity of 600 MW, hub height is 110 m.</li> <li>■ 22 km of 500 kV overhead transmission line in Lao PDR and 500 kV Thanh My substation. The Right of Way (ROW) of the transmission line is 60 m (30 m on each side from the centre line)</li> <li>■ Underground and overhead 35 kV (39 km) and 115 kV (27 km) transmission cables to transfer electricity to the substation within the development area. The Right of Way (ROW) of 35 kV and 115 kV transmission lines is 15 m (12.5 m on each side from the centre line) and 40 m (20 m on each side from the centre line) respectively.</li> <li>■ Internal 33/115kV substations</li> <li>■ 500kV substation</li> <li>■ Internal road, with the pavement width of 5.0 m; the subgrade width of 6.0 m; designed speed of 15 km/h, will be newly built to connect the access road and all turbines for construction and operation of the Project.</li> <li>■ 108 km access road (highway road No. 16 B) from the municipality of Sekong to Dak Cheung District to the Project Site. Renovation work of road no.16B has been completed and it is entirely paved with asphalt. It is understood that the width of this road is sufficient for transportation of construction equipment.</li> <li>■ Other ancillary facilities including batching plants, laydown area, spoil disposal sites and worker accommodations</li> </ul>
<b>Other Related Facilities and Associated Facilities</b>	<p>Other related facilities have been assessed as to whether these are associated facilities. However, these have not been considered as associated facilities as per ADB SPS and IFC PS definition as per the rationale provided below:</p> <ul style="list-style-type: none"> <li>■ The 500 kV Station of Vietnam (Thanh My Station) and the transmission line route in Vietnam, this project is not funded by ADB or the Developer and is being conducted by EVN, which means that funding is provided separately by the borrower/client or by third parties. In addition, the viability and existence of the project is not exclusively for successful operation of the project, but are also being developed for more than just the Project Associated Facilities. EVN plans to use the 500kV line for other imported power projects from Sekong province. The maximum capacity of this 500kV double-circuit is approximately 4,000MW. Based on Vietnam's draft power development plan (PDP8), there is a planned 200MW hydro power project to connect to the Project substation and transmission line. In the agreed PPA and Concession Agreement, </li></ul>

<sup>2</sup> It should be noted that the Projects' concession area will be the land required to install and construct project facilities and ROW for related transmission line, which is around 1,050 ha.



Key Features	Description
	<p>EVN and GOL, respectively, allow other projects to connect to the transmission line and sell electricity to Vietnam.</p> <ul style="list-style-type: none"> <li>■ Road No. 16 B improvements that connecting Lao PDR, Thailand, and Vietnam from west to east. This road will be used for the transportation of construction equipment. The upgrade of this road was completed in 2021 by the Government of Laos. As the Government of Laos funded the upgrade of the road, the road therefore is not considered as an associated facility, as it is not funded as part of the project. In addition, as the road network will not be utilized for only this Project and is not funded by the developer or ADB, it cannot be considered an associated facility since the viability and existence does not depend exclusively on the project but is develop for other uses as well.</li> </ul>
<b>Project Affected Villages</b>	<p><b>Dak Cheung District, Sekong Province</b></p> <ul style="list-style-type: none"> <li>■ Agricultural land of 340 households in 18 villages will be impacted by Project land acquisition for wind turbine facilities, transmission line facilities, access and internal roads, and ancillary facilities. Of 340 households, two households will be permanently affected, 168 households will be temporarily affected, and 170 households will be permanently and temporarily affected.</li> <li>■ The following villages may be impacted by ancillary facilities: <ul style="list-style-type: none"> <li>- Potential workers' accommodation: Dak Chueng, Nonsavan, Dak Bong, Dak Rant, Dak Dor and Dak Terb</li> <li>- Potential strone production plant: Dak Xeng, Dak Tiem Trongmueang, Ngon Don,</li> <li>- Potential batching Plant: Dak Rant, Trongmueang, Dak Terb</li> <li>- Laydown area: Dak Xeng and Dak Tiem</li> </ul> </li> <li>■ 129.78 ha and 390.29 ha of communal land in 22 villages will be permanently and temporarily affected by the Project main components and ancillary facilities, respectively.</li> <li>■ 108.25 ha and 421.00 ha of NTFP collection area in 20 villages will be permanently and temporarily impacted by Project main components and ancillary facilities, respectively. It is assumed that all villagers (1,752 people) in 20 villages in Dak Cheung District are impacted by land acquisition of NTFP collection area.</li> </ul> <p><b>Sanxay District, Attapeu Province</b></p> <ul style="list-style-type: none"> <li>■ Agricultural land of A total of 38 households in four villages will be impacted by wind turbine facilities, transmission line facilities and access roads. Of 38 households, three households will be permanently affected, two households will be temporarily affected, and 33 households will be permanently and temporarily affected, respectively.</li> <li>■ 30.16 ha and 58.69 ha of communal land in five villages will be permanently and temporarily impacted by Project main components, respectively.</li> <li>■ 44.80 ha and 18.98 ha of NTFP collection area in five villages will be permanently and temporarily impacted by Project main components, respectively. It is assumed that all villagers (335 people) in five villages in Sanxay District are impacted by land acquisition of NTFP collection area.</li> <li>■ Refer to</li> <li>■</li> </ul> <p><b>Figure 2-2 and Figure 2-3</b> for the location of affected villages in relations to Project facilities.</p>

Key activities to be conducted over the life of the Project are outlined in **Table 2-2**.

**Table 2-2: Project Activities**

Phase	Details	Schedule
Pre-construction Phase	<ul style="list-style-type: none"> <li>■ All work will be conducted in accordance with the detailed master construction schedule, provided by the EPC Contractor. Prior to commencement of work, all contractors would be required to provide detailed site specific plans.</li> <li>■ No land take, or dispossession of assets and no ground clearance or project activities shall take place unless land acquisition and compensation activities are completed for the project component following the resettlement plan and Community and Ethnic Groups</li> </ul>	-



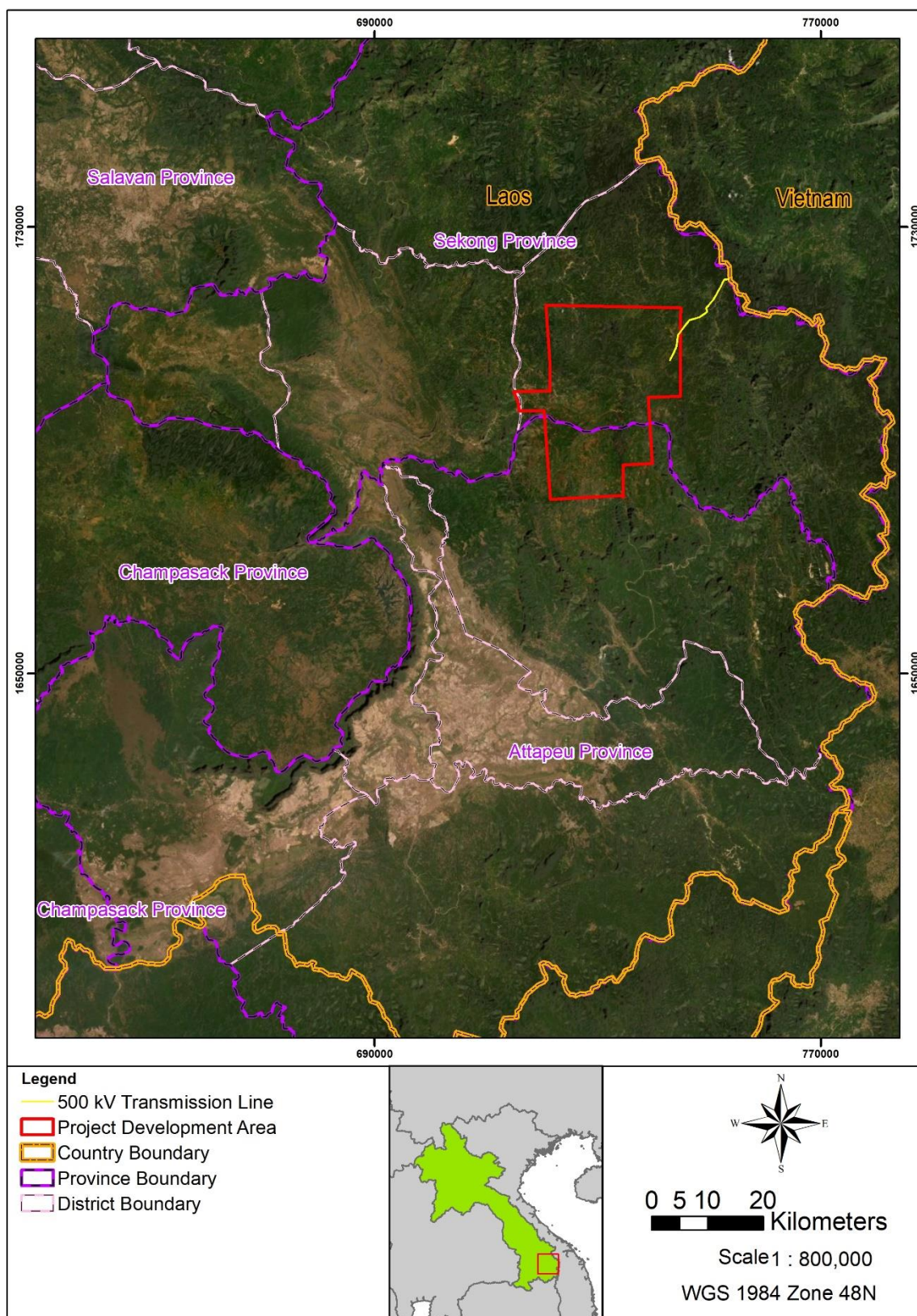
Phase	Details	Schedule
	Development Plan which meets the International regulatory framework.	
Construction Phase	<ul style="list-style-type: none"> <li>The EPC Contractor will prepare the site for construction, erection, and installation of the Project facilities, which will include earthwork activities, such as site clearing and soil excavation. The construction, design, and testing will be undertaken in accordance with the appropriate construction standards and the Laos' Decision on National Environmental Standards (No. 81/GOV, 2017).</li> </ul>	30 months
Operation, and Maintenance Phase	<ul style="list-style-type: none"> <li>After the completion of the installation of wind turbines and the arrangement for the commencement of the production of electricity, there will be the officer to control, supervise, and maintain the wind turbine system in accordance with the agreement made with the manufacturer of the turbine. The frequency of the maintenance of 1 turbine generating electricity is approximately 2 times per year in order to verify the integrity of the hydraulic system, lubricants system, transformer and blade.</li> </ul>	25 years
Decommissioning Phase	<ul style="list-style-type: none"> <li>No information is currently available on the decommissioning of the Project. It is noted that decommissioning will need to be conducted under the prevailing laws and standards of Lao at the time of decommissioning activities</li> </ul>	-

In addition to **Figure 2-2** and **Figure 2-3** whereby overall Project layout in relation to villages is presented, **Table 2-3** presents village specific impacts.

**Table 2-3: Village Specific Impacts**

Villages	Potential Impacts	Map Reference
18 villages in Dak Cheung District and 4 villages in Sanxay District	Land acquisition and impacts to livelihood	Figure 2-2
Dak Terb, Dak Cheung and Dak Bong	Impacts of labor influx during construction phase as these villages are located near proposed workers' accommodation	<b>Figure 2-3</b>
Dak Dor, Dak Nong, Dak Samor and Dak Yok	Impacts from of the WTG, transmission line and internal roads construction Shadow flicker impacts on Dak Nong village	<b>Figure 2-4</b>
Dak Rant, Dak Cheung, Ngon Done, Dak Muan, Dak Bong	Potential encroachment of workers into Dak Bong Cemetery which is considered sacred ground during the construction of overhead transmission line Land acquisition and construction of 500 kV substation in Dak Rant village Impacts from land acquisition and construction of 500 kV transmission line to Dak Muan village	<b>Figure 2-5</b>
Dak Tiem, Dak Xeng, Xiengluang, Dak Turb	Shadow flicker impacts on Dak Tiem village	<b>Figure 2-6</b>
Proa, Dak Kung and Dak Lern Villages	Impacts of the WTG, T/L and internal roads construction to intangible cultural heritage in Phou Koungking Mountain from potential encroachment of workers into the prohibited area on the higher elevation of the mount.	<b>Figure 2-7</b>

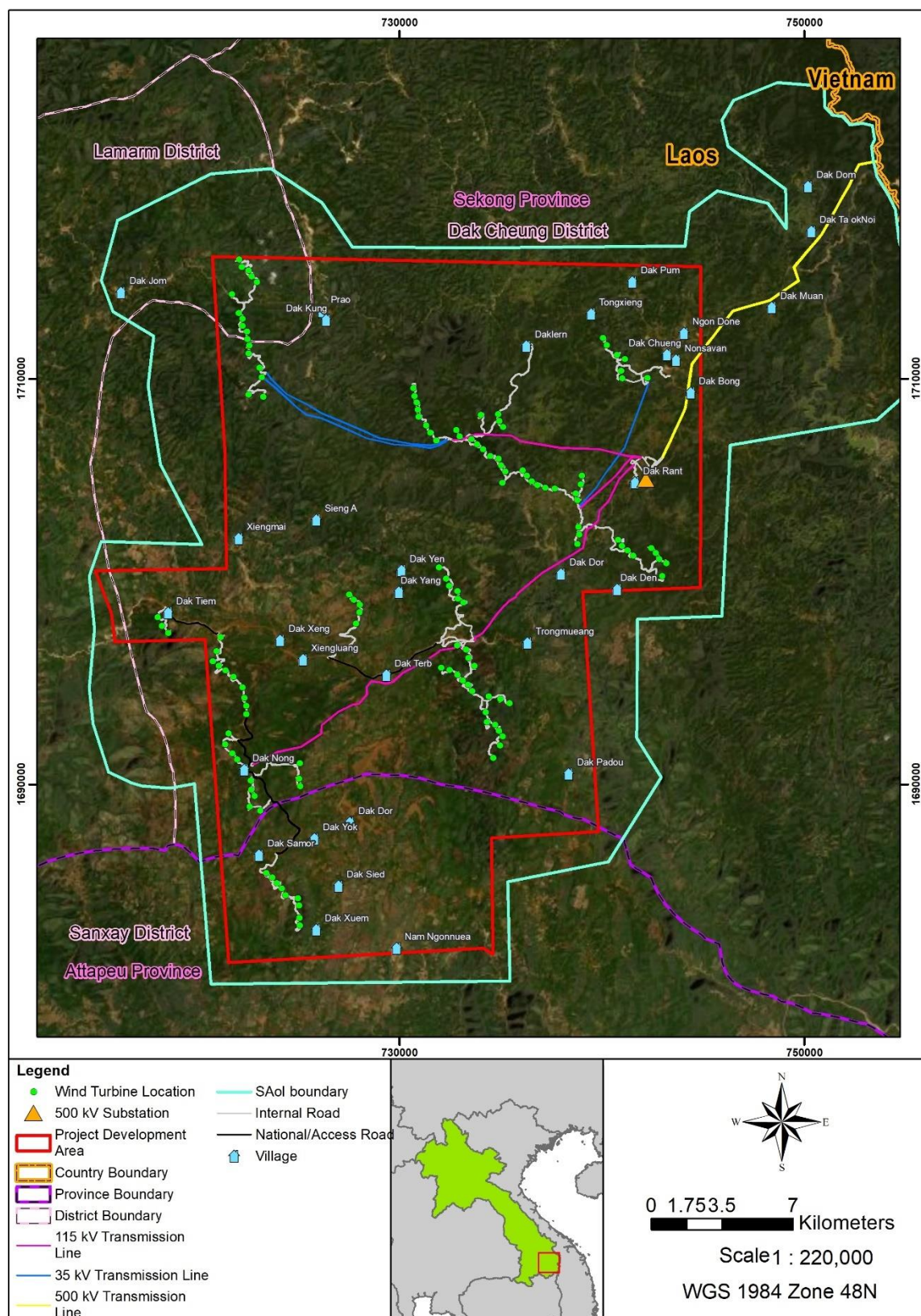
Figure 2-1: Project Location



Source: IEAD, 2020 (modified by ERM)



**Figure 2-2: Affected Village Locations and Permanent Facilities**



Source: Innogreen/ERM, 2021, It should be noted that the administrative boundary provided from GIS data is inaccurate. The GIS Data shows that Dak Jom Village is located within Lamarn District; however, based on site visit and engagement with local authorities and villagers it is noted that Dak Jom village is located in and reports to Dak Cheung District.



**Figure 2-3: Affected Village Locations and Ancillary Facilities**

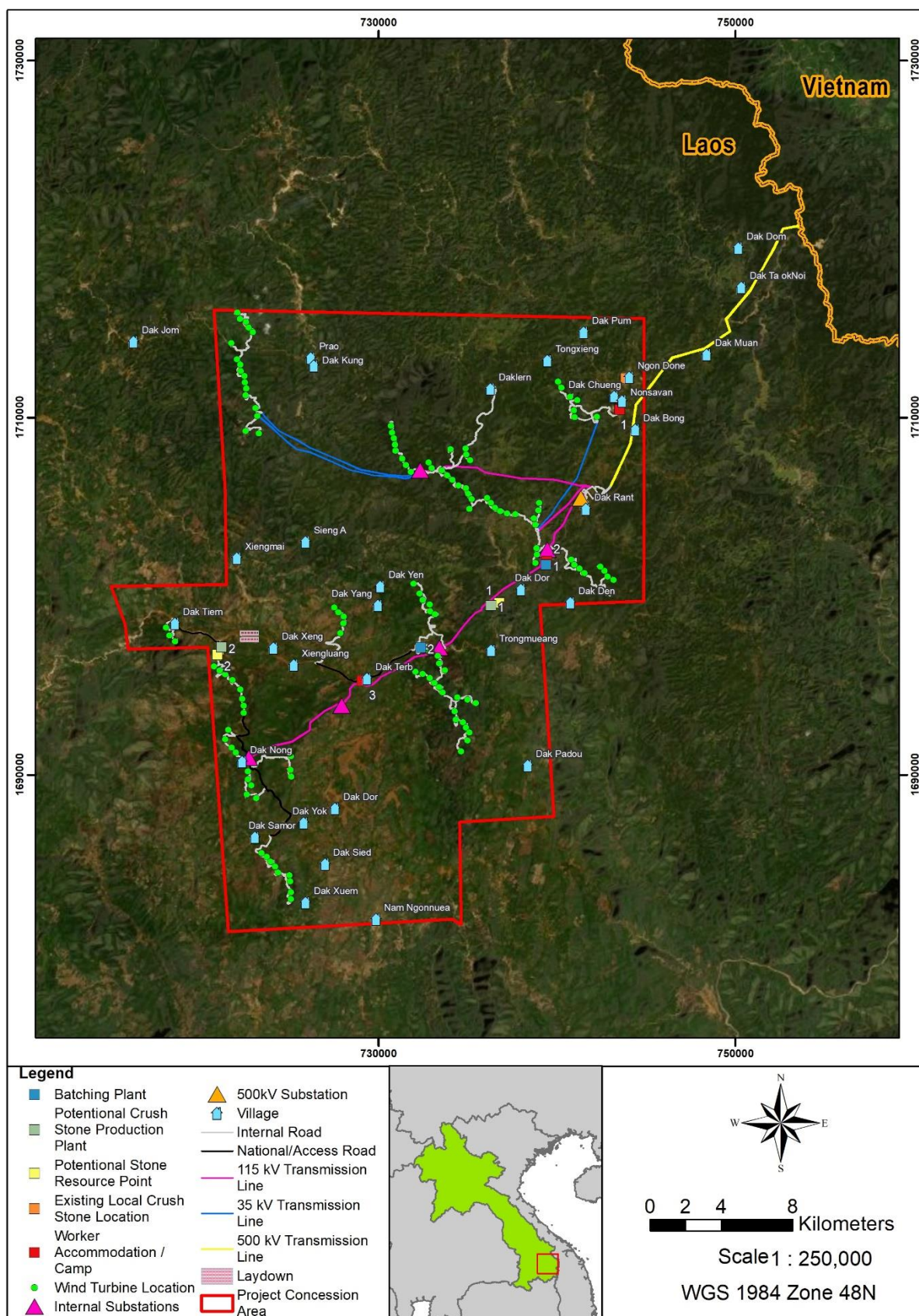
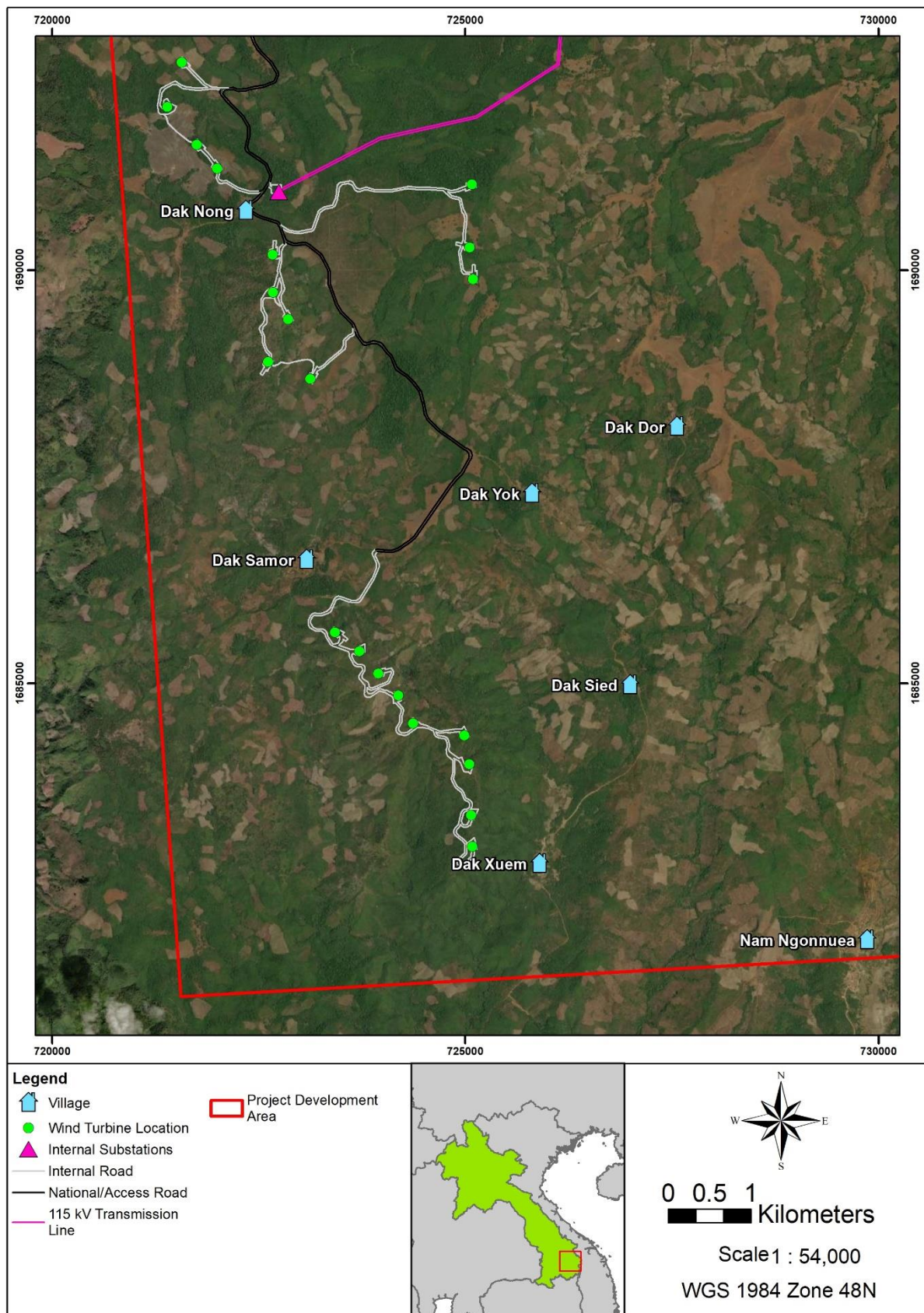




Figure 2-4: Dak Dor, Dak Nong, Dak Samor and Dak Yok





**Figure 2-5: Dak Rant, Dak Cheung, Ngon Done, Dak Muan, Dak Bong**

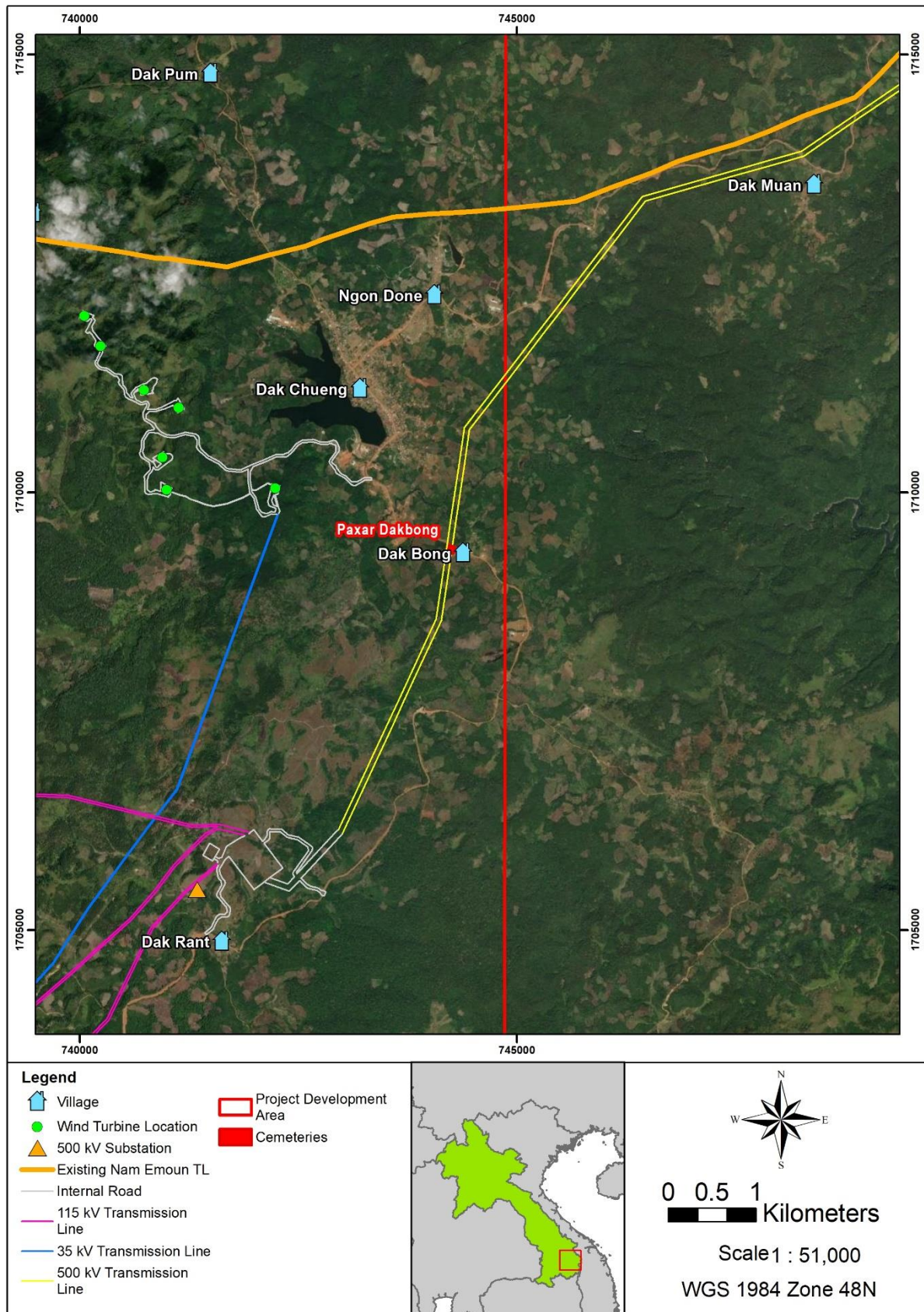




Figure 2-6: DakTiem, Dak Xeng, Xiengluang, Dak Turb

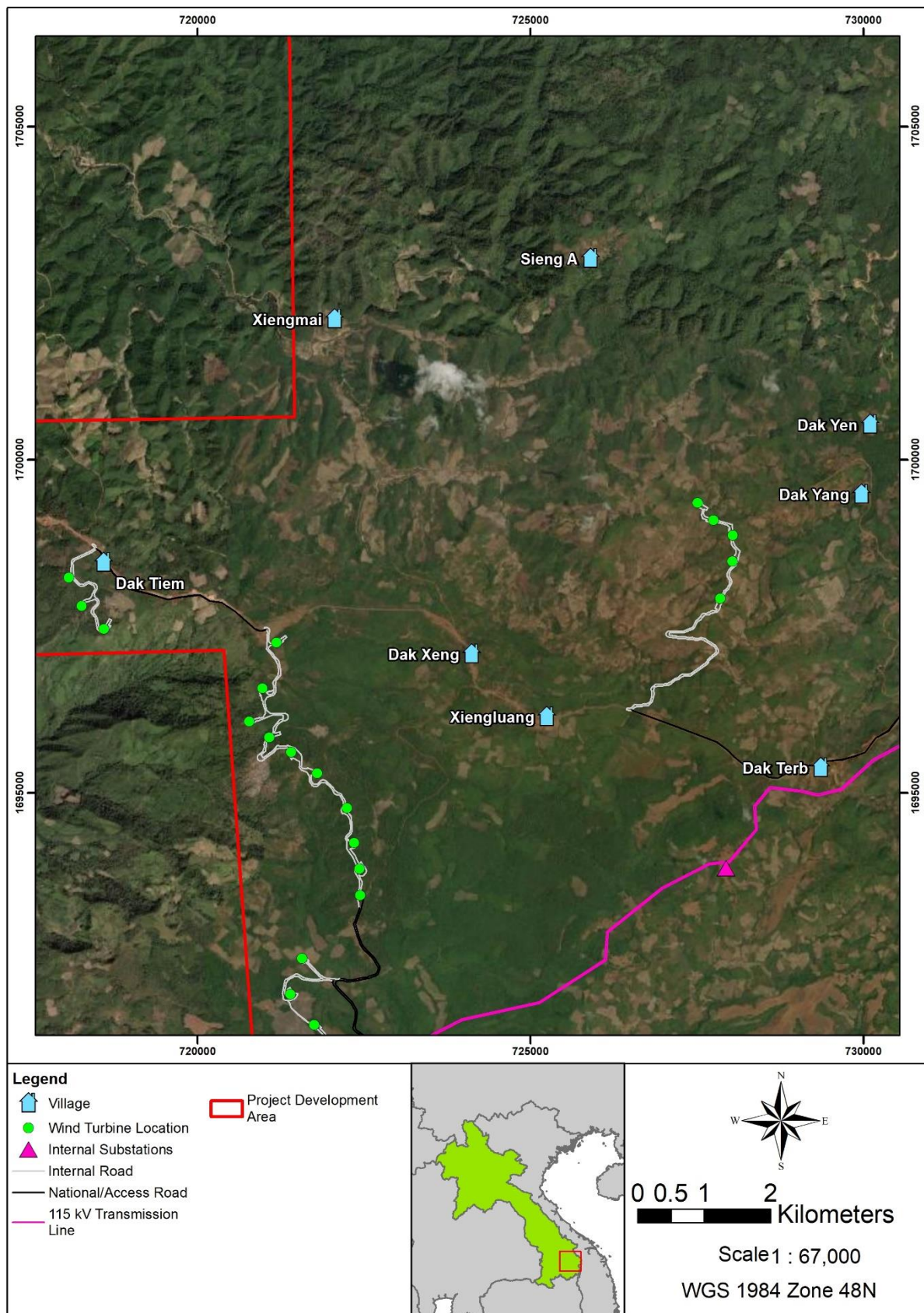
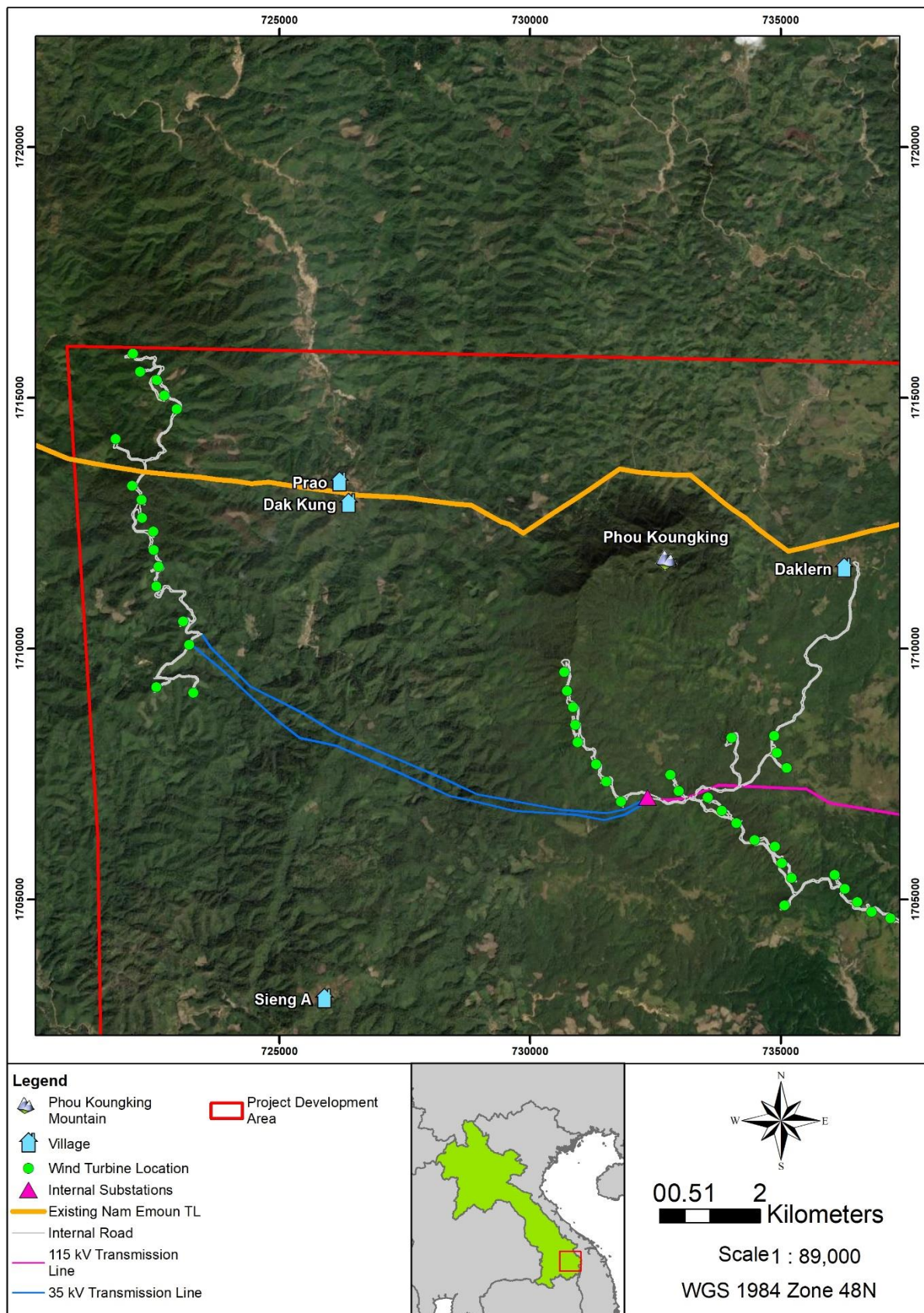




Figure 2-7: Prao, Dak Kung and Dak Lern Villages



## 2.3 Alternative Considerations

### 2.3.1 Design Change to Reduce Project Impacts

The Project layout has been optimised to avoid physical displacement and minimize economic displacement arising from involuntary resettlement impact from 240 wind turbine generators (WTGs) to the current 133 WTGs. The following optimization and refining have been undertaken:

- IEAD has been considering turbine layout based on turbine technology available since 2014. Total 240 WTGs (x2.5MW) with 139m hub height and 120m rotor diameter, was considered based on wind turbine technology available in 2014-2015. The layout was included in the feasibility study that was approved by Government of Laos and it was included in the first draft of local EIA submitted to the Government of Laos.
- Following this, a total of 174 WTGs (x3.45MW) with 157m hub height and 136m rotor diameter was selected in 2016 due to changes in the Project design.
- In 2020, a total of 113 WTGs (x5.3MW) with 141m hub height and 158m rotor diameter was considered. Larger WTGs were proposed to reduce the number of turbine units and reduce the ancillary infrastructure (i.e. road and civil foundation). However, the solution was considered infeasible and could not achieve targeted energy yields.
- In 2021, new technology became available which enabled the Project to achieve economic return, as well as environmental, biodiversity, social, health and safety aspects. The Project therefore considered such technology with a total of 148 WTGs.

In 2022, IEAD has changed layout from Goldwind's technology (148 turbines) to Envision's technology (133 turbines). Envision layout has reduced 15 turbines and 124 turbines out of the 133 turbines are in the same area. Only 9 turbines are planned to be relocated to Dak Nong Village, which used to be the location for the 115kV transmission line and access road for Goldwind layout. The Goldwind and Envision's layout comparison is shown in **Figure 2-8**. Land cover data for comparing Goldwind and Envision's layout from secondary data sources for protected and key biodiversity areas and from the Regional Land Cover Monitoring System (RLCMS) that was developed by SERVIR-Mekong. This data was extrapolated to calculate the land cover in terms of land use categories. This data is provided in **Table 2-4**.

**Table 2-4: Land Cover for Turbine Layout**

Land Cover Category	Goldwind	Envision
	Area (sq.m.)	Area (sq.m.)
Agriculture/Aquaculture	1,963.50	0
Forest	253,290.81	239,546.27
Key Biodiversity Area	35,342.92	21,598.45
Protected Area	0	0
Shrub-land	0	0
Urban and Built Up	0	0
<b>TOTAL</b>	<b>290,597.23</b>	<b>261,144.72</b>

Source: RLCMS - (<https://www.landcovermapping.org/en/landcover/#>)

- Previously, Goldwind's technology (148 turbines) impacted a total of 246 HHs with a total loss of 130.47 ha of agricultural land (5.4 ha permanently affected and 125.07 temporarily affected) and

593.03 ha of NTFP collection area (153.05 ha permanently affected and 439.98 ha temporary affected) and overlap with 5 cemeteries and Phou Koungking Mountain.

- The layout optimisation to Envision's technology (133 turbines) has resulted in 378 affected HHs, 185.83 ha of agricultural land loss (29.31 ha permanently affected and 156.53 ha of temporarily affected), 535.48 ha NTFP collection area loss (150.79 ha permanently affected and 384.69 ha temporarily affected), 608.93 ha of communal use land loss (160.37 ha permanently affected and 448.56 ha temporarily affected) and Phou Koungking Mountain.
- **Box 2-1** presents typical land use arrangement of villages in the Project area. Some NTFP collection areas located within communal use land, particularly forested and higher elevation areas of communal use land. Some communal use areas are also used for agriculture<sup>3</sup> and animal grazing; however, there are no agricultural activities within NTFP collection areas as they are mostly forested or higher elevation areas which are not suitable for agriculture. Some areas of communal use land are unused land (i.e., land left fallow) and grazing land whilst some are designated as protection forest of the villages where cultivation is prohibited. It was noted by the Site team undertaken DMS that approximately 90% of communal land consists forest area (including NTFP collection area), and the remaining 10% are unused land and grazing land. **Box 2-1** also explains changing of land ownership within the practice of shifting cultivation.
- It is noted by the site team (Innogreen) that increased agricultural activities in communal use area was observed (i.e., more communal use land is being cultivated) during DMS survey in May – June 2022 compared to November – December 2021 when the asset registration survey was conducted. This may have contributed to increased number of affected HHs and area of impacts despite the number of WTGs has been reduced from 148 to 133 WTGs.
- Envision layout reduces impacts to NTFP collection area by 57.55 ha. This is because locations of the WTGs are typically proposed at higher elevation, which are mostly forested areas suitable for NTFP collection, for higher wind speed. Therefore, reduction in WTG numbers resulted in decreased impacts to NTFP collection area
- Envision layout also avoids impacts to all cemeteries; however, overhead transmission line will pass over Dak Bong cemetery. It is noted that the transmission line is 70 m above the ground and no physical impacts (e.g., land clearance, earthwork, etc.) will be made on the Dak Bong cemetery area. The consultation with Dak Bong village on 21 July 2022 suggested that cutting of trees within ROW in cemetery area to maintain the tree height under 3 m<sup>4</sup> is allowed; however, the Project is required to provide budget for the village to prepare and perform specific rituals to seek permission from spirits for such activities.

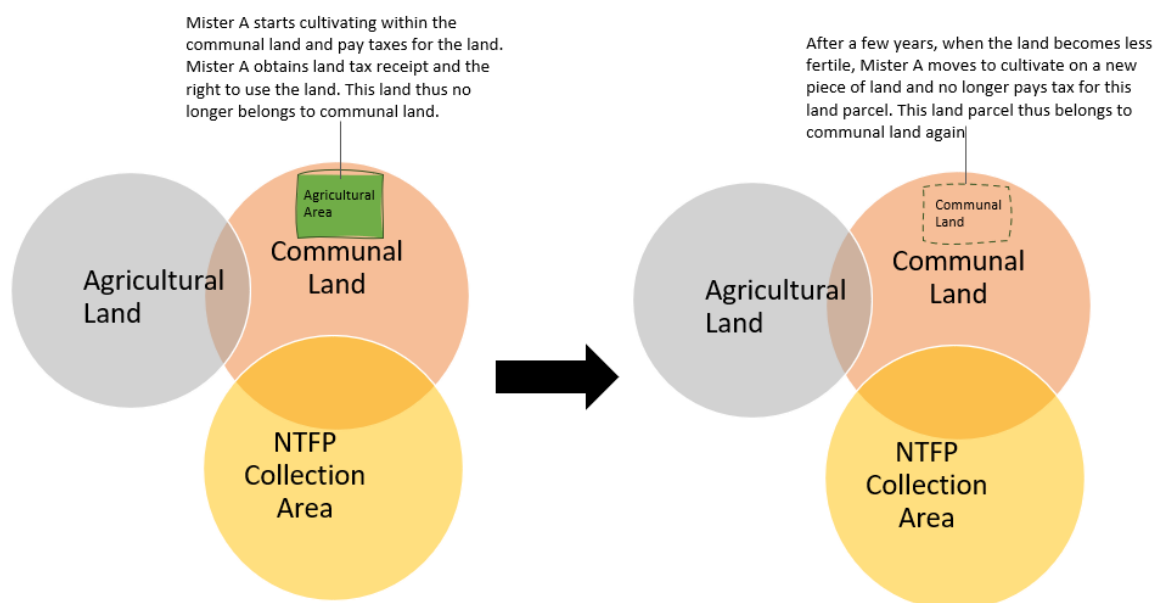
In addition, through the ESIA process, re-routing of facilities has been conducted to reduce impacts on environmental and social receptors, this has included:

- Relocating WTGs to avoid significant shadow flicker and noise impacts (Dak Yan and Dak Cheung Village) – WTGs moved from approximately 200m from village to over 1 km.

<sup>3</sup> However, if the tax is paid for the land, the owner will then have the right to use the land, the land is thus no longer 'communal land' but under individual land use right as illustrated in Box 1.1

<sup>4</sup> The Regulation on Safety for High Voltage Transmission Line and Substation, EDL/ 2013 prescribes that trees taller than 3 m are prohibited within the ROW area. Therefore, there is a need for the Project or relevant authority to maintain the height of trees under 3 m.



**Box 2-1: Typical Land Use Arrangement**

## 2.3.2 Alternatives on Transmission Line Route

### 2.3.2.1 Alternative Sub-Station Locations

**Option 1:** The original plan for the transmission line was to connect the Project via a 150 km 230kV transmission line to the Ban Lak 25 substation in in Pakse, Champasak Province. This routing intersects with two Key Biodiversity Areas (KBAs). The plan was amended in order to connect to a 500 kV station of Vietnam (Thanh My Station) with an overall length of 66 km (around 22 km in Laos). The Laos to Vietnam option reduces the overall potential for impacts from forest clearing, impacts to agricultural land and livelihoods, and potential increased physical displacement. Two alternative alignments for the 500 kV transmission line were considered in the local EIA (Innogreen, 2020).

**Option 2:** The plan was amended in order to connect to a 500 kV station of Vietnam (Thanh My Station) with an overall length of 66 km (around 21 km in Laos). This option reduces the overall length of the transmission line from 150 km to 66 km. The Laos to Vietnam option reduces the overall land required as well as number of new towers to be constructed and access roads to be developed and therefore may lead to an overall reduced impacts from forest clearing, impacts to agricultural land and livelihoods, and potential increased physical displacement given the shorter distance.

Land cover data were available for the two transmission line route options and ROW from secondary data sources for protected and key biodiversity areas and from the Regional Land Cover Monitoring System (RLCMS) that was developed by SERVIR-Mekong. This data were extrapolated to calculate the land cover for the two optional routes in terms of land use categories. This data is provided in **Table 2-5**.

Option 2 was selected for the Project.

In addition, through the ESIA process, re-routing of facilities has been conducted to reduce impacts on environmental and social receptors, this has included:

Re-routing of the access roads and internal transmission lines was conducted to avoid cemetery areas (all cemetery areas in the development area)

In July 2022, transmission line route and 500 kV substation have been slightly adjusted to avoid four (4) permanent residential buildings.

**Table 2-5: Land Cover for Alternative Transmission Line Routes**

Land Cover Category	Option 1		Option 2	
	Area (sq.m.)	Length (km)	Area (sq.m.)	Length (km)
Agriculture/Aquaculture	134,241	2.27	0	0
Forest	6,648,337	110.87	1,122,854	18.69
Key Biodiversity Area	1,794,843	29.92	156,129	2.59
Protected Area	21,287	0.35	0	0
Shrub-land	158,224	2.63	0	0
Urban and Built Up	208,737	3.62	0	0
<b>TOTAL</b>	<b>8,965,669</b>	<b>150</b>	<b>1,278,983</b>	<b>21</b>

Source: RLCMS - (<https://www.landcovermapping.org/en/landcover/#>)

### 2.3.3 Routing of Selected Alternative

Two alternatives on the selected transmission line are provided in the EIA for the 500 kV transmission line (Innogreen, 2022). The option considered included:

**Option 1:** The transmission line route has a length of 21 km and is comprised of a total of 47 towers. The topographic characteristics consist of few high mountainous areas and many plateau areas with favorable conditions for construction and maintenance, as route will extend along the side of the mountain and will facilitate the building of a shorter access road to the towers. This will reduce the overall area impacted by construction of access roads.

The transmission line route will pass through 5 km of protection forest and few areas of production land of the people. There is no relocation of houses and construction structure from the transmission line route. Only the cemetery area of Dak Bong Village is located in ROW that the project agrees to perform the ceremony in accordance with the custom and tradition of the village.

**Option 2:** The transmission line route has a length of 20 km and is comprised of a total of 42 towers. The topographic characteristics of the transmission line route are similar to Option 1, however, near the Vietnam-Lao border, the transmission line will extend to the left side of the road, which is difficult to access and requires a longer access road.

The transmission line route will also pass through 5 km of protection forest but will pass through the production area of the people more than in option 1. Access roads shall be built to the tower foundations which pass through a large production area (coffee plantation) in Ngon Don Village. This route will also cause resettlement impact due to relocation of 2 households in Dak Bong Village from the transmission line route.

The two options are shown in **Figure 2-9**.

Although Option 1 is longer and requires more towers; the topographic conditions along the transmission line route of Option 1 are more convenient and will incur smaller access roads. Option 1 was therefore considered for the Project (as shown in **Figure 2-9**)

Efforts were also made to limit as far as possible environmental impacts by planning transmission lines alignments outside of Protected Areas (e.g., Dong Hua Sao PA to the west) and where possible, minimizing the impact to KBAs (Key Biodiversity Areas), although protected areas avoidance was a first priority. The original TL planned to the Ban Lak 25 substation for example, was amended to connect to Thanh My substation in Vietnam, reducing the overall length of the line considerably and the extent of

natural forest clearing that would have been required, and avoiding impacts to two KBAs. Due to the number of KBAs and their spatial orientation and extent in the region, complete avoidance was often not possible; for example, the 500 kV TL route to Vietnam in the east, where the geographical extent and orientation of the Song-Thanh KBA is such that it did not allow for complete avoidance. However, efforts were made to reduce the length where some KBAs are crossed (e.g. Bolaven North-east) and in Phou Kathong. Also, the TL followed the existing road alignments in various areas which also serves to minimize further impact by locating infrastructure within already disturbed habitats/areas. Complete avoidance of Dakchueng Plateau KBA could not be realized fully for technical reasons pertaining to the feasibility of the project and positioning of WTGs where maximum power generation potential can be achieved to make the project viable. However, the TL length is restricted in this area and the number of WTGs is also limited in comparison to other clusters of WTGs in the project area. Furthermore, biodiversity enhancement through an offset intervention has been recommended for portions of Dakchueng Plateau KBA to restore degraded forest habitat in an effort to achieve at least a no net loss of biodiversity for the project, and this should sufficiently compensate for impacts of the project on the KBA habitats. This is discussed in **Section 8.4.3.7 'Residual Impacts to Biodiversity'** of the ESIA with further detail on the preliminary offset strategy contained in the initial **BAP: Biodiversity Action Plan**.

**Figure 2-10** shows the transmission line in relations to the NTFP collection area.

**Figure 2-8: Comparison of Goldwind (Old) and Envision (Current) Layouts**

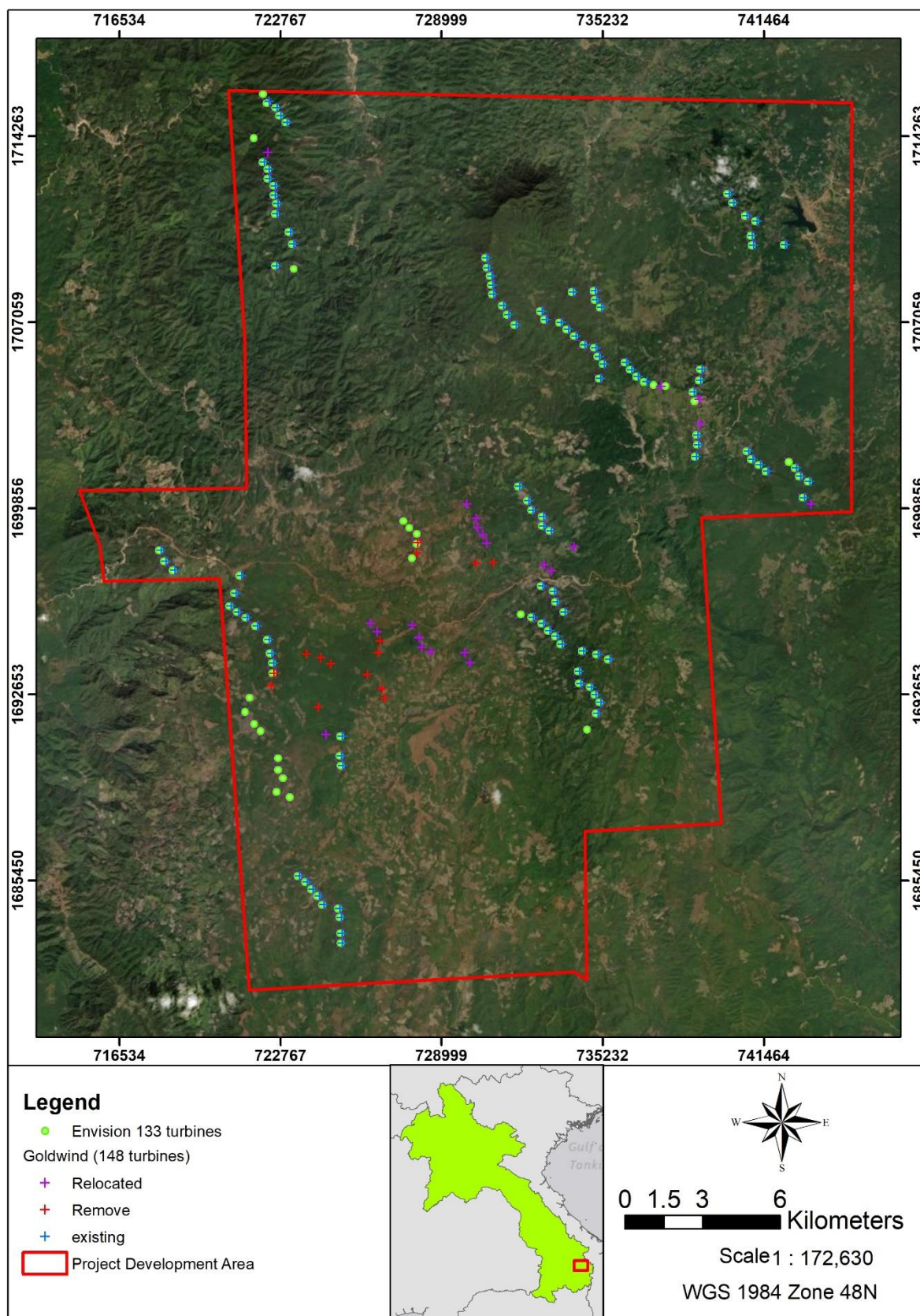




Figure 2-9: Alternative Transmission Line Routing to Sub-Stations

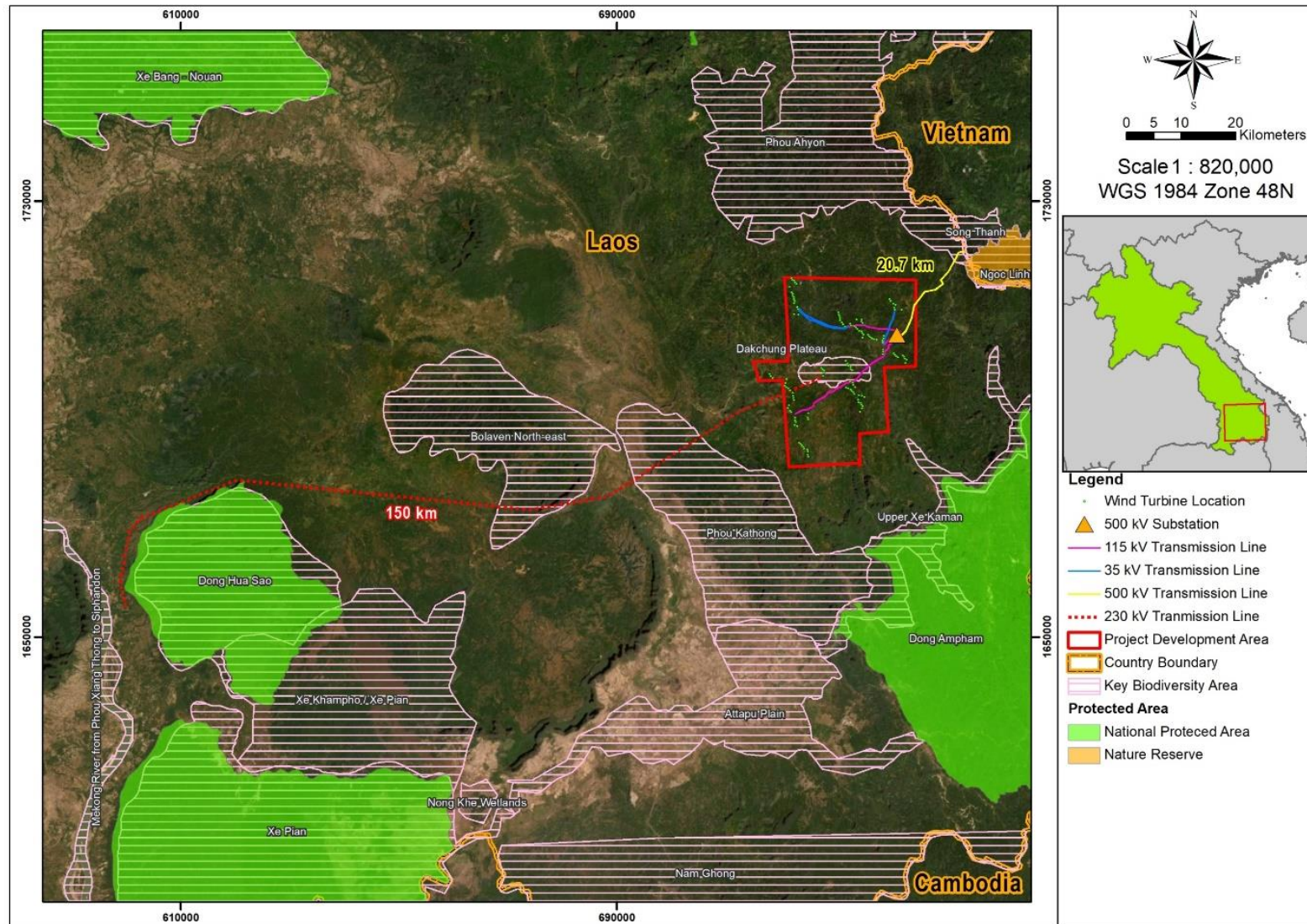
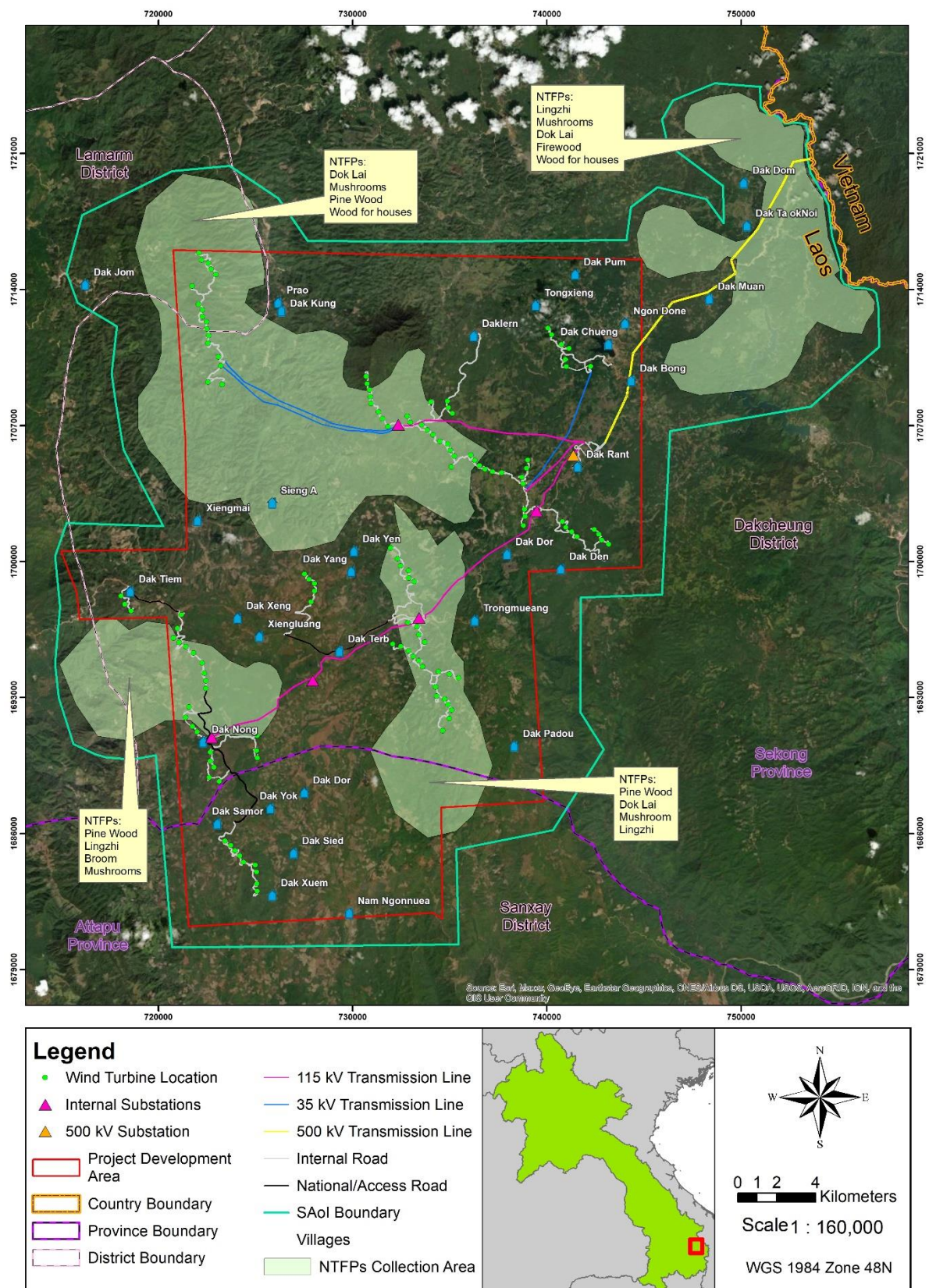




Figure 2-10: NTFP Collection Area



## 2.4 Objectives and Scope of RP

This Resettlement Plan (RP) aims to ensure that adequate and appropriate replacement assets or cash compensation at full replacement cost are provided, the livelihoods of all displaced persons are improved or restored in real terms relative to pre-project levels; and the standards of living of the displaced poor and other vulnerable groups are improved to at least national minimum standards. It has been prepared to bring the Project into compliance with Lenders safeguards requirements, particularly those of ADB's Safeguards Policy Statement (SPS) 2009, the International Finance Corporation (IFC) Performance Standards (PS) 2012, the Asian Infrastructure Investment Bank (AIIB) Environmental & Social Framework 2016, and the Japan International Cooperation Agency (JICA) Guidelines for Environmental & Social Considerations (GESC) (2022). The RP reflects the outcomes of the Project's updated Environmental and Social Impact Assessment (ESIA) and Environmental and Social Management Plan (ESMP). The Project has also developed a Community and Ethnic Group Development Plan (CEGDP), a Cultural Heritage Management Plan (CHMP), and a Stakeholder Engagement Plan (SEP), which should be read in conjunction with this RP. Specifically the RP will:

- Clarify resettlement principles, procedures, organisational arrangements, schedule of activities, and design criteria to be applied to all physical and economic displacements required for the Project
- Put in place a process to improve or at least restore the livelihoods of all Project Affected People (PAPs) to their pre-project levels prior to land acquisition for the Project and improve the standards of living of affected poor and other vulnerable groups
- Provide strategies for effective, inclusive and continuous engagement and information disclosure with Project-affected parties and other interested parties on land acquisition, compensation and livelihood matters, as reflected in the SEP
- Provide a mechanism for Project-affected parties to raise land acquisition and resettlement related issues and grievances through accessible and inclusive means via an established Grievance Mechanism (GM) and allow IEAD to respond to such grievances
- Provide a plan for monitoring and evaluation to ensure resettlement principles and objectives are met
- Clarify roles and responsibilities for different Project activities with a description of institutional arrangements and coordination mechanisms
- Present a schedule showing the sequence of land acquisition and compensation processes and livelihoods restoration activities

The RP defined the principles and policies for land acquisition and compensation, including entitlements, methods of valuing affected assets, the compensation process and tools, grievance process, institutional arrangement for land acquisition planning and implementation, transitional measures and special measures for vulnerable groups or persons.

### 2.4.1 Land Acquisition and Involuntary Resettlement Overview

#### 2.4.1.1 Overview of Project Land Requirement

Implementation of the Project will result in the permanent and temporary acquisition of a total of 1,260 ha of land for development of Project components as outlined in **Table 2-6**.

**Table 2-6: Overview of Project Land Requirement**

No.	Project Components	Rationale for Land Requirement	Total Land Requirement (ha)
1	WTG foundations	5 ha is required for each WTG (0.3 ha is permanently required, whilst 0.2 ha is temporarily required for laydown area)	66.5 (39.9 ha permanently required and 26.6 ha temporarily required)
2	22 km 500 kV	The Right of Way (ROW), comprising a width of 70 m (35m horizontally on each side from the transmission center line), is the area of land that will be used to locate, construct, operate, and maintain the transmission line. Total length of the 500kV line is approximately 22kms	154 (temporary) <sup>5</sup>
3	Underground and overhead 35 kV and 115 kV transmission cables	The Right of Way (ROW) of , 115 kV and 35 kV transmission lines is 25 m (12.5 m on each side from the centre line) and 8 m (4 m on each side from the centre line) respectively. The total length of the overhead transmission line is approximately 88 km (where 22 km is for 500 kV (land requirement is calculated in item No.2 above), 39 km is for 115 kV, and 27 km is for 35 kV)) and total length of 33 kV underground transmission line is approximately 280 km. <sup>6</sup>	343.10 (temporary land requirement of 119.10 ha for over overhead transmission line and 224 ha for underground transmission line) <sup>7</sup>
4	Internal road system	The internal road system within the Project development area will be newly built connecting to turbine towers with a total width of 8 m (5.5-6 m pavement), a total length of 160 km (135 km newly built and 25 km modification of existing roads).	507 (156 ha permanently required and 351 ha temporarily required)
5	Concrete batching plants	Temporary land requirement for construction period	7 ha
7	Laydown areas (mainly used for wind turbine parts, electrical equipment, and other raw material) <sup>8</sup>	Temporary land requirement for construction period.	50 ha
9	Worker accommodation	Temporary land requirement for construction period	6 ha
10	Spoil disposal areas	Temporary land requirement for construction period	126.40 ha
<b>Total</b>			<b>1,260 ha</b> <b>(1,064.1 temporarily required and 195.9 permanently required)</b>

<sup>5</sup> Under the Regulation on Safety for High Voltage Transmission Line and Substation, EDL, 2232, 2013, trees taller than 3 m and structures are not allowed within ROW; however, agricultural activities such as rice farming, cassava or coffee can be continued after construction and installation completion.

<sup>6</sup> This calculation assumed the for 35 kV where ROW of 8 m is required based on the Regulation on Safety for High Voltage Transmission Line and Substation, EDL, 2232, 2013

<sup>7</sup> Under the Regulation on Safety for High Voltage Transmission Line and Substation, EDL, 2232, 2013, trees taller than 3 m and structures are not allowed within ROW; however, agricultural activities such as rice farming, cassava or coffee can be continued after construction and installation completion.

<sup>8</sup> Temporary access roads to laydown areas are not known at this stage, it will be designed and planned in details by the EPC contractor. The temporary land requirements for such access roads should be updated to this table. Any land requirement of the EPC Contractor will be coordinated with the CMU and compensated before impacts and use of the EPCC or its subcontractors.



### 2.4.1.2 Overview of Project Land Acquisition Impact

**Table 2-7** presents an overview of Project land acquisition impact. A total of 378 households in 22 villages will be impacted by agricultural land loss due to Project land acquisition, of which 5 households will be permanently affected; 170 households will be temporarily affected, and 203 households will be both permanently and temporarily impacted<sup>9</sup>. The village that has the highest number of affected households (AHs) is Dak Bong Village, with a total of 108 HHs, followed by Dak Rant (43 HHs) and Dak Terb, Dak Dor, Ngon Don, and Dak Muan villages (at approximately over 30 AHs). Similarly, Dak Bong has the largest area of affected agricultural land (70.11 ha), followed by Ngon Don (26.81 ha), Dak Rant (17.60) and Dak Muan (16.96 ha), respectively.

In terms on NTFP collection area, Dak Rant absorbs the largest impact of total 66.70 ha of affected NTFP collection area, followed by Tong Muang (59.24 ha) and Dak Xieng A (39.75 ha), respectively. Dak Rant will also have the largest impacts on communal land— approximately 88.65 ha of communal land will be impacted, followed by Tong Muang (59.24 ha) and Dak Lern and Dak Kung (approximately 43 ha).

With regards to impact to communal use land, Dak Rant has the highest impacts of land acquisition on communal use land (8.65 ha), followed by Trongmueang (59.24) ha and Dak Kung (45.18) and Dak Learn (41.49), respectively. The Company and EPC contractor will follow the following criteria in selecting the locations of temporary facilities such as workers accommodations, batching plants, laydown areas, temporary roads, spoil disposal areas to avoid or minimize economic and socio-cultural impacts on the villages:

- Workers' accommodations will be located away from settlements and sacred locations such as ceremonial grounds, cemeteries, burial grounds.
- Temporary roads and disposal areas will not be located on agricultural land, residential land, privately used communal land under use by communities and NTFP areas unless these communal use land and NTFP area have already been identified and included in the DMS and covered in this RP.
- All temporary facilities should not be located upstream of any water sources and should not affect the water quality of mountain springs and streams used by the community for their water supply.
- Locations of all temporary facilities will be agreed with the communities, compensated and necessary ceremonial rites and offerings conducted before any use by the EPCC or its subcontractors.

<sup>9</sup> This refer to households whose lands are partly permanently impacted (acquired for permanent Project facilities) and partly temporary affected (required for Project temporary facilities or only for Project construction activities such as laydown area

**Table 2-7: Overview of Project Land Acquisition Impact**

No.	Location	Project Activity	Loss of Agricultural Land						NTFP Collection Areas (ha)		Communal Land (ha)	
			Affected Area (ha)		Affected HHs (No.)			Total Affect HHs				
			Per.	Temp.	Per.	Per & Temp.	Temp.		Per.	Temp.	Per.	Temp.
Dak Cheung District, Sekong Province												
1	Dak Tiem	Turbine site, Access Road	2.35	5.07	2	16	3	22	9.50	14.06	14.61	21.07
2	Dak Xeng	Access Road	0.16	0.38	0	4	0	4	N/A	N/A	0.08	0.19
3	Dak Yang	Turbine site, Access Road	1.09	1.20	0	4	0	4	1.30	1.89	1.30	1.89
4	Dak Yen	Turbine site, Access Road	0.44	1.33	0	4	1	5	2.60	5.92	2.60	5.92
5	Xieng Luang	Access Road, Internal TL 115kV	0.75	1.84	0	9	0	9	2.22	19.15	2.22	19.15
6	Dak Terb	Internal TL 115kV, Turbine site, Access Road	0.06	6.07	0	21	16	37	7.39	23.36	7.39	23.36
7	Tong Muang	Internal TL 115kV, Turbine site, Access Road	0.00	0.73	0	2	0	2	15.21	44.02	15.22	44.03
8	Dak Dor	Internal TL 115kV	0.04	4.57	0	12	10	22	0.01	2.34	0.01	2.34
9	Dak Den	Turbine site, Access Road	0.46	0.81	0	4	1	5	7.7411	14.2	10.50	18.97
10	Dak Rant	Turbine site, Access road, Internal TL 115kV, 35 kv ,Sub 500kV	2.65	14.94	0	26	18	43	22.00	44.69	24.39	64.27
11	Dak Cheung	Access road	0.18	0.41	0	2	0	2	6.3	13.53	5.82	11.85
12	Dak Lern	Access road	0.62	0.72	0	5	0	5	4.69	36.45	9.57	31.92
13	Dak Kung	Turbine site, Access road, Internal TL 35 kv	1.09	1.15	0	5	0	5	6.90	27.73	9.85	35.33
14	Dak Jom	Turbine site, Access road,	0	0	0	0	0	0	4	6.8	7.75	14.13

No.	Location	Project Activity	Loss of Agricultural Land						NTFP Collection Areas (ha)		Communal Land (ha)	
			Affected Area (ha)		Affected HHs (No.)			Total Affect HHs				
			Per.	Temp.	Per.	Per & Temp.	Temp.		Per.	Temp.	Per.	Temp.
15	Dak Xieng A	Turbine site, Access Road, TL35kv	0	0	0	0	0	0	9.15	30.59	9.13	30.59
16	Tong Sieng	Turbine site, Access Road	0	0	0	0	0	0	1.68	4	1.48	2.43
17	Dak Dom	Turbine site, Access Road	0	0	0	0	0	0	0.14	30.12	0.15	30.73
18	Dak Bong	Access road, Internal TL 115kV, 35kV, TL500kV	13.70	56.41	0	40	68	108	0.07	11.48	8.03	11.99
19	Dak Muan	TL500kV	0.08	16.88	0	5	26	31	0.04	3.46	0.04	5.42
20	Nonsavan	TL500kV	0.02	2.24	0	1	3	4	N/A	N/A	-	0.44
21	Ngon Don	TL500kV	0.11	26.70	0	8	22	30	0.01	2.25	0.01	0.44
22	Dak Ta-ok Noi	TL500kV	0.04	5.37	0	2	0	2	0.06	17.81	0.06	13.42
	Total		23.84	146.83	2.00	170.00	168.00	340.00	101.04	353.88	130.21	389.87
Sanxay District, Attapeu Province												
1	Dak Nong	Internal TL 115kV,Turbine site, Access road	2.9181	5.3083	0	20	1	21	6.34	11.83	6.34	11.84
2	Dak Samor	Turbine site, Access road	0.727	1.2842	3	6	0	9	8.68	3.52	4.85	10.08
3	Dak Yok	Turbine site, Access road	1.0862	2.2363	0	3	1	4	2.35	1.27	1.56	3.19
4	Dak Padou	Turbine site, Access road	0.7353	0.8714	0	4	0	4	11.96	5.24	10.54	21.23
5	Dak Xeum	Turbine site, Access Road	-	-	-	-	-	-	20.42	8.94	6.87	12.35
	Total		5.47	9.70	3	33	2	38	49.75	30.80	30.16	58.69
	Grand Total		29.31	156.53	5.00	203	170	378	150.79	384.69	160.37	448.56



### 2.4.2 Land Acquisition Process Update

The Project land acquisition is led by the government. The overview of the process is presented in **Table 2-8**. As the Project does not result in physical displacement (the latest DMS dated 5 August 2022 confirms that there will be no physical relocation)). The Project has proceeded with the following steps:

- Established the Compensation Committee in Dak Cheung District, Sekong Province and Sanxay District, Attapeu Province.
- Conducted socio-economic household survey
- Consulted village heads on compensation unit rates as a method for market price survey
- Determined compensation unit rates by the Compensation Committee
- Conducted Detailed Measurement Survey (DMS)
- Approval of compensation unit rates by Sekong Governor for Sekong Province and Attapeu Governor for Attapeu Province. It was noted by the Compensation Committee that for crops and trees that have not been included in the list of compensation unit rates, the Compensation Committee will consider compensation unit rates for such crops and trees based on market price.
- The key Project's land acquisition activities undertaken to date are summarized in **Table 2-8** with supporting evidence.

**Table 2-8: Land Acquisition Process to Date**

Date	Land Acquisition Process	Evidence
<b>Dak Cheung District, Sekong Province</b>		
26 November 2020	Establishment of Environmental and Social Management Committee or the Compensation Committee for development projects in Dak Cheung District, Sekong Province.	Notification No. 160 (dated 26 November 2020) ( <b>Appendix A</b> )
28 Oct - 24 Nov 2021	Socio-economic household survey was conducted for ESIA preparation	<b>Section 4</b> presents the outcomes of the socio-economic household survey of affected people
17 February 2022	Dak Cheung District Governor and Department of Natural Resources and Environmental and other relevant authorities, the Project developer and its local E&S consultant, and village heads from 23 villages in Dak Cheung District. Total participants of 61 people (of which 12 were women). The meeting agreed for the Provincial Compensation Committee to undertake research and determine compensation unit rates. Refer to summary of the meeting in <b>Section 8.5.1</b>	Minute of Meeting dated 17 February 2022 ( <b>Appendix B</b> )
31 March 2022	The Deputy of Governor of Sekong and the relevant provincial and district, and Project developer and its E&S consultant (total 28 participants, of which 3 are female) approved draft compensation unit rates for 600 MW wind farm project and 500 kV transmission	Minutes of Meetings date 31 March 2022 ( <b>Appendix C</b> )

Date	Land Acquisition Process	Evidence
	line. Refer to summary of the meeting in <b>Section 8.5.1</b>	
16 May 2022	The Compensation Committee issued notice No. 32 to set out principles, procedures and measures for implementation and monitoring of compensation for 600 MW wind farm project and 500 kV transmission line located in Dak Cheung District, Sekong province. The notification presents approved compensation unit rates by the Compensation Committee. Refer to <b>Section 6.5.2</b> for a summary of notification No. 32/Sekong.	Notification No. 32/Sekong Governor (dated 16 May 2022) ( <b>Appendix D</b> )
17 May to 21 June 2022	Detailed measurement survey. The last date i.e. 21 June 2022, was set as a cut-off date and verbally informed the affected households during the DMS exercise.	Detailed measurement survey form with signature of affected peoples, village heads and local authorities ( <b>Appendix E</b> )
<b>Sanxay District, Attapeu Province</b>		
5-12 December 2021	Socio-economic household survey was conducted for ESIA preparation	<b>Section 4</b> presents the outcomes of the socio-economic household survey of affected people
7 March 2022	Establishment of Environmental and Social Management Committee or Compensation Committee for 600 MW wind farm project, 115 kV transmission line and 115 kV substation in Sanxay District, Attapeu Province.	No. 307 dated 7 March 2022 ( <b>Appendix F</b> )
30 March 2022	The Committee conducts a market price survey of affected assets and consults with project affected villages unit compensation rates for various types of assets on 30 March 2022 with five villages including Dak Nong, Dak Padou, Dak Samor, Dak Xeum, and Dak Yok with the District Committee. It was observed that list of compensation unit rates discussed with the village representatives are presented at the end of each minutes of meeting.	Minutes of meeting and registration form ( <b>Appendix G</b> )
12 May 2022	The objective of the meeting was to report on the consultation on compensation unit rates with village head and affected households conducted in March-April 2022 to the Deputy Governor and head of Energy and Mining Department. Refer to <b>Section 8.5.1</b> for a summary of this meeting.	Report dated 12 May 2022 ( <b>Appendix H</b> )
23 May 2022	Approval for unit rates for compensation for affected land, structures and crops for 600 MW wind farm project by the Provincial Governor, Sanxay District, Attapeu Province. Refer to <b>Section 6.5.2</b> for a summary of notification No. 601/Attapeu.	No. 601/Attapeu Governor dated 23 May 2022 ( <b>Appendix I</b> )

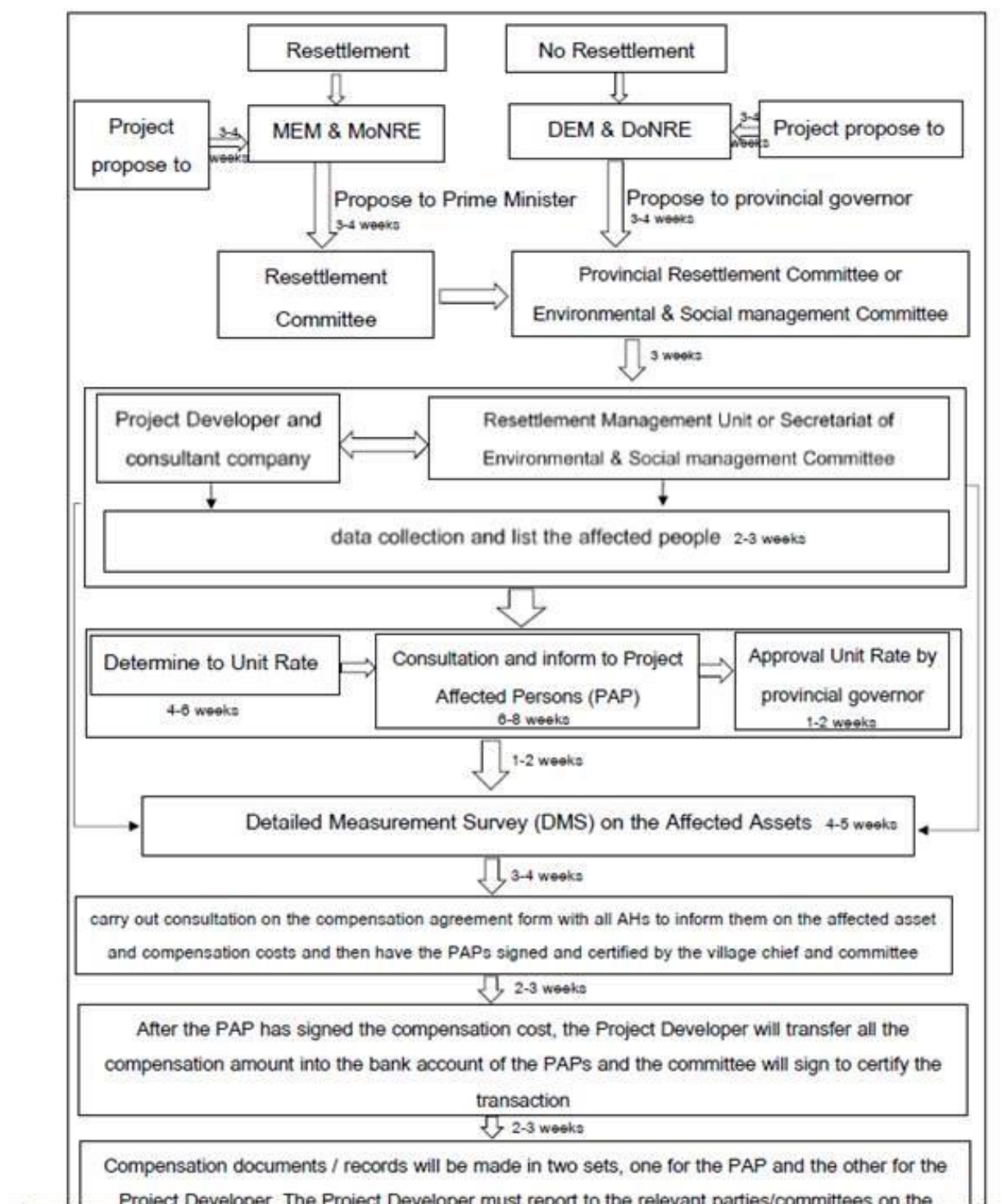
Date	Land Acquisition Process	Evidence
14-18 June 2022	Detailed measurement survey. The last date i.e. 18 June 2022, was set as a cut-off date and verbally informed the affected households during the DMS exercise.	Detailed measurement survey form with signature of affected peoples, village heads and local authorities ( <b>Appendix E</b> )

**Table 2-9** presents pending land acquisition activities to be undertaken by the Project and relevant authorities.

**Table 2-9: Next Steps and Schedule**

Timeline	Activities	Responsibility
End of August 2022	Formal issuance of a decree by the relevant government authority confirming the cut-off date.	Compensation Committee of Sekong Province and Attapeu Province
Mid September 2022	Disclosure of the compensation policy and final unit compensation rates by the Compensation Committee ( <b>Appendix A</b> and <b>Appendix F</b> ) with support from the Project Developer	Compensation Committee of Sekong Province and Attapeu Province and Project Developer
Mid September – Mid November 2022	Carry out consultation with the PAPs on the compensation agreement form with all PAPs to inform them on the affected assets and compensation cost. After agreement, the PAPs will sign the compensation form and certified by village heads and the Committee..	Compensation Committee of Sekong Province and Attapeu Province and Project Developer
Mid September – Mid December 2022	After the PAP has signed to accept the compensation cost, the Project developer will transfer compensation into the PAP's bank account and the Committee will sign to certify the transaction. PAP's with no bank accounts will be assisted by IEAD's Compensation Management Office to open one. In addition, financial literacy regarding banking system will be provided to PAPs prior to compensation payment deposit to their bank accounts. Produce compensation documents/records in two sets, one for the PAPs and the other for the Project developer. IEAD must keep electronic copies of the documents and records of payments in a secure database along with the electronic versions of the asset inventory, DMS data for each affected household. The Project Developer must report to the relevant committees on the completion of compensation.	Compensation Committee of Sekong Province and Attapeu Province and Project Developer

**Figure 2-11: Overview of the Land Acquisition Process**



## 2.5 Structure of the Report

The structure of this report is as follows:

**Section 1** – Introduction

**Section 2** – Key Standards and Legislation

**Section 3** – Assessment of Land Acquisition Impact

**Section 4** – Socio-economic Profile of PAPs

**Section 5** – Methods of Valuating Affected Assets

**Section 6** – Eligibility and Entitlement

**Section 7** – Livelihood Restoration Program

**Section 8** – Information Disclosure, Consultation and Participation and Grievance Mechanism

**Section 10** – Implementation Schedule and Budget

**Section 11** – Monitoring and Evaluation Framework

### 3 KEY STANDARDS AND LEGISLATION

The Lao PDR legislation and applicable ADB policies, standards, and guidelines are described in the following sections.

#### 3.1 National Applicable Laws and Procedures

##### 3.1.1 Constitution of Laos PDR, No. 63/NA, 2015

The Constitution recognizes in its Preamble that the Lao PDR is multi-ethnic “*The multi-ethnic Lao people have existed and developed on this beloved land for thousands of years. Starting from the middle of the 14th century...*” As part of that recognition, **Article 8** states that it is a state policy to promote unity and equality of all ethnic groups and all ethnic groups have the right to protect, preserve and promote the fine customs and cultures of their own tribes and of the nation

**Article 16** states the State protects and promotes all forms of property rights: State, collective, private domestic and foreign investment in the Lao People's Democratic Republic.

**Article 17 (Amended)** states the all lands, minerals, water sources, atmospheres, forests, natural products, aquatic and wild animals, and other natural resources are a national heritage, and the State ensures the rights to use, transfer and inherit it in accordance with the laws.

##### 3.1.2 Law on Land (amended) No. 70/NA, 2019

The objective of this Law is to determine the regime of the management, protection, and use of land in order to ensure effectiveness, compliance with the objectives and with the laws and regulations, and to contribute to the enhancement of the national socio-economic development as well as to the protection of environment and territory of Laos.

**Article 3 (amended)** states that the land of Lao PDR is ownership of the national community where the State represents the ownership holder and manages land in a centralized and uniform manner across the country with land allocation plans, land use planning and land development.

The State grants long-term and secured land use rights to Lao citizens as well as legal persons, collective and organizations of Lao citizens.

Aliens, stateless persons, foreign individuals and foreign nationals of Lao ancestry have the rights to lease, receive concessions of State land or purchase allocated State land use rights with limited term and to lease the land of Lao citizens.

**Article 7** states that the States protects the rights and lawful interests of the holder of the land use rights, while **Article 8** indicates that the States does not allow illegal possession and encroachment of lands by individuals, legal entities and organizations.

**Article 14 (new)** prescribes a fundamental policy on the development and land use planning, management, and protection for each land category which is in line with the National Land Allocation Master Plan and is also part of the National Socio-Economic Development Plan. The strategy is comprised of provincial and central land use strategies.

**Article 38 (new) Determination of Area for Agricultural Land Use** dictates that the State acknowledges the right of Lao citizens on long term use of agricultural land by issuing land title at the Office of Natural Resources and Environment where the land is located as prescribed in Article 101 of this Law

**Article 44 (amended) Use of Forest Land** dictates that State acknowledges the use of land by people who have been living and making their living in forestland before the area is classified as forestland. The Ministry of Agriculture and Forestry is tasked with coordinating with the MONRE, other relevant ministries and local administrative authorities to conduct surveys, data collection and re-allocation of the forest lands and then issue land use certificates to individuals or families in accordance with the

laws; and encourage them to contribute to the protection of forests as defined in the Forestry Law and other relevant laws.

**Article 81. (new) Use of State Land for Collective Purposes** prescribes that use of State land for collective purposes is the granting of State land use rights to the villagers in one or more villages to collectively use the lands in accordance with the local land allocation plans and the laws. These lands include cemeteries, sacred forest, common ponds, temples, schools, health centers, village administrative office, village markets.

State land use rights for collective purposes comprises the rights to protect and utilize the land for collective interests of the villagers from one or more villages with no rights to transfer, sell, exchange, lease the land use rights, nor granting concession, using the rights as shares or as collateral.

**Article 86 (new) Land Use** prescribes that individuals, legal entities and organizations who are granted land use rights shall use their lands in accordance with their purposes and in consistency with the Land Allocation Master Plan, land use strategy and land use plan adopted by the State for each time period

**Article 94. (new) Land Title Registration** Land title registration is the issuance of the first edition of land titles to individuals, legal entities and organizations for certifying their legal rights to use different land categories and for facilitating the management and protection of land in a uniform manner across the country.

**Article 99. (amended) Land Title** A land title is the only main document as evidence about land use rights that is identically copied out of the land register and only one original copy shall be given to the owner as long-term evidence until there is a change according to the conditions prescribed in the laws. There are two types of land titles: State Land title and land title of individual, legal entity and organization.

The Ministry of Natural Resource and Environment is tasked with defining the detailed content and format of land title.

**Article 100. (amended) Documents for Land Title Registration** The issuance of land title requires the following documents:

- Certificate of acquisition of the land use rights such as: certificate of land granted by the State, agreements of transfer, bestowal, sale, certificate of inheritance, land survey certificate, certificate of land development, certificate of land guarantee
- Photocopy of ID card or residency certificate and family book; for legal entity or civil society organization: photocopy of business license, business register or authorization letter for the establishment of the civil society organization;
- Declaration of payment of land use fee;

**Article 118. (new) Land Concession** Land Concession is the authorization by the State for the concessionaires to use state allocated lands in certain areas to conduct concession investment activities in accordance with the contract and the laws, for example in the sector of agriculture, tree plantations, tourist sites, industrial zones or industrial estates, Special Economic Zones, development of new cities, development of power source, mining.

**Article 126 (amended) Acquisition of Land Use Rights of Lao Citizens**

Lao citizens including Lao legal entities and organization will acquire land use rights on one of the following bases:

- Allocation by the State;`
- Transfer;
- Inheritance; and



- Sale of allocated State land use rights with determined timeframe as prescribed in Article 123 of this Law.

**Article 123. (amended) Sale of Allocated State Land Use Right with Limited Term** The sale of allocated State land use right with limited term is the sale of the land use right by the State to Lao citizens, aliens, stateless persons, foreigners or foreign nationals of Lao ancestry for development of new cities and construction of condominiums, apartments and housing developments with a term not exceeding fifty years from the date the sale contract is signed. The land use rights can be sub-purchased based on the agreement of the relevant State agency. The buildings on the land can be sold or leased to other persons or legal entities.

**Article 127. (new) Allocation by the State**

Land allocated by the State is when the State grants State land use right to become land use right of Lao citizens including legal entities and organizations to use the land for a specific purpose in accordance with Land Allocation Master Plan and the government land use plans as prescribed in the laws including the customary land use rights. There are two types of allocation by the State:

Definite assignment is the allocation of land use right as compensation for compulsory acquisition, recognition of customary land use right, implementation of policy on conversion of State land use rights, etc. whereas the receivers have the rights of protection, use, benefit, transfer and right related to inheritance of the land use right.

Indefinite assignment is the allocation of land use right as place for living, for making the living, implementation of policy on conversion of State land use rights, etc., whereas the receivers have the same rights as indicated in point 1 of this Article, except transfer of land use rights and some cases of the right to benefit from the land such as lease, mortgage.

**Article 130. (new) Acquisition of the Customary Land Use Right**

The acquisition of customary land use right is the acquisition by Lao citizens of their occupied and used lands through clearance, development, protection and regular use of the land **for more than twenty years before this Law becomes effective** and without document certifying the acquisition of the land but subjected to certification from village administrative authorities and the owners of adjacent land parcels regarding the continuous land occupation and use without any disputes or with disputes which have been already settled

While land registration has yet to conduct for issuing individual land titles, the State acknowledges and protects the customary land use rights of the person and proceeds with land title registration in accordance with the laws.

**Article 131 (new) Acquisition of Land Use Rights by Aliens, Stateless Persons, and Foreigners**

Aliens, stateless persons, foreigners, foreign nationals of Lao ancestry and their organizations who receive the authorization from the State to legally reside, invest or operate business in Lao PDR are granted the right to use land through lease or concession of State lands, purchase of allocated State land use right with determined timeframe.

**Article 148 (new). Compensation** prescribes that compensation is an indemnity of damage [and losses] for those who are impacted by violation of laws, legal servitude and re-acquisition [expropriation] of land use rights. Compensation is implemented in the form of provision of a new parcel of land, materials or money and other means based on a land valuation undertaken in each region and for each land category.

**Article 154. (new) Compensation for Loss caused by State's Investment Projects** prescribes that when it is necessary to use land of individuals, legal entities or organizations for State investment projects, land lease or concession in line with the National Socio-Economic Development Plan such as agriculture, tree plantations, mining exploitations, development of power sources, roads, industrial zones or industrial estates, Special Economic Zones, the State will re-acquire those land use rights but shall pay compensation to the landowners.

For the compensation, a committee shall be established to assess the damages of properties on land and the land value as prescribed in Article 109 Land Valuation of this Law. The committee shall comprise relevant sectors with the participation of sectors responsible for the projects, projects owners, the owners of land use rights and relevant local administrative authorities.

**Article 155** The payment of compensation for damages caused by re-acquisition of land use rights shall be paid before the re-acquisition is taking place based on the valuation of land and assets on the land.

### Box 3-1: Key Differences Between Land Law 2003 and Land Law 2019

#### New Matters

- Article 8 of the Land Law 2019 outlines a prohibition of encroachment and authority to demolish encroaching structures.
- Section 2 of the Land Law 2019 contains a completely new Section dealing with national and local land allocation master plans (Section 1, Articles 11 to 13); and strategic land use plans at the national and provincial levels (Section 2, Articles 14 to 19).
- In Section 5 of the Land Law 2019, there is another completely new section dealing with the management of **Sate Land** and the use of state and also privately owned land. The new concept of 'public land for collective utility' in Article 81 covers land used by villagers. In Section 2 and 3, new provisions briefly deal with management of private owned land (such as recording rights and complying with land use rules) for Laos citizens (Article 85-86) and foreigners (Article 87-88).
- In Part 8, the Section on acquisition of land use rights (Articles 126 to 132) covers customary land use. The list of **reasons for the loss of use rights has been expanded to include the State's development projects**, as well as the existing reason of requiring the land for a public purpose (Article 147), which is linked to the new compensation provisions in Part 9.
- In Part 9, there are new provisions about compensation for loss of use right due to State investment operations (Articles 152 and 154), which expressly oblige the State to compensate where it takes land for investment, including for issuing leases or concessions.
- In Part 11, there is a set of prohibitions against activities by land users (Article 159) and official (Article 160). There are no specific penalties but Article 186 provides that anyone violating the law will be educated, disciplined, fined or prosecuted and, in certain cases, lose their land.

#### Deleted Matters

- The prohibition against land speculation, which appeared in Article 7 of the Land Law 2003, has been omitted.
- Article 17 of the 2003 Law dealing with maximum holding size for agricultural land no longer appears. Instead, Article 37 of the Land Law 2019 states that the allocation, strategic and land use plans will regulate such matters.
- In Section 2 of the 2003 Land Law, the authority of the district or municipal agriculture authorities to issue temporary land certificates which can be upgraded to land titles, has been deleted. Instead, the power to issue titles covering agriculture land now specifically lies with the local Department of Natural Resources and Environment (Article 38 in the Land Law 2019). It should be noted that the equivalent Articles on forest land (Article 44 in the 2019 Law, and Article 22 in the 2003 Law) have also been modified to remove the concept of a three-year land certificate, which could be upgraded to a land title. Under the new Article 44 (Use of Forest Land), there is reference only to the land use certificate. Likewise, Article 21 in the 2003 Law, on the determination of the scope of forest land use rights, and Article 22 on the allocation of forest land use rights, have been omitted from the new Law. Forestry Law 2019, however, has no provisions that detail how rights over forests would be granted nor detail on the issuance of the land use certificate. However, the new Law does recognize that the process of issuing land titles across the entire country will take time (in Article 130, which deals with acquisition of the right to use customary land).

### Box 3-1: Key Differences Between Land Law 2003 and Land Law 2019 (continued)

Paragraph 2 of Article 130 provides that, until a land title can be issued, the State is to acknowledge and protect customary land use rights.

#### Assessment of the changes

- A major reform has been the formal introduction of master planning, strategic planning, land use planning in Section 2 (Articles 11 to 19), as well as the introduction of principles governing land administration and management (Article 6).
- The new provisions on land administration (Articles 89 onwards), which cover for the first time land information systems, valuation, land-related businesses and revenue from fees, can also be considered a good first step in modernizing the country's regulatory framework for land administration.
- Although there is no express prohibition on foreigners owning land use rights, the 2019 Law can be understood to mean that foreign investors can have only leases or concessions on land.
- The right of the State to terminate use rights for State investment purposes (rather than public purposes) is now clearly established in Article 147. This means, in practice, that the State can requisition privately owned land so that it can issue a lease or concession to a developer or investor, in addition to the right to requisition land for a public purpose. Further, while the State is obliged to compensate under Article 154, it is left to a committee to determine the value.

Source: MRLG and LIWG (2021). Assessment of the new Land Law and Forestry Law in Lao People's Democratic Republic: Focusing on Customary Rights. MRLG and LIWG Report. Vientiane: LIWG, MRLG.

### 3.1.3 Law on Forestry (amended) No. 64/NA, 2019

This Law on Forestry defines the fundamental principles, regulations, and measures relating to the management, protection, development, use and inspection of forest resources and forest land, promotion of the restoration, plantation and expansion of forest resources to ensure abundance and the increase of forest coverage; creation of tourism sites, and the sustainable sources of livelihood and use of the people: ensure the protection of the quality of land, water, air, and environment in line with the green and sustainable direction; and contribute to the national socio-economic development.

This law classifies forests into three categories: Protection Forests; Conservation Forests; and Production Forests. Protection Forests are classified for ecosystem services, Conservation Forests for nature and biodiversity protection and conservation, and Production Forests for the production of wood and forest products, and for the purposes of national socio-economic development as needed.

**Article 31 (New) Harvesting of NTFPs** outlines that the Government allows the harvesting of NTFPs in Production Forest areas, forestland conversion areas, controlled use zones within Protection Forest and Conservation Forest areas, land areas of individuals, households, legal entities or organizations where the Government has legally granted land-use rights and in village use forests which have been allocated by the State.

Harvesting of each NTFP species shall be conducted in accordance with the approved plan, area and technical standards, and should ensure sustainability.

**Article 53 (Revised) Restriction of Uncontrolled Shifting Cultivation** Restriction of uncontrolled shifting cultivation shall be carried out by providing support and disseminating relevant policies and laws to the people to halt the practice of uncontrolled shifting cultivation in order to replace it with stable, sedentary livelihoods.

Government and local administration authorities take the initiative in managing and allocating land and forest to villagers living in forest areas, for permanent settlement and sustainable livelihoods by promoting production and family income generation as prescribed in Article 71 (para. 3) and Article 118 of this law.

**Article 64 (Revised) Customary Utilization of Forests, Timber and NTFPs** recognizes Customary utilization of forests, timber and NTFPs is the use of forests, timber, and NTFPs in a manner that people have practiced for a long time within village forest areas. Such utilization shall be in accordance with the forest management plans and the Law.

#### Box 3-2: 2019 Forest Law and Customary Rights

It can be said that the Forestry Law does at least recognize the possible existence of customary rights, even if there are few details about how to recognize them and what they mean in practice. Note that the Forestry Law does not deal with customary rights over land, but rather customary rights to the resources on the land.

There is no concept of **collective forest use** by the village as a whole, of the kind described in Article 81 of the Land Law, that gives property rights to the village. However, the Forestry Law refers extensively to 'the village' in relation to forest conservation, protection and development.

As for **collective or common land use**, there is no specific concept of ownership of forest use rights by a group of individuals included under the 2019 Forest Law. However, as with the 2019 Land Law, it would be theoretically possible for forest use rights to be held by more than one individual.

Source: MRLG and LIWG (2021). Assessment of the new Land Law and Forestry Law in Lao People's Democratic Republic: Focusing on Customary Rights. MRLG and LIWG Report. Vientiane: LIWG, MRLG.

#### Article 71 (Revised) Management of Conservation Forestland

The management of Conservation Forestland involves the zonation of Conservation Forestland into Totally Protected Zones, Controlled Use Zones, and Buffer Zones. Management also involves formulating plans and measures to prevent encroachment, destructive activities that may adversely affect the forest ecosystem and cause damage to flora and fauna, biodiversity, cultural and historical values, natural heritage or other values.

- Totally Protected Zones are forest areas with high biodiversity values, important habitats and areas for the reproduction of key aquatic and wildlife species, river headwater areas, riparian forests and other areas that are important for environmental protection. In these areas, it is prohibited to conduct any activities except those for scientific research or walking trails for ecotourism.
- Controlled Use Zones are forest areas which the State allocates to villages inside and adjacent to Conservation Forests to sustainably manage and protect biodiversity and thereby receive appropriate benefits. These areas can be used for eco-tourism, for harvesting NTFPs from the natural forest, for agriculture production and for planting trees and NTFPs. Controlled Use Zones are allocated by the State to support family income generation, but on the condition that the felling of naturally grown trees for commercial purposes is prohibited.
- Buffer zones are area with or without forest, which are part of Conservation Forestland or are areas around Conservation Forest land which the State allocates for villages to use and manage to prevent encroachment in and around Conservation Forests, and to prevent negative impacts on the forest ecosystem in Conservation Forest areas.

The project must comply with Articles 80, 81, 82, 87 in this amended Forestry Law.

- Article 80 (Revised) Utilization of Forestland for Business Purposes
- Article 81 (Revised) Conversion and the Nature of Conversion of Forestland
- Article 82 Obligations in Converting Forestland
- Article 87 (Revised) Lease or Concession of Forestland

In addition, Article 68 of this law mandate for survey and identification of areas for forests regeneration and trees planting aimed at environmental protection, sustainable maintenance of forest ecosystems, increasing forest cover to 70% of the country's total area, and identifying areas for lease or concession for planting trees and NTFP.

### Box 3-3: 2019 Land Law vs 2019 Forest Law

The two Laws have an inconsistency in an important area; the Forestry Law's omission of customary utilization of forestlands is an outright inconsistency with **Article 44** of the Land Law and requires clarification about whether the Land Law could supersede the Forestry Law.

The Forestry Law does not deal with customary rights over forest resources, focusing instead on rights created under that Law or the management plans.

Note, there is some possible overlap regarding agriculture land within Controlled Use Zones of forest land.

Source: MRLG and LIWG (2021). Assessment of the new Land Law and Forestry Law in Lao People's Democratic Republic: Focusing on Customary Rights. MRLG and LIWG Report. Vientiane: LIWG, MRLG.

### 3.1.4 Decree on State Land Leasing or Concession (No. 135/PM, 2009)

The objective of this Decree is to define the principles, methods, and measures relating to the lease or concession of state land in order to ensure uniform practice in the whole country, allowing state land to be developed, converting land into capital, promoting investment in the production of commercial goods and services, as well as creating sources of revenue for state budget.

#### Article 37: Contents of State Land Lease or Concession Agreement

The state land lease contract or land concession agreement must specify the purposes, term, conditions, rental charge, concession royalty; and shall also specify that in every five years, the rental charge or concession royalty shall be increased by not less than five percent of the rental charge or concession royalty of that year as in accordance with the contract form provided in the relevant law.

The implementation of the approved state land lease contract or concession agreement shall be subject to the preparation of report on the evaluation of the implementation in each phase of the activity submitted to the National Land Management Authority and concerned agencies for information.

#### Article 43: Calculation of Compensation for the People Affected by the Land Lease and Concession

If the area of state land lease and concession includes land owned by people who have a legal right to use it, compensation should be computed according to the following scenarios:

In general, agricultural land for cultivating rice or annual crops should be kept for farmers, however in exceptional circumstances, compensation should be paid to the farmers by adding together the estimated value of the land and the estimated value of crops in a normal year, then multiplying the value by ten (10).

Compensation for agricultural land used for orchard tree cultivation must be determined and paid by adding together the estimated value of the land and the estimated value of crops in a year, then multiplying the value by ten (10).

Compensation for agricultural land used for the planting of industrial trees and medicinal plants must be determined and paid by combining the estimated value of the trees or other plants on a plot of land.

Compensation for agriculture land used for livestock must be determined and paid by adding together the estimated worth of the land and the estimated value of the animals raised in a normal year, then multiplying the value by three (3).

The paddy field area should not be used for any other purposes. Authorization from the Land Management Authority and the Agricultural and Forestry Sector must be acquired, if necessary.

Compensation must be computed by adding together the estimated worth of the land and the value of the structures and crops on the land, in the case of construction land.

Compensation by the state will be given to the investor in the case that the land is used for the lease and concession of the public interest, to compensate for the loss of properties associated with the land, as specified in the Law on Investment Promotion.

A written memo must be prepared and signed by all participants, specifically the line agencies, local administrative authorities, village head, and the villagers involved, in order to estimate the compensation.

### **3.1.5 Decree on Compensation and Resettlement Management in Development Projects No. 84/NA, 2016**

The objective of this decree is to ensure that the affected people are compensated, resettled and are assisted with permanent livelihood substitutes that could lead them to improve their livelihoods. The decree provides regulations, principles, and standards on the monitoring of compensation of losses and the management of resettlement activities.

#### **Article 2: Compensation**

Land, material, or money will be the compensation form for the land, livestock, agricultural products, and incomes that are affected by developmental projects. These are based on the compensation value

#### **Article 3: Resettlement**

People affected by development projects will be resettled and moved out from their original living areas and are resettled in new living areas, which are allocated by the development projects. The new living areas will be based on the majority of votes by the affected people.

#### **Article 9: Valuation and estimation of compensation value**

Project owners, in collaboration with the committee for compensation and resettlement at the local level, must estimate the value for compensation for land, constructed facilities, crop products, livestock and potential incomes and organize consultations with affected people by selecting the right and appropriate options based on prices applied by the state, market prices or average prices applicable for period of compensation and based on the types of properties and locations. The prices applied by the state (middle prices) are the prices specified in a separate regulation which are identified and regulated by the Ministry of Natural Resource and Environment from time to time.

#### **Article 15: Implementation of livelihood rehabilitation plan**

The owner of the project must follow the following principles when carrying out the livelihood rehabilitation plan:

- Agriculture land is to be provided in appropriate ways so that it can create new livelihood options and a stable income that generates activities, in addition to agriculture production activities for the people affected;
- The livelihood conditions of those affected must either be upgraded or at least remain in the same original level. A proposal to the provincial or city compensation and resettlement committee must be done if the project owner fails to complete the livelihood rehabilitation plan on time to request an extension to complete and implement the plan;
- Based on the city compensation and resettlement committee or the supervision of the provincial, vulnerable groups who have been affected by the development project must be specially paid attention to so that they can overcome poverty and have better livelihood conditions.



### 3.1.6 Electricity Law, No. 19/NA, 2017

**Article 69 (New) Resettlement** prescribes that if electricity project has social impacts, relevant governmental department or compensation and resettlement committee or project developers should collect information on the project impacts, determine compensation unit rates and land area and assets to be impacted, develop resettlement measures, assistance during transition and livelihood restoration plan. Determination of compensation unit rates should be carried out in conformance with applicable laws and regulations.

After CA agreement, project developers and relevant government authority or compensation and resettlement committee to implement compensation and resettlement. The cost for such activities to be responsible by the project developers.

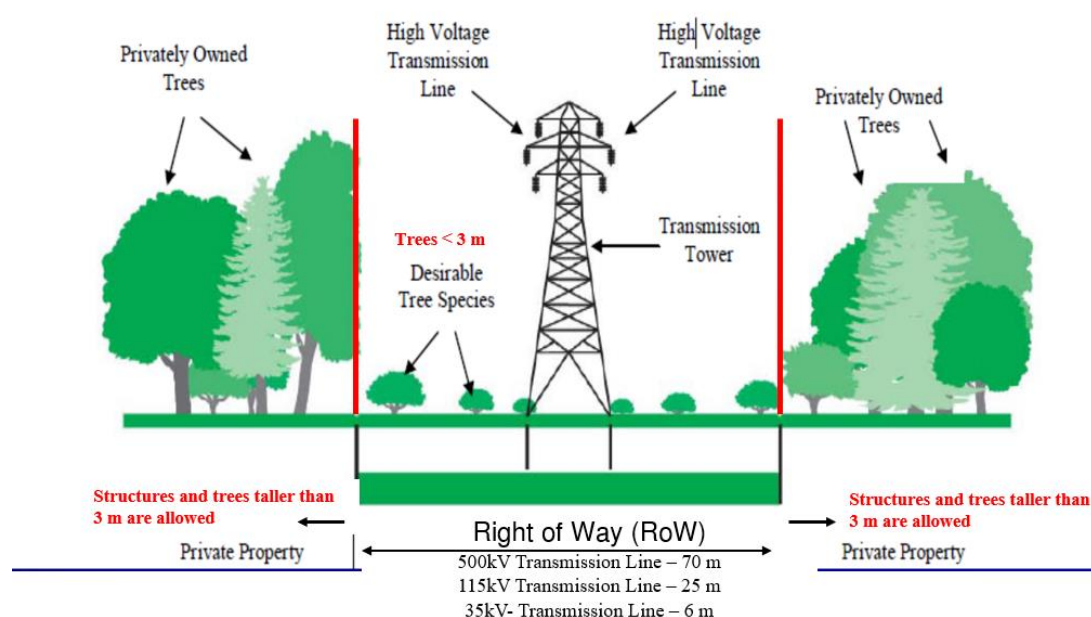
### 3.1.7 Regulation on Safety for High Voltage Transmission Line and Substation, EDL, 2232, 2013

Item 20. Construction of structures are prohibited within the Right of Way (ROW) or transmission line. The ROW of transmission line is defined as follows:

Type of Transmission Line	ROW (distance to each side from the center of transmission line)
22 kV	4.5 m
35 kV	5.5 m
115 kV	12.5 m
230 kV	17.5 m
500 kV	35 m

Item 21. Trees taller than 3 m are prohibited within the ROW. Item 22. If tall trees outside of the ROW are considered to have high risks of reaching/touching the transmission line during strong wind or falling over onto the transmission line, relevant authority will ask for permission from the tree owners to cut such trees to ensure safety.

**Box 3-4: Project's Right of Way (ROW)**



### 3.1.8 Law on Resettlement and Vocation No. 45/NA, 2018

This law sets out the rules, principles, and measure regarding the inspection, supervision, and monitoring of resettlement and vocation to improve its effectiveness, compliance, and efficiency. Additionally, it is to ensure that Lao multi-ethnic people who live in resettlement and vocational areas have a place to stay, place to earn a living and sustainable vocation.

#### Article 11: Categories of Resettlement

Resettlement is classified into two different categories – general resettlement and specific resettlement. General resettlement allocates a place for a person/people who live in underdeveloped or remote areas, specific and high-risk living area to stay and make a living. On the contrary, specific resettlements allocates a place to stay and make a living for those who are affected from development projects. The Ministry of Agriculture and Forestry and other relevant sectors are responsible for both types of resettlement implementation.

#### Article 20: Resettlement Process

The following steps illustrates the process of resettlement:

- Resettlement project study and planning;
- Compensation for damages caused by resettlement;
- Building of Infrastructures to support resettlement;
- Displacement or relocation;
- Resettlement area development;
- Livelihood rehabilitation during transition period;
- Handover of resettlement project;
- End of resettlement project.

#### Article 29: Categories of Vocation

Revision and classification of the vocations of targeted groups are done by the Agriculture and Forestry Sector Authority and other relevant sector and stakeholders from both local and central levels. The vocations of targets groups are as follows:

- Cultivating, livestock farming, fisheries;
- Tree planting and forest protection;
- Services, trades, tourism;
- Industrial production and handicraft;
- Labour worker in factories or development project, factory production or small enterprise, tools, equipment or materials assembly including assembly production line.

## 3.2 Applicable ADB Policy and Requirements

### 3.2.1 ADB Safeguard Policy Statement (2009)

ADB adopts a set of specific safeguard requirements that are required to address environmental and social impacts and risks:

Safeguard Requirement 1: Environment;

Safeguard Requirement 2: Involuntary Resettlement;

Safeguard Requirement 3: Indigenous Peoples;

Safeguard Requirement 4: Special Requirements for Different Finance Modalities; and

ADB's Prohibited Investment Activities List.

It should be noted that none of the project activities are included in ADB's list of prohibited activities.

Safeguard Requirement 2: Involuntary Resettlement is applicable to the development and implementation of the RP.

### *3.2.1.1 Involuntary Resettlement Requirements*

ADB's Safeguard Requirements 2 (SR2) on involuntary resettlement apply to full or partial, permanent, or temporary physical displacement (relocation, loss of residential land, or loss of shelter) and economic displacement (loss of land, assets, access to assets, income sources, or means of livelihoods) resulting from (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas. Resettlement is considered involuntary when displaced individuals or communities do not have the right to refuse land acquisition that results in displacement. This occurs in cases where (i) lands are acquired through expropriation based on eminent domain; and (ii) lands are acquired through negotiated settlements, if expropriation process would have resulted upon the failure of negotiation. (SPS, Appendix 2, para. 5).

If potential adverse economic, social, or environmental impacts from project activities other than land acquisition (including involuntary restrictions on land use, or on access to legally designated parks and protected areas) are identified, such as loss of access to assets or resources or restrictions on land use, they will be avoided, or at least minimized, mitigated, or compensated for, through the environmental assessment process. If these impacts are found to be significantly adverse at any stage of the project, the borrower/client will be required to develop and implement a management plan to restore the livelihood of affected persons to at least pre-project level or better. (SPS, Appendix 2, para. 6).

ADB's 2013 Operations Manual F1 (OMF1) on Safeguards provides guidance on categorization of projects based on its potential involuntary resettlement impacts. The involuntary resettlement impacts of an ADB – financed project are considered significant if 200 or more persons will be physically displaced from their homes or lose 10% or more of their productive or income generating assets. (2013 ADB OMF1/OP, para 9)

Where projects involve involuntary resettlement of people, a resettlement plan is prepared that is commensurate with the extent and degree of the impacts, the scope of physical and economic displacement, and the vulnerability of the affected persons.

The Policy uses a categorization system to reflect the significance of a project's potential impacts related to involuntary resettlement. This includes:

Category A: A proposed project is classified as Category A if it is likely to have significant involuntary resettlement impacts. A resettlement plan, including assessment of social impacts, is required.

Category B: A proposed project is classified as Category B if it includes involuntary resettlement impacts that are not deemed significant. A resettlement plan, which includes assessment of social impacts, is required.

Category C: A proposed project is classified as Category C if it has no involuntary resettlement impacts. No further action is required.

Categories FI: A proposed project is classified as Category FI if it involves the investment of ADB funds to, or through, a financial intermediary.

ADB's SPS SR2 provides key requirements covering compensation, assistance and benefits for displaced persons, social impact assessment, resettlement planning, negotiated land acquisition, information disclosure, consultation and participation, grievance redress mechanism, monitoring and reporting, unanticipated impacts; and special considerations for indigenous peoples

### 3.2.2 ADB Social Protection Strategy (2001)

The Social Protection Strategy was approved by ADB on September 13, 2001. It is defined as the set of policies and programs designed to reduce poverty and vulnerability by promoting efficient labour markets, diminishing people's exposure to risks, and enhancing their capacity to protect themselves against hazards and interruption/ loss of income.

The Social Protection Strategy spells out the scope of social protection and commitment of the ADB to develop priority interventions in five major elements:

- Labour market policies and programs designed to generate employment, improve working conditions and promote the efficient operations.
- Social insurance programs to cushion the risks associated with unemployment, ill health, disability, work-related injury and old age.
- Social assistance and welfare service programs for the vulnerable groups with inadequate means of support, including single mothers, the homeless, or physically or mentally challenged people.
- Micro and area-based schemes to address vulnerability at the community level, including micro insurance, agricultural insurance, social funds and programs to manage natural disasters; and
- Child protection to ensure the healthy and productive development of children.

At the project level, the following social protection requirements are applicable in the design and formulation of ADB projects,

compliance with the internationally recognized core labour standards; and taking all necessary and appropriate steps to ensure that for ADB-financed procurement of goods and services, contractors, subcontractors and consultants will comply with the country's labour legislation (e.g., minimum wages, safe working conditions, and social security contributions, etc.) and the Core Labour Standards

The Core Labour Standards include:

- Elimination of all forms of forced or compulsory labour (Conventions 29 and 105)
- Effective abolition of child labour (Conventions 138 on minimum age, 182 on worst form)
- Freedom of association and effective recognition of the right to collective bargaining (Conventions 87 and 98)
- Elimination of discrimination in respect of employment and occupation (Conventions 100 equal remuneration and 111 on discrimination)

### 3.2.3 ADB Gender and Development Policy (1998)

The ADB Gender and Development Policy, which was approved in 1998, is the guiding framework for gender and development activities. The Policy adopts gender mainstreaming as the key strategy for promoting gender equality and women's empowerment across the full range of ADB operations—from country partnership strategies to the design and implementation of gender-inclusive projects and programs. The key elements of ADB's policy include gender sensitivity, gender analysis, gender planning, mainstreaming, and agenda setting. To operationalize the policy, ADB's focus of activities will be to:

- Gender analysis: to assess systematically the impact of a project on men and women, and on the economic and social relationship between them.
- Gender planning: to formulate specific strategies that aim to bring about equal opportunities for men and women.
- Mainstreaming: to consider gender issues in all aspects of ADB operations, accompanied by efforts to encourage women's participation in the decision-making process in development activities (Section B paragraph 78).

- Key provisions for loans in this policy (Section C: Operational Approaches) are as follows:
- ADB will promote the mainstreaming of gender considerations in projects, and gender concerns will be addressed at all appropriate stages of the project cycle from identification through post-valuation (paragraph 85)
- Special design features and strategies will be built into projects, especially those with the potential to address GAD objectives, to facilitate and encourage women's involvement, and to ensure tangible benefits to women (paragraph 86).
- During project implementation, GAD objectives and components will be systematically monitored and reported (paragraph 89).

### 3.2.4 ADB Access to Information Policy (2018)

The objective of the Access to Information Policy (AIP) is to promote stakeholder trust in ADB and to increase the development impact of ADB activities. The policy reflects ADB's commitment to transparency, accountability, and participation by stakeholders in ADB-supported development activities in Asia and the Pacific. It also recognizes the right of people to seek, receive, and impart information about ADB's operations. The AIP is based on the following principles:

Clear, timely, and appropriate disclosure. ADB discloses information about its operations in a clear, timely, and appropriate manner to enhance stakeholders' ability to meaningfully engage with ADB and to promote good governance.

Presumption in favor of disclosure. ADB discloses information unless that information falls within the exceptions to disclosure specified in the policy.

(iii) Limited exceptions. Full disclosure of information is not always possible. For example, ADB needs to explore ideas, share information, hold candid discussions, and freely debate ideas internally and with its members or clients. In other cases, ADB needs to consider the special requirements of its no sovereign operations and clients,<sup>8</sup> protect personnel's right to privacy, or safeguard its own and its clients' legitimate business interests. The policy provides a limited set of exceptions that balances the rights and interests of various parties. However, ADB reserves the right, under exceptional circumstances, to override the policy exceptions (para. 18) or not to disclose information that it would normally disclose (para. 19)

Proactive disclosure. ADB proactively shares its knowledge products and information about its operations in a timely manner to facilitate participation in ADB decision-making. While the ADB website remains the primary vehicle for proactive disclosure, ADB also uses other appropriate means to disclose and communicate information

Sharing of information and ideas. The AIP includes processes by which people may equally seek, receive, and convey information and ideas about ADB operations. Effective communications and exchange of information and ideas with stakeholders is a vital component of effective and sustainable development.

Providing information to project-affected people and other stakeholders. ADB works closely with its borrowers and clients to ensure two-way communications about ADB projects with project affected people and other stakeholders. This is done within a time frame, using relevant languages,<sup>9</sup> and in a way that allows project affected people and other stakeholders to provide meaningful inputs into project design and implementation.

Country and client ownership. ADB borrowers and clients own the projects that ADB supports or in which the bank invests. Thus, in some cases, the views of borrowers and clients regarding the content and timing of disclosure are considered before documents are disclosed.

Clear appeals process. A clear process to appeal an ADB decision not to disclose requested information is an important part of a meaningful disclosure framework.

Continuous monitoring. ADB monitors the effectiveness of the policy, learns lessons from its successes and shortcomings, and stays abreast of new technologies and practices.

### 3.2.5 ADB's Accountability Mechanism Policy (2012)

ADB's Accountability Mechanism is an ADB procedure that allows people affected by ADB-financed projects to submit complaints to ADB. This is entirely separate from grievance mechanism which is responsible by Project Company at Project level. The Accountability Mechanism provides an independent forum and process whereby people can voice their problems and seek resolution and report alleged violations of ADB's operational policies and procedures. The Accountability Mechanism comprises two separate but related, phases, namely: (i) a consultation phase, led by ADB's Special Project Facilitator to assist project-affected people in finding solutions to their problems; and (ii) a compliance review phase, led by a three-member panel that investigates alleged violations of ADB's operational policies and procedures, as defined by the Board of Directors, including safeguard policies,

#### Box 3-5: ADB's Complaint Receiving Channels

Complaints may be submitted by mail, fax, email, or in person:

Complaint Receiving Officer (CRO), Accountability Mechanism  
Asian Development Bank ADB Headquarters, 6 ADB Avenue, Mandaluyong City 1550, Metro  
Manila, Philippines (+632) 632-4444 loc. 70309 (+632) 636 2086 [amcro@adb.org](mailto:amcro@adb.org)

Alternatively, the complaint may be submitted through ADB's Lao Resident Mission whose address appears below, which will forward the complaint to the CRO.

Lao PDR Resident Mission (LRM) - Asian Development Bank (ADB)  
Corner of Lanexang Av. and Samsenthai Rd., P.O. Box 9724, Vientiane, Lao PDR  
Office Hours: 8:00 a.m. to 5:00 p.m. (Monday to Friday)  
Tel +856 21 250444  
Fax +856 21 250333

that have resulted or are likely to result in direct adverse and material harm to project affected people and recommends how to ensure project compliance with those policies and procedures.

The following may file a complaint:

- Two (2) or more persons (can be from the same family); and
- A local representative of such affected persons, or a nonlocal representative, in exceptional cases where local representation cannot be found, and the Special Project Facilitator (SPF) or Compliance Review Panel (CRP) agrees.

For compliance review, the following may also file a complaint: Any member of the ADB Board of Directors, in special cases involving allegations of serious violations of ADB's operational policies and procedures relating to an ongoing ADB-assisted project.

### 3.3 Applicable IFC Performances Standards

According to IFC Performance Standard 5: Land Acquisition and Involuntary Resettlement (2012), involuntary resettlement refers both to physical displacement (relocation or loss of shelter) and to economic displacement (loss of assets or access to assets that leads to loss of income sources or means of livelihood) as a result of project-related land acquisition. Resettlement is considered involuntary when affected individuals or communities do not have the right to refuse land acquisition that results in displacement. This occurs in cases of: (i) lawful expropriation or restrictions on land use based on eminent domain; and (ii) negotiated settlements in which the buyer can resort to expropriation or impose legal restrictions on land use if negotiations with the seller fail.

Three types of displaced people are entitled to compensation and assistance under IFC Performance Standard, including persons (i) who have formal legal rights to the land or assets they occupy or use; (ii) who do not have formal legal rights to land or assets, but have a claim to land that is recognized or



recognizable under national law; (iii) who have no recognized legal right or claim to the land or assets they occupy or use. An overview of the relevant portions of IFC Performance Standard 5 is presented below:

- **Project Design:** The client will consider feasible alternative project designs to avoid or minimize physical and/or economic displacement, while balancing environmental, social, and financial costs and benefits, paying particular attention to impacts on the poor and vulnerable.
- **Compensation and Benefits for Displaced Persons:** When displacement cannot be avoided, the client will offer displaced persons and communities, compensation for loss of assets at full replacement cost and other assistance to help them improve or at least restore their standards of living or livelihoods.
- **Community Engagement:** The client will engage with affected communities, including host communities, through the process of stakeholder engagement described in Performance Standard 1. Decision-making processes related to resettlement and livelihood restoration should include options and alternatives, where applicable.
- **Grievance Mechanism:** The client will establish a grievance mechanism as early as possible in the project development phase. This will allow the client to receive and address specific concerns about compensation and relocation raised by displaced persons or members of host communities in a timely fashion, including a recourse mechanism designed to resolve disputes in an impartial manner.
- **Resettlement and Livelihood Restoration Planning and Implementation:** Where involuntary resettlement is unavoidable, the client will carry out a census with appropriate socio-economic baseline data to identify the persons who will be displaced by the project, to determine who will be eligible for compensation and assistance, and to discourage inflow of people who are ineligible for these benefits. Implementation of a Resettlement Action Plan or Livelihood Restoration Plan will be considered completed when the adverse impacts of resettlement have been addressed in a manner that is consistent with the relevant plan as well as the objectives of this Performance Standard.
- **Private Sector Responsibilities Under Government-Managed Resettlement:** Where land acquisition and resettlement are the responsibility of the government, the client will collaborate with the responsible government agency, to the extent permitted by the agency, to achieve outcomes that are consistent with this Performance Standard. In addition, where government capacity is limited, the client will play an active role during resettlement planning, implementation and monitoring.

### 3.4 Gap Analysis between National Laws, ADB SPS SR2 and IFC PS5

**Table 3-1** presents gap analysis between ADB SPS and applicable national legislations.

**Table 3-1: Comparison between ADB SPS SR2, IFC PS5 and Laos Legislations**

	ADB Policy	IFC PS5	Applicable National Legislations and Practices	Identified Gaps	Agreed Measures to Close the Gaps
<b>Obligations of project owners</b>	Avoid involuntary resettlement wherever possible; minimize involuntary resettlement by exploring project and design alternatives	Avoid involuntary resettlement and physical and/or economic displacement wherever possible; minimize involuntary resettlement by exploring project and design alternatives	Decree on Compensation and Resettlement Management in Development Projects 84//NA, 2016 (hereafter Decree 84) Chapter 1 and 5 indicate in the obligation of project owner/s to meet the social and environmental obligations and responsibility for development and implementation of resettlement, compensation and rehabilitation of livelihood in compliance with this Decree	Avoid involuntary resettlement and minimize involuntary resettlement by exploring project and design alternatives	The Project have demonstrated effort to avoid impacts on resettlement to extent possible as discussed in <b>Section 1.3 Alternative Consideration</b>
<b>Socio-economic survey</b>	Socio-economic survey of affected households is required to be undertaken.	A census is to be carried out when involuntary resettlement is unavoidable to collect socio-economic baseline data to identify the displaced people, determine who is eligible for assistance and compensation, and discourage those ineligible from claiming any benefits.	Decree 84, Article 10 In preparation of compensation plans, project owners must work in coordination with the committee for compensation and resettlement at the local levels concerned to collect information on the number of people to be resettled as well as to identify new	There is no national provision for requirements of socio-economic survey coverage of economically displaced households	The Project has conducted socio-economic survey of affected households as presented in <b>Section 4 Socio-economic Profile of PAPs</b>

	ADB Policy	IFC PS5	Applicable National Legislations and Practices	Identified Gaps	Agreed Measures to Close the Gaps
			resettlement areas in detail manners to prepare the resettlement plans while contributing to the development plans of project owners in terms of management and monitoring of social and environmental impacts		
<b>Eligibility</b>	Displaced persons in a project area could be of three types: (i) persons with formal legal rights to land lost in its entirety or in part; (ii) persons who lost the land they occupy in its entirety or in part who have no formal legal rights to such land, but who have claims to such lands that are recognized or recognizable under national laws; and (iii) persons who lost the land they occupy in its entirety or in part who have neither formal legal rights nor recognized or recognizable claims to such land.	Displaced persons may be classified as persons (i) who have formal legal rights to the land or assets they occupy or use; (ii) who do not have formal legal rights to land or assets, but have a claim to land that is recognized or recognizable under national law; or (iii) who have no recognizable legal right or claim to the land or assets they occupy or use.	Decree 84 Article 8 Compensation is applicable to the followings: (i) affected person possesses documents concerning the land use rights in accordance with the laws and their land have been all or partly affected (ii) the affected person possesses the traditional land use right, provided that the affected person has possessed the land use rights for a long period of time and he/she has protected, developed and used the land peacefully without invasion into protected forest areas or restricted areas with land use certificate issued by local authorities and	No gaps	The Project will adopt eligibility in compliance with ADB SPS and national legislation to include: (i) title holders (ii) traditional/customary land owners or who have claims to such lands that are recognized or recognizable under national laws (iii) non-title holders Please refer to <b>Section 5 Eligibility and Entitlement</b> for details

	ADB Policy	IFC PS5	Applicable National Legislations and Practices	Identified Gaps	Agreed Measures to Close the Gaps
			relevant state agencies; (iii) In case the affected person does not have land use rights documents as identified in (i) and (ii) of this article		
<b>Compensation</b>	<p>Preference to land-based resettlement strategies for displaced persons whose livelihoods are land-based. Replacement land should be offered with combination of productive potential, location advantages, and other factors at least equivalent to the land taken.</p> <p>Cash compensation at full replacement costs if land is not available or not preferred. The lack of land will be demonstrated and documented to the satisfaction of ADB.</p> <p>Depreciation of structures and assets should not be taken into account.</p> <p>Income and livelihood restoration.</p> <p>Relocation assistance.</p>	<p>A displaced land-based compensation will be offered for those whose livelihoods are land-based or where land is collectively owned. Opportunities will also be provided to derive appropriate development benefits from the project.</p> <p>Client will offer a choice of security of tenure, equivalent or better characteristics, replacement property that is equal or higher in value, and advantages of location or cash compensation for those who are physically displaced, as classified under paragraph 17. Full replacement of the lost of land and other assets can be done through cash compensation.</p>	<p>Decree 84 Article 2 The compensation shall be in the form of land, material or money for the land, agricultural products, livestock and incomes that are affected by development projects based on the compensation value.</p> <p>Decree 84 Article 9 Based on prices applied by the state, market prices or average prices applicable for period of compensation and based on the types of properties and locations.</p> <p>Decree 84 Article 8 Compensation for constructed facilities without deduction of depreciation value</p> <p>Livelihood rehabilitation.</p> <p>Assistance during the transitional period.</p>	<p>There are no provisions for preference to land-based resettlement strategies and compensation at full replacement costs</p>	<p>The Project will consider land-for-land compensation for displaced persons and demonstrate replacement value of land where land-for-land compensation is not possible.</p> <p>The Project will compensate for loss of assets at full replacement cost</p>



	ADB Policy	IFC PS5	Applicable National Legislations and Practices	Identified Gaps	Agreed Measures to Close the Gaps
<b>Compensation for non-title holders</b>	Non-title affected persons (persons who have neither formal legal rights nor recognized or recognizable claims to such land) are not compensated for affected land but are eligible for compensation for non-land assets such as dwellings, and also for other improvements to the land, at full replacement cost. Income and livelihood restoration.	The Performance Standard requires that non-land assets be retained, compensated for, or replaced for people who do not have rights over the land they occupy. Relocation to take place with security of tenure. Lost livelihoods to be restored	Decree No. 84/NA, 2016, Article 8 In case the affected person does not have land use rights documents, the affected person shall not be entitled to receive any compensation for the loss of such land. However, he/she will be entitled to receive compensation for the loss of constructed facilities, trees and crops	No major gaps	The Project will ensure compensation for non-title holders at full replacement cost
<b>Significant Affected households</b>	Significant impacts are defined as affected households experiencing major impacts (i) being physically displaced from housing, or (ii) losing 10% or more of their productive (income generating) assets.	No specific definition is given to significantly affected households.	NA	Legislation has no provision for significantly affected groups and obligatory provision of compensation and livelihood restoration for this group.	Being physically relocated from housing (not applicable to this Project); and/or losing 10% or more of productive assets (income generating) will be considered as significantly affected for the Project.
<b>Cut-Off date</b>	The good practice is to use the completion date of the census of displaced persons as the cut-off date. The SPS requires that the borrower/client document and disseminate the cut-off	Where the host country lacks the procedures, the client will establish a cut-off date for eligibility. The information should be well documented and disseminated throughout	The affected persons must acknowledge that any activities taking place after the date of registration of their eligibility for compensation shall not be subject to compensation	No major gaps	The Project will adopt the date of completion of DMS survey as cut-off date and disseminate the cut-off date information throughout the project area.

	ADB Policy	IFC PS5	Applicable National Legislations and Practices	Identified Gaps	Agreed Measures to Close the Gaps
	date information throughout the project area. The key is to inform all displaced persons and enforce the requirements to prevent eligibility and implementation problems	the project area. It is not a requirement to compensate or assist those who have occupied the area after the cult-off date once the date has been clearly established and made public	except for the case that the compensation plan are not implemented within the time frame as defined in point 12 of this article		
<b>Compensation completion</b>	The borrower/client will ensure that no physical displacement or economic displacement will occur until (i) compensation at full replacement cost has been paid to each displaced person for project components or sections that are ready to be constructed; (ii) other entitlements listed in the resettlement plan have been provided to displaced persons; and (iii) a comprehensive income and livelihood rehabilitation program, supported by an adequate budget, is in place to help displaced persons improve, or at least restore, their incomes and livelihoods.	Only after compensation will the project owner be able to take possession of the acquired land and relate assets, and where applicable, resettlement sites and moving allowance have been provided additionally to the compensation. Mitigation of economic displacement will be considered complete when affected persons or communities have received compensation and other assistance and are deemed to have been provided with adequate opportunity to re-establish their livelihoods.	Decree 84, Article 8 Project owners must complete the implementation of their compensation plans within twenty-four months as from the date the compensation plan is officially adopted	There is no national provision on taking possession of acquired land and related assets only after compensation has been completed and livelihood rehabilitation program is in place.	The Project will take possession of acquired land and assets after completion of compensation and establishment of livelihood restoration program.

	ADB Policy	IFC PS5	Applicable National Legislations and Practices	Identified Gaps	Agreed Measures to Close the Gaps
<b>Vulnerable households and gender considerations</b>	<p>Improve the standards of living of the displaced poor and other vulnerable groups, including women, to at least national minimum standards. In rural areas provide them with legal and affordable access to land and resources, and in urban areas provide them with appropriate income sources and legal and affordable access to adequate housing.</p> <p>Pay particular attention to the needs of vulnerable groups, especially those below the poverty line, the landless, the elderly, women and children, and Indigenous Peoples, and those without legal title to land, and ensure their participation in consultations.</p>	Particular attention will be paid to the needs of the poor and the vulnerable	Decree 84, Article 15 Special attention to address the need of vulnerable groups “who cannot help themselves” including disabled, elderly, children and widows who have responsibilities for their families. These groups of people are more vulnerable than other groups to be poorer resulted from development projects.	<p>ADB considers people without land/squatters as vulnerable group</p> <p>There is no regulatory provision for particular attention to gender concerns during resettlement process</p>	<p>The Project will adopt definition of vulnerable groups as follows:</p> <ul style="list-style-type: none"> <li>■ Poor households i.e., living under the national poverty line set by the Laos Government (LAK 9,364 (USD 0.83) per day per person);<sup>10</sup></li> <li>■ Households of elderly persons above the age of 65 with no economic support;</li> <li>■ Households with physically and/or mentally disabled members who need care from other family members;</li> <li>■ Female-headed households with dependents; and</li> <li>■ Households with no land/squatters.</li> </ul> <p>The Project will ensure that the RP addresses gender concerns and gender-inclusive and responsive process and assistance will be provided to vulnerable groups. Refer to <b>Section 5.5</b> key considerations for vulnerable groups in more details.</p>

<sup>10</sup> WB (2020). The national poverty line is estimated at LAK 280,910 (USD 24.90) per month per person at 2019 prices or approximately LAK 9,364 (0.83 USD) per day per person. Retrieved from: <https://www.worldbank.org/en/country/laos/publication/laos-pdr-poverty-profile-and-poverty-assessment-2020>

	ADB Policy	IFC PS5	Applicable National Legislations and Practices	Identified Gaps	Agreed Measures to Close the Gaps
	During resettlement process, adequate attention will be paid to gender concerns, including specific measures addressing the need of female headed households, gender-inclusive consultation, information disclosure, and grievance mechanisms.				
<b>Considerations for Indigenous Peoples</b>	The borrower/client will explore to the maximum extent possible alternative project designs to avoid physical relocation of Indigenous Peoples that will result in adverse impacts on their identity, culture, and customary livelihoods. If avoidance is impossible, in consultation with ADB, a combined Indigenous Peoples plan and resettlement plan could be formulated to address both involuntary resettlement and Indigenous Peoples issues.	Additional provisions apply to consultations with Indigenous Peoples, in accordance with PS 7	N/A	The national legislations do not stipulate considerations for indigenous peoples.	The Project has demonstrated to avoid physical displacement of indigenous peoples through various layout change.

	ADB Policy	IFC PS5	Applicable National Legislations and Practices	Identified Gaps	Agreed Measures to Close the Gaps
<b>Meaningful consultation</b>	A resettlement plan will be based on the social impact assessment and through meaningful consultation with the affected persons. A resettlement plan will include measures to ensure that the displaced persons are (i) informed about their options and entitlements pertaining to compensation, relocation, and rehabilitation; (ii) consulted on resettlement options and choices; and (iii) provided with resettlement alternatives.	IFC PS1 states that when affected communities are identified as being at risk and having adverse impacts from a project, the client will go through a process of consultation to provide those affected with opportunities to express their views on project impacts, risks, and mitigation measures. Effective consultation is a two-way process that should be based on prior disclosure and dissemination of transparent, relevant, objective, meaningful and easily accessible information; it also should enable meaningful participation.	Decree 84, Article 9 Project owners, in collaboration with the committee for compensation and resettlement at the local level, must estimate the value for compensation for land, constructed facilities, crop products, livestock and potential incomes and organize consultations with affected people. Decree 84, Article 18 The obligation of the affected people is to attend consultations at different levels, make comments to the plan of compensation, resettlement, and rehabilitation of their livelihood	There is no national provision for meaningful consultation	Principle of meaningful consultation has been adopted for the project in accordance with the requirements of ADB SPS as discussed in <b>Section 7 Information Disclosure, Consultation and Participation and Grievance Mechanism.</b>
<b>Information Disclosure</b>	Disclose a draft resettlement plan, including documentation of the consultation process in a timely manner, before project appraisal, in an accessible place and a form and language(s)	Disclosure of relevant information and participation of the affected communities and people are to be done throughout the planning, implementation, monitoring, and evaluation of	Decree 84, Article 17 The Project owner is responsible for the information developed and disclose the information related to the implementation of the development project as well	No major gaps	The Project will disclose a draft and final resettlement plan to affected persons and other stakeholders.



	ADB Policy	IFC PS5	Applicable National Legislations and Practices	Identified Gaps	Agreed Measures to Close the Gaps
	understandable to affected persons and other stakeholders. Disclose the final resettlement plan and its updates to affected persons and other stakeholders.	compensation payments, resettlement, and livelihood restoration activities to produce results that align with the objectives of PS5	as the implementation of the plans of compensation, resettlement, and rehabilitation of the livelihood of people for the relevant state and public organizations		
<b>Grievance Redress Mechanism</b>	The borrower/client will establish a mechanism to receive and facilitate the resolution of affected persons' concerns and grievances about physical and economic displacement and other project impacts, paying particular attention to the impacts on vulnerable groups. The grievance redress mechanism should be scaled to the risks and adverse impacts of the project. It should address affected persons' concerns and complaints promptly, using an understandable and transparent process that is gender responsive, culturally appropriate, and readily accessible to the affected persons at no	A grievance mechanism consistent with PS1 is to be established by the project owner as early as possible in the project development phase. This is to ensure that specific concerns about compensation and relocation are addressed in a timely fashion. A recourse mechanism design is included to resolve disputes in an impartial manner	Decree 84, Article 24 There are three tiers of grievance resolution. First grievance is filed to an operation unit of the compensation and resettlement and a management unit of compensation and resettlement. If not resolved, the grievance can be lodged to government through the study and proposition of the Ministry of Natural Resources and Environment. If not resolved, the disagreeing party is entitled to make a request for justice to the National Assembly or to a court according to the judicial process.	No major gaps	The Project's grievance mechanism starts at the village level integrated into the village grievance committee not just administrative authorities. Women and vulnerable groups will be included in the grievance committee. The Project will inform the affected communities of the grievance mechanism. The Project will ensure transparent, documented and free of retribution grievance process.

	ADB Policy	IFC PS5	Applicable National Legislations and Practices	Identified Gaps	Agreed Measures to Close the Gaps
	costs and without retribution. The borrower/client will inform affected persons about the mechanism.				
<b>Monitoring and Reporting</b>	The borrower/client will monitor and measure the progress of implementation of the resettlement plan. The extent of monitoring activities will be commensurate with the project's risks and impacts. In addition to recording the progress in compensation payment and other resettlement activities, the borrower/client will prepare monitoring reports to ensure that the implementation of the resettlement plan has produced the desired outcomes. For projects with significant involuntary resettlement impacts, the borrower/client will retain qualified and experienced external experts or qualified NGOs to verify the	Procedures to monitor and evaluate implementation of the Resettlement Action Plan or Livelihood Restoration Plan will be established by the project owner. The extent of monitoring activities will be commensurate with the project's impacts and risks. Once the agreed monitoring period is concluded, the completion audit can be taken place by competent resettlement professionals. Project owners will play an active role in monitoring	Decree 84, Article 27 The project owner must set up a management unit of compensation and resettlement to take charge of monitoring and examination by himself other than other parties. The unit is obliged to make reports to the state audit-inspection organizations concerning the monitoring and examination of the implementation of the plan for compensation, allocation and relocation, and rehabilitation of people's livelihood of the development project as stipulated in the overall plan, at each period.	Requirement for external monitoring in case of projects with significant involuntary impacts	The Project will prepare and submit internal monitoring reports to ADB semi-annually. Following the DMS results, the Project will determine if significant involuntary impacts applies. If deemed applicable, external monitoring will be established (refer to <b>Section 10 Monitoring and Evaluation Framework</b> ).

	ADB Policy	IFC PS5	Applicable National Legislations and Practices	Identified Gaps	Agreed Measures to Close the Gaps
	borrower's/client's monitoring information. The borrower/client will prepare semi-annual monitoring reports that describe the progress of the implementation of resettlement activities and any compliance issues and corrective actions.				
<b>Resettlement</b>	In the case of physically displaced persons, the borrower/client will provide (i) relocation assistance, secured tenure to relocation land, better housing at resettlement sites with comparable access to employment and production opportunities, and civic infrastructure and community services as required; (ii) transitional support and development assistance, such as land development, credit facilities, training, or employment opportunities; and (iii) opportunities to derive appropriate	A Resettlement Action Plan will be developed by the client in the case of physical displacement. It should cover, at minimum the applicable requirements of PS5, not taking into account the number of people affected. Compensation will include full replacement cost for land and other assets lost. The Resettlement Action Plan will focus on mitigating the negative impacts of displacement, develop a resettlement budget and schedule, identify development opportunities, and establish entitlements of all categories of those	<b>Law on Resettlement and Vocation No.45/NA, 2018</b> Article 11: Specific resettlement means the allocation of place to stay and make a living for persons who affected from the development project. Article 19: requirements for resettlement sites Article 20: Resettlement Process Resettlement project study and planning; Compensation for damages caused by resettlement; Building of Infrastructures to support resettlement;	Opportunities to derive appropriate development benefits from the project.	There will be no physical displacement impact from Project's land acquisition. Therefore, no measures to close the gaps are required.

	ADB Policy	IFC PS5	Applicable National Legislations and Practices	Identified Gaps	Agreed Measures to Close the Gaps
	<p>development benefits from the project.</p> <p>In the case of economically displaced persons, regardless of whether or not they are physically displaced, the borrower/client will promptly compensate for the loss of income or livelihood sources at full replacement cost. The borrower/client will also provide assistance such as credit facilities, training, and employment opportunities so that they can improve, or at least restore, their income-earning capacity, production levels, and standards of living to pre-displacement levels.</p>	<p>affected. All transactions regarding land rights acquirement, compensation measures, and relocation activities will be documented by the client. Additionally, the needs of the vulnerable and poor will be significantly focused on.</p>	<p>Displacement or relocation.</p> <p>Resettlement area development.</p> <p>Livelihood rehabilitation during transition period.</p> <p>Handover of resettlement project.</p> <p>End of resettlement project.</p>		
<b>Livelihood Restoration</b>	<p>Improve, or at least restore, the livelihoods of all displaced persons through (i) land-based resettlement strategies when affected livelihoods are land based where possible or cash</p>	<p>The Livelihood Restoration Plan will establish the entitlements of affected persons and/or communities and will ensure that these are provided in a consistent,</p>	<p><b>Law on Resettlement and Vocation No.45/NA, 2018</b></p> <p>Vocation program is to promote sustainable vocation for displaced persons to make available stable source of income</p>	<p>No gaps</p>	<p>The Project has included training and employment opportunities in the Resettlement Plan and Community and Ethnic Group Development Plan.</p>

	ADB Policy	IFC PS5	Applicable National Legislations and Practices	Identified Gaps	Agreed Measures to Close the Gaps
	<p>compensation at replacement value for land when the loss of land does not undermine livelihoods, (ii) prompt replacement of assets with access to assets of equal or higher value, (iii) prompt compensation at full replacement cost for assets that cannot be restored, and (iv) additional revenues and services through benefit sharing schemes where possible.</p> <p>The borrower/client will include detailed measures for income restoration and livelihood improvement of displaced persons in the resettlement plan. Income sources and livelihoods affected by project activities will be restored to pre-project levels, and the borrower/client will make every attempt to improve the incomes of displaced persons so that they can benefit from the project.</p>	<p>transparent, and equitable manner. Economically displaced people who lose their assets or access to assets will be compensated at full replacement cost. If any economically displaced persons whose livelihoods or income levels are adversely affected, they will also be provided opportunities to improve or restore their means of income-earning capacity, production levels, and standard of living. Procedures to monitor and evaluate the implementation of the Livelihood Restoration Plan will be established by the project owner. It will be considered finished when the impacts have been addressed.</p>	<p>Article 30: Persons eligible for vocation programs include individuals or families who live in affected areas and meet the same requirements as for resettlement.</p> <p>Article 32: Vocation Procedures</p> <p>The vocation shall follow the following procedures:</p> <ul style="list-style-type: none"> <li>■ Data collection.</li> <li>■ Vocation option assessment.</li> <li>■ Vocational training and development.</li> <li>■ Support and promotion of technical aspects,</li> <li>■ access to finance and marketing.</li> <li>■ Building of onsite developers and model families.</li> <li>■ Monitoring and evaluation of vocational implementation;</li> <li>■ End of vocation project.</li> </ul>		



	ADB Policy	IFC PS5	Applicable National Legislations and Practices	Identified Gaps	Agreed Measures to Close the Gaps
	For vulnerable persons and households affected, the resettlement plan will include measures to provide extra assistance so that they can improve their incomes in comparison with pre-project levels. The resettlement plan will specify the income and livelihoods restoration strategy, the institutional arrangements, the monitoring and reporting framework, the budget, and the time-bound implementation schedule				

## 4 ASSESSMENT OF LAND ACQUISITION IMPACTS

### 4.1 Impact Avoidance Measures

#### **Impact Avoidance for Loss of Agricultural Land and NTFP Collection Area**

The Project has undertaken multiple revision of the Project layout to avoid land acquisition impacts to extent possible. The previous layout (Goldwind) consisting of 148 WTGs resulted in 16 villages and 246 households affected by loss of agricultural land and 25 villages affected by loss of NTFP collection area. **Table 4-1** summarizes the Project land acquisition impact due to the previous layout (Goldwind).

**Table 4-1: Land Impact due to Old Layout (Goldwind)**

Province	Agricultural Land					NTFP Collection Area		
	Affected Area (ha)		Affected HHs (No.)			Affected Area (ha)		Affected HHs
	Per.	Temp.	Per.	Pert & Temp.	Temp.	Per.	Temp.	
<b>Sekong</b>	4.89	123.10	3	104	135	108.25	421	1,752
<b>Attapeu</b>	0.51	1.97	0	6	1	44.80	19.98	355
<b>Total</b>	<b>5.4</b>	<b>125.07</b>	<b>3</b>	<b>110</b>	<b>136</b>	<b>153.05</b>	<b>439.98</b>	<b>2,107</b>

In the current layout (Envision), the Project reduced the number of WTGs to 133 with the intention of reducing land acquisition and related impacts, particularly to agricultural and NTFP collection areas. However, villagers had already been informed of Project component locations, resulting in increased claims to land and numbers of affected people. **Table 4-2** summarizes the Project land acquisition impact resulting from the current layout. This indicates an increased impact to agricultural land by 78.74 ha and NTFP collection area loss is reduced by 57.55 ha. A total of 27 villages and 378 households are affected by agricultural loss, 25 villages are affected by NTFP collection loss.

**Table 4-2: Land Impact Due to Current Layout (Envision)**

Province	Agricultural Land					NTFP Collection Area		
	Affected Area (ha)		Affected HHs (No.)			Affected Area (ha)		Affected HHs
	Per.	Temp.	Per.	Pert & Temp.	Temp.	Per.	Temp.	
<b>Sekong</b>	23.84	146.83	2	170	168	101.04	353.88	1,752
<b>Attapeu</b>	5.47	9.70	3	33	2	49.75	30.81	355
<b>Total</b>	<b>29.31</b>	<b>156.53</b>	<b>5</b>	<b>203</b>	<b>170</b>	<b>150.79</b>	<b>384.69</b>	<b>2,107</b>

Based on the interview with DAFO/PAFO on 20 July 2022, boundaries for each type of forest for every village has been identified including designated NTFP areas. The government has agreement with the villages on the management on the different types of forest and NTFP areas. The DAFO/PAFO

confirmed that though the Project might cause decrease of existing NTFP areas, it will also open up new NTFP areas which the villagers can access. Though each village has assigned NTFP areas, villages can share NTFP/Production areas and work together on the management of the areas. He also concerns that with improved access, people from the cities may also come to hunt and collect NTFP in this area.

#### **Impact Avoidance for Loss of Paddy Field**

Given the area is highly mountainous with limited suitable flat land and water resource for rice paddy farming, rice farming is therefore considered highly significant for livelihood by the villagers. It was advised by village heads, villagers and field survey team that finding replacement land for rice paddy is highly difficult due to limited suitable flat land. For this reason, the Project has optimized the Project layout to avoid impact on rice paddy which is a significant and irreplaceable livelihood of the local villagers. The previous layout affected 13.23 ha of paddy rice, whilst the current layout will affect 8.61 ha of rice paddy – the Project has reduced paddy loss by 4.21 ha with layout optimization.

#### **Impact Avoidance on Cultural Heritage**

The Project has taken into considerations impacts to cultural heritage resources for Project layout optimization. The Project has put best effort to re-route the transmission line and internal road alignment to avoid cutting through cemeteries. Refer to **Section 4.6** for more details of impacts to cemetery and impact avoidance measures. There are no ceremonial grounds including sites for animal sacrifices or other sacred grounds which will be affected by permanent or temporary land acquisition

#### **Impact to Communal Land**

The previous layout (Goldwind) impacted a total of 532.01 ha of communal land (381.34 ha temporarily affected and 150.67 ha permanently affected). The current layout impacts 608.93 ha of communal land (448.98 ha temporarily affected and 159.94 ha permanently affected)— impacts to communal increases land from the previous layout by 76.92 ha (67.64 ha temporarily affected and 9.27 ha permanently affected). The increased impacts to communal land primarily attributed to some WTGs and transmission line of the current layout are proposed in communal land area, such as Dak Nong, Dak Xeng and Xiengluang village areas, in effort to reduce impacts to agricultural land, NTFP collection area and cultural heritage.

## **4.2 Affected Households**

A total of 378 households and 396 land parcels will be impacted by Project land acquisition. **Table 4-3** presents details of affected households by land ownership type. As discussed in **Section 5.5** the common land ownership types in affected villages include land titles, land tax receipts and booking land.<sup>11</sup> Land tax receipts refer to HHs with booking land who pay taxes to the village authority and are able to provide such evidence such as land tax receipt will be considered as having claim to such lands that are recognized under the national laws, and therefore are eligible for compensation for land, whilst the booking land owners with no evidence of ownership to land (e.g. land tax receipt) will not be compensated for land, but will be compensated for non-land assets, as described in **Table 6-1** As stated in the eligibility and entitlement matrix they will also be entitled to all the livelihood restoration programs and other types of assistance (e.g. if vulnerable they will be assisted to improve the status to at least national minimum standards). The majority of the households have land tax receipt (306 households), followed by booking (49 households) land and land titles (19 households). Six households have land title and land tax receipt and sixteen households have land tax receipt and booking land.

<sup>11</sup> Booking land refers to a traditional system, which is not recognized in Laos law. Village members claim or 'book' land for farming (or so-called booking) (e.g., rice, cassava, and coffee) by notifying the village heads and communicate to other village members by marking the booked land with sticks and lines or threads.

**Table 4-3: Affected HHs by Land Ownership Type**

District	Village	Affected HH	Booking Land(No. HHs)	Land Tax receipt (No. HHs)	Land Tax Receipt & Booking land (No. HHs)	Land Title & Land Tax Receipt (No. HHs)	Land Titles (No. HHs)
Dak Cheung	Dak Tiem	22	4	17	1	0	0
	Dak Xeng	4	0	4	0	0	0
	Dak Yang	4	0	4	0	0	0
	Dak Yen	5	0	5	0	0	0
	Xiengluang	9	0	9	0	0	0
	Dak Terb	37	4	32	1	0	0
	Trongmuang	2	0	2	0	0	0
	Dak Dor	22	0	22	0	0	0
	Dak Den	5	0	5	0	0	0
	Dak Rant	43	5	38	0	0	0
	Dak Cheung	2	1	1	0	0	0
	Dak Lern	5	0	5	0	0	0
	Dak Kang	5	0	5	0	0	0
	Dak Bong	108	3	84	8	3	10
	Dak Muan	31	2	26	1	1	1
	Nonsavanh	4	0	4	0	0	0
	Ngon don	30	0	27	3	0	0
	Dak Ta Aok Noi	2	1	1	0	0	0
	<b>Total</b>	<b>340</b>	<b>20</b>	<b>291</b>	<b>14</b>	<b>4</b>	<b>11</b>
Sanxay	Dak Nong	21	14	7	0	0	0
	Dak Samor	9	5	4	0	0	0
	Dak Yok	4	4	0	0	0	0
	Dak Padu	4	4	0	0	0	0
	<b>Total</b>	<b>38</b>	<b>28</b>	<b>8</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Grand Total</b>		<b>378</b>	<b>49</b>	<b>306</b>	<b>16</b>	<b>6</b>	<b>19</b>

### 4.3 Affected Land

#### 4.3.1 Summary of Affected Land

**Table 4-4** presents a summary of affected land by area and **Table 4-5** presents a summary of affected land by ownership types.

**Table 4-4: Summary of Affected Land by Area**

No.	Location	Project Activity	Loss of Agricultural Land						NTFP Collection Areas (ha)		Communal Land (ha)	
			Affected Area (ha)		Affected HHs (No.)			Total Affect HHs				
			Per.	Temp.	Per.	Per & Temp.	Temp.		Per.	Temp.	Per.	Temp.
Dak Cheung District, Sekong Province												
1	Dak Tiem	Turbine site, Access Road	2.35	5.07	2	16	3	22	9.50	14.06	14.61	21.07
2	Dak Xeng	Access Road	0.16	0.38	0	4	0	4	N/A	N/A	0.08	0.19
3	Dak Yang	Turbine site, Access Road	1.09	1.20	0	4	0	4	1.30	1.89	1.30	1.89
4	Dak Yen	Turbine site, Access Road	0.44	1.33	0	4	1	5	2.60	5.92	2.60	5.92
5	Xieng Luang	Access Road, Internal TL 115kV	0.75	1.84	0	9	0	9	2.22	19.15	2.22	19.15
6	Dak Terb	Internal TL 115kV, Turbine site, Access Road	0.06	6.07	0	21	16	37	7.39	23.36	7.39	23.36
7	Tong Muang	Internal TL 115kV, Turbine site, Access Road	0.00	0.73	0	2	0	2	15.21	44.02	15.22	44.03
8	Dak Dor	Internal TL 115kV	0.04	4.57	0	12	10	22	0.01	2.34	0.01	2.34
9	Dak Den	Turbine site, Access Road	0.46	0.81	0	4	1	5	7.7411	14.2	10.50	18.97
10	Dak Rant	Turbine site, Access road, Internal TL 115kV, 35 kv ,Sub 500kV	2.65	14.94	0	26	18	43	22.00	44.69	24.39	64.27
11	Dak Cheung	Access road	0.18	0.41	0	2	0	2	6.3	13.53	5.82	11.85
12	Dak Lern	Access road	0.62	0.72	0	5	0	5	4.69	36.45	9.57	31.92
13	Dak Kung	Turbine site, Access road, Internal TL 35 kv	1.09	1.15	0	5	0	5	6.90	27.73	9.85	35.33
14	Dak Jom	Turbine site, Access road,	0	0	0	0	0	0	4	6.8	7.75	14.13



No.	Location	Project Activity	Loss of Agricultural Land						NTFP Collection Areas (ha)		Communal Land (ha)	
			Affected Area (ha)		Affected HHs (No.)			Total Affect HHs	Per.	Temp.	Per.	Temp.
			Per.	Temp.	Per.	Per & Temp.	Temp.					
15	Dak Xieng A	Turbine site, Access Road, TL35kv	0	0	0	0	0	0	9.15	30.59	9.13	30.59
16	Tong Sieng	Turbine site, Access Road	0	0	0	0	0	0	1.68	4	1.48	2.43
17	Dak Dom	Turbine site, Access Road	0	0	0	0	0	0	0.14	30.12	0.15	30.73
18	Dak Bong	Access road, Internal TL 115kV, 35kV, TL500kV	13.70	56.41	0	40	68	108	0.07	11.48	8.03	11.99
19	Dak Muan	TL500kV	0.08	16.88	0	5	26	31	0.04	3.46	0.04	5.42
20	Nonsavan	TL500kV	0.02	2.24	0	1	3	4	N/A	N/A	-	0.44
21	Ngon Don	TL500kV	0.11	26.70	0	8	22	30	0.01	2.25	0.01	0.44
22	Dak Ta-ok Noi	TL500kV	0.04	5.37	0	2	0	2	0.06	17.81	0.06	13.42
<b>Total</b>			<b>23.84</b>	<b>146.83</b>	<b>2.00</b>	<b>170.00</b>	<b>168.00</b>	<b>340.00</b>	<b>101.04</b>	<b>353.88</b>	<b>130.21</b>	<b>389.87</b>
<b>Sanxay District, Attapeu Province</b>												
1	Dak Nong	Internal TL 115kV, Turbine site, Access road	2.9181	5.3083	0	20	1	21	6.34	11.83	6.34	11.84
2	Dak Samor	Turbine site, Access road	0.727	1.2842	3	6	0	9	8.68	3.52	4.85	10.08
3	Dak Yok	Turbine site, Access road	1.0862	2.2363	0	3	1	4	2.35	1.27	1.56	3.19
4	Dak Padou	Turbine site, Access road	0.7353	0.8714	0	4	0	4	11.96	5.24	10.54	21.23
5	Dak Xeum	Turbine site, Access Road	-	-	-	-	-	-	20.42	8.94	6.87	12.35
<b>Total</b>			<b>5.47</b>	<b>9.70</b>	<b>3</b>	<b>33</b>	<b>2</b>	<b>38</b>	<b>49.75</b>	<b>30.80</b>	<b>30.16</b>	<b>58.69</b>
<b>Grand Total</b>			<b>29.31</b>	<b>156.53</b>	<b>5.00</b>	<b>203</b>	<b>170</b>	<b>378</b>	<b>150.79</b>	<b>384.69</b>	<b>160.37</b>	<b>448.56</b>

**Table 4-5: Affected Land by Ownership Types**

Villages	Affected Area (ha)		Land Type	Affected HHs (No.)									Total Affect HHs (No.)		
	Per	Temp.		Per			Temp			Permanent & Temp.					
				Title <sup>12</sup>	Non-title	Land Tax Receipt	Title	Non-title	Land Tax Receipt	Title	Non-title	Land Tax Receipt	Title	Non-title	Land Tax Receipt
Dak Cheung District, Sekong Province															
Dak Tiem	16.96	26.14	Booking land, paddy field, agriculture, upland rice field, communal	-	-	-	-	-	3	-	5	15	-	5	18
Dak Xeng	0.24	0.57	Agriculture, upland rice field, communal	-	-	-	-	-	-	-	-	4	-	-	4
Dak Yang	2.39	3.09	Upland rice field, communal	-	-	-	-	-	-	-	-	4	-	-	4
Dak Yen	3.04	7.25	Agriculture, upland rice field, communal	-	-	-	-	-	1	-	-	4	-	-	5
Xiengluang	2.97	20.99	Agriculture, upland rice field, communal	-	-	-	-	-	-	-	-	9	-	-	9
Dak Terb	7.39	29.49	Agriculture, upland, paddy field, booking land, communal	-	-	-	-	2	21	-	3	12	-	5	33

<sup>12</sup> Title refers to land titles only and no other forms of land ownership documents e.g., land use certificate

Villages	Affected Area (ha)		Land Type	Affected HHs (No.)									Total Affect HHs (No.)		
	Per	Temp.		Per			Temp			Permanent & Temp.					
				Title <sup>12</sup>	Non-title	Land Tax Receipt	Title	Non-title	Land Tax Receipt	Title	Non-title	Land Tax Receipt	Title	Non-title	Land Tax Receipt
Trongmuang	15.06	44.92	Agriculture, communal	-	-	-	-	-	-	-	-	2	-	-	2
Dak Dor	0.00	6.97	Agriculture, upland, fish pond, communal	-	-	-	-	-	10	-	-	12	-	-	22
Dak Den	10.96	19.79	Agriculture, booking land, communal	-	-	-	-	-	1	-	-	4	-	-	5
Dak Rant	26.98	79.27	Agriculture, upland rice field, paddy field, booking land, communal	-	-	-	-	3	14	-	2	24	-	5	38
Dak Cheung	6.00	12.26	Agriculture, booking land, communal	-	-	-	-	-	-	-	1	1	-	1	1
Dak Lern	10.19	32.63	Agriculture, communal	-	-	-	-	-	-	-	-	5	-	-	5
Dak Kang	10.94	36.48	Agriculture, communal	-	-	-	-	-	-	-	-	5	-	-	5
Dak Bong	21.52	68.61	Agriculture, upland rice field, paddy field, booking land, communal	-	-	-	10	9	58	3	2	37	13	11	95
Dak Muan	0.00	22.41	Agriculture, upland rice field, paddy	-	-	-	1	2	25	1	1	3	2	3	28

Villages	Affected Area (ha)		Land Type	Affected HHs (No.)									Total Affect HHs (No.)		
	Per	Temp.		Per			Temp			Permanent & Temp.					
				Title <sup>12</sup>	Non- title	Land Tax Receipt	Title	Non- title	Land Tax Receipt	Title	Non- title	Land Tax Receipt	Title	Non- title	Land Tax Receipt
			field, booking land, communal												
Nonsavan	0.00	2.70	Agriculture, communal	-	-	-	-	-	3	-	-	1	-	-	4
Ngon Don	0.00	27.26	Agriculture, upland rice field, paddy field, fish pond, booking land, communal	-	-	-	-	2	23	-	1	7	-	3	30
Dak Ta-ok Noi	0.00	18.88	Agriculture, booking land, communal	-	-	-	-	-	-	-	1	1	-	1	1
Dak Xeum	6.87	12.35	Communal	-	-	-	-	-	-	-	-	-	-	-	-
Sieng A	9.13	30.59	Communal	-	-	-	-	-	-	-	-	-	-	-	-
Tongsieng	1.48	2.43	Communal	-	-	-	-	-	-	-	-	-	-	-	-
Dak Dom	0.00	30.88	Communal	-	-	-	-	-	-	-	-	-	-	-	-
Dak Jom	7.75	14.13	Communal	-	-	-	-	-	-	-	-	-	-	-	-
Total	152.11	535.96	All land types	-	-	-	11	18	159	4	16	150	15	34	309
Sanxay District, Attapeu Province															
Dak Nong	9.26	17.15	Agriculture, upland rice field, booking	-	-	-	-	1	-	-	13	7	-	14	7

Villages	Affected Area (ha)		Land Type	Affected HHs (No.)									Total Affect HHs (No.)		
	Per	Temp.		Per			Temp			Permanent & Temp.					
				Title <sup>12</sup>	Non-title	Land Tax Receipt	Title	Non-title	Land Tax Receipt	Title	Non-title	Land Tax Receipt	Title	Non-title	Land Tax Receipt
			land, communal												
Dak Samor	5.57	11.37	Agriculture, upland rice field, paddy field, booking land, communal	-	2	1	-	-	-	-	3	3	-	5	4
Dak Yok	2.65	5.42	Booking land, communal	-	-	-	-	1	-	-	3	-	-	4	-
Dak Padoi	11.28	22.10	Agriculture, upland, communal	-	-	-	-	-	-	-	4	-	-	4	-
Total	28.76	56.04	All land types	-	2	1	-	2	-	-	23	10	-	27	11
Grand Total	188.63	606.13	All land types	-	2	1	11	20	159	4	39	160	15	61	320



### 4.3.2 Significantly Affected Households

With regards to determining the number of significantly affected households i.e., those losing 10% or more of their productive (income generating) assets, the DMS questionnaire has incorporated questions to determine percentage of total productive assets impacted by the Project land acquisition. **Figure 4-2** presents an example of DMS form where information on total land holding (m<sup>2</sup>) and total affected land (m<sup>2</sup>) were asked. However, most of the PAPs participated in the DMS were not able to provide information on total land holdings. This may be attributed to:

- Lack of formal land ownership system (e.g., the presence of booking land) leads to PAPs do not know the accurate area of total land holding. This was substantiated during the consultation with the District and Provincial District on 18 July 2022, Attapeu District Officer indicated that most of the villagers do not have land titles as it is a remote area and land titling program has not reached the area due to limited capacity and personnel of the GOL.
- At the time of DMS, some respondents did not have a clear perspective of household's total land holding. For example, they may have three land plots but could not estimate the sum area of these land plots.
- Relatively low education level of the PAPs may hinder the respondents reporting their land information to the survey team
- The official documentation i.e., land tax payment is insufficient to provide such information in this area. For instance, one household may have been paying tax for 2 ha; however, their actual land holding is 4 ha—they have been paying tax to conservative land area to minimize tax payment amount.
- Some respondents indicated that they were not willing to provide such data of total land holding

Given that the information of total landholding was not available, the Project has therefore estimated the percentage of productive assets being impacted by using the average landholding information of 1 to 3 ha obtained during the FGDs with livelihood group in November – December 2021 and consultation with villages in July 2022. This information suggests that the average minimum landholding is 1 ha, and the average maximum land holding is 3 ha. It is noted that this is conservative approach as during the FGDs some indicated up to 10 ha as maximum landholding. **Table 4-6** presents the methodology and example for the calculation of percentage of productive asset being affected. The calculation steps can be summarized as follows:

- Calculate the percentage of permanently affected area/average minimum landholding
- Calculate the percentage of permanently affected area/ average maximum landholding
- Determine whether the AHs being significantly affected based on the percentage criteria:
  - Significantly affected (Min – Max% >10),
  - Potential significantly affected (Min% < 10, Max% >10)
  - Not significantly affected (Min – Max <10%).

**Table 4-6: Calculation Methodology and Example**

AH	Permanently Affected Land (ha)	Average Minimum Total Land Holding (ha)	Average Maximum Total Land Holding (ha)	% productive land affected	Criteria for % productive land affected	Identified as Significantly Affected?
A	0.02	1	3	0.67- 2%	Min – Max <10%	No (Less than 10% of productive assets is affected)
B	0.2	1	3	6.7% - 20%	Min < 10, Max >10	Potentially (productive assets may be less than 10% affected or 10% and more effected)
C	2	1	3	66.7 – 200%	Min – Max >10%	Yes (10% or more of productive assets is affected)

**Table 4-7** presents a summary of significantly affected HHs per village based on the calculation methodology outlined above. A total of 53 HHs (14.03%)<sup>13</sup> are considered significantly affected (15 HHs (3.98%) are significantly affected and 38 HHs (10.05%) are potentially significantly affected), and 325 HHs (85.97%) are considered not significantly affected.

**Table 4-7: Summary of Significantly Affected HHs**

No.	Village	Affected By	Significantly Affected HHs	Potentially Significantly Affected HHs	Not Significantly Affected HHs	Total
<b>Dak Cheung District, Sanxay Province</b>						
1	Dak Tiem	Turbine site, Access Road	1	6	15	22
2	Dak Xeng	Access Road	0	0	4	4
3	Dak Yang	Turbine site, Access Road	0	2	2	4
4	Xieng Luang	Access Road, Internal TL 115kV	0	3	6	9
5	Dak Terb	Internal TL 115kV, Turbine site, Access Road	0	1	36	37
6	Trongmueang	Internal TL 115kV, Turbine site, Access Road	0	0	2	2
7	Dak Dor	Internal TL 115kV	0	0	22	22
8	Dak Den	Turbine site, Access Road	0	1	4	5

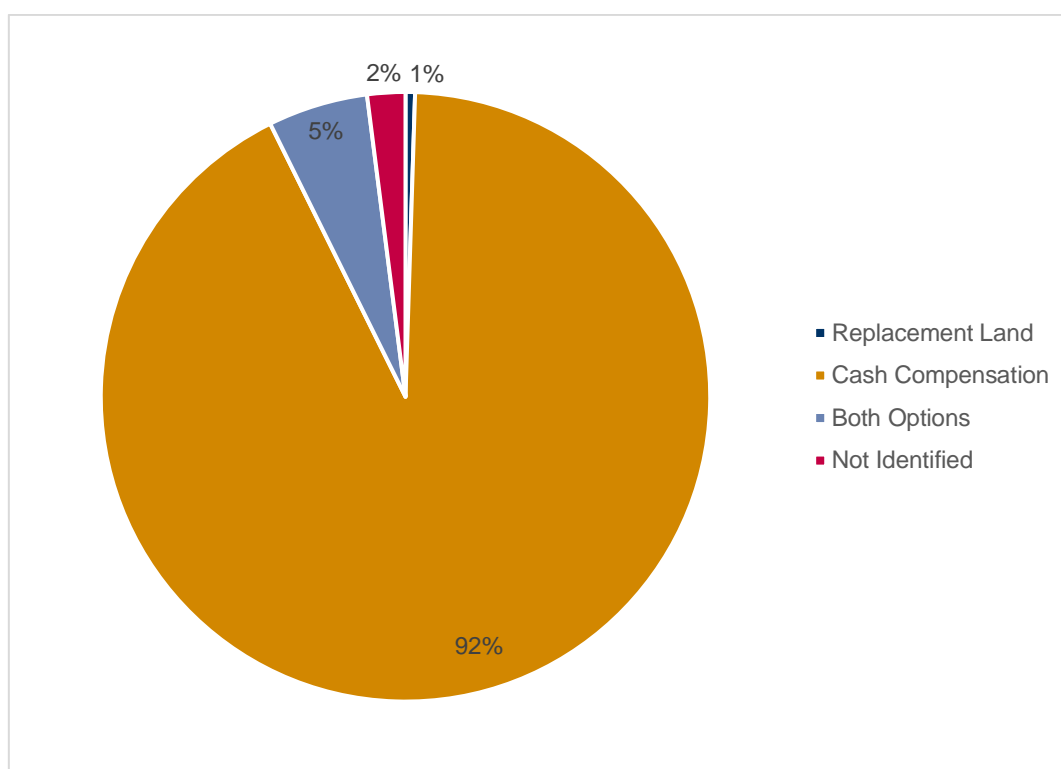
<sup>13</sup> For precautionary approach, potentially significantly affected households will be considered as significantly affected households

No.	Village	Affected By	Significantly Affected HHs	Potentially Significantly Affected HHs	Not Significantly Affected HHs	Total
9	Dak Rant	Turbine site, Access road, Internal TL 115kV, 35 kv, Sub 500kV	1	3	39	43
10	Dak Cheung	Access road	0	1	1	2
11	Dak Lern	Access road	1	0	4	5
12	Dak Kung	Turbine site, Access Road, kV Internal TL 35 kV	2	0	3	5
13	Dak Bong	Access road, Internal TL 115kV, 35kV, TL500kV	5	4	99	108
14	Dak Muan	TL500kV	0	0	31	31
15	Nonsavan	TL500kV	0	0	4	4
16	Ngon Don	TL500kV	0	0	30	0
17	Dak Ta-ok Noi	TL500kV	0	0	2	2
<b>Total</b>			<b>10</b>	<b>25</b>	<b>305</b>	<b>340</b>
<b>Sanxay District, Attapeu Province</b>						
1	Dak Nong	Internal TL 115kV, Turbine site, Access road	3	7	11	21
2	Dak Samor	Turbine site, Access road	0	4	5	9
3	Dak Padou	Turbine site, Access road	0	1	3	4
4	Dak Xeum	Turbine site, Access Road	2	1	1	4
<b>Total</b>			<b>5</b>	<b>13</b>	<b>20</b>	<b>38</b>
<b>Grand Total</b>			<b>15</b>	<b>38</b>	<b>325</b>	<b>378</b>

### 4.3.3 Compensation Preference

DMS Survey conducted in May-June 2022 suggests that of 396 surveyed HHs<sup>14</sup>, 92% (365 HHs) indicated cash compensation as their compensation preference while 1% (2 HHs) indicated replacement land as their preferred compensation options, 5% (21 HHs) indicated both replacement land and cash compensation are their preferential compensation and 2% (8 HHs) did not identify their preferred option (**Figure 4-1**).

<sup>14</sup> At the time of DMS survey in May-June 2022, a total of 396 were identified as affected HHs. However, the Project has taken the effort to slightly move 500 kV substation and its transmission line to reduce impacts on residential land and rice paddies; therefore, the number of affected HHs are reduced to 378 HHs.


**Figure 4-1: DMS Results on Compensation Preference**

Although 92% of PAPs preferred cash compensation, cash compensation would risk the sustainability of PAP's future livelihood, considering their livelihoods patterns are land-based prior to the displacement. Despite the Project's effort to provide local employment and capacity trainings to villagers as outlined in **Section 7.4.1**, provision of a large number of waged-based livelihoods would be challenging given the local economic conditions and the current skills fit-to-work of PAPs.

The Project therefore propose land-for-land compensation, although most PAPs opt for cash compensation:

- Significantly affected households are entitled to land-for-land compensation as a priority or cash compensation at full replacement cost.
- Not significantly affected households will receive cash compensation at full replacement cost, unless they prefer land-for-land compensation
- Potentially significantly affected HHs will be treated with attention to verify the actual situation on the ground. If identified that the Project will significantly impact their productive assets and livelihoods, land-for-land compensation will be made priority.
- Refer to **Table 6-1** for more details of eligibility and entitlement.
- In the case that land-for-land is not available, the Project will demonstrate the effort to identify and secure replacement land for PAPs as outlined in **Section 6.6**.
- Additionally, it is recommended to have more meaningful consultations with PAPs to facilitate them to better understand that provision of cash compensation alone would not result in sustainable livelihood – they will need to participate in financial literacy programs and LRP provided by the Project

Figure 4-2: Example of DMS Form



ສາທາລະນະລັດ ປະຊາທິປະໄຕ ປະຊາຊົນລາວ  
ສັນຕິພາບ ເອກະລາດ ປະຊາທິປະໄຕ ເອກະພາບ ວັດທະນະຖາວອນ

ບົດບັນທຶກການຮັບຮອງເອົາຂໍ້ມູນ ການສໍາຫຼວດວັດແທກລະອຽດ ກ່ຽວກັບຜົນກະທົບ  
ຈາກໂຄງການຜະລິດໄຟຟ້າຈາກພະລັງງານລົມ 600 MW, ເມືອງດາກຈຶງ, ແຂວງເຊກອງ ແລະ ເມືອງ ຊານໄຊ, ແຂວງ ອັດຕະປື

1. ຂໍ້ມູນຄົວເຮືອນທີ່ໄດ້ຮັບຜົນກະທົບ:		ລະຫັດຄົວເຮືອນ: DB 28
ຊື່ ແລະ ນາມສະກຸນ ເຈົ້າຂອງຊັບສິນ: ທ. ສິມສາ ລາ ພະຍະ ສິງ		
ອາຍຸ: 52	ອາຊີບ: ພະນັກງານໂຄງການ	ໂທລະສັບ: 020 56478649
ຊື່ ແລະ ນາມສະກຸນ ຄູ່ສົມລົດ ຂອງເຈົ້າຂອງຊັບສິນ: ພ. ສອນ		
ອາຍຸ: 49	ອາຊີບ: ພະນັກງານໂຄງການ	ໂທລະສັບ:
ບັດຈຸບັນຢູ່ບ້ານ: ຄົກ ບຸກ	ເມືອງ: ຄົກ	ແຂວງ:

ບົດບັນທຶກສະບັບນີ້ແມ່ນສ້າງຂຶ້ນໃນວັນທີ 29...ເດືອນ...5...ປີ 2022, ຢູ່ບ້ານ...ຄົກ...ເມືອງ...ຄົກ...ແຂວງ...ຄົກ...ລະຫວ່າງ ທີມງານຄະນະກຳມະການ ທີ່ກ່ຽວຂ້ອງ ແຕ່ລະຂັ້ນ, ອົງການປົກຄອງບ້ານ ແລະ ຄອບຄົວທີ່ໄດ້ຮັບຜົນກະທົບ ຈາກໂຄງການ.

ຈຸດປະສົງ ການເຮັດບົດບັນທຶກສະບັບນີ້ແມ່ນເພື່ອຢັ້ງຢືນຄວາມຖືກຕ້ອງເປັນເອກະພາບ ທາງດ້ານຂໍ້ມູນການສໍາຫຼວດວັດແທກລະອຽດກ່ຽວກັບຜົນກະທົບຈາກໂຄງການໄຟຟ້າພະລັງງານລົມ 600 MW ເພື່ອນຳເອົາຂໍ້ມູນໄປຄິດໄລ່ມູນຄ່າໃນການຈັດຕັ້ງປະຕິບັດໜ້າວຽກການຊົດເຊີຍ ແລະ ທົດແທນຄ່າເສຍຫາຍຂອງໂຄງການ. ເຊິ່ງມີລາຍລະອຽດດັ່ງລຸ່ມນີ້:

2. ຂໍ້ມູນຕອນດິນທີ່ຖືກກະທົບ:				Total land holding (m2)	Total affected land (m2)	Permanent or Temporary Impact			
ປະເພດດິນ	ການນໍາໃຊ້ທີ່ດິນ: ສວນ ກະເພ, ນາເຂົ້າ, ມັນຕົ້ນ, ໄຮ່.....ອື່ນໆ	ໃບຕາດິນ/ຈັບ ຈ່ອງ/ໃບເສຍ ພາສີ/ເຊົ້າທີ່ດິນ	ເລກທີ_ໃບ ຕາດິນ/ຈັບຈ່ອງ/ ໃບເສຍພາສີ	ໄດ້ຜົນກະທົບຈາກເຂດ (ເສົາ ກັງຫັນລົມ, ເສັ້ນທາງ, ສາຍສົ່ງ ໄຟ້າ, ສາຍສົ່ງ 500 kv, ອື່ນໆ	ເນື້ອທີ່ດິນທີ່ມີ ທັງໝົດ (ມ²)	ເນື້ອທີ່ດິນຈະຖືກ ກະທົບ (ມ²)	ຮູບແບບຂອງຜົນ ກະທົບ (ຖາວອນ/ ຊົ່ວຄາວ)	ທີ່ຕັ້ງຂອງຕອນ ດິນ (GPS)	ໝາຍເຫດ
ສວນ	ສວນ	10/10/2018		10/10/2018 500kv		2313	ຊົ່ວຄາວ	744334	
ນາ	ນາ	11/11/2018		11/11/2018		68744	ຊົ່ວຄາວ	1709982	
ບ້ານ	ບ້ານ	12/12/2018		12/12/2018		3378	ຊົ່ວຄາວ	244010	
ດິນຂາດ	ດິນຂາດ	13/13/2018		13/13/2018		5893	ຊົ່ວຄາວ	1709304	

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## 4.4 Affected Trees and Crops

**Table 4-8** presents summary of Project impact on trees and crops.

**Table 4-8: Affected Crops and Trees**

Village Province	Main affected crops	Area of affected paddy field (ha)	Affected Area Planted to Other Crops (ha)	Main affected trees	Number of trees
<b>Dak Cheung District, Sekong Province</b>					
Dak Tiem	Coffee, Rice, Old Farm*	0.28	7.75	Coffee	9,844
Dak Xeng	Rice, Old farm	-	0.69		-
Dak Yang	Coffee, Rice, Old farm	-	2.48		-
Dak Yen	Coffee, Old farm	-	2.21	Coffee	767
Xieng Luang	Coffee, Cassava, Rice, Old farm	-	3.34	Coffee	3,781
Dak Terb	Coffee, Cassava, Rice, Old farm, Trees	0.33	3.44	Coffee	6,650
Trongmueang	Coffee, Cassava, Old farm	-	0.40	Coffee	1,528
Dak Dor	Coffee, Cassava, Rice, Old farm	-	4.33	Coffee	348
Dak Den	Coffee	-	1.60	Coffee	1,752
Dak Rant	Coffee, Cassava, Rice, Old farm, Trees	1.16	7.45	Coffee	16,248
Dak Cheung	Coffee, Cassava, Rice, Old farm	-	0.60	Coffee	197
Dak Lern	Coffee, Cassava, Rice, Old farm	-	1.96	Coffee	6,090
Dak Kung	Coffee, Cassava	-	3.32	Coffee	228
Dak Bong	Coffee, Cassava, Rice, Old Farm	5.81	7.44	Coffee	44,433
Dak Muan	Coffee, Cassava, Rice, Old Farm	-	-	Coffee	15,908
Nonsavan	Coffee, Cassava, Trees	-	-	Coffee	3,671
Ngon Don	Coffee, Cassava, Rice, Old Farm	-	-	Coffee	11,770
Dak Ta-ok Noi	Old Farm	-	-	Coffee	1,153
<b>Total</b>		<b>7.6</b>	<b>47.01</b>	<b>Coffee</b>	<b>124,368</b>
<b>Sanxay District, Attapeu</b>					
Dak Nong	Coffee, Cassava, Rice, Old Farm	-	8.03	Coffee	1,364

Village Province	Main affected crops	Area of affected paddy field (ha)	Affected Area Planted to Other Crops (ha)	Main affected trees	Number of trees
Dak Samor	Coffee, Cassava, Rice, Old Farm	1.03	1.13	Coffee	940
Dak Yok	Booking Land	-	0.46		-
Dak Padou	Coffee, Cassava, Rice	-	2.34	Coffee	773
<b>Total</b>		1.03	11.96	Coffee	3,077
<b>Grand Total</b>		<b>8.61</b>	<b>58.97</b>	<b>Coffee</b>	<b>127,445</b>

\*Note: Old farm refers to farms that were previously (but are not currently being) worked on. The owners still retain ownership of the land and may return to cultivate the land in the next 4-5 years.

#### 4.5 Affected Structures and Assets

**Table 4-9** presents a summary of Project impacts on structures and assets. Structures that are impacted by the Project land acquisition include farm hut, barb wire fence, fence post, toilet and kitchen. It is noted that there is no communal structures impacted by the Project.

**Table 4-9: Affected Structures and Assets**

Village Province	Type of Affected Structures of PAH					
	Farm hut (m <sup>2</sup> )	Barb wire fence (m)	Fence post (No.)	Fence (m)	Toilet (m2)	Kitchen (m2)
<b>Dak Cheung District, Sekong Province</b>						
Dak Tiem	-	1,932.00	396.00	-	-	-
Xieng Luang	-	67.00	46.00	-	-	-
Dak Terb	-	572.50	50.00	-	-	-
Dak Dor	-	293.00	-	-	-	-
Dak Rant	47.00	2,606.00	16.00	-	4.00	-
Dak Chueng	-	152.00	120.00	-	1.44	-
Dak Kung	6.00	-	-	-	-	-
Dak Bong	128.00	10,035.00	2,278.00	-	-	-
Ngon Don	-	1,436.00	-	-	-	-
Nonsavan	12.00	582.00	-	-	-	4.00
Dak Muan	44.00	332.00	-	-	-	8.00
<b>Total</b>	<b>237.00</b>	<b>18,007.50</b>	<b>2,906.00</b>	<b>-</b>	<b>5.44</b>	<b>12.00</b>

Village Province	Type of Affected Structures of PAH					
	Farm hut (m <sup>2</sup> )	Barb wire fence (m)	Fence post (No.)	Fence (m)	Toilet (m <sup>2</sup> )	Kitchen (m <sup>2</sup> )
<b>Sanxay District, Attapeu Province</b>						
Dak Nong	-	-	357.00	498.00	-	-
Dak Samor	-	431.00	415.00	641.00	-	-
Dak Yok	-	108.00	134.00	552.00	-	-
<b>Total</b>	<b>-</b>	<b>539.00</b>	<b>906.00</b>	<b>1,691.00</b>	<b>-</b>	<b>-</b>
<b>Grand Total</b>	<b>237.00</b>	<b>18,546.50</b>	<b>3,812.00</b>	<b>1,691.00</b>	<b>5.44</b>	<b>12.00</b>

## 4.6 Impacts on Cultural Heritage

### 4.6.1 Impacts to Cemeteries

The Project has taken into considerations impacts to cultural heritage resources for Project layout optimization. More details are included in the Cultural Heritage Management Plan (CHMP) and CEGDP. Cemeteries (*paa saa*), which are mostly forested areas, are observed in all surveyed villages. Based on the consultation with Dak Learn village representative (village deputy and belief leader) on 20 August 2022, cemeteries are regarded as highly sacred place as they expressed the area as being highly respected and prohibited. The village coordinator of Dak Tiem village added to this premise that he considered cemetery as a highly sacred place as his parents who passed away are resting there. Activities to disturb resting of their ancestors such as chopping of wood or loud noise are prohibited—he feared if his parent are woken up from their resting by disturbing activities, the parent spirits will be angry at him for not protecting them and let them rest in peace after death. For this reason, people are prohibited from entering cemeteries for any kind of activities such as hunting or collecting timber and NTFPs. If cemeteries are impacted, it is required to undertake rites involving a sacrifice of a pup and use its blood to spread across affected cemetery area.

The final Project layout has been optimized and refined to avoid impacts to all cemeteries—the Project has re-routed the transmission line and access road alignments to avoid cutting through almost all the cemeteries. It is noted that an overhead transmission line will pass over Dak Bong Cemetery (**Figure 4-3**). The transmission line is approximately 70 m above the ground, therefore there will be no modifications (i.e., vegetation clearance and earthwork) made to the cemetery area. However, under the Regulation on Safety for High Voltage Transmission Line and Substation, EDL/ 2013, trees taller than 3 m are prohibited within the ROW area. Therefore, there is a need for the Project or relevant authority to maintain the height of trees under 3 m. The Project consulted with Dak Bong village on 21 July 2022, the village representatives indicated that cutting of trees within ROW in cemetery area is allowed; however, the Project is required to provide budget for the village to prepare and perform specific rituals to seek permission from spirits for such activities.

### 4.6.2 Impacts to Phou Kouncking

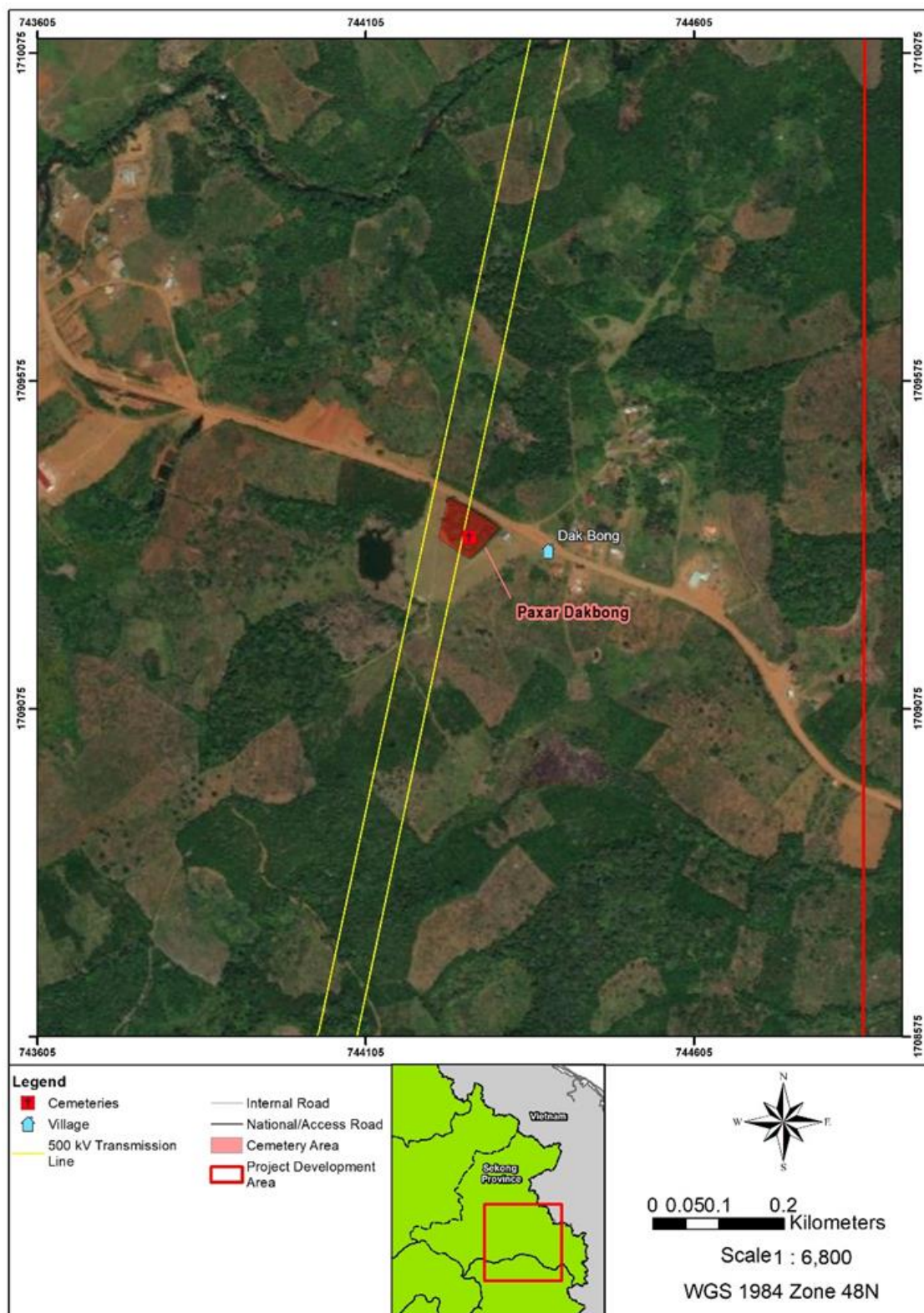
**Figure 4-4** presents location of Phou Kouncking in relation to Dak Lern, Dak Kung and Proa villages. Eight WTGs are proposed in the lower elevation which is designated as multi-use zone of the Phou Kouncking Mountain, and therefore will not affect the higher elevation of Phou Kouncking which is believed to be sacred forest by Prao village. Project activities within the lower elevation of the Phou Kouncking Mountain are not prohibited and will not incur any impact on intangible cultural heritage if the Project consults with the villages and complies with villages' Heet-Kong. Refer to **Section 5.2.2.3** for details discussion of beliefs around Phou Kouncking and findings from consultations with Dak Lern, Dak Kung and Prao villages in July 2022.

Phou Kouncking is classified as a legally protected forest at a provincial level but not nationally protected, managed by the Provincial Agricultural & Forestry Office (PAFO). It is noted that this forest is also designated as a protected forest to protect area's watersheds. Any potential ecological impact of the Project on the sacred forest is assessed in **Section 8.4** of the ESIA and the mitigation measures are proposed in the BAP. Interview with DAFO also corroborate that there is a sacred forest in Phou Kouncking. The Project will strictly comply with the regulation and requirements from relevant authorities and the Biodiversity Action Plan (BAP) and limit land clearance within this mountain as this area is also listed as a protected forest under the National guideline.

### 4.6.3 Impacts on Ceremonial grounds

There are ceremonial grounds in the village for performing rites or ceremonies such as poles for securing animals or sacred houses (*salakuan*) which serve as a place for performing animal sacrifice. There are no ceremonial grounds or sacred places being affected by the Project land acquisition.

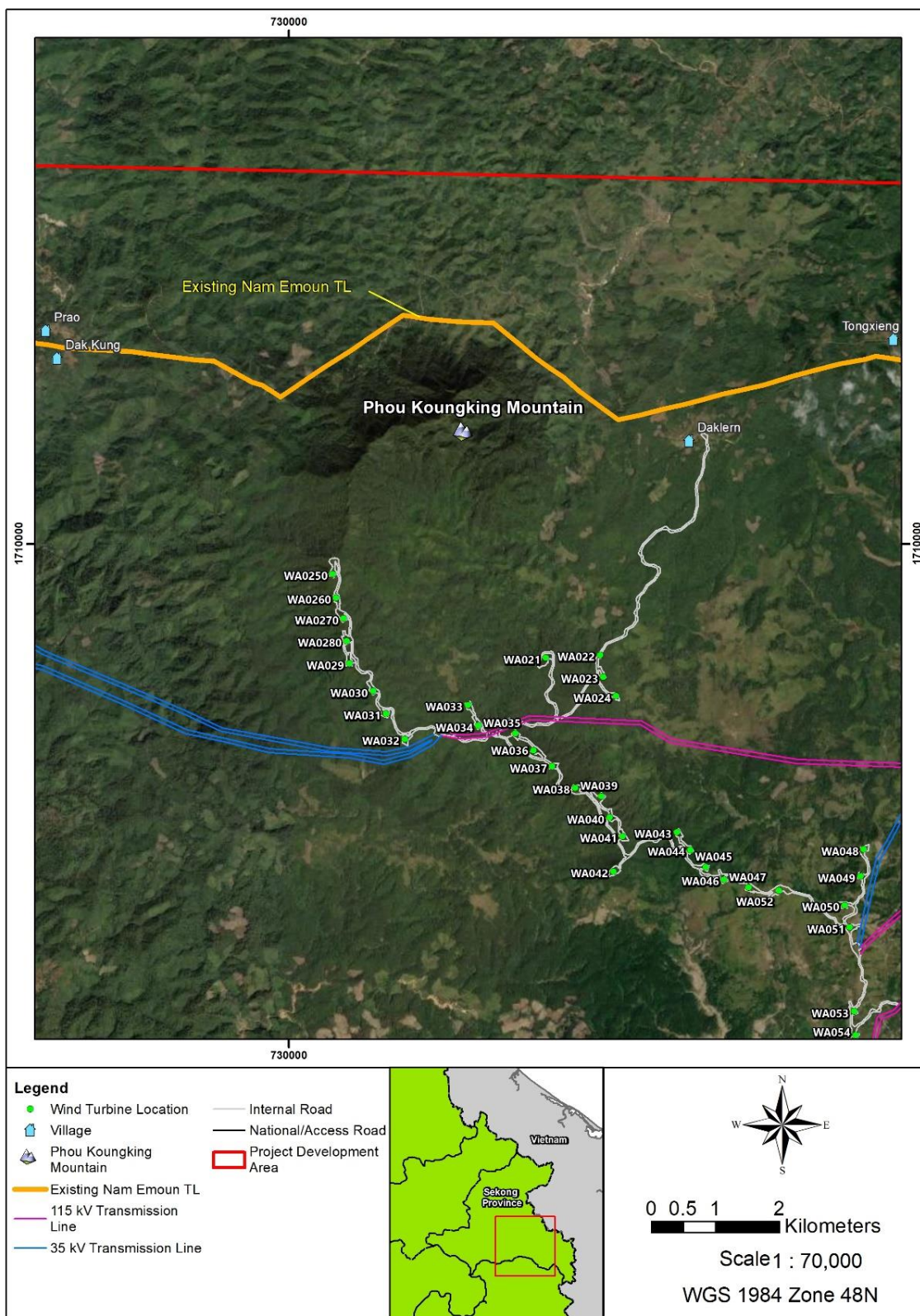
Figure 4-3: Dak Bong Cemetery



Source: ERM/Innogreen, 2021



**Figure 4-4: Phou Koungking (Potential Intangible Heritage)**



Source: ERM/Innogreen, 2021

## 5 SOCIO-ECONOMIC PROFILE OF PAPS

### 5.1 Methodology

The Project undertook a household socio-economic survey of PAPS in November and December 2021 with a target of 100% coverage of households listed at the time as affected (246 households) and with 10% of population of affected villages. A total of 449 out of 2,599 households (17.3%) and 2,984 out of 16,065 people (18.6%) of the 32 affected villages were engaged in Project's household socio-economic survey (referred to as HH socio-economic survey).

Due to the Project layout optimization, the number of affected households increased from 246 to 396 households during the DMS in July 2022.<sup>15</sup> After being informed of the Project component locations there was an increase in land claims, which accounts for the 37% rise in households claiming land loss. Out of the revised figure of 396 households, 116 (29%) were included in the earlier household socioeconomic survey, in compliance with ADB's requirement [footnote: Planning & Implementation Good Practice Sourcebook, ADB, 2012. This requires coverage of 20-25% of the affected population in a socioeconomic survey (**Table 5-1**). Following completion of the DMS, the number of affected people was later updated in August 2022 to 378 households. All 378 are considered eligible to receive compensation and other assistance as they occupy/use the land before the disclosure of the cut-off date.

**Table 5-1: ADB's Guideline on Data Collection Methods**

Type	Timing	Data Collection Tools	Objectives
<b>Socioeconomic Survey</b>	Feasibility study stage	Household questionnaire, usually covering a 20%–25% sample of affected population but could be less or more	<ul style="list-style-type: none"> <li>✓To prepare a profile of the displaced persons</li> <li>✓To prepare an entitlement matrix for a resettlement plan</li> <li>✓To assess incomes, identify productive activities, and plan for income restoration</li> <li>✓To develop relocation options</li> <li>✓To develop a social preparation phase<sup>a</sup> for highly complex and sensitive projects</li> </ul>
<b>Census and assets inventory of losses</b>	Best done after the engineering design and DMS	Complete enumeration of all displaced persons and an inventory of their assets through a household census questionnaire	<ul style="list-style-type: none"> <li>✓To prepare a complete inventory of the displaced persons and their assets as a basis for compensation and assistance</li> <li>✓To identify non-titled persons</li> <li>✓To minimize impact of later influx of outsiders to project area</li> </ul>

The following section presents the main socio-economic characteristics of the Project's affected villages, which includes the demographic information, livelihood engagement, income and expenditures, land use and tenure, household assets, access to infrastructure and public services, social network and cohesion, and levels of vulnerability.

The information for this section was collected through Key Informant Interviews (KII) with relevant stakeholders including livelihoods groups, women's group, local authorities, youth, and healthcare personnel. The demographics of the household survey are outlined in **Table 5-2**.

<sup>15</sup> DMS result in July 2022 indicates a total of 396 affected households which are later updated in August 2022 to 378. For the purpose of this Section, the number of affected households refer to the DMS result in July 2022 (i.e., 396 affected HHs)

## 5.2 Demographic Profile

### 5.2.1 Population

**Table 5-2** presents the population of the 32 Project-affected communities, which are clustered into *koumban* (village cluster)<sup>16</sup> and *akkelad* villages<sup>17</sup>. A total of 116 households in the 32 affected villages were surveyed comprising 721 people, of which 362 are female (50.3%) and 359 are male (49.7%). The gender ratio of the affected villages is 1:1.01 females to males, similar to the national average which stands at 1:1 (female 49.8: 50.2 male).<sup>18</sup> 107 of the 396 affected households surveyed are located in Dakcheung District while 9 of the 36 households are located in Sanxay District.

**Table 5-2** also presents the population by village<sup>19</sup>, where the total number of households surveyed is 116 with an average of 48 people per village surveyed. The total population of the affected villages is 2,296 in 2021. Around 20% is in Sekong Province and 8% is in Attapeu Province. There are 2,296 affected in the total population: 2,107 in Sekong Province and 189 in Attapeu Province. Dak Nong and Dak Padou of Sanxay District has the lowest number of affected people at 4, respectively. . These are followed by Dak Yok, Dak Den, and Dak Yang of Dak Cheung District with 4 -11 affected people. Dak Bong has the largest population size of 128 affected people, followed by Dak Rant with 112 people. Based on the HH socio-economic survey, the average household size of the affected villages is 6.2 people per household which is higher than the national average of 4.7 people per household as of 2017.<sup>20</sup> The average annual population growth rate between 2014 to 2019 in Dak Cheung District is 2.4% annually<sup>21</sup>, while for Sanxay District, it is 1.02%<sup>22</sup>.

The overall population density of Dak Cheung District (including affected and non-affected people) is 11 people per km<sup>2</sup> in 2019<sup>23</sup>, and 6.7 people per km<sup>2</sup> for Sanxay District<sup>24</sup>, which is considerably lower than that of the national population density of 31 people per km<sup>2</sup> in 2020.<sup>25</sup> The mountainous terrain of these districts contributes to a significantly lower population density than the national average.

<sup>16</sup> Koumban is a cluster of villages which has been a priority for Lao administration since 2004 as an institutional link between District and village levels—it is 'A formal administrative grouping of villages within a District defined for a purpose of extending government policies and development programs'. (MAF and NLMA, 2010). The main objective is to strengthen the political infrastructure to advance rural development by bringing smaller villages together in larger units, as a more efficient basis for local administration and planning. Retrieved from: <http://lad.nafri.org.la/fulltext/1786-0.pdf>

<sup>17</sup> Akkelad villages refer to those villages which are not clustered under any kouman because they are located in close proximity to the District or the municipality and therefore are governed directly by the District or municipality.

<sup>18</sup> The World Bank, n.d.c

<sup>19</sup> Number of village population was obtained through KIs with village heads of each village during the site visit in November 2021

<sup>20</sup> Lao Statistics Bureau, 2018

<sup>21</sup> Source: Dak Cheung Socio-economic development plan (2020-2024)

<sup>22</sup> Source: Sanxay Socio-economic development plan (2020-2024)

<sup>23</sup> Socio-economic Development Plan (2020-2024), Dak Cheung District (Government of the Lao PDR, 2021)

<sup>24</sup> Socio-economic Development Plan (2020-2024), Sanxay District (Government of the Lao PDR, 2021)

<sup>25</sup> Lao Statistics Bureau, 2020c

**Table 5-2: Overview of Demographics of Affected Villages**

Province	District	Koum Ban (Village Cluster)	Village	Impacted by Project Components	Total Affected Village Households	Total village population	Surveyed affected households		Surveyed affected population	
							N	%	N	%
Sekong	Dak Cheung	Xiengluang	Dak Tiem	Wind turbine and access road	23	658	9	39.1%	132	20.1%
			Dak Xeng	Access road	4	419	0	0	52	12.4%
			Xiengluang	Access road	9	571	0	0	59	10.3%
			Dak Yang	Wind turbine and access road	4	397	1	25.0%	90	22.7%
			Dak Yen	Wind turbine and access road	5	729	0	0	127	17.4
			Dak Terb	Wind turbine, access road and transmission line (115kV)	38	769	12	31.6%	179	23.3%
			Trongmueang	Transmission line facility (115kV)	5	366	0	0	51	13.9
		Dak Duem	Dak Dor	Transmission line facility (115kV)	31	528	9	29.0%	180	34.1%
			Dak Den	Wind turbine and access road	5	555	1	20.0%	81	14.6%
			Dak Rant	Wind turbine, access road and transmission line (115kV and 35kV)	46	445	15	32.6%	167	37.5%
		Nam Dae	Dak Kung	Wind turbine, access road and transmission line (35kV)	5	198	0	0	40	20.2%
			Dak Jom	Access road	1	1,031	0	0	184	17.8%
		Xekamarn	Dak Muan	Transmission line facility (500kv)	31	398	17	54.8%	146	36.7%

Province	District	Koum Ban (Village Cluster)	Village	Impacted by Project Components	Total Affected Village Households	Total village population	Surveyed affected households		Surveyed affected population	
							N	%	N	%
		Akkelad (no koum ban)	Dak Ta-ok Noi	Transmission line facility (500kv)	2	231	2	100%	42	18.2%
			Dak Bong	Transmission line facility (500kv, 115kv, 35kv) and Sub-station 500kv	110	1,228	24	21.8%	202	16.4%
			Nonsavan	Transmission line (500kv)	4	786	0	0	0	0
			Ngon Don	Transmission line (500kv)	30	553	12	40.0%	117	21.2%
			Dak Chueng	Access road	2	672	0	0	117	17.4%
			Dak Lern	Access road, Wind turbine and transmission line 115kv	5	257	5	100%	141	54.9%
Attapeu	Sanxay	Nam Zou	Dak Nong	Access Road and Transmission line 115kv	19	598	1	5.3%	41	6.9%
			Dak Samor	Wind Turbine Facility and Access Road	9	730	6	66.7%	49	6.7%
			Dak Yok	Wind Turbine Facility and Access Road	4	550	1	25.0%	59	10.7%
		Dak Ben	Dak Padou	Wind Turbine Facility and Access Road	4	363	1	25.0%	40	11.0%
Total					396	13,032	116	29%	2296	17.6%

Source: Socio-economic survey undertaken by Innogreen/ERM, November 2021

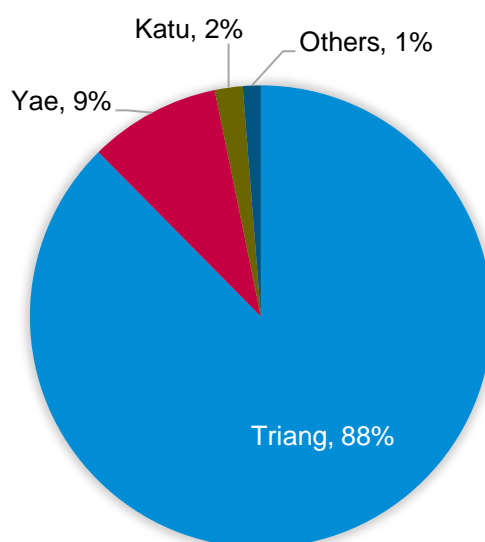
\* It should be noted that the administrative boundary provided from GIS data is inaccurate. The GIS Data shows that Dak Jom Village is located within Lamarn District; however, based on site visit and engagement with local authorities and villagers it is noted that Dak Jom village is located in and reports to Dak Cheung District.



### 5.2.2 Ethnicity and Religion

Three ethnic groups were identified in the HH socio-economic survey, namely Triang, Yae, Katu, and others. Of the 721 socio-economic surveyed population, 628 are Triang (88%), 66 are Yae (9%), 14 are Katu (2%), 9 are from other ethnic groups (1%), and 4 people chose not to answer (**Figure 5-1**)

**Figure 5-1: Ethnic Groups in the Surveyed Population**



Source: Household socio-economic survey conducted November 2021

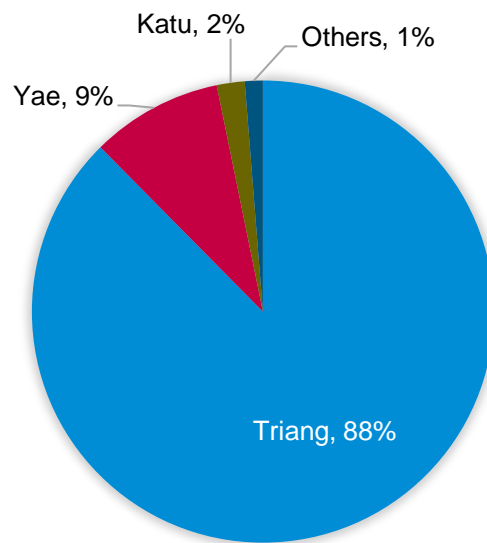
Three villages in Dak Cheung District were identified with having the most diverse ethnicities—Dak Bong, Dak Run, and Ngon Don were identified with all three ethnicities, with Triang being the most dominant ethnic group.

While the main religion of Lao PDR is Buddhism, accounting for 65% of the population<sup>26</sup>, about 30% of the population hold an animist belief (belief in supernatural beings or spirits as inhabiting animals, plants, rocks, and other objects in nature, and also the worshipping of ancestral spirits<sup>27</sup>). These people are found among the ethnic minority groups of the Lao Theung (people of the mountainous areas) and the Lao Soung (people of the highlands). The majority of the population of the surveyed villages believe in animism, covering 98% of the surveyed population, whilst Buddhism accounts for 2% of the total surveyed households. **Section 4.12.13** discusses more on the topic of animism and the people's religious beliefs, as well as their cultural heritages.

<sup>26</sup> Population and Housing Census (PHC), 2015

<sup>27</sup> For a general definition and overview of animism please refer to: <https://iep.utm.edu/animism/>. For reflections on specific animist practices in the Lao PDR, please refer to [https://www2.ohchr.org/english/bodies/hrcouncil/docs/13session/A.HRC.13.40.Add.4\\_enAEV.pdf](https://www2.ohchr.org/english/bodies/hrcouncil/docs/13session/A.HRC.13.40.Add.4_enAEV.pdf), articles 54-57.

**Figure 5-2: Ethnic Groups in the Project Affected Villages**



Source: Household socio-economic survey conducted November 2021

In terms of religion, the majority of the population surveyed believe in animism in that of the 717 people surveyed, 704 people (or 99%) follow these beliefs, while only 13 (or 1%) considered themselves Buddhist (**Figure 5-3**).

**Figure 5-3: Religions in the Project Affected Villages**



Source: Household socio-economic survey conducted November 2021

### 5.2.2.1 Characteristics of Ethnic Groups

**Table 5-3** presents key characteristics of main ethnic groups identified in the affected villages (Triang, Katu Yae and Ha Luk) including languages, land, ceremony, beliefs, language, and community cohesion.

Based on the site visit and Focus Group Discussions (FGDs) undertaken in November to December 2021, all ethnic groups have their own spoken languages, namely Triang, Yae, Katu and Ha Luk which are classified under Mon-Khmer Linguistic Group while Lao ethnic group is Lao-Tai Linguistic Group.<sup>28</sup> Due to the similarity of the spoken languages of Triang, Yae Katu, and Ha Luk these ethnic groups can understand one another. The FGDs and Key Informant Interviews (KIIs) also identified that Lao and Triang is the most common ethnic group in the Project area – makes up almost 100% of the population composition in the majority of villages, with some exceptions in a few villages. Therefore, Triang is the most common language for communication in all Project-affected villages. Most of the village members can understand and communicate in mainstream Lao to a great extent, except some of the older generation who have not gone to school and only communicate in their own ethnic group language.

In addition, ethnic groups also celebrate Lao mainstream festivals such as Laos' New Year, and wedding ceremonies absorbed from Laos mainstream culture. Access to education and information also changed preferences for medical treatment, from traditional medicine to modern medical treatments available in healthcare centers.

The communities have absorbed Lao mainstream culture and lifestyle mainly due to increased contacts with people from outside communities, increased access to information through radio, television and mobile phone and internet (young people identified to use internet for social media and contact with other people located outside of the villages), and increased access to infrastructure and education. Integration with Lao mainstream culture and lifestyle are therefore more visible in youth and younger members of the communities (**Figure 5-4**).

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<sup>28</sup> IFAD, 2012

**Figure 5-4: Integration of Lifestyle to Mainstream Society**



Current clothing of the surveyed village population which are adopted from mainstream Laos. Additionally, the house has also adopted materials and style from mainstream Laos.

Women in some villages were observed to still wear traditional skirt called 'Sin' in combination of mainstream Laos clothing. In some villages, traditional houses were observed.

Source: Socio-economic household survey by ERM/Innogreen, November and December 2021




Through FGDs and KIIs and desktop research, it was understood that despite common animist beliefs, each ethnic group (Triang, Yae, Katu, Lao, and Ha Luk) has slightly different practices, rituals, customs, and ceremonies. These differences are discussed in more detail in **Table 5-3**.

**Table 5-3: Characteristics of Ethnic Groups**





Aspect	Triang	Katu	Yae	Ha Luk (Ha Hak)
Language	Triang have their own spoken language, which is similar to Yae and Katu	Katu have their own spoken language, which is similar to Triang and Yae	Yae have their own spoken language, which is similar to Triang and Katu	Ha Luk have their own spoken language, which is similar to Triang, Katu and Yae.
Political institution	<p>The key political institution of all ethnic groups include:</p> <ul style="list-style-type: none"> <li>■ Village head (<i>Nai Baan or Pok Kong Tong Thin</i>) which is a common village level authority across Laos, not only amongst ethnic groups. Responsibilities of village head may include (but not limited to) (i) allocating the use of communal land and other resources among households in the village; (ii) manage the people in the village, and to support the people in order to bring about more stable employment and sustainable livelihoods; (iii) settling disputes between members of the village; (iv) disciplining members of the village for violation of rules and customs; (v) representing the community or village on meetings convened higher-level authorities; and (iv) disseminate the government policies and laws to all people in the village.<sup>29</sup></li> <li>■ Belief leader or <i>Tao Kae Naew Home</i> which is translatable as an elderly who can gather/assemble all villagers together. <i>Tao Kae Naew Home</i> is usually someone who are well equipped of Heet-Kong (<i>Heet is long inherited traditions and Kong is social norm, custom or guidelines</i>) and havehas extensive experience in performing rituals that can guide the villagers. <i>Tao Kae Naew Home</i> is responsible for performing rites and guiding the villagers in following Heet-Kong of the village.</li> <li>■ Head of Village Women's Union which represent the women in the villages. Village Women's Union main functions include: (i) Protect the rights and interests of the Lao multi-ethnic women and children. (ii) Promote the implementation of the policy on gender equality (iii) Educate women of all ethnic groups to have a proper understanding of the government's policies/laws; and (iv) protection and the support of customs and traditions of ethnic group women.</li> </ul> <p>The decision at village level is made based on the consultationof the above mentioned parties; however, relevant villagers may also be included in decision making process. In general, the Village Head is the representative of the village in meetins with governmental authorities e.g. district and provincial authorities. to bring concerns of the villages forward to the authorities, and also communicate governmental policies/plans to villagers. It is noted that this his format of decision making is common across Laos, not only within ethnic groups communities but also practiced by mainstream Laos communities.</p>			
Traditional clothing	Triang's traditional clothing is similar to other ethnic groups in the Mhon-Khmer linguistic group. Men usually wear 'Ka-Tiew' (rolled tail or end of loincloth which runs between the legs and is tucked into the waistband at the back) and cloth across shoulders, women traditionally wear loincloth, running from from chest down to shins.	Katu have unique traditional clothing, men wear 'Ka-Tiew; while women wear shirt and skirt made of traditionally woven cloth. Men have adopted to clothes from the Lao mainstream, while women still preserve traditional clothing	Men of Yae ethnic groups wear 'Ka-Tiew', and women wear loincloth similar to Triang ethnic groups. The key difference is the pattern of Katiew and skirt for women, which are unique to each ethnic group. During winter, they	Ha Luk have unique traditional clothing, men wear 'Ka-Tiew; while women wear shirt and skirt made of traditionally woven cloth.

<sup>29</sup> [https://www.vientianetimes.org.la/Laws%20in%20English/49.%20Law%20on%20Local%20Administration%20\(2003\)%20Eng.pdf](https://www.vientianetimes.org.la/Laws%20in%20English/49.%20Law%20on%20Local%20Administration%20(2003)%20Eng.pdf)



Aspect	Triang	Katu	Yae	Ha Luk (Ha Hak)
	 <p>Source: Department of Ethnic Affairs, 2015a</p>	<p>as evidenced in ceremonies and festivals.</p>  <p>Source: Department of Ethnic Affairs, 2015b</p>	<p>wear additional clothes to keep warm.</p>  <p>Source: Department of Ethnic Affairs, 2015c</p>	 <p>Source: Department of Ethnic Affairs, 2015d</p>
Community features	<p>Each Triang village usually constructs fences made of bamboo (height up to 5 meters) around the villages and two gates for entry-exit of the village, known as “Patou Vieng”. The fence is for protection against thieves and wild animals from attacking livestock and village members. Additionally, villages also have Salakuan, a building in the middle of the village, for receiving guests and ritual ceremonies and feasts.</p>	<p>Traditionally, the houses are built to form a circle around “Salakuan”, a building in the middle of the village used as a meeting hall and for ceremonies.</p>	<p>Similar to Katu, the houses are built to form a circle around “Salakuan”. In front of the Salakuan and each house, there is usually a pole for securing animals e.g., buffalos, cows, pigs for animal offering/sacrifice rituals.</p>	<p>Traditionally, a fence made of bamboo are constructed around the houses. Salakuan and poles for securing animals for ceremonies and sacrifice rituals are not common in the village. Rather, a nearby tree or somewhere else appropriate for securing animals e.g., buffalos, cows, pigs, are used for securing animals for sacrifice rituals.</p>

Aspect	Triang	Katu	Yae	Ha Luk (Ha Hak)
	 <p>Source: The identity of Triang Ethnic Group [Lao PDR] - Library records OD Mekong Datahub</p>	 <p>Source: The identity of Katu Ethnic Group [Lao PDR] - Library records OD Mekong Datahub</p>	 <p>Source: The identity of Yae Ethnic Group [Lao PDR] - Library records OD Mekong Datahub</p>	 <p>Source: The identity of Haluk Ethnic Group [Lao PDR] - Library records OD Mekong Datahub</p>
Livelihood	<p>Based on the FGDs with ethnic groups, all ethnic groups have similar livelihoods comprising cultivation of rice, coffee, and cassava plantation. Some are still engaged in shifting cultivation and collection of Non-timber forest products (NTFPs). The socio-economic household survey conducted in November to December 2021, indicated that key primary livelihoods of active workforce comprised agriculture (farming and livestock) (75%) and day laborer (17%), while only 3% are engaged in NTFP collection as their primary livelihood. Consultation with Dak Rant village on 20 July 2022 found that while the villagers indicate to collect NTFPs in addition to agricultural activities or when they are free from agricultural activities. However, in Dak Learn village (and potentially Prao and Dak Kung villages given location being close to Phou Koungking which is a key resource for NTFPs), it was found that NTFP collection makes up a primary livelihood. Based on the village consultation conducted on 18-21 July 2022 in Dak Lern village, all of the households are engaged in timber and non- timber forest products (NTFPs) (mushroom, bamboo shoot, honey, ginseng, orchid, rattan, tiger grass etc.) collection from the foothill of Phou Koung King. Bamboo shoots and tiger grass can be sold as a raw material or processed as added value products. Timber and non- timber forest products (NTFPs) collection is big cash income source of households because these are sold to merchants from Vietnam.</p>			
Ceremony	<p>Triang people organize several ceremonies to worship spirits throughout the year. At the beginning of the year, Triang celebrate the 'new rice ceremony' or Boun Kin Khao Mai by offering buffalos, cows and pigs to worship and food for community members. In June, they celebrate the festival "Boun Duean 6". At the end of the year, worshipping</p>	<p>Katu ethnic group holds several ceremonies throughout the year including rice ceremony (Boun Kwan Khao), ceremony prior to planting rice, ceremony for rice harvest and other ceremonies which organized within the households or together as a</p>	<p>Celebrations are conducted after rice harvest for 3 days and 3 nights which involve animal sacrifice / offering (such as buffalo, cow, pig) to worship spirits – known as the 'Boon Ja' ceremony. Yae have Boun Phao Thane, Boun Sak Khao, Boun Hor Khao Tom are</p>	<p>Ha Luk ethnic group holds several ceremonies throughout the year including rice ceremony (Boun Kwan Khao), "Chongkapiew" ceremony which is organized within the households or together as a community. The ceremonies usually involve offering of buffalos</p>

Aspect	Triang	Katu	Yae	Ha Luk (Ha Hak)
	spirits by offering buffalos for any wrong deeds or rites that have been caused in that year.	community. The ceremonies usually involve offering of chicken, pig or buffalo to worship spirits.	three festivals celebrated for the rice harvest and they prepare tools for land clearing for the new plantation season, with the tool attended to by local ironsmiths.	and cows to worship spirits. At present, the "Chongkapiew" ceremony is performed once in 2-3 years.
Religion and belief	Animism is belief in supernatural beings or spirits as inhabiting animals, plants, rocks, and other objects in nature. They also worshipf ancestral spirits.			
Skills sets	All ethnic groups engage in ironsmithing, bamboo handicrafts, and weaving, which are unique to their ethnic groups. These skills have been passed on from generation to generation.			
Tangible and intangible cultural heritage	<p>Cemeteries are highly respected sacred places for the Triang ethnic group. Additionally, they also have sacred forests, sacred ponds and prohibited areas.</p>  <p>Triang maintain folk songs and folk tales in their own language. Moreover, they have musical instruments such as drum (Kong La).</p>	<p>Similar to Triang culture, cemeteries, sacred forests, ponds and prohibited areas are highly respected sacred places for the Katu ethnic group.</p>  <p>Katu maintain folk songs and folk tales in their own language. Additionally, they also have local musical instruments such as drum and pipe.</p>	<p>Same for the Yae ethnic group in terms of cultural heritage.</p>  <p>Yae have their song known as "Lam Yae", as well as their own drum (Kong La) and sarong (Sin Lom).</p>	<p>Similar to Triang, Katu and Yae, sacred forests and prohibited areas are highly respected sacred places for the Ha luk ethnic group.</p>  <p>Ha Luk maintain folk songs and folk tales in their own language. Additionally, they also have local musical instruments such as drum and pipe.</p>

Source: Department of Ethnic Affairs, 2015a, 2015b, 2015c & 2015d



### 5.2.2.2 Tangible Cultural Heritage

#### Cemeteries

**Figure 5-5** presents a map depicting the locations of cultural heritage resources. One of the core beliefs of animism is spirits believed to be inhabiting inanimate, often nature-based objects and also ancestral worship.<sup>30</sup> This is observed within the Project area. Cemeteries (*paa saa*), which are mostly forested areas, are observed in all surveyed villages (**Figure 5-7**). In the cemeteries, there are usually small huts of the deceased where the local people believe the spirits of the deceased live. Local villagers offer food, tools, and other worshipping materials to the deceased at these small huts (**Figure 5-6**).

Based on the consultation with Dak Learn village representative (village deputy and belief leader) on 20 August 2022, cemeteries are regarded as highly sacred place as they expressed the area as being highly respected and prohibited. The village coordinator of Dak Tiem village added to this premise that he considered cemetery as a highly sacred place as his parents who passed away are resting there. Activities to disturb resting of their ancestors such as chopping of wood or loud noise are prohibited—he feared if his parent are woken up from their resting by disturbing activities, the parent spirits will be angry at him for not protecting them and let them rest in peace after death. For this reason, people are prohibited from entering cemeteries for any kind of activities such as hunting or collecting timber and NTFPs. If cemeteries are impacted, it is required to undertake rites involving a sacrifice of a pup and use its blood to spread across affected cemetery area.

#### Village Ceremonial Ground (Salakuan)

There is ceremonial ground in the village which are used for performing rites or ceremonies. Poles located in the middle of the villages to secure animals and serve as a place for performing animal sacrifice (**Figure 5-5**). In some villages, such as Dak Jom village, sacred houses or Salakuan in the middle of villages are used for performing animal sacrifices. Women and outsiders are strictly forbidden from entering Salakuan.

**Figure 5-5: Pole Used for Securing Animals to Perform Animal Sacrifice**



*Dak Den village*



*Sieng A village*



<sup>30</sup> See <https://iep.utm.edu/animism/>.



Dak Dom village



Dak Jom Village

The wooden pillars located in the ceremonial courtyard in the center of the villages are used for securing animals such as buffalos to perform animal sacrifice. In some villages, Salakuan, a building in the middle of the village, is used as a meeting hall and to organize ceremonies (refer to (iii) and (iv)).

## Figure 5-6: Cemeteries and Huts of the Deceased



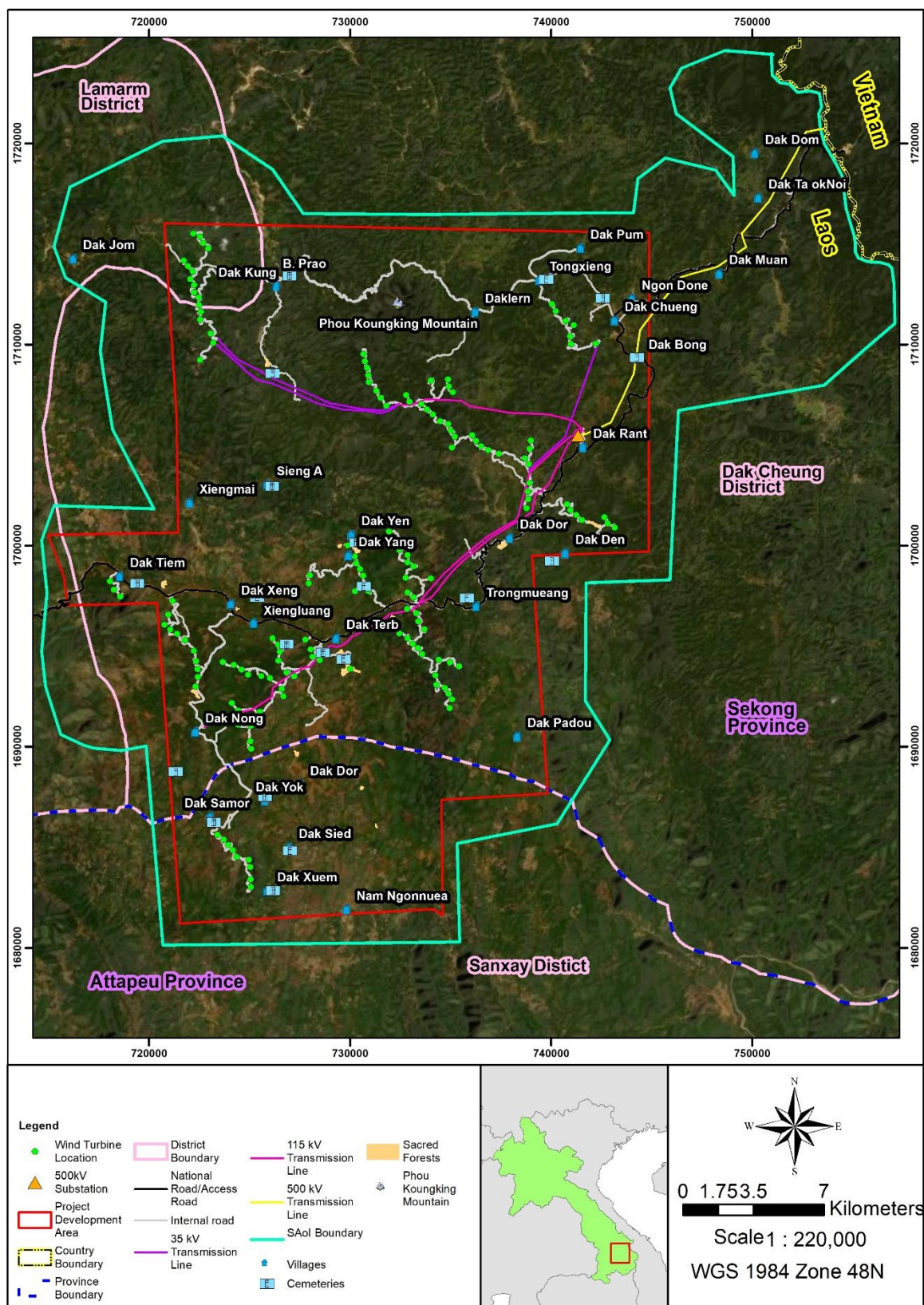
Cemetery of Dak Terb village (left) and Prao village (right) which is a forest area. Hunting and collecting NTFPs are prohibited in this area as it is regarded as a sacred area. There are some small huts of the deceased in the cemetery. None of these are affected by permanent or temporary project facilities.



Small huts of the deceased located in the cemetery areas of Dak Terb village (left) and Ngon Don village (right). The locals offer food, drink and other worshipping materials to the deceased at these small huts.



Figure 5-7: Cultural Heritage Sites



Source: ERM/Innogreen, 2021

### 5.2.2.3 Intangible Cultural Heritage

In addition to the spiritual significance of cemeteries located throughout the Project development area, community consultation revealed the nature and extent of present animist beliefs among ethnic minorities. Cemeteries were identified as the zones of highest sacredness or spiritual significance due to the connection with more direct and sometimes recently deceased relatives. The spirits of ancestors are widely and highly respected. Unrelated to ancestral spirits, villagers also identified and respected supernatural beings or spirits as inhabiting animals, plants, rocks, and other objects in nature that are commonly recognised in animist beliefs across southern Lao. These beliefs, however, were noted as potentially in decline among younger generations. A third type of spiritual entity, described as an individual ghost, was also identified by the ESIA survey team in consultation with the village heads and local villagers of Ban Dak Dreun and Prao. These consultations noted this ghost as potential intangible cultural heritage associated with Phou Kounking Mountain (as shown in **Figure 4-4**), in the central north of the Project development area. Rites, ceremonies, and festivals also comprise expressions of local intangible cultural heritage of importance to villagers.

#### **Phou Kounking**

Based on the consultation with representatives from Prao and Dak Lern (19 and 20 July 2022), Phou Kounking is administratively under the jurisdiction of Prao and Dak Lern and the division of their area of jurisdiction is governed by an agreement of the two villages relating to NTFP collection. The lower elevations of Phou Kounking are designated as a multi-use zone, with ongoing activities in this zone including NTFP collection and other agricultural activities. Information about access to and use of higher elevations of the mountain differed between villages, however all agreed that villagers in Dak Lern are the primary custodians of the mount. Consultations conducted with Dak Lern representatives indicated that accessing the higher elevations of Phou Kounking although not prohibited is highly difficult, and this is the reason why people do not usually access area for NTFP collection. It should be noted that the Project eight WTGs are proposed in the lower elevation which is designated as multi-use zone of the Phou Kounking Mountain, and therefore will not affect the higher elevation of Phou Kounking.

Earlier consultations had revealed that the forest was once believed to have been inhabited by a spirit known as Phi Bang Bot, and this was noted as potentially significant intangible cultural heritage. Phi Bang Bot was believed to be responsible for visitors to the mountain becoming disorientated and lost on the mountain's steep terrain. Additional details clarifying present beliefs about the sacredness of Phou Kounking were obtained during the village consultations conducted during July 2022, revealing that different villages possess different beliefs and myths/legends connected with Phou Kounking.

The consultation with Dak Lern representatives (20 July 2022) suggested that people are not afraid of entering high elevation area because of spirits, but rather dangerous animals such as snakes and also the risk of becoming disorientated and lost. When asked about beliefs in spirit in Phou Kounking, the representatives described 'Phi Bang Bot' (literally translated as covering the eyes), a ghost that has the power to blind people and cause them to get lost in the forest. However, belief in or concern about Phi Bang Bot is neither strong or common among villagers as it has been a long time since individuals claimed to have encountered the ghost. Villagers, however, believe that when entering the forest/mountain, "Heet" (long inherited traditions) and "Kong" (social norms, customs or guidelines) must be followed. For instance, offerings involving incense, rice, and tobacco are commonly performed prior to entering the forest for NTFP collection.

The consultation with Dak Bong representatives (19 July 2022) indicated that entry to the high elevation of Phou Kounking is not prohibited but it is difficult to access the top of Phou Kounking. The sacred forest is at the tip of Phou Kounking Mountain where it is highly steep. For this reason, hunting and NTFP collection activities are only at the foot of the mountain. Villagers do not hunt or collect NTFPs in the sacred forest because of steepness and there is a belief that they will get lost within the sacred forest. It was noted that the location of the project components is approximately 2 km away from the sacred forest at the tip of Phou Kounking Mountain

Consultation with Dak Rant village (20 July 2022) suggested that in general, the villagers don't have a strong connection to Phou Kounking and would defer to the views held by villagers in Prao and Dak Lern. One elderly man recounted a tale suggesting that Phou Kounking was the ancestral origin place people from the Dak Cheung region. However, in the short discussion that followed it was revealed that others had not heard this tale and as such it was concluded that this belief was not widely shared. The same question was put to villagers in Dak Lern who also had no knowledge of this tale.

Based on the above discussions, it can be concluded that Phou Kounking Mountain is not regarded as a "sacred" place considered holy and deserving respect or worship. It appears that due to the steepness and inaccessibility of the terrain it is regarded as a place of some hazard and the stories surrounding it that could be construed as having intangible heritage value are more related to recognition of these hazards than animist spiritual beliefs. Cemeteries, by contrast, are regarded as highly sacred places by villagers, and if impacted certain remediation rituals involving animal sacrifices are required to restore spiritual balance.

### **Project Activities within Phou Kounking**

Consultation with Dak Lern and Proa clarified that the Project activities in the lower elevation of Phou Kounking Mountain are not "Kalem" or prohibited. (*In Triang language Kalam means prohibited, taboo or wrong according to the local customs.*) However, prior to entering the forest and commencing construction activities, the Project must consult with Dak Lern and Prao villages and comply with villages' "Heet-Kong" or rituals (in Triang language Heet-Kong means inherited traditions or ritual practices) and Kong (meaning social norms, customs, or guidelines). For Project construction activities, the project is required to provide budget for the village to perform a specific ritual. The ritual involves animal sacrifice with a pig, a jar of rice whisky and a copper bracelet. The pig will be sacrificed while the blood spills onto the copper bracelet. Following this, everyone in the village must touch the blood of the pig. Thereafter, the pig will be cooked, and all villagers must eat the pork and drink rice whisky from the jar. The copper bracelet will be left there where the ritual is performed. The ritual is usually performed in the village towards the end of the day or in the evening when everyone has returned from their daily activities and is available to participate in the ritual. It is noted that by performing this ritual, permission is sought from all spirits that the people believe in including the village spirit, forest spirit, mountain spirits, etc. Villagers believe that if the rituals are not carried out correctly, it will result in illness and depression of people in the village. However, if errors occur in the performance of rituals, further rituals may be performed to remediate the missteps.

In conclusion, Project activities within the lower elevation of the Phou Kounking Mountain are not prohibited and will not incur any impact on intangible cultural heritage if the Project consults with the villages and complies with villages' Heet-Kong.

### **Rites, Ceremonies and Festivals**

An important component of animist beliefs involves the ritual sacrifice of large animals such as buffalos, cows, and pigs to stay on good terms with the spirits that are believed to inhabit animals, plants, rocks, and other objects in nature, and also ancestral spirits. Animal sacrifice is also performed when a family member falls ill as an offering to evil spirits which are believed to have caused the illness. Consequently, some of the livestock bred by villagers is destined for sacrificial use, though following sacrifice the meat is prepared and eaten by the villagers. Specific seasonal rituals are also linked to rice cultivation as an essential part of a belief system in which the paramount deities are spirits of the soil, such as Boun Duean 6. **Table 5-4** provides a summary of key annual ceremony/festival cycle practiced by the affected villages.

The consultation with Dak Rant village on 20 July 2022 indicated ceremonies and festivals are joint activities by all members of the village. All village members usually help with preparation of the ceremonies and festivals, and high rates of attendance are believed to be required for them to be effective.



**Table 5-4: Annual Cycle of Ceremonies and Festivals**

Month	Ceremony/Festival	Description
January	Boun Phao Thane or Boun Thang Hai	Boun Phao Thane or Boun Thang Hai is usually held in the first month in each year. Before forest is cleared for rice cultivation or plantation (cassava, coffee, banana, etc.), villagers burn wood or charcoal in a forest and cut down grass or trees with a 'big knife' in the burning area for land clearing. Thereafter, the villagers would go into the forest to collect mushrooms, vegetables and hunt wildlife to celebrate in that area. This is to worship to forest spirit in order to have productive agriculture season.
June	Boun Duean 6 or Boun Sak Khao	Boun Duean 6 and Boun Sak Khao is held June each year prior to rice growing and land clearing. A duck/chicken or a cow/buffalo will be sacrificed using 'a big knife' – as an offering and to worship spirits, and to ask for blessings for productive and fertile rice farming and plantation (cassava, coffee, banana, etc.) season.
September to October	Boun Kin Khao Mai	Boun Kin Khao Mai is usually held at the conclusion of the rice harvest (between September-October). The ceremony takes place within families and then within the community to celebrate. During the ceremony, a duck/chicken or a cow/buffalo will be sacrificed as an offering to the village spirit and forest spirit. Villagers usually bring food to eat together to celebrate the success of the harvest season.
November to December	Boun Hor Khao Tom or Boun Sa Loup Khao	Boun Hor Khao Tom or Boun Sa Loup Khao is usually organized after the finish of harvest season after Boun Kin Khao Mai between November to December each year. All households in the villages would bring a basket of unmilled rice, a chicken (for sacrifice), rice whisky and some flowers to worship the village spirit and forest spirit. The villagers would also eat and celebrate together. It is believed that this ceremony will bring as much agricultural productivity as this year to the next year.
Ritual for entering forest for NTFP collection	Prior entering the forest	Prior to entering the forest for NTFP collection, six grains of rice, tobacco and incense are required to be offered to spirits under a large tree in the forest in order to safe passage from spirits to enter the forest and collect NTFPs.
Ritual for construction activities in Phou Kounking	Prior to entering the forest and any construction activities	For Project construction activities, the project is required to provide budget for the village to perform required rituals. One such ritual described in detail involves a pig, a jar of rice whisky and a copper bracelet. The pig will be sacrificed while its blood flows over the copper bracelet. Everyone in the village must touch the blood of the pig. Thereafter, the pig will be cooked and all villagers must eat the pork and drink rice whisky from the jar. The copper bracelet will be left there where the ritual is performed. The ritual is usually performed in the village in the evening. It is noted that by performing this ritual, it covers asking for permission from all spirits that the

Month	Ceremony/Festival	Description
		people believe in including village spirit, forest spirit, mountain spirits, etc.
Ritual for activities in cemetery area	Prior to entering the cemetery and any activities	Prior to entering or any activities within cemetery area, in consultation with relevant villages, it is required to undertake rites involving the sacrifice of a puppy (i.e., a young dog) and use its blood to spread across affected cemetery area

Source: FGDs and KIIs conducted by ERM/Innogreen, November and December 2021

#### 5.2.2.4 Education Attainment

The FGDs and KIIs with youth and village heads in Dak Cheung District found that the average level of education for girls is 3rd to 4th year of secondary school (equivalent to years 8 and 9) and 4th year of secondary school (9 years of education) for boys. The majority of the villages (18 villages of 23 villages) identified that all students are enrolled in schools, starting from kindergarten at the age of 4-5 years old. However, three villages, namely Dak Terb, Dak Yang and Dak Lern indicated that not all students are enrolled in schools, due to poverty.

Most youths attend primary schools in their villages; however secondary schools are only available in some bigger villages including Xiengluang, Dak Cheung, and Dak Dor of Dak Cheung District. Therefore, some students are required to travel from 4 to 10 km to secondary schools. The common means of travel include walking and biking.

The FGDs and KIIs with youth and village heads in Sanxay District identified the average education level primary school, and 4th to 5th year of secondary school. Similarly, youth attend primary education in the village, and are required to travel to Sanxay village and Chalenxay village (approximately 12-16 km away) for secondary education, on foot or by bike.

46%, or 239 people, of the surveyed population who are six years old or above have completed primary education<sup>31</sup>, followed by 31% (158 people) attending secondary education. These figures are considerably lower compared to those of Sekong and Attapeu Provinces. In Sekong Province, 94.1% and 92% of population complete primary and (lower) secondary school<sup>32</sup>, while 85.5% and 95.4% of Attapeu's population complete primary education and (lower) secondary education, respectively<sup>33</sup>. Approximately 57 of those surveyed (11%) have completed university and 24 people (5%) have completed vocational education, as shown in **Figure 5-8**. 1 of those surveyed were not at an age where they could go to school and 32 stated that they had no education. This figure is lower than the national figure (in 2015) where the population aged 6 years and above who had never attended school accounted for 13%, 27% currently attending school (in 2015) and school dropouts (58%).<sup>34</sup>

<sup>31</sup> Primary education are children aged 6-10 years (Grade 1-5)  
Lower Secondary Education are for students aged 11-14 (Grade 6-9)  
Upper Secondary Education are for students aged 15-17 (Grade 10-12)

Source: Government of the Lao PDR, 2015.

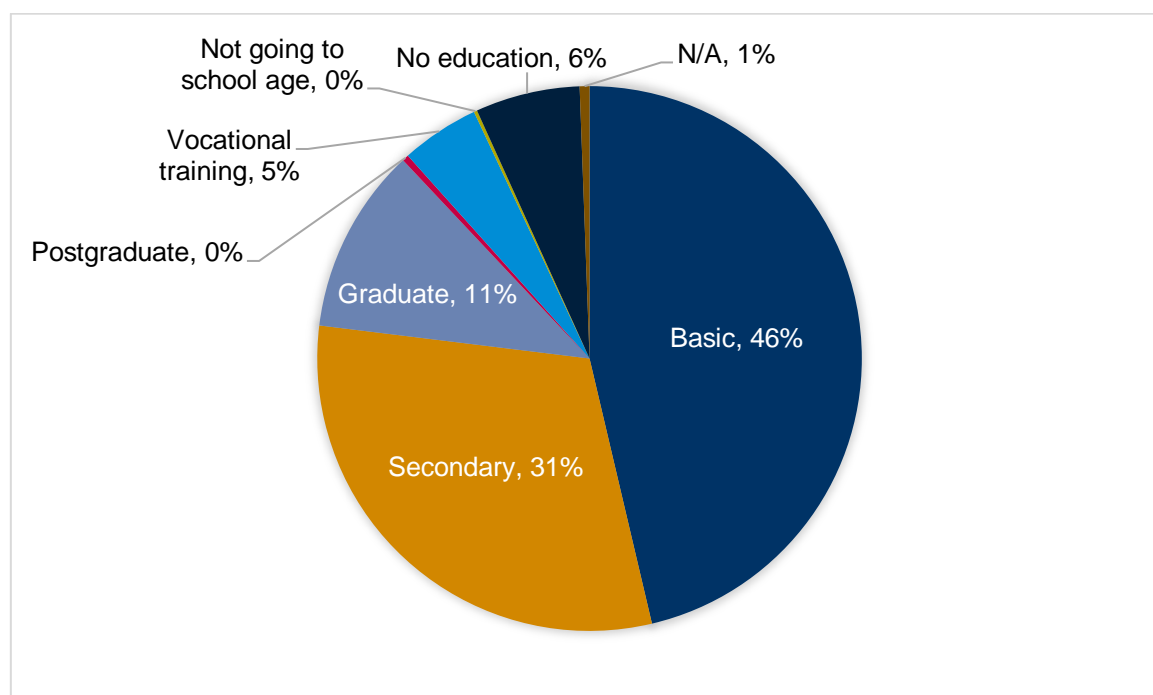
<sup>32</sup> Sekong Statistics Bureau (2018). Local Statistic of Sekong Province Report for 2018 (p.41). Retrieved from: [https://laosis.lsb.gov.la/board/BoardList.do?bbs\\_bbsid=B404](https://laosis.lsb.gov.la/board/BoardList.do?bbs_bbsid=B404)

<sup>33</sup> Attapeu Statistics Bureau (2018). Local Statistic of Attapeu Province Report for 2018 (p.44). Retrieved from: [https://laosis.lsb.gov.la/board/BoardList.do?bbs\\_bbsid=B404](https://laosis.lsb.gov.la/board/BoardList.do?bbs_bbsid=B404)

<sup>34</sup> Lao Statistics Bureau (2015). The 4<sup>th</sup> Population and Housing Census 2015 Retrieved from <https://lao.unfpa.org/en/publications/results-population-and-housing-census-2015-english-version>



**Figure 5-8: Education Attainment of the Surveyed Population (6 years old and above)**



Source: Socio-economic household survey by ERM/Innogreen, November and December 2021

In general, population of villages in Sanxay District have larger proportion of its population having received primary education than Dak Cheung District. Dak Samor has the highest rate of its population enrolment in basic education (69%), while Akkelad villages and Kou Dak Muan in Dak Cheung District have the highest rate of its population attending or completing secondary level education (32%). Disaggregated data per village (**Table 5-5**) shows that Dak Terb village in Dak Cheung District has the highest ratio of its surveyed population receiving education (100%) while other villages in Sanxay District have the lowest ratio of its population receiving education (83%). All koumbans and villages have a small population (0-13%) attending or completing higher education levels such as vocational or university education.

**Table 5-5: Education Attainment by Villages**

Villages	Dak Cheung District										Sanxay District			
	Dak Rant		Dak Muan		Dak Terb		Dak Dor		Akkelad (Dak Cheung)		Dak Samor		Other villages	
	(N=87)		(N=84)		(N=80)		(N=47)		(N=211)		(N=28)		(N=8)	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%
No education	4	5%	3	4%	11	14%	2	4%	10	5%	3	11%	0	0%
Primary education	34	39%	46	50%	51	64%	33	70%	67	32%	22	79%	8	100%
Secondary education	32	37%	32	38%	17	21%	10	21%	80	38%	2	7%	0	0%
Vocational education	2	2%	2	2%	0	0%	0	0%	21	10%	0	0%	0	0%
University education	15	17%	5	6%	0	0%	2	4%	33	16%	1	4%	0	0%
Not going to school age	0	0%	0	0%	1	1%	0	0%	0	0%	0	0%	0	0%
Total number of villages	87	100%	84	100%	80	100%	47	100%	211	100%	28	100%	10	100%
Total number of districts	509										38			

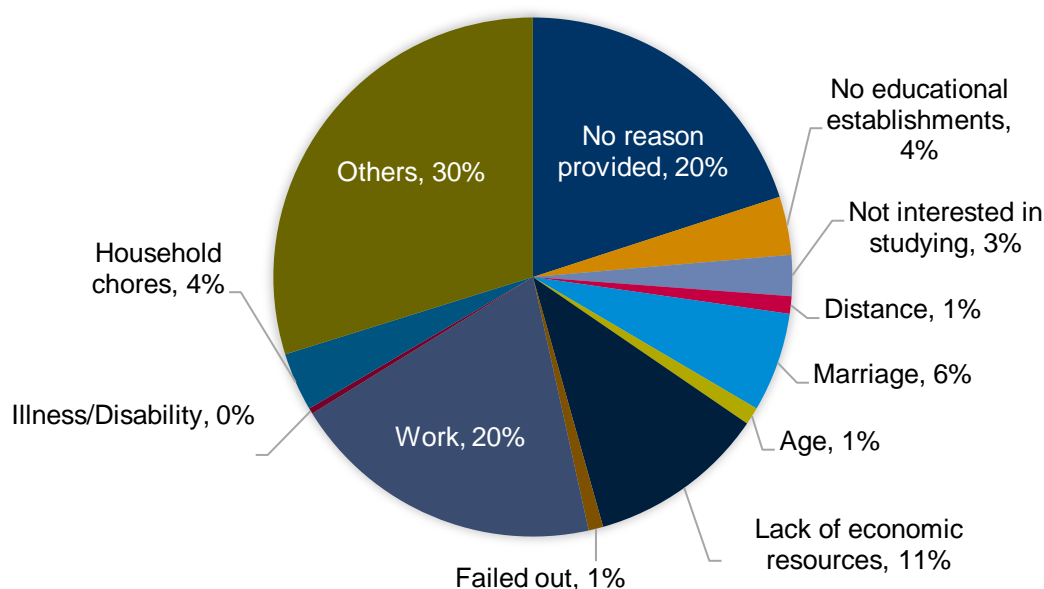
Source: Socio-economic household survey by ERM/Innogreen, November and December 2021

The FGDs and KIIs with youth and village heads in Dak Cheung District reveal that the average dropout age of school for both girls and boys is around the age of 14 to 17 years old. The average dropout age in Sanxay District is between 12 and 13 years old. The main reasons are the lack of economic support from families and need to work (such as work on families' farms and work as laborers) to earn additional income for the families, particularly in poor families.

The FGD and KII findings are supplemented by the socio-economic HH survey which reveal that the 721 surveyed populations' main reasons for discontinuing their study are due to work (20%), no reason provided (20%), no educational establishments (4%), not interested in studying (3%), distance (1%), marriage (6%), age (1%), lack of economic resources (11%), failed out (1%), illness or disability (0%), household chores (4%), and others (30%), where the main reason is that they are still studying (**Figure 5-9**). "No reason" given by some respondents can be interpreted as certain individuals dropping out early following the social norms in the area.

The average age to start helping their families by working on farms is between 10 and 13 years old for both boys and girls. Girls usually help with housework (cooking and cleaning), weeding at the farm, and collecting firewood. Boys usually work on the farm such as ploughing the rice farm, fencing of the farm, and other farm works. After graduation or drop-outs, men would be engaged in agricultural work and work as laborers in hydropower projects such as Xekamarn 3 Hydropower and Nam E Moon Hydropower transmission line, while women would work in coffee collection and removing weeds in coffee plantations in Paksong and Pakxe Districts of Champasak province, which are located around 150 – 200 km from the villages. Particularly youth in Sanxay District indicated that both men and women also work as laborers in Chinese banana plantations, such as in Nam Noi area, Ban Phia Keow, and Xaysettha District, Attapeu Province. These plantations are located around 70-90 km from the villages.

**Figure 5-9: Reasons for Discontinuing Study**



Source: Socio-economic household survey by ERM/Innogreen, November and December 2021

Current scholarships and skills training available in the village are mostly livelihood related, with a few related directly to education. These programs, training, and scholarships include:

- In last 2 years, the Taiwanese Government has been offering scholarships for students in Xiengluang village;
- The provincial government provides scholarships for education for poor families; and

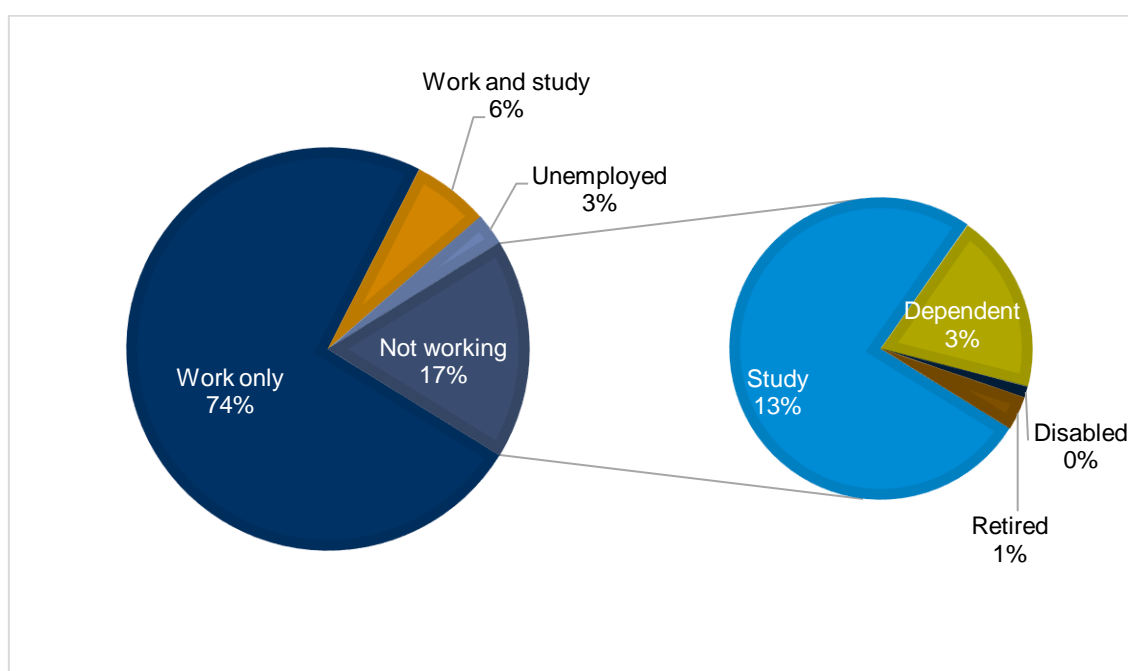
- Asian Development Bank (ADB) project assisting in further education for boys and girls in Dak Cheung, Dak Muan, Dak Dom, Dak Xeum villages.

### 5.2.2.5 Labor Force

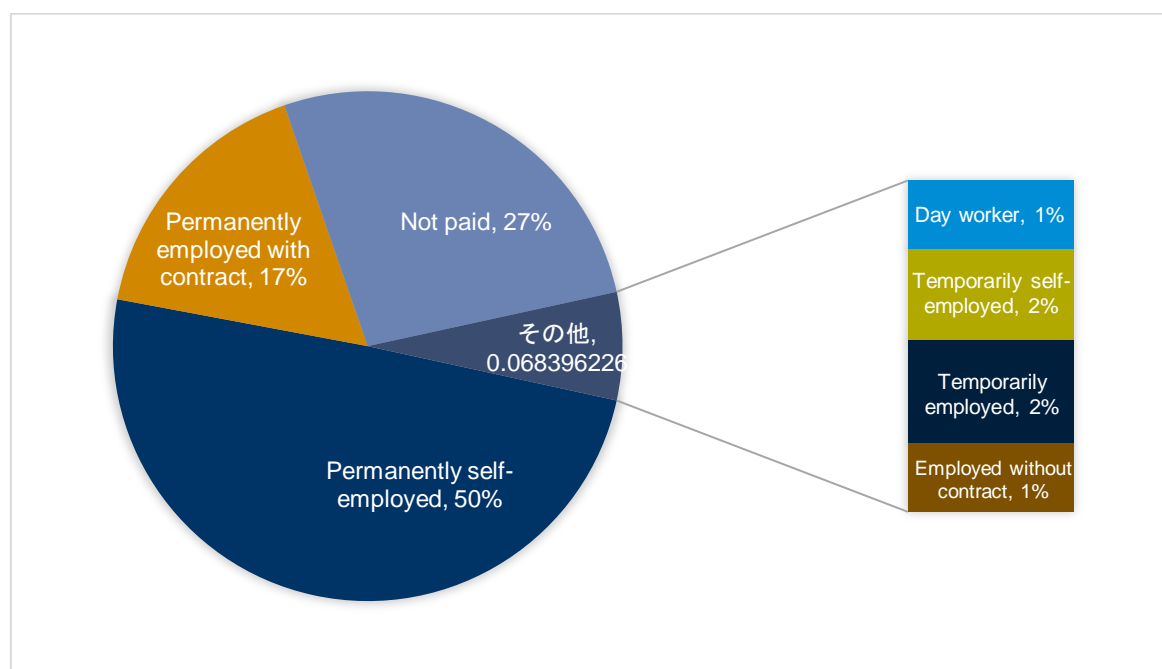
Based on the HH socio-economic survey regarding work engagement in the past 12 months (**Figure 5-10**), 83% of the population are active in the labor force while the remaining 17% are not engaged in any kind of work, as they are solely studying (13%), dependent on the family or remittance (3%), in retirement (0%), or are incapable of work due to mental or physical disability (0%).

In addition, the survey reveals that of those who are actively working, approximately half (50%) are engaged in permanent self-employed work (such as agriculture and livestock), followed by permanently employed with contracts (such as civil servants and company employees) (17%), and engaged in unpaid work (such as work in family farms) (27%), respectively (**Figure 5-11**). Most of the workforce (81%) work within a short distance from the village and the remaining work in other villages or cities (19%).

**Figure 5-10: Active Labour Force of the Surveyed Population (Age 15 years and over)**



Source: Socio-economic household survey by ERM/Innogreen, November and December 2021

**Figure 5-11: Types of Employment (for Primary Occupation) (Age 15 years and over)**

Source: Socio-economic household survey by ERM/Innogreen, November and December 2021

#### 5.2.2.6 Working Status

Disaggregated data of working status of the surveyed population is presented in **Table 5-6** where Dak Nong, Dak Padoo, and Dak Yok village in Sanxay District have the highest rate of its surveyed population in the active workforce (100%). This is followed by Dak Samor village, where 45% of the surveyed population in active workforce are engaged in permanent work (e.g., agriculture and livestock), and 0% of its population have unpaid work (working on families' farms and housework, etc), and temporary employment (labourers in hydropower projects and coffee plantation). On the other hand, the Aekkalad has the highest ratio (33%) of its population not engaged in any kind of work; the main reasons for no work engagements are shown in **Figure 5-10**.

**Table 5-6: Working Status of Surveyed Population (Age 9 years and over)**

Villages	Dak Cheung District										Sanxay District			
	Dak Rant (N=159)		Dak Muan (N=146)		Dak Terb (N=139)		Dak Dor (N=96)		Aekkalad (N=360)		Dak Samor (N=47)		Other villages (N=8)	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%
<b>Active workforce</b>	<b>67</b>	<b>42</b>	<b>55</b>	<b>38</b>	<b>57</b>	<b>41</b>	<b>38</b>	<b>39</b>	<b>123</b>	<b>34</b>	<b>21</b>	<b>45</b>	<b>8</b>	<b>50</b>
Unpaid work	15	10	4	3	19	14	12	13	12	3	0	0	0	0
Temporary	2	1	2	1	0	0	0	0	8	2	0	0	0	0
Permanent	41	26	49	33	33	24	26	27	99	28	21	45	8	50
<b>No work</b>	<b>34</b>	<b>21</b>	<b>36</b>	<b>25</b>	<b>30</b>	<b>2</b>	<b>20</b>	<b>21</b>	<b>118</b>	<b>33</b>	<b>5</b>	<b>10</b>	<b>0</b>	<b>0</b>
<b>Total</b>	<b>159</b>	<b>100</b>	<b>146</b>	<b>100</b>	<b>139</b>	<b>100</b>	<b>96</b>	<b>100</b>	<b>360</b>	<b>100</b>	<b>47</b>	<b>100</b>	<b>8</b>	<b>100</b>

Source: Socio-economic household survey by ERM/Innogreen, November and December 2021



## 5.3 Livelihood Activities and Patterns

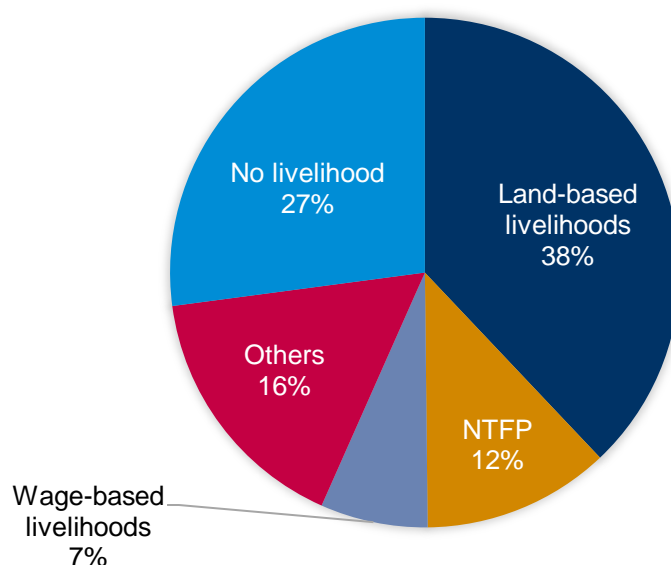
### 5.3.1 Main Livelihoods

The main livelihoods of those affected identified through the HH socio-economic survey were land-based livelihoods i.e., engagement in agricultural activities including rice farm, coffee and cassava cultivation, livestock, and non-timber forest products (NTFPs) collection.

Within the surveyed population, the largest percentage (38%) is engaged in land-based livelihoods, while 12% are engaged in NTFP collection. Other livelihoods (16%) have the second largest working population, where occupations can include soldiers, traditional medicine healers, retired, volunteers, etc. Following that is wage-based livelihoods (7%), where the working population includes teacher (4%), wage labour (2%), driver (0%), cook (0%), contractor (0%), and construction worker (0%). No livelihoods (\*none) (27%) are identified by the survey population as studying, children, being in the army, and unemployed (**Figure 5-12**).

It should be noted that even though the official working age is 15 years or older, there is a population of people who are under 15 years of age who partake in work whilst studying. Since they both partake in permanent work, as well as study, like those who are 15 years or older, they are included into the figures to reflect the actual number of people who partake in each livelihood. Those who are under 15 years old and do not partake in a specific livelihood will be excluded.

**Figure 5-12: Livelihoods of the Surveyed Population (Age 9 years and over)**



*\*Note: No livelihoods identified by surveyed population as still studying, non-working children, unemployed, and being in the army*

Source: Socio-economic household survey by ERM/Innogreen, November and December 2021

**Table 5-7** presents livelihoods of the surveyed affected population by village for all 32 villages. Land-based livelihood is the main livelihood for all villages, followed by wage-based livelihood and enterprise-based livelihood, respectively.

**Table 5-7: Livelihoods of the Surveyed Population by Villages (Age 9 years and over)**

District		Dak Cheung District										Sanxay District			
Villages		Dak Muan (N=91)		Dak Terb (N=82)		Dak Rant (N=78)		Dak Dor (N=47)		Aekkalad (N=189)		Dak Samor (N=21)		Other villages (N=8)	
		N	%	N	%	N	%	N	%	N	%	N	%	N	%
Land-based	Farming	23	25	37	45	23	29	34	72	44	23	15	71	8	100
	Livestock	0	0	1	1	3	4	0	0	0	0	0	0	0	0
	NTPF Collection	16	18	2	2	15	19	0	0	15	8	6	29	0	0
Wage-based	Day laborers	1	1	0	0	1	1	1	2	2	1	0	0	0	0
	Company workers	2	2	2	2	3	4	0	0	4	2	0	0	0	0
	Public servants	4	4	0	0	1	1	1	2	17	9	0	0	0	0
Enterprise-based	Small business	0	0	0	0	0	0	0	0	1	1	0	0	0	0
	Handicrafts	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Others		10	11	8	10	17	22	2	4	48	25	0	0	0	0
None*		35	38	32	39	15	19	9	19	58	31	0	0	0	0
All surveyed population		91	100	82	100	78	100	47	100	189	100	21	100	8	100

\*Note: No livelihoods or 'none' identified by surveyed population as still studying, children who are not actively working, unemployed, and being in the army

Source: Socio-economic household survey by ERM/Innogreen, November and December 2021

### 5.3.2 Supplementary Livelihoods

Of the surveyed population, 52% have a second occupation, of which 78% are engaged in farming activities (including coffee farming), 13% work as company workers, and 1% are engaged in livestock (Table 5-8). The remaining supplementary livelihoods (8%) include NTFPs collection, small businesses, handicraft productions, and others such as homemakers, carpenters, etc. The consultation with Dak Lern village on 19 July 2022 suggests that NTFP collection is the primary livelihood of the villagers—this may be attributed to Dak Lern is located near Phou Koungking Mountain which has been identified as the main resource of NTFPs. In terms of villages, it seems that Dak Samor village has the highest population engaging in farming as a supplementary livelihood, while Dak Terb had the least.

**Table 5-8: Supplementary Livelihood of Surveyed Population**

District		Dak Cheung District										Sanxay District			
Villages		Dak Muan (N=100)		Dak Terb (N=82)		Dak Rant (N=42)		Dak Dor (N=34)		Aekkalad (N=180)		Dak Samor (N=19)		Other villages (N=5)	
		N	%	N	%	N	%	N	%	N	%	N	%	N	%
Land-based	Farming	30	30	13	16	37	88	25	74	64	35	17	89	2	40
	Livestock	0	0	0	0	2	5	0	0	0	0	0	0	1	20
	NTFPs collection	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Wage-based	Day laborers	0	0	0	0	1	2	0	0	1	1	0	0	0	0
	Company workers	8	8	9	11	1	2	0	0	3	2	2	11	2	40
	Public servants	0	0	0	0	0	0	0	0	1	1	0	0	0	0
Enterprise-based	Small business	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Handicraft production	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Others		3	3	7	8	0	0	1	3	5	3	0	0	0	0
None		59	59	53	65	1	2	8	23	106	57	0	0	0	0
Total surveyed population		100	100	82	100	42	100	34	100	180	100	19	100	5	100

\*Note: No livelihoods or 'none' identified by surveyed population as still studying, children who are not actively working, unemployed, and being in the army

Source: Socio-economic household survey by ERM/Innogreen, November and December 2021

### 5.3.3 Livelihood Diversification

To understand the resilience to impacts on their livelihoods of the surveyed households, livelihood diversification amongst the surveyed population was analysed (Table 5-9). In terms of types of livelihoods, 99 out of 466 (20%) are dependent on a single livelihood including 44 people (9%) with land-based livelihoods, 10 (2%) with wage-based livelihood, and 44 (9%) with other sources of livelihoods. Approximately 247 people (53%) rely on two types of livelihoods, where 200 people (43%) get their secondary source of income from land-based livelihoods, 30 people (6%) generated their

supplementary income from wage-based livelihood, and 17 people (4%) gain their income from other sources of livelihoods.

**Table 5-9: Livelihood Diversification**

Livelihood Diversification		Type pf Livelihood	No. of People	%
Primary Livelihood	Secondary Livelihood			
One Livelihood	None	Land-based	44	6%
		Wage Labour	10	1%
		Business	1	0%
		Other sources	44	6%
Total of Population Dependent on One Livelihood			99	14%
Two-Livelihoods	Land-based	Land-based	145	20%
		Wage Labour	30	4%
		Business	0	0%
		Other sources	17	2%
	Wage Labor	Land-based	27	6%
		Wage Labour	0	0%
		Business	0	0%
		Others	0	0%
	Other	Land-based	28	4%
		Wage Labour	0	0%
		Business	0	0%
		Other sources	0	0%
Total of Population Dependent on Two Livelihoods			247	34%
No Livelihoods*			120	17%
No Response			255	35%
Total			721	100%

\*Note: No livelihoods or 'none' identified by surveyed population as still studying, children, unemployed, and being in the army

Source: Socio-economic household survey by ERM/Innogreen, November and December 2021

### 5.3.4 Land-based livelihoods

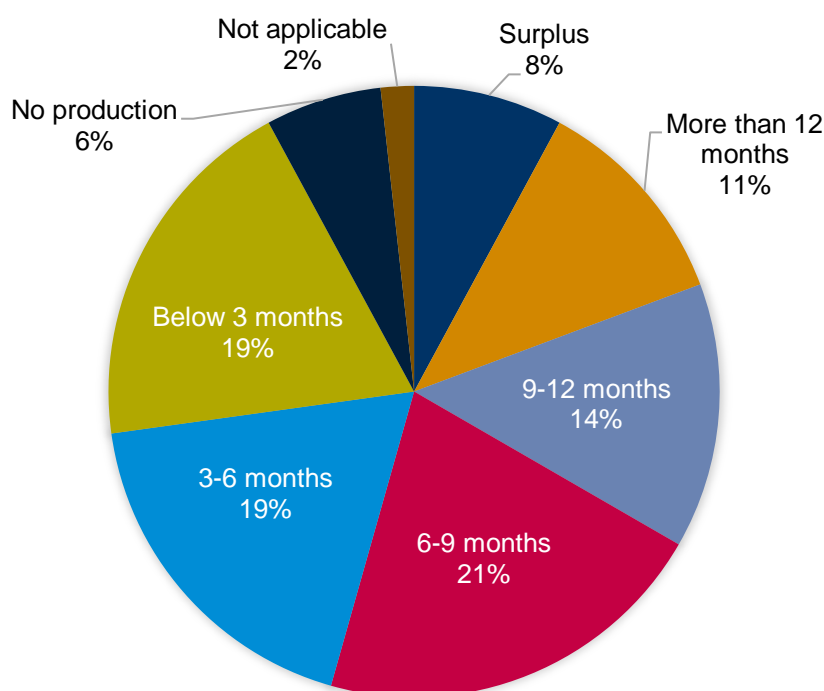
Cultivation, animal husbandry, and NTFPs collection are the most common livelihoods in all villages and for all ethnic groups. Through the FGDs with livelihood groups, the majority of the people have agricultural production land with average land holding size of 1 to 3 ha per household. The FGDs and KIs with all relevant groups show that the surveyed population are dependent on the forest resources for food, medicine, hunting, firewood, and wood for construction of houses.

Rice, coffee, cassava, and other crops (such as ginger, ginseng, banana, vegetables, etc.) are commonly grown in most of the surveyed villages. The farmers are engaged in rice farming from May to August/November. Rice and vegetables grown are mostly for household consumption, while other crops such as coffee and cassava are for sale. In general, rice harvested is sufficient for the family for

the months of June to October. The FGDs with livelihood groups reveal that the villagers experience rice and food deficiency, particularly during the months October to April as it is dry season, with low to no productivity.

Of the total surveyed population, almost half of the surveyed population (40%) have a surplus amount of food or a sufficient amount of food for household consumption for 3 to 9 months – of which 19% have food sufficiency<sup>35</sup> for 3 to 6 months and 21% for 6 to 9 months. Approximately 19% of the surveyed population have food sufficiency below 3 months and 6% have no food production at all (**Figure 5-13**).

**Figure 5-13: Food Sufficiency**



Source: Socio-economic household survey by ERM/Innogreen, November and December 2021

**Table 5-10** presents food sufficiency by village cluster. Dak Samor has the highest proportion of population with food sufficiency for lower than 3 months (78%), while the population having food sufficiency for 3 to 6 months constitutes 22% of the surveyed households. On the other hand, Dak Rant appears to have the highest proportion of its households having food surplus (22%).

**Table 5-10: Food Sufficiency**

District	Dak Cheung District										Sanxay District			
Villages	Dak Rant		Dak Terb		Dak Muan		Dak Dor		Aekkalad		Dak Samor		Other villages	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%
No production	0	0	0	0	0	0	0	0	33	13	0	0	0	0
Below 3 months	8	7	7	8	24	28	21	36	27	10	25	78	3	30
3 to 6 months	0	0	17	20	10	11	14	24	69	27	7	22	4	40

<sup>35</sup> The number of households which are food secure



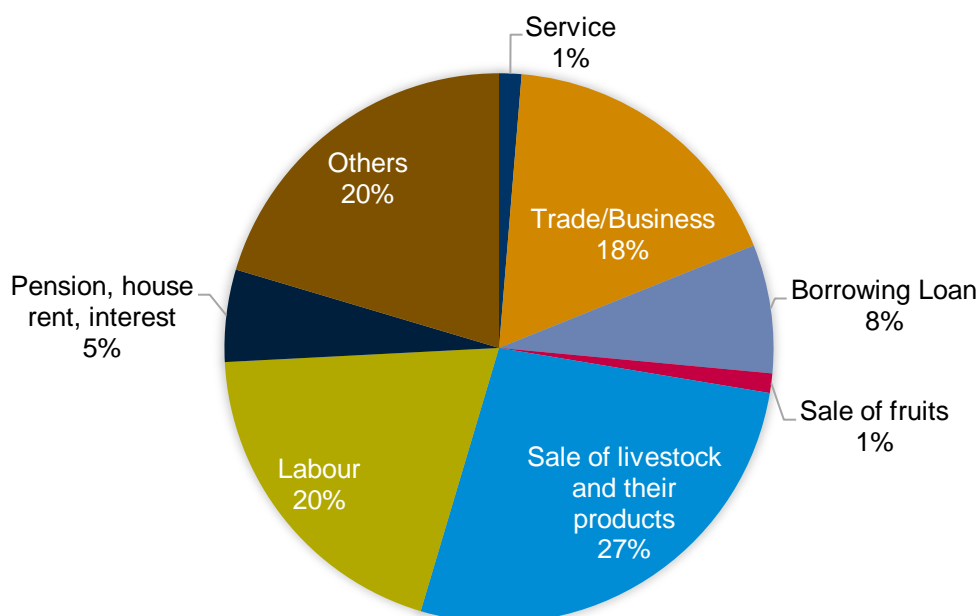
District	Dak Cheung District										Sanxay District			
Villages	Dak Rant		Dak Terb		Dak Muan		Dak Dor		Aekkalad		Dak Samor		Other villages	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%
6 to 9 months	33	29	25	29	31	36	12	21	30	12	0	0	3	30
9 to 12 months	35	44	38	44	7	8	0	0	35	14	0	0	0	0
More than 12 months	14	0	0	0	4	5	6	10	52	20	0	0	0	0
Surplus	22	0	0	0	11	13	5	9	12	5	0	0	0	0
<b>Total</b>	<b>112</b>	<b>100</b>	<b>87</b>	<b>100</b>	<b>87</b>	<b>100</b>	<b>58</b>	<b>100</b>	<b>258</b>	<b>100</b>	<b>32</b>	<b>100</b>	<b>10</b>	<b>100</b>

Source: Socio-economic household survey by ERM/Innogreen, November and December 2021

**Figure 5-14** presents approaches deployed by the surveyed households to make up for household food insecurity. Of the total 721 surveyed population, 20% indicated that they would work as laborers to earn additional income for food purchase, 27% sell livestock and their products, 18% are engaged in trades and business, and 20% have other approaches including handicrafts (e.g., blacksmith and bamboo products), NTFPs collection, service, or are dependent on income from other family members.

Notably, 8% indicated that they would get loans, which are understood to be loans from friends and relatives from the same village. This practice of borrowing and exchanging food, products and money within villages show that these villages have a strong social cohesion and established relationships to help each other overcome hardships. It is noted that micro-credits/micro-finance schemes are not currently available in the villages.

**Figure 5-14: Approach for Making Up for Food Insecurity**



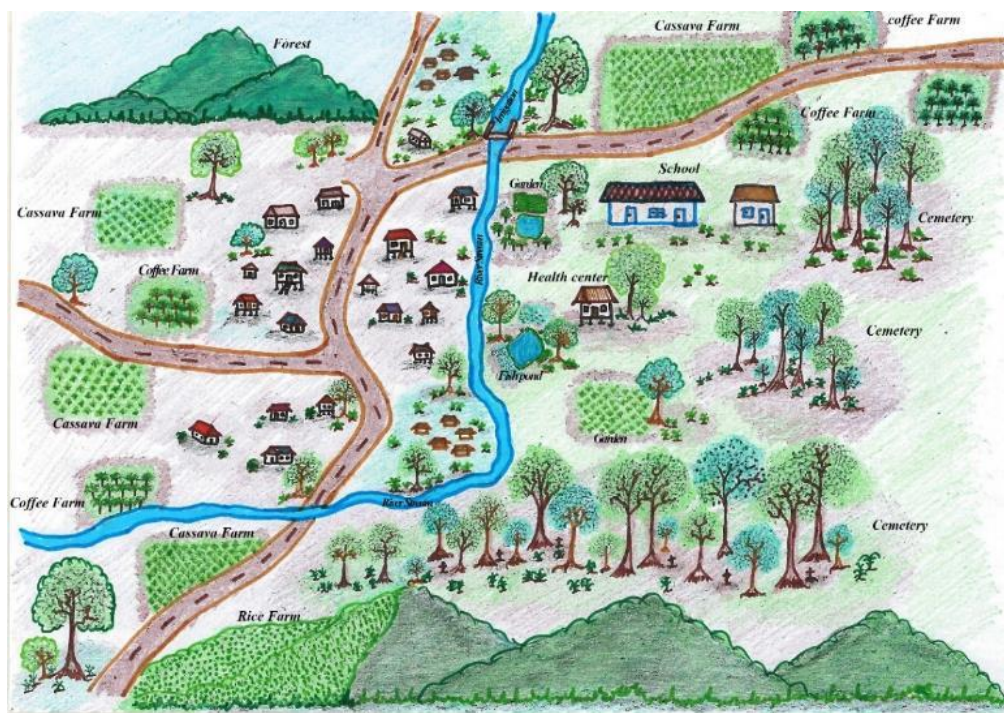
Source: Socio-economic household survey by ERM/Innogreen, November and December 2021

Cultivation, animal husbandry, and NTFPs collection activities are the common livelihoods across surveyed villages. **Figure 5-15** presents an overview of cultivation land, forestry land, cemetery, and village facilities and public services such as school, health centre and Salakuan.

**Figure 5-15: Agro-Forestry Production Area**



Agriculture production area map of Dak Jom Village, Dak Cheung District



Agriculture production area map of Dak Samor Village, Sanxay District

Source: Site visit and FGDs undertaken by ERM/Innogreen, November 2021



### 5.3.5 Cultivation

The following section summarizes the main cultivation practises in the Study Area.

**Rice:** Based on the land and asset survey conducted in November 2021, the cultivated rice paddy area ranges from 0.1 to 3 ha (refer to **Figure 5-16** for common rice cultivation). Rice paddies are usually located in low land areas and close to streams as they require sufficient water for irrigation and productivity. Therefore, rice paddies are cultivated in fixed locations with limited suitable land plots, and only upland rice farming is a part of the shifting cultivation practices. The rice productivity varies across households, with minimum of rice productivity around 300 kg/year, and maximum of rice productivity around 90-100 tons/year. The average yield per hectare is approximately 974 kg/hectare. The average price of rice is between 3,000 and 6,000 kip/kg.

**Coffee:** The FGDs with livelihood groups indicate 90% to 100% of the villages are engaged in coffee cultivation (mainly Catimor coffee) (**Figure 5-16**). The coffee plantations are located between 3 km to 10 km from the households. Coffee is usually planted during March to April and takes around three to four years to yield produce. . Between November and January was identified as the busiest time of the year due to the coffee harvesting season. The average coffee plantation size is 0.14 ha and the average productivity of coffee is approximately 1 ton/household/year. The price for coffee is approximately 5,000 kip/kg in urban Dak Cheung, and the coffee is sold in the villages and urban Dak Cheung.

**Cassava:** Cassava is planted around March/April, and it takes about one year to harvest. that takes place around November/December. Cassava productivity ranges from 3 ton/household/year (**Figure 5-16**).

**Figure 5-16: Examples of Cultivation**



Rice cultivation in Dak Terb Village



Rice cultivation in Dak Rant Village



Drying rice in Dak Dom Village



Rice storage in Dak Dor Village



Coffee cultivation in Tong Xieng Village



Coffee cultivation in Dak Lern Village



Cassava cultivation in Dak Nong Village



Cassava cultivation in Dak Terb Village

Source: Socio-economic household survey by ERM/Innogreen, November and December 2021

**Shifting Cultivation:** The majority of the villages identified that they still conduct shifting cultivation which is a common practice for coffee and cassava. After approximately 5 years of cultivation, farmers would move to another location as soil becomes less fertile resulting in decreased productivity of coffee and cassava. Some farmers may 'book' (i.e., reserve) the land for future use, by notifying the village heads and communicating to other community members by marking the boundaries of the booked land with sticks and lines. The trend of shifting cultivation varies across villages depending on the productivity of the plantation. Based on the KIIs with the livelihood groups, most of the villages identified that they practice shifting cultivations, while only two villages (out of 13 villages) indicated that there has been decreasing trend in shifting cultivation.

**Farming methods:** Intercropping is practiced among surveyed villages, as mentioned during KIIs. Intercropping is cultivation of two or more crops simultaneously on the same field. The common crops for intercropping are rice, coffee, and cassava. The farming methods are still labour-intensive as the use of agriculture machinery is still limited in this region. In most villages, there are no irrigation system for their production land due to the mountainous terrain and the dry climate of the regions, resulting in limited water resources for irrigation. Irrigation is mostly available only for rice cultivation as rice requires sufficient water to grow and reach productivity (**Figure 5-17**)



**Figure 5-17: Irrigation for Cultivation**



Irrigation for rice paddy in Dak Rant Village



Irrigation in Dak Rant Village

Source: Socio-economic household survey by ERM/Innogreen, November and December 2021

### 5.3.6 Animal Husbandry

In the surveyed villages, people raise animals in large numbers, including both large animals such as buffalos, cows, goats and pigs, and small animals such as poultry. Large animals are released to graze outside the village and in the mountain areas where grass is available. Pigs and poultry are usually raised in the yards around the house. Animal husbandry is mainly for household consumption, performing ceremonies, and annual festivals (i.e., animal offerings) and for welcoming the visit of relatives and village official guests. Approximately ten households practise animal husbandry in large number for sale and is the main income source for the households (**Figure 5-18**).

**Figure 5-18: Animal Husbandry**



Buffalos grazing in open grassland in Dak Rant Village



Buffalos are kept under the house in Dak Yen Village



Cow husbandry in Dak Rant Village



Pig husbandry in Dak Yen Village



Source: Socio-economic household survey by ERM/Innogreen, November and December 2021

### 5.3.7 NTFPs Collection

Livelihoods of the Project-affected households are still highly dependent on natural resources such as forests and rivers. Households surveyed collect food e.g., bamboo, mushrooms, and wood for cooking (firewood) and construction of houses from the forests. Linzhi mushroom and Dok Lhai have been identified as the most common and wanted NTFPs as these products have high local value. Based on the FGD in Dak Lern on 19 July 2022, some of the households in Dak Lern are engaged with timber and non-timber forest collection, both for subsistence and commercial/trading. In addition, it was informed by the village head that NTFP collection activity of Dak Lern villagers in Dak Lern area will not be affected by the Project. He believes that the establishment of the Project facilities will open other areas for NTFP collection. There are “middlemen” from nearby cities and Vietnam that come into the village to buy these products (e.g. Linzhi mushroom, Dok Lhai, ginseng), or these products will also be sold at local markets. In addition, subsistence hunting is practised, mostly small animals such as wild chickens, squirrels, wild birds, etc. are hunted for household consumption and extra may be sold to the markets (**Figure 5-19**).

In general, women and men collect the same NTFPs according to seasonality. However, the main difference for gender-based NTFP collection is that men are capable of access to deeper/further part of forests to collect NTFPs than women and mostly hunting activities are practiced by men. **Table 5-11** presents NTFP collection seasonal calendar, frequency and amount of collection and price of each NTFP.

**Table 5-11: NTFP Seasonal Calendar**

Season (month)	Type of NTFP	Frequency of collection/month	Amount collected/time	Price (Kip/Kg)
July - December	Dok Lhai (a medicinal flower sold to Vietnam)	5, 10, 20 times per month depending on the households	100 gram – maximum 2 kg. Sometimes none.	250,000 – 1,500,000 LAK/kg (price depends on the quality and size of Dok Lhai)
July - November	Linzhi mushroom (small)	5, 10, 20 times per month depending on the households	500 gram to max 2 kg. Sometimes none.	80,000-200,000Kip/kg
	Linzhi mushroom (large)			5,000Kip/kg - 80,000Kip/kg
August - September	Dok Sao Nam Khung	5-6 times	Amount varies a lot—from none to a few kgs.	600,000-1000,000kip/kg
January - March	Broomgrass	More than 5 times (depends on each family)	Minimum 1 bundle	Small bundle 5000Kip/bundle Large bundle 20,000-30,000kip/bundle
All year round	Wood ( <i>Mai Baek</i> )	For household use and for sale		5000-50,000Kip/kg
January - March	Rattan	For household use and for sale	1-3 kg	5000 Kip/kg

Season (month)	Type of NTFP	Frequency of collection/month	Amount collected/time	Price (Kip/Kg)
-	Somsamongling (ginseng)	-	Due to limited availability, villagers could only collect small amount	1 million Kip/kg
-	Bamboo shoots	For household consumption and sell	-	Raw bamboo is sold at 20,000 Kip/kg while fermented bamboo is sold at 30,000 Kip/kg
-	Honey	For household consumption and sell	-	-
-	Fruits such as rambutan	For household consumption and sell	-	-
-	Orchids	-	-	The following flowers are sold Hang-Yao, Kai-Kua and Lai Noi
-	Agarwood ( <i>Por Hueng in Laos language</i> ) – a high-valued fragrant resinous dark wood	-	-	-

**Figure 5-19: NTFPs Collection**



Dok Lhai collection in Dak Kung Village



Selling of hunted small wildlife in Xiengluang Village

Source: Socio-economic household survey by ERM/Innogreen, November and December 2021

### 5.3.8 Wage-based livelihoods

#### 5.3.8.1 Waged labour

FGDs with livelihood groups indicated that some men from the villages work as labourers in hydropower projects in Nam E-moon Hydropower and Xekamarn 3 Hydropower, while women are engaged in coffee collection in bigger provinces such as Paksong and Pakse Provinces. Some households from Sanxay District work as labourers in banana plantation in Nam Noy area, Ban Phia Keow and Xaysettha District, Attapeu Province (70-90 km from the villages).

#### 5.3.8.2 Civil Servants

The fewest number of actively working people surveyed are engaged as civil servants (60 people or 2%). Most are living in the locality and the common positions are teachers; however, some of the teachers and police in-migrated from other districts or provinces.

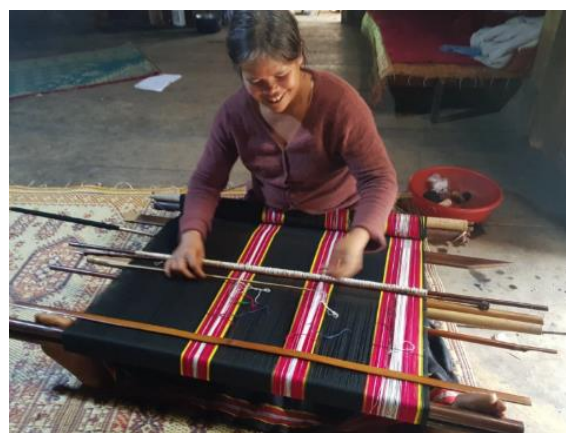
#### 5.3.8.3 Handicraft

In addition to engagement in agricultural production, the people in the villages also have the traditions in production of various handicrafts products including blacksmith products, weaves and bamboo crafts. Weaving is predominately conducted by women while blacksmithing is typically done by men. The handicrafts products are mostly for household consumption; some people may be able to produce extra and sell them in the markets. The most outstanding handicraft products are Ban Dak Terb of Dak Cheung District, Ban Dak Dor and Ban Dak Nhok of Sanxay District where the people in these villages have the tradition in smith-work that can generate income for the families. Examples of handicrafts are shown in **Figure 5-20**.

**Figure 5-20: Handicrafts**



Ironsmithing in Dak Xuem Village



Weaving in Dak Ta-ok Noi Village



Ironsmithing in Dak Terb Village



Bamboo handicrafts in Dak Nong Village



Source: Socio-economic household survey by ERM/Innogreen, November and December 2021

### 5.3.9 Enterprise-based livelihoods

According to the data from the field survey in the Study Area, there is no trade facility. There are only a few retail shops in some villages on the roadsides, which sell food and consumer goods for daily use. Within the Project and surrounding areas, there is no big commercial enterprises. These enterprises are located in the surrounding area of the municipality of the district capital and these factories are mostly of small-scale industrial factories, such as : small furniture production, rice mill, automobile repair shop, drinking water plant and ice plant. -making factory. Small scale retail shops in the Study Area are shown in **Figure 5-21**.

**Figure 5-21: Small Businesses**



Retail shop in Dak Dor Village



Retail shop in Trongmueang Village

Source: Socio-economic household survey by ERM/Innogreen, November and December 2021

### 5.3.10 Livelihood Trainings and Programs

According to secondary data and information gained through KIs, trainings and programs have been provided by the government and non-governmental organizations (NGOs) to improve agricultural practices, livelihoods, and food sufficiency for the Project affected communities. These trainings/programs include the following:

- International Fund for Agricultural Development (IFAD) program supporting agriculture and livestock practice and production, providing training in weaving for women.
- Workshops by the Ministry of Agriculture and Forestry (2021) for soil preparation for coffee plantation (part of the Greater Sub-Region Biodiversity Conservation Corridors Project funded by Asian Development Bank);
- World Food Programme promoting nutrition and providing lunch and water supply for schools.
- German-Laos Association Development (GLAD) supporting people in livestock such as providing goats, and pigs.
- Training by CARE International on coffee planting skills.
- Government relation department providing scholarship to women for vocational weaving;
- PRF providing funds to build school in Prao, Dak Pam, Dak Den, Xiengluang, Dak Yen, Tong Xieng, Dak Kung, Dak Dom, Dak Treb, Dak Xeum Dak Dor, villages;

- Scaling Up Participatory Sustainable Forest Management (SUFORD) provides assistance and promoting forest conservation management; and
- District Agriculture and Forest Office providing seeds and collaboration with organizations and companies to provide assistance and support to people within the district.

## 5.4 Income and Expenditure

Data available from the 116 surveyed households were used in the financial analysis, which is discussed in more details in the following section.

### 5.4.1 Income

Of the surveyed households, the average monthly household income for those who engage in agriculture is LAK 1,167,552 (approximately USD 78), while the average monthly income for those who engage in non-agricultural means is only LAK 298,116 (approximately USD 20), which is lower than the provincial and national average of LAK 1,200,000 per month (approximately USD 104) per capita. The monthly income per household and per capita varies across the different villages. Akkelad villages in Dak Cheung District has the highest average monthly household income of over LAK 7,818,000 (approximately USD 520), while Dak Dor had the lowest average monthly household income at LAK 630,093 (approximately USD 42). **Table 5-12** provides an overview of the average monthly household income of the different villages.

**Table 5-12: Average Monthly Household Income**

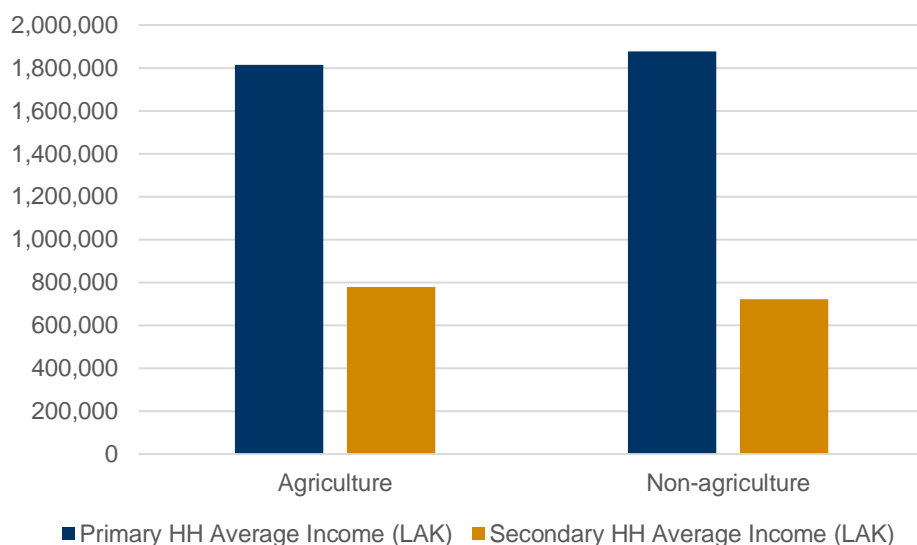
District	Dak Cheung District					Sanxay District	
Villages	Dak Rant	Dak Terb	Dak Muan	Dak Dor	Aekkalad	Dak Samor	Other villages
Average Income per Household (LAK) - Year	35,644,000	15,450,000	19,825,000	7,561,111	93,820,115	13,973,333	15,400,000
Average Monthly Income per Household (LAK)	2,970,333	1,287,500	1,652,083	630,093	7,818,343	1,164,444	1,283,333
Minimum Monthly Household Income (LAK)	810,000	308,333	250,000	175,000	1,000,000	416,667	-
Maximum Monthly Household Income (LAK)	8,333,333	4,591,667	4,900,000	1,791,667	23,233,333	2,108,333	-

Source: Socio-economic household survey by ERM/Innogreen, November and December 2021

**Table 5-13** presents a comparison of the average monthly household income by type of livelihoods. When it comes to the primary average income of the households, agriculture make up the lowest average HH income of LAK 1,815,637 (approximately USD 120). However, it provides the highest average HH income as a secondary income source, with the average being at LAK 777,778 (approximately USD 50). For non-agriculture livelihoods, the primary average HH income is slightly higher than that of agricultural livelihoods, where the average HH income is LAK 1,877,778. When it comes to the secondary income sources, non-agriculture livelihoods have a slightly lower average HH income compared to agricultural livelihoods.



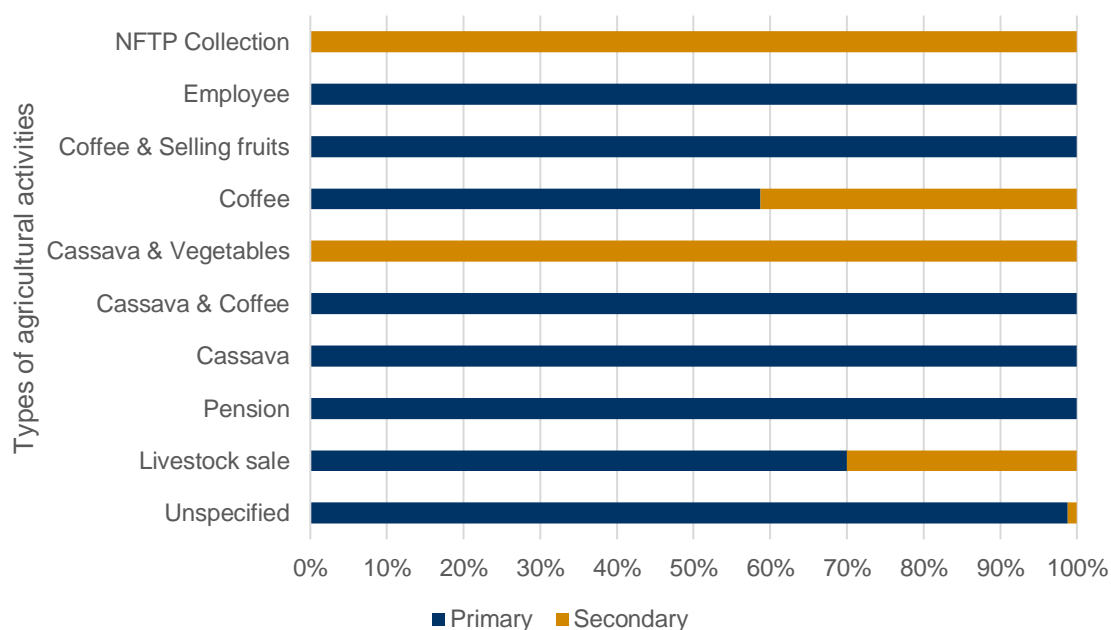
**Table 5-13: Average Monthly Household Income from Agriculture and Non-Agricultural Sources**



Source: Socio-economic household survey by ERM/Innogreen, November and December 2021

**Figure 5-22** dives deeper into the average monthly household income from agriculture, illustrating the percentage of income by type of agricultural activities and comparing the difference between primary income source and secondary income source. The figure shows that unspecified sources, pension, casava, cassava & coffee, coffee & selling fruits, and employment are the main agricultural activities, in terms of primary income source. As for secondary income source, cassava & vegetables and NTFP collection makes up the main agricultural activities.

**Figure 5-22: Income by types of agricultural activities**



Source: Socio-economic household survey by ERM/Innogreen, November and December 2021

### 5.4.2 Expenditure

The average monthly expenditure of the surveyed affected households is LAK 6,550,114 (approximately USD 120). The average monthly household expenditure is approximately 3.55 times higher than the average monthly household income (LAK 1,846,708) for primary income sources (**Table 5-14**).

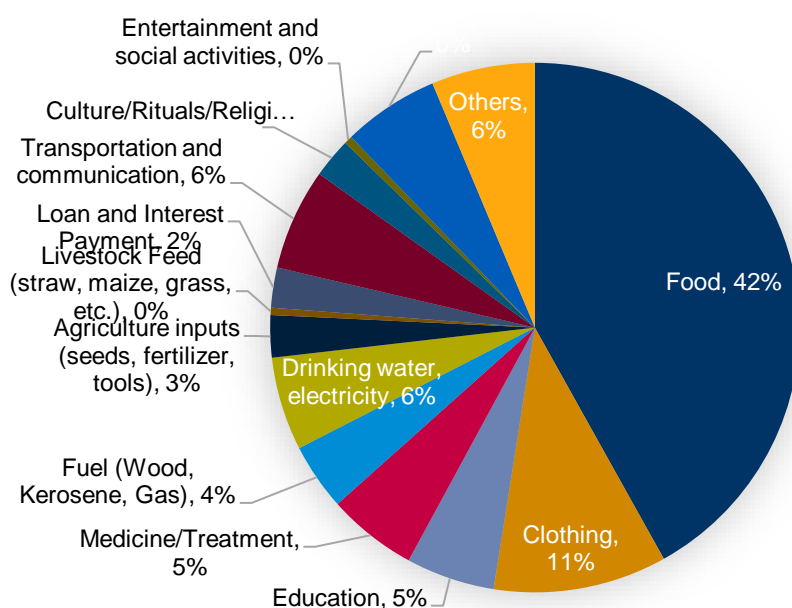
**Table 5-14: Average Monthly Household Expenditure**

District	Dak Cheung District					Sanxay District	
Villages	Dak Rant	Dak Terb	Dak Muan	Dak Dor	Aekkalad	Dak Samor	Other villages
Average Monthly Expenditure per Household (LAK) - Year	14,986,333	9,899,583	12,828,750	4,187,694	58,326,731	8,091,667	21,690,000
Average Monthly Expenditure per Household (LAK)	1,246,861	824,365	1,069,063	346,975	4,860,561	674,306	1,807,500
Minimum Monthly Household Expenditure (LAK)	166,667	253,333	108,333	72,917	565,250	230,000	-
Maximum Monthly Household Expenditure (LAK)	2,932,500	2,901,667	3,166,667	1,500,000	21,188,833	2,013,333	-

Source: Socio-economic household survey by ERM/Innogreen, November and December 2021

**Figure 5-23** presents average monthly expenditure by item, which shows that most of the expenditure is spent on food (42%), followed by clothing (11%), transportation and communication, alcohol and cigarette, drinking water and electricity, and others (6%), education and medicine/treatment (5%), fuel (4%), agriculture inputs (3%), and loan and interest payment (2%). Livestock feed, and entertainment and social activities make up less than 1% of the total monthly expenditure

**Figure 5-23: Average Monthly Expenditure by Expenditure Items**



Source: Socio-economic household survey by ERM/Innogreen, November and December 2021

Based on the socio-economic HH survey, almost half of the surveyed households are in debt. Some 50 households (44%) of the surveyed households identified that they are in debt, while 63 households (56%) identified that they have no debts in the past 12 months. The average savings rate for the surveyed households is approximately 41%. On the whole, the surveyed households have an annual average income of LAK 25,839,461 (or US\$ 1716.64) and an annual average expenditure of LAK 15,245,272 (or US\$ 1012.82)<sup>36</sup>.

## 5.5 Land Use and Tenure

The Department of Land under Ministry of Natural Resources and Environment (MONRE) is the main governmental authority responsible for land administration. The 2019 Land Law recognizes land use rights of individuals, legal entities, collectives, and organizations of Lao citizens, and stipulates that these rights are to be managed through registration in land books, certification of land use, issuance of land titles and registration of transfer and changes of land use rights. The land title is the primary document that proves land use rights.

There are two land registration methods by which individuals can register the land that they are using lawfully. First is systematic land registration, which is carried out throughout a designated area where land allocation, zoning, or classification is required. Systematic registration confers a Land Title. Second, persons or entities can make application to certify their right to use certain land. Land certificates are issued certifying the temporary right to use agricultural or forestland which is issued by District level authorities.<sup>37</sup>

During the past two decades, it has become a common practice in Laos for individuals to claim land ownership over plots that they do not legally own and sell such plots despite lacking a formal land title, after having their ownership certified by the village authorities. The process to obtain a land transfer certificate only requires an agreement between the buyer and seller, payment of the land use tax and the certification of village authorities. In this manner, some buyers were also able to have land titles issued by MONRE, using the land use tax payment or land certificate as evidence of their ownership. Following the enactment of the 2019 Land Law, the requirements for formal land purchase are more widely known and therefore this informal form of land transaction has reportedly become less common.

Within the 23 villages located in the vicinity of the Project Area in Dak Cheung District, privately held land plots cover nearly all areas, which are primarily agriculture land in the form of paddy fields, ranging from 1 to 3 ha. Most households have land use certificates and tax payment evidence for the land plots which they reside and conduct cultivation.

The FGDs with livelihood groups found that in the Project Area, land use and tenure include:

**Booking land:** this is a traditional system, which is not recognized in Laos law. Village members claim or 'book' land for farming (or so-called booking) (e.g., rice, cassava, and coffee) by notifying the village heads and communicate to other village members by marking the booked land with sticks and lines or threads. The one who booked the land will then pay tax on this land to the village head. This land then can be used in the future for farming. After a few years (3-5 years) of farming, the land may become less fertile and less agriculturally productive, land users will move to claim a new piece of land for farming and 'book' the old piece of land which they may come back in the future to farm on this land again. This is understood to be a part of shifting cultivation practice.

Booked land can be inherited as land tax documents are recognized by local authorities as evidence for land ownerships. Inherited booked land can transfer into land use right (land use certificate) or land title by informing the village authority and District Natural Resource and Environment office to determine the land and issue a letter to confirm land ownership.

Booking land within village communal land or production forest cannot be transferred to land use right nor land titles. The village authorities and the District Natural Resource and Environment Office will

<sup>36</sup> Exchange rate of August 2, 2022

<sup>37</sup> Giz, 2015

conduct survey and determine that such claim do not comply with the policy of the districts and provinces and the Land Law.

**Land use certificate:** This refers to a document that certifies the land use right. It is issued by relevant State agency in pursuance of the policy on land allocation for Lao people to use as place of living and farming.

Individuals, legal entities, and organizations who are granted land use rights shall use their lands in accordance with their purposes and in consistency with the Land Allocation Master Plan, land use strategy and land use plan adopted by the State for each time period (Land Law 2019, Article 86).

**Article 126 of 2019 Land Law** prescribes acquisition of land use rights. Lao citizens including Lao legal entities and organization will acquire land use rights on one of the following bases:

- Allocation by the State;
- Transfer
- Inheritance

Sale of allocated State land use rights with determined timeframe as prescribed in Article 123 of 2019 Land Law.<sup>38</sup>

**Land titles (bai taa din):** A land title is the only document considered as the main evidence for permanent land use rights. Titles formally mark the boundaries of land, and the holders of land use rights may protect, use, lease and transfer these rights, as well as bequeath or otherwise pass these under inheritance law (Land Law 2019, Article 99). However, land titles are generally only seen in urban and peri-urban areas and the process of obtaining them and paying for systematic adjudication is expensive. Mostly households in the affected villages do not have land titles; however, some land titles are under preparation.

**Community land and community forest:** All community members can access and make use of community land and forest equally. There is no system for management of community land and forest undertaken by the villages such as community forest management plan. However, local authorities periodically conduct monitoring to see if the forest use by the villages was undertaken in accordance with the Lao laws and requirements.

50% of the interviewees asserted that land ownership is mostly in men's names (or the head of the family), while the other 50% stated that ownership is equal between men and women. The average land holding size is ranging from 1 to 3 ha per household. In general, the local people are not concerned about land tenure in the form of land titles because land ownerships are recognized within their villages. Moreover, it is costly for the people to obtain land use certificate or land titles for their booking land.

## 5.6 Social Network and Cohesion

Through KIIs with local authorities and ethnic group representatives of Dak Cheung District, it was asserted that there have been no conflicts amongst ethnic groups in villages where multiple ethnic groups are present such as Dak Muan village where four ethnic groups are present (Triang, Yae, Katu and Lao). In addition, different ethnic groups living in the same village also celebrate their ceremonies together despite differences in ethnicity. The FGDs with ethnic group representatives reveal that there have not been any conflicts between ethnic groups in the past.

The KIIs also suggest that there are established social networks particularly support system to help one another overcome hardships. Village members help each other during difficult times such as during shortage of food, by sharing food and rice or money to each other.

Much of the population in rural areas do not have bank accounts and do not use the services provided by the banks, they usually borrow money from relatives in the village when they need financial

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assistance. Micro-credit schemes and informal loan schemes are not practiced in these rural villages. As discussed earlier, 9% of surveyed households indicated that they would borrow loans, from friends and relatives from the same village, and 3% would borrow rice from their friends and relatives in the same villages.

Labour exchange is also a standard practice across the villages, particularly among families with small number of family members or with elderly people and women-headed households, for agricultural activities.

## 5.7 Vulnerability

Vulnerable groups are people, especially those below the poverty line, the landless, the elderly, women, and children, or other, who by virtue of gender, ethnicity, age, physical or mental disability, economic disadvantage, or social status may be more adversely affected by the Project impacts than others and who may be limited in their ability to claim or take advantage of impact mitigation measures and Project related benefits.

To align with ADB's definition of vulnerability<sup>39</sup>, vulnerable households are defined as meeting at least one of the following criteria:

- Poor households i.e., living under the national poverty line set by the Laos Government (LAK 9,364 (USD 0.83) per day per person);<sup>40</sup>
- Households of elderly persons above the age of 65 with no economic support;
- Households with physically and/or mentally disabled members who need care from other family members;
- Female-headed households with dependents; and
- Households with no land/squatters.

Since the majority of households in the Project Area belong to ethnic groups, being Indigenous Peoples alone in this case does not apply as a criterion for vulnerability.

Approximately half of the affected households that were surveyed have been identified as vulnerable. This can be seen in **Table 5-15**.

**Table 5-15: Number of Vulnerable Households**

District	Dak Cheung District										Sanxay District			
Villages	Dakrun		Dak Terb		Dak Muan		Dakdor		Aekkalad		Dak Samor		Other villages	
	(n=10)		(n=10)		(n=16)		(n=5)		(n= 31)		(n=1)		(n=1)	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%
Vulnerable households	5	50	9	90	4	25	5	100	12	39	1	100	1	100
Non-vulnerable households	5	50	1	10	12	75	0	0	19	61	0	0	0	0
<b>All surveyed households</b>	10	100	10	100	16	100	5	100	31	100	1	100	1	100

Source: Socio-economic household survey by ERM/Innogreen, November and December 2021

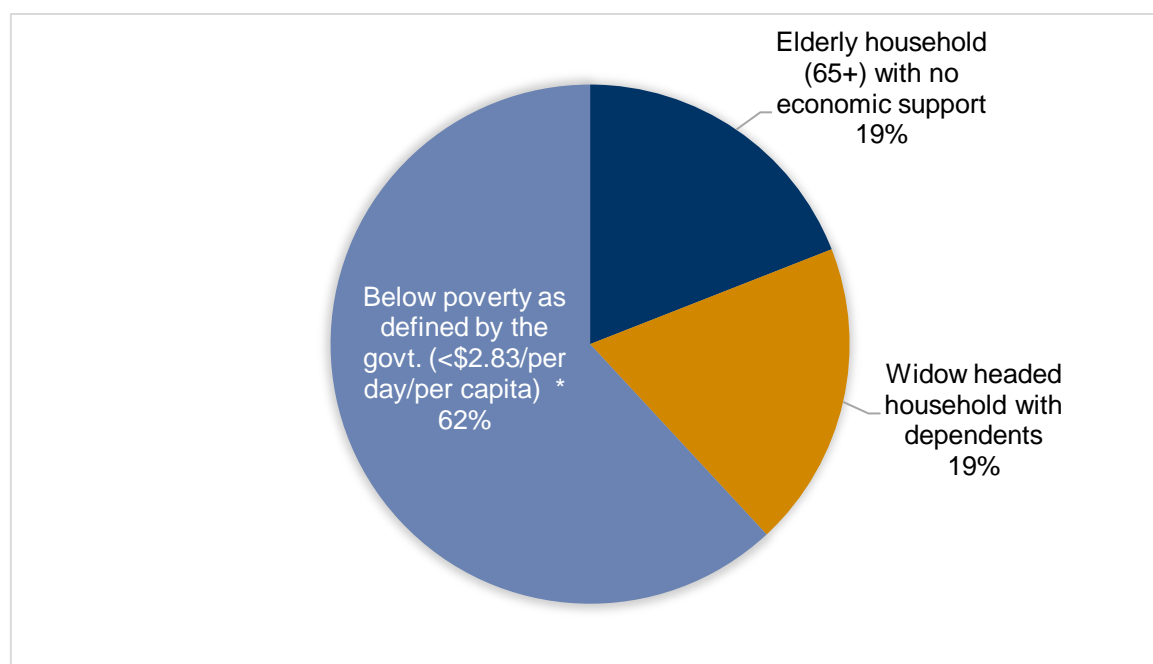
<sup>39</sup> ADB SPS 2 (2009) Involuntary Resettlement Safeguard has defined vulnerable groups as "...Those below the poverty line, the landless, the elderly, women and children, and Indigenous Peoples, and those without legal title to land..."

<sup>40</sup> The national poverty line is estimated at LAK 280,910 (USD 24.90) per month per person at 2019 prices or approximately LAK 9,364 (0.83 USD) per day per person.



Of the 37 vulnerable households, the majority (70%) of the households are identified with poverty, followed by elderly households (65+) with no income support (22%), and widow-headed households with dependents (8%), respectively (**Figure 5-24**).

**Figure 5-24: Characteristics of Vulnerable Households**



Source: Socio-economic household survey by ERM/Innogreen, November and December 2021

**Table 5-16** presents data analysis of the vulnerable households by category. Most of the households in this region are classified as poor households, living below the national poverty line set by the Laos Government of USD 0.83 per person per day and World Bank's poverty line of USD 1.90 per person per day.

Approximately 32% of the households in the Akkelad villages are identified with vulnerability of elderly households (65+) with no economic support. Dak Terb village in Dak Cheung District has the highest share (31%) of its households identified with poverty. Households identified with physically disabled people are considered relatively low across all villages surveyed in both Districts.

**Table 5-16: Vulnerability Household by Category**

District	Dak Cheung District										Sanxay District			
Villages	Dakrun		Dak Terb		Dak Muan		Dakdor		Aekkalad		Dak Samor		Other villages	
	(n=8)		(n=9)		(n=4)		(n=5)		(n= 12)		(n=1)		(n=1)	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%
Elderly household (65+) with no economic support	1	13	1	11	0	0	0	0	5	41	1	100	0	0
Widow headed household with dependents	1	13	0	0	1	25	0	0	1	8	0	0	0	0
Below poverty as defined by the govt.	3	38	8	89	3	75	5	100	6	50	0	0	1	100

District	Dak Cheung District										Sanxay District			
Villages	Dakrun		Dak Terb		Dak Muan		Dakdor		Aekkalad		Dak Samor		Other villages	
	(n=8)		(n=9)		(n=4)		(n=5)		(n= 12)		(n=1)		(n=1)	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%
<b>Total surveyed households</b>	8	22	9	24	4	11	5	14	12	32	1	3	1	3

Source: Socio-economic household survey by ERM/Innogreen, November and December 2021

The average monthly household income of the surveyed vulnerable households is LAK 1,527,830 (USD 101.67)<sup>41</sup>. The lowest and highest income per households and per capita among the vulnerable groups are those with income below the government poverty line and the elderly HH +65 with no economic support, respectively.

It must be noted with caution that in this region, income is not the sole indicator for vulnerability. Based on the site visit, the livelihoods of the people e.g., rice farming, animal husbandry, NTFPs collection, hunting, etc. are mainly for commercial purposes. Commercial crops, such as coffee and cassava, are grown and some NTFPs are usually collected for sale (e.g., Dok Lhai and Linzhi mushroom) .

Household-wise, people are still highly dependent on natural resources, meaning that the people usually obtain resources for their fundamental needs e.g., food, water, housing, energy, etc. from natural resources. This includes rice farming, and some NTFP collection. Therefore, their livelihoods are not targeted at generate high income, but rather sufficient provision of food and fundamental needs for the households.

According to the Notice on Measures for Poverty Alleviation and Development Plan (No.348, dated 16 November 20117), the Government of Lao defines households that are above poverty as:

- Households that have access to sufficient food of 2,100 kcal per person per day;
- Households that have sufficient clothes;
- Households that have housing;
- Households that have sufficient labours, occupations or stable income sources;
- Households that have sufficient finance for medical emergencies; and
- Households that have access to basic public services such as clean water, power, transport, information, bank, markets and safety and security.

**Table 5-17** presents disaggregated sources of income by vulnerability category. Land-based livelihoods, including agriculture and livestock, are the highest contribution to sources of income across vulnerability category, ranging from 7-70% of all surveyed vulnerable households. Wage-based is a significant of income contributor in households that are widow headed (2%). Enterprise-based livelihoods however were not identified as income sources for any of the vulnerable groups.

<sup>41</sup> Exchange rate as of 7July 2022

**Table 5-17: Sources of Income of Vulnerable Households**

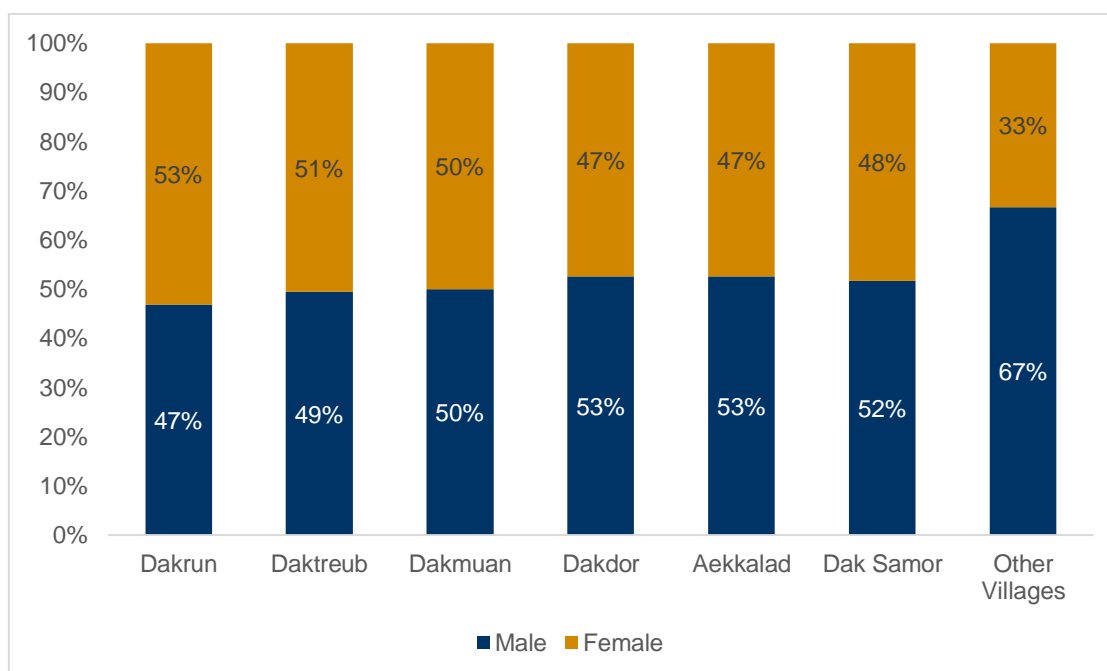
	Elderly HH +65 with no economic support (N=5)	Widow headed household with dependents (N=7)	Households with disabled persons (N=31)
Land-Based	7%	9%	70%
Wage-based	0	2%	0
Enterprise-based	0	0	0
Other sources	5%	5%	2%

Source: Socio-economic household survey by ERM/Innogreen, November and December 2021

## 5.8 Gender Disaggregated Socio-economic Profile

### 5.8.1 Demographic Profile of Affected Villages

Within the surveyed households in Dak Cheung District, the ratio between male and female is roughly 1:1 (338 males versus 339 female). The ratio is also roughly 1:1 between the male and female of the 44 surveyed households in Sanxay District (21 males versus 23 females), similarly to the country's which stood at 1:1 (female 49.8: 50.2 male) (The World Bank, n.d.c). The gender ratio is slightly different between the villages; however, the ratio remains roughly at 1:1 male to female. (**Figure 5-25**).

**Figure 5-25: Gender Ratio**

Source: Socio-economic household survey by ERM/Innogreen, November and December 2021

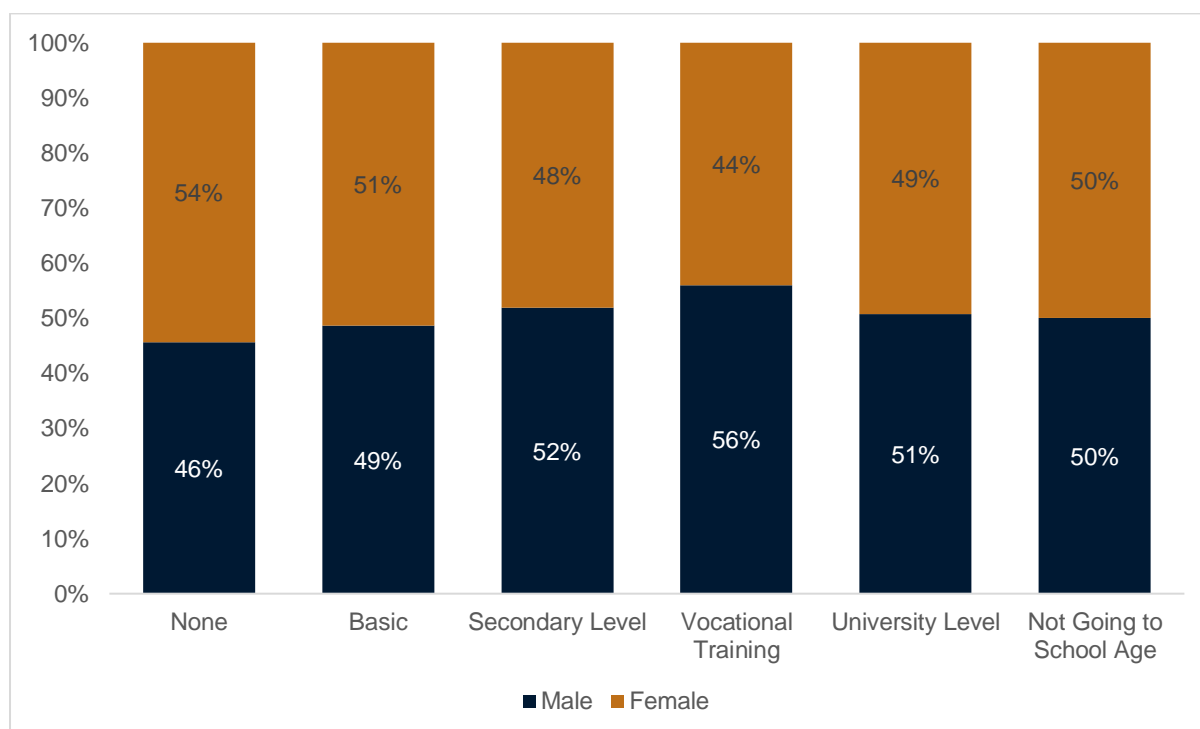
### 5.8.2 Education Attainment

In terms of education attainment, females have slightly lower average level of education than males (according to KIIs with village heads and youth groups). The average level of education for females is up to year 3-4 of secondary school, while for males it was identified that the average education is year 4-5 of secondary school.

Based on the socio-economic household survey (**Figure 5-26**), the data shows that females outnumber their male counterparts at not having received education (54% and 46% respectively). Males have a slightly higher share of receiving secondary education (52% and 48% respectively) as well as vocational education (56% and 44% respectively). Notably females have a marginally higher share of receiving basic education than males (51% and 49% respectively), while males have a marginally higher share of obtained university level education (51% to 49% respectively).

Based on the 362 surveyed female population, the main reasons for discontinuing study include work (17%), lack of economic resources (12%), marriage (9%), no educational establishment (4%), household chores (4%), no interests in studying (1%), no reason (21%), and other reasons (31%) including distance from school, illness and disabilities, age and failing (i.e., not making the necessary grades to continue attending).

**Figure 5-26: Education Attainment by Gender**



Source: Socio-economic household survey by ERM/Innogreen, November and December 2021

### 5.8.3 Maternal and Reproductive Health

Through the FGDs with the women group, the average age of women getting pregnant is 15-18 years old. Mostly, women give birth at home or at local healthcare centres. For those villages located closer to the district hospitals women would give birth in hospitals.

### 5.8.4 Gender-based Violence

Based on the FGDs and site visit observation, gender-based violence does not seem to be an issue in the villages within the Project Area of Influence. There have been no reports of gender-based violence to the village heads by women or village heads that participated in the FGDs and KIIs.

It is, however, worth noting that this information should be viewed in the country context. In the Lao PDR, there are several traditional sayings describing the role of men and women in the family; for example, “Men are the net, women are the basket”, “The husband should lead, the wife should follow” and “The man is the boss and women are the labour”. These views, and many others, reinforce gender inequality and creates disparity between the sexes, allowing men to have culturally accepted control over women.

Many different types of violence, physical and non-physical have been reported during the survey conducted for the United Nations <sup>42</sup> looking into gender-based violence in rural Laos. 45% of the women surveyed indicated that their spouses have been violent in some form towards them, revealing the high incidence of domestic violence in the areas surveyed (Bokeo, Luangprabang, Savannakhet, Salavan Provinces and Vientiane Province). These areas are however, located in the North of Laos and not close to the Project. No information is available for the Project area.

This survey suggests that even though gender-based violence is not prevalent in the Project affected villages, it does not necessarily mean that it does not exist. It could be under-reported or that women (and men) accept it as part of the cultural norms.

According to the survey above, the most common factors influencing violent behaviour, as described by women victims, were that the violator was drunk, money, and work-related problems. Gender inequality in family economics is a significant influencing factor in domestic violence. Education can also be a factor in domestic violence as less educated women are more likely to experience violence than women who have some or higher education.

### 5.8.5 Livelihood and Division of Labor

In general, female-headed households and male-headed households have similar livelihoods, i.e., land-based livelihoods including rice, coffee and cassava cultivation, animal husbandry and NTFPs collection. However, it is noticeable that female-headed households, particularly if the rest of the family is composed of females, children, or elderly, have significantly fewer cultivation land areas and smaller animals holding size. Female-headed households may not have sufficient laborers for collecting large timber for construction and maintenance of houses and barns as this task is mostly undertaken by males. Additionally, these households may be more likely to experience food insecurity as they have lower agricultural productivity due to smaller farming size and lack male members to undertake hunting to provide alternative food sources for the family.

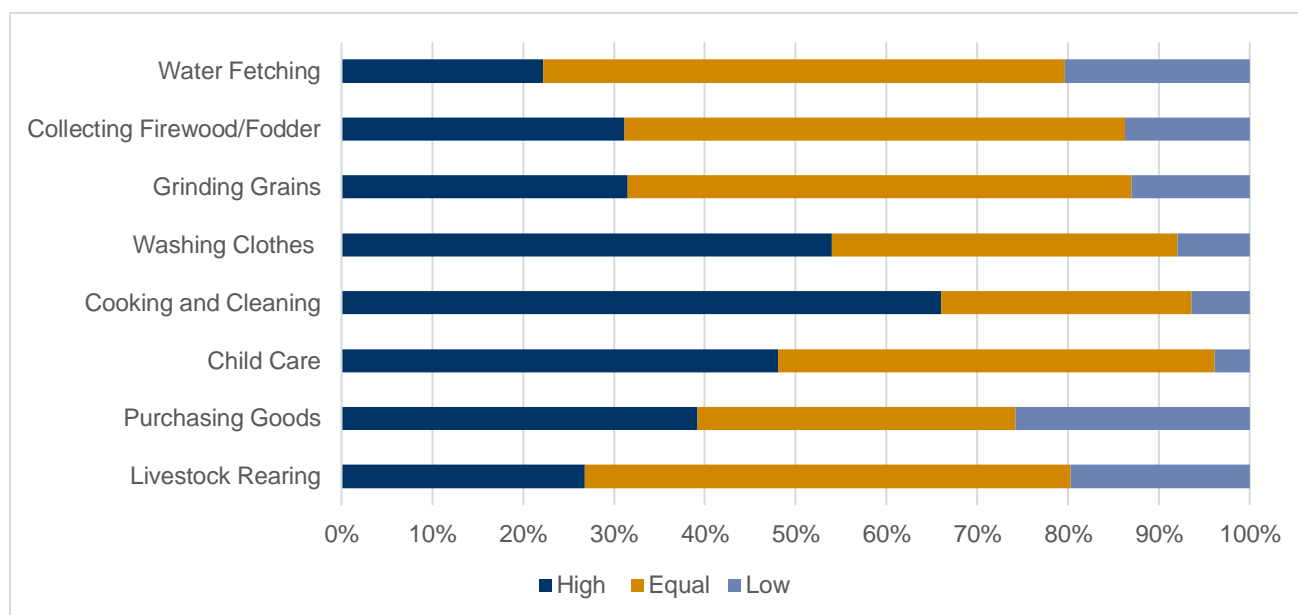
Based on the FGDs with women groups, the main tasks undertaken by women in the households include childcare and chores such as cooking, washing clothes, cleaning, etc. In addition, women collect NTFP products for cooking and food and conduct farm work. Notably, the women groups interviewed noted they were responsible for income and expenditure management. Women in the villages also engaged in handicrafts such as bamboo products and weaving, while men are engaged in blacksmithing.

Based on the socio-economic HH survey, tasks undertaken by men and women are mostly equally allocated including water fetching, collecting firewood/fodder, grinding grains, and livestock rearing. However, women have higher responsibility for cooking and cleaning and childcare. Interestingly, women identified to have different levels of participation in purchasing goods – 39% indicated to have high participation while 26% indicated to have low participation (**Figure 5-27**).

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<sup>42</sup> CUSO/ GDG, n.d.



**Figure 5-27: Participation of Female in Agriculture and Household Activities**

Source: Socio-economic household survey by ERM/Innogreen, November and December 2021

### 5.8.6 Access to and Ownership of Land and Natural Resources

As discussed previously, most people do not have land titles, only land use rights (i.e., land use certificates) and booking land (no formal document). During the KIIs with women groups, it was identified that men and women usually have joint ownership of land. However, one women group asserted that despite joint land ownership, most of land use certificates are in the husband's names. Whether both husband's and wife's names can be included on the land use certificates is dependent on the practice of officials from the land use registration authorities, as in some villages the officials put both males and female names on the land use certificates.

Based on the socio-economic HH survey, the level of ownership between men and women are shown in **Table 5-18**. Approximately 50% of women and men have equal ownership of their land and house. However, over 34% of women were identified to have unequal ownership of land and house compared to their husbands. 72% of women do not own a bank account deposit and 80% do not own ornaments such as jewellery, ceramics, glassware, and furniture, etc.

**Table 5-18: Ownership over property between male and female**

Ownership	High	Equal	Low	None
Land	12%	49%	38%	1%
House	13%	50%	34%	4%
Cash	48%	32%	16%	4%
Livestock	4%	41%	12%	44%
Bank deposit	5%	15%	9%	72%
Ornaments	9%	8%	3%	80%

Source: Socio-economic household survey by ERM/Innogreen, November and December 2021

## 5.8.7 Female Support Networks and Organizations

### 5.8.7.1 Lao Women's Union (LWU)

In 1995, the Lao Women's Union was established to protect the rights of all women in Lao PDR. The main objectives and responsibilities of the LWU include responding to women's development needs; promoting the status and roles of women; promoting unity amongst women of different ethnic groups and social strata throughout the country. (LWU, n.d.). Another important part of the Lao Women's Union's work is advocating for the protection of women's rights under the law, especially their right to live free from violence and eliminate gender-based violence against women from all sections of society (UNDP, 2021). The organizational system of LWU operates throughout the country at four levels, namely: central; provincial/ministerial, District/municipal and village ones with a total membership of 1,015,506 women (LWU, n.d.).

Through the FGDs with women groups, there are active village-level LWU in all villages. Women in the village regularly participate meetings of LWU and some women are responsible for the LWU at village levels with a representative in the villages participating in village and district level meetings. Village LWU collects data related to women, provides assistance to women and vulnerable groups, addresses gender-based issues, and promotes gender equality.

### 5.8.7.2 CARE International Laos in Dak Cheung District, Sekong Province

Care International is one of the main active NGOs in Dak Cheung District, particularly in the area of women empowerment. Based on the FDGs with women groups in Dak Cheung District, CARE International has implemented a framework of Gender Equality and Women's Empowerment by supporting coffee cultivation, providing training and workshop on coffee processing and forming of women's groups (**Box 6-1**). In addition, CARE also has been providing workshops on early marriage and childbirth and family health planning for those interested, in collaboration with District healthcare centres and office. CARE International also has programs targeting food security and providing assistance to vulnerable people.

#### Box 5-1: Boosting Coffee Product Project

CARE is a global NGO that supports women equal opportunities to earn an income, gain access to their fair share of resources, participate in decisions that affect their lives, and lead their communities through the increasing impacts of climate disasters and other crises.

CARE Australia has established a Boosting Coffee Production project, which seeks to support coffee farmers to increase their income. The Dak Cheung District is identified as a major location where this project is taking place.

The Boosting Coffee Production project involves:

- Increasing farming knowledge within rural communities.
- Establishing women-led coffee producer groups, enabling women to access technical training in coffee production, the establishment of crop nurseries and management of coffee gardens.
- Teaching women how to set up, use and maintain coffee processing centres and building their skills in coffee grading, quality control, basic business and financial literacy.
- Promoting gender equality by applying CARE's Social Analysis and Action and Engaging Men and Boys at household and community levels. Both approaches help to change gender norms and roles around doing housework and caring for children, elderly and people with a disability.

As this is an established program in the Dak Cheung District, the Project should liaise with CARE to determine if there is potential for collaboration.

Source: CARE Australia, n.d.

### 5.8.7.3 District Health Office

In addition to LWU and CARE International, the District Office also work in collaborations with these organizations to promote awareness about gender-based violence and sexual health.

### 5.8.8 Participation in Decision-making Process and Financial Linkage

The FGDs with women groups indicate that mostly women and men make decisions related to finance equally in the household; however, in most cases women do not have their own bank accounts. The key areas of decision-making in which women and men make together include household expenditure, saving, and education for children. Women are more dominant in making decisions related to household chores, e.g., cooking and daily expenditure, e.g., food consumption.

**Table 5-19** presents disaggregated data of level of decisions by women by different topics based on the socio-economic HH survey. Women and men in general have equal decision-making power in topics related to pregnancy, number of children, agricultural activities, land/house and sale or purchase of agricultural products.

Women were identified to have low power in decision-making related to leaderships and politics in particular (46% of the surveyed households). However, women participate in the village and District meetings and in women's union activities. Women also identified to have increasing roles in village politics and administration (Dak Yen), responsible for women's union, or managing funds.

**Table 5-19: Level of Decision by Women by Topic**

Level \ Topic	High	Equal	Low	None
Agricultural Activities	15%	63%	17%	5%
Sale and Purchase of Agriculture Products	15%	60%	15%	10%
Land/house	11%	44%	12%	33%
Pregnancy	8%	82%	2%	8%
Number of Children	10%	81%	2%	7%
Leaderships/politics	18%	22%	46%	13%
Jobs/employment outside the home	9%	26%	26%	39%

Source: Socio-economic household survey by ERM/Innogreen, November and December 2021

### 5.8.9 Female's Needs and Challenges

The FGDs with women groups have identified their main needs are improved healthcare and support on livelihoods.

Women identified that they need support in improving livelihoods, including weaving and handicraft training, vocational training, and cassava and coffee processing, in order to increase added values to the agricultural products, and support different farming methods and seeds, which will have increased values. Moreover, women also need support on the linkage of agricultural activities to the market.

Women representatives also expressed their needs for:

- Improved health care centers as currently medicine and medical personnel are not sufficient in the existing healthcare; and
- Improved education for girls and boys and education facilities and supplies as currently these are lacking.

## 6 ELIGIBILITY AND ENTITLEMENT

### 6.1 Principles

The Project has developed key principles governing preparation and implementation of the RP as follows:

- Economic displacement of PAPs is carried out in compliance with Laos laws and Lenders' Safeguard Policies.
- Wherever possible, in-kind compensation (e.g. land for land) will be offered to AHs. Cash compensation will only be considered based on the preference of AHs. Where the land for land is not available, the lack of land will be demonstrated and documented by the Project
- AHs whose land or assets are impacted by the Project's land acquisition at the date of the DMS completion (the cut-off date) will be entitled to compensation according to the DMS and the entitlement matrix. They may also be entitled to rehabilitation assistance to assist them in improving, or at least maintaining their pre-project living standards and productive capacities as necessary.
- When involuntary resettlement impacts ensue, mitigation and rehabilitation measures will be put in place that will improve or at least restore living standards of affected persons to pre-project levels. All compensation will be based on the principle of full replacement cost (including any fees or taxes, registration or land transfer cost at the time of compensation).
- A household is considered significantly affected if it loses 10% or more of its productive assets.
- The Project recognizes all displaced person including those (i) persons with formal legal rights to land lost in its entirety or in part; (ii) persons who lost the land they occupy in its entirety or in part who have no formal legal rights to such land, but who have claims to such lands they occupy in its entirety or in part who have neither formal legal rights nor recognized or recognizable claims to such land. The compensation and other assistance apply to all three types of displaced persons.
- Displaced persons without title or any recognizable legal rights to land are eligible for compensation for non-land assets at replacement cost and assistance including income restoration measures. In accordance with Lao Law, APs living in rural or remote areas, who do not have proof of land- use rights and who have no other land in other places, will be compensated for their lost rights to use land and for their assets at replacement costs and other additional assistance.
- AHs will be informed of Project information and meaningful consultation will be carried out with the AHs and concerned groups and ensure participation from planning up to implementation. The comments and suggestions of the AHs and communities have been taken into account in the development and implementation of this RP. Refer to the Stakeholder Engagement Plan for more details of the engagement methodologies undertaken and outputs and strategies for future engagements.
- The key information in the RP such as measurement of losses, detailed asset valuation, compensation, detailed entitlements and special provisions, grievance procedures, timing of payments and schedule will be disclosed to AHs in a timely manner, and in understandable form and language to AHs.
- The affected households will receive compensation payments at replacement cost or replacement assets before the Project or EPC takes possession of site and no later than site clearing or start of any construction activities.
- Resettlement identification, planning and management will ensure that gender concerns are incorporated, including gender -specific consultation and information disclosure. This includes special attention to guarantee women's assets, property and land-use rights, and to ensure the restoration of their income and living standards

- All cultural heritage sites, including but not limited to cemeteries, burial huts, ceremonial sites, sacred forests, animal sacrifice sites will be avoided. Existing cultural and religious practices will be respected and, to the maximum extent practical, preserved.
- Special measures will be incorporated in the resettlement plan to protect socially and economically vulnerable groups. Vulnerable AHs will be provided with additional assistance to ensure that they are equal beneficiaries of the project and are not further disadvantaged by the process of land acquisition. Vulnerable households will be prioritized in livelihood programs and other social programs.
- There will be effective grievance mechanism for receiving and resolving grievances during updating and implementation of the RP, without impeding access to the national, judicial or administrative remedies. Grievance redress mechanisms will include representation from the AHs, especially women, minority ethnic groups, and other vulnerable groups.
- Institutional arrangements will be in place to timely and effectively design, plan, consult and implement the land acquisition and compensation plans.
- Adequate budgetary support will be fully committed and made available to cover the costs of land acquisition and resettlement within the agreed implementation period.
- Appropriate reporting, monitoring and evaluation mechanisms will be identified and set in place as part of the resettlement management system.

Changes of technical design and/or EPC Contractor's identification of land requirements may occur in later stages of Project implementation and design finalization. These changes may impact the provided preliminary figures (e.g., number of persons affected, amount of land acquired, etc.) in the RP. The figures will therefore need finalization in conjunction with final design. If revisions in technical design cause different or additional impacts, the RP will be revised as follows:

- Any new impacts should be assessed, as should any new potential for involuntary resettlement (IR). The RP should be updated in line with this assessment and any additional or revised mitigation measures should be described. The revised RP should be again endorsed by the Borrower/Client (BC), again disclosed to affected persons (APs) and then sent to the ADB again for review and approval, and subsequently the updated RP must be again uploaded to the ADB website
- AP should be consulted, and compensation and livelihood support measures agreed in accordance with the entitlement matrix in the approved draft RP
- The Borrower/Client will be required during RP implementation to provide quarterly reports to ADB on the progress of resettlement activities, and design changes with consequent IR impacts should be among the points covered in these reports

## 6.2 Eligibility

Eligibility will be determined with regards to the cut-off date, which is taken to be the final date of DMS survey (21 June 2022 in Dak Cheung District and 18 June 2022 in Sanxay District) is completed after the Compensation Committee informs the public about the location of the Project components. The PAPs will be duly informed of the cut-off date by the Provincial Compensation Committee. Any persons who encroach on the proposed Project area after the cut-off date will not be entitled to compensation and assistance under the Project, provided the cut-off date has been clearly established and made public.

Households under the followings are eligible for compensation from the Project:

- persons with formal legal rights to land lost in its entirety or in part;



- persons who lost the land they occupy in its entirety or in part who have no formal legal rights to such land, but who have claims to such lands that are recognized or recognizable under national laws; and
- persons who lost the land they occupy in its entirety or in part who have neither formal legal rights nor recognized or recognizable claims to such land. The involuntary resettlement requirements apply to all three types of displaced persons.

In accordance with the Lao Law, PAPs living in rural or remote areas, or PAPs in urban areas who do not have proof of land use rights and who have no other land in other places, will be compensated for their lost rights to used land and for their assets at replacement costs and other additional assistance.

If after the DMS and during construction when additional adverse social impacts are identified and/or additional PAPs are found, they are also entitled to receive Project entitlements as the other on condition that it can be ascertained that they have actually been in the Project corridor of impacts even before the cut-off date for eligibility. New APs that will emerge due to changes in the Project design or alignment prior to or even during construction works, they are likewise entitled to the same entitlements as those of the other APs

EPC contractor is responsible to report to the Project on any additional and/or unseen social impacts/land acquisition, including temporary land acquisition. EPC will follow the criteria for identifying appropriate locations for temporary facilities such as worker accommodation, batching plant, spoil disposal site to avoid or minimize economic and socio-cultural impacts on the villages:

- Workers accommodations will be located away from settlements and sacred locations such as ceremonial grounds, cemeteries, burial grounds.
- Temporary roads and disposal areas will not be located on agricultural land, residential land, privately used communal land under use by communities and NTFP areas unless these communal land and NTFP area have already been identified and included in the DMS and covered in this RP.
- All temporary facilities should not be located upstream of any water sources and should not affect the water quality of mountain springs and streams used by the community for their water supply.
- Locations of all temporary facilities will be agreed with the communities, compensated and necessary ceremonial rites and offerings conducted before any use by the EPCC or its subcontractors.

EPC contractor is responsible to report to the Project on any additional and/or unforeseen social impacts/land acquisition, including temporary land acquisition. EPC should follow the criteria for identifying appropriate locations for temporary facilities such as worker accommodation, batching plant, spoil disposal site described above. The Project Owner will be responsible for compensation for the impacts identified during construction - if the impacts are unavoidable, based on the entitlement matrix. The Project Owner will ensure that the aforementioned responsibilities of EPC contractor are specified in the EPC contract.

### 6.3 Cut-Off Date

Eligibility is determined with regards to the “cut-off date”, which will be the final day of the detailed measurement survey (DMS) of the Project. The Project conducted DMS between 17 May to 21 June 2022 in Dak Cheung District and 14-18 June 2022 in Sanxay District. Therefore, the cut-off date for Dak Cheung District is 21 June 2022 and 18 June 2022 for Sanxay District. All APs identified as of the cut-off date will be entitled to compensation for affected assets, and rehabilitation measures sufficient to assist them to improve or at least maintain their pre-project living standards, income-earning capacity and production levels. The information about cut-off date has been informed to PAPs orally during the DMS. According to IEAD, the official letter regarding cut-off date will be prepared by the Compensation Committee and disseminated through the project area by end of August. Those who encroach into the

subproject area after the cut-off date will not be entitled to compensation or any other assistance unless there has been a change in subproject design.

## 6.4 Entitlement

Based on the eligibility criteria as defined in **Section 5.2**, entitlements are a range of measures comprising compensation, assistance, income and livelihood restoration, etc., depending on the type and severity of their losses. These measures are designed to improve or at least restore their living conditions to pre-project levels. The entitlements have been determined in conformance with Lenders' requirements including ADB, DEG, JICA, FMO and AIIB on entitlements.

*"The borrower/client will provide adequate and appropriate replacement land and structures or cash compensation at full replacement cost for lost land and structures, adequate compensation for partially damaged structures, and relocation assistance, if applicable, to those persons described in para. 7(i) and 7(ii) prior to their relocation. For those persons described in para. 7(iii), the borrower/client will compensate them for the loss of assets other than land, such as dwellings, and also for other improvements to the land, at full replacement cost. The entitlements of those under para. 7(iii) is given only if they occupied the land or structures in the project area prior to the cut-off date for eligibility for resettlement assistance."*<sup>43</sup>

### 6.4.1 Entitlement Matrix

Entitlement matrix sets out the entitlements for different types of losses, rehabilitation measures and eligible AHs. The Project entitlements have been designed to provide compensation for lost assets and restore or enhance the livelihoods of all categories of affected people, including legal and non-legal land users/owners. For those households entitled to compensation and opting for cash rather than replacement land (land will be evaluated and compensated separately from non-land assets attached to the land such as crops or structure), payments will be made into a bank account in the joint name of husband and wife where it is joint property, even if the name on the title or land use certificate or land tax document is in the name of the household head only. The Project will assist PAPs with setting up bank account in the case PAPs who do not have a bank account and provide financial literacy regarding banking system to PAPs prior to compensation is deposited to their bank accounts. The matrix reflects:

- Type of Loss/ Impact
- Eligible Person/ Entity
- Types of entitlement
- Compensation
- Additional Allowances and Livelihood Restoration
- Implementation Considerations
- **Table 6-1** presents the draft eligibility and entitlement matrix, this entitlement matrix will need to be confirmed with relevant governmental authorities and disclosed to PAPs.

<sup>43</sup> ADB Safeguard Requirement 2: Involuntary Resettlement. <https://www.adb.org/sites/default/files/institutional-document/32056/safeguard-policy-statement-june2009.pdf> p. 45

**Table 6-1: Eligibility and Entitlement Matrix**

Item	Type of Loss	Entitled Persons/Entity	Compensation Policy	Additional Allowance and Livelihood Restoration	Implementation Considerations
<b>1. Loss of Agricultural Land</b>					
1.1	Permanent marginal loss of agricultural land (less than 10% of total productive assets) (including land requirement for towers of overhead TL)	<ul style="list-style-type: none"> <li>■ Owners with legal titles to the land; or</li> <li>■ be eligible to have land legal titles allocated as regulated by the Land Law<sup>44</sup> or</li> <li>■ have claims to such lands that are recognized or recognizable under national laws</li> <li>■ or land use certificates</li> </ul>	<ul style="list-style-type: none"> <li>■ Cash compensation at full replacement cost, unless land-for-land compensation is preferred <ul style="list-style-type: none"> <li>- For those opting for cash compensation, payments are made into a bank account in the joint names of husband and wife wherever possible. The project will assist in setting up accounts for those households without bank accounts.</li> </ul> </li> <li>■ All replacement lands to be surveyed for UXO on a sample base and UXO clearance if identified; UXO awareness program will be implemented.</li> <li>■ For replacement land, land titles will be provided with all related costs borne by the Project</li> </ul>	Livelihood restoration programs described in <b>Section 6</b>	<ul style="list-style-type: none"> <li>■ PAPs with booking land ownership who pay taxes to the village authority and are able to provide such evidence such as land tax receipt etc. will be considered as having claim to such lands that are recognized under the national laws, and therefore are eligible for compensation for land. Whilst the booking land owners with no evidence of ownership to land (e.g. land tax receipt) <b>will not</b> be compensated for land, but will be compensated for non-land assets, as described in item 1.3 in this table.</li> <li>■ Vulnerable households, including those headed by women identified by HH socio-economic survey</li> <li>■ All transaction fees, taxes and other costs associated with re-issuance of land certificates of unaffected land and allocation of replacement land with title or secure tenure will be paid by the Project.</li> <li>■ If the head of household is married, the title or land certificate will be issued in the names of both spouses.</li> <li>■ If the land owners opt for cash compensation, the amount will be paid</li> </ul>

<sup>44</sup> Legal users include individuals, households or organizations with recognized land use rights evidenced by (i) documents such as a registered land title/certificate, survey certificates, land tax receipts, residency certificates and documents supporting customary land use rights; or, (ii) having applied for and awaiting receipt of recognized land use rights documents, e.g., registered Land Title. Legal users also include (iii) unregistered users that have written permission of village authorities to occupy and/or use land.

Item	Type of Loss	Entitled Persons/Entity	Compensation Policy	Additional Allowance and Livelihood Restoration	Implementation Considerations
					<p>into a bank account in the name of both spouses where land is jointly claimed</p> <ul style="list-style-type: none"> <li>■ It is recommended to have more meaningful consultations with PAPs to facilitate them to better understand that provision of cash compensation alone would not result in sustainable livelihood – they will need to also participate in financial literacy programs and LRP provided by the Project.</li> </ul>
1.2	Permanent significant loss of agricultural land (loss of 10% or more of total productive assets) (including land requirement for towers of overhead TL)	<ul style="list-style-type: none"> <li>■ Owners with legal titles to the land; or</li> <li>■ be eligible to have land legal titles allocated as regulated by the Land Law or</li> <li>■ have claims to such lands that are recognized or recognizable under national laws; or</li> <li>■ land use certificates</li> </ul>	<ul style="list-style-type: none"> <li>■ Land for land compensation (where feasible) will be a priority for significantly affected HHs or cash compensation at replacement cost for the affected area <ul style="list-style-type: none"> <li>- For those opting for cash compensation, payments are made into a bank account in the joint names of husband and wife wherever possible. The project will assist in setting up accounts for those households without bank accounts.</li> </ul> </li> <li>■ All replacement lands to be surveyed for UXO on a sample base and UXO clearance if identified; UXO awareness program will be implemented.</li> <li>■ For replacement land, land titles will be provided with all related costs borne by the Project</li> </ul>	Livelihood restoration programs described in <b>Section 6</b>	<ul style="list-style-type: none"> <li>■ PAPs with booking land ownership who pay taxes to the village authority and are able to provide such evidence such as land tax receipt etc. will be considered as having claim to such lands that are recognized under the national laws, and therefore are eligible for compensation for land. Whilst the booking land owners with no evidence of ownership to land (e.g., land tax receipt) will not be compensated for land, but will be compensated for non-land assets, as described in item 1.3 in this table</li> <li>■ PAPs may request the Project to acquire the entire land holding if the remaining land is not viable.</li> <li>■ Vulnerable households, including those headed by women identified by HH socio-economic survey</li> <li>■ Affected households with remaining land (i.e. with land titles, land use certificates and legalizable booking land with land tax as recorded in the DMS) will be assisted in the issuance of land certificates of unaffected land. All transaction fees,</li> </ul>

Item	Type of Loss	Entitled Persons/Entity	Compensation Policy	Additional Allowance and Livelihood Restoration	Implementation Considerations
			<ul style="list-style-type: none"> <li>■ The remaining land will be acquired by the Project if it is no longer viable after acquisition</li> </ul>		<p>taxes and other costs associated with issuance of land certificates for remaining legalizable land and allocation of replacement land with title or secure tenure will be paid by the Project.</p> <ul style="list-style-type: none"> <li>■ If the head of household is married, the title or land certificate will be issued in the names of both spouses.</li> <li>■ If the land owner/s opt for cash compensation, the amount will be paid into a bank account in the names of both spouses</li> <li>■ It is recommended to have more meaningful consultations with PAPs to facilitate them to better understand that provision of cash compensation alone would not result in sustainable livelihood – they will need to also participate in financial literacy programs and LRP provided by the Project.</li> <li>■ In the event that an agricultural land plot provided by way of compensation is distant from the dwelling of the PAP, the Company shall provide financial or material compensation so as to facilitate access to the land plot by the concerned PAP for a period of 10 years.</li> </ul>
1.3	Permanent loss of agricultural land	Displaced persons without legal titles <sup>45</sup>	<ul style="list-style-type: none"> <li>■ Compensation at full replacement cost for non-land assets</li> </ul>	Livelihood restoration programs described in <b>Section 6</b>	<ul style="list-style-type: none"> <li>■ PAPs with booking land ownership who pay taxes to the village authority and are able to provide such evidence such as land tax receipt etc. will be considered as having claim to such lands that are recognized under the national laws, and</li> </ul>

<sup>45</sup> Non-legal users include individuals, households or organizations without legal, possessory or recognized or recognizable land use rights.



Item	Type of Loss	Entitled Persons/Entity	Compensation Policy	Additional Allowance and Livelihood Restoration	Implementation Considerations
					<p>therefore are eligible for compensation for land, as described in Item 1.1 and Item 1.2 . Whilst the booking land owners with no evidence of ownership to land (e.g. land tax receipt) will not be compensated for land.</p> <ul style="list-style-type: none"> <li>■ Affected households with remaining legalizable land (i.e. booking land with land tax as recorded in the DMS) will be assisted in the issuance of land certificates of unaffected land.</li> <li>■ Vulnerable households, including those headed by women identified by HH socio-economic survey</li> </ul>
1.4	Temporary loss of agricultural land (including loss of agricultural land within the ROW of the transmission line)	<ul style="list-style-type: none"> <li>■ Owners with legal titles to the land</li> <li>■ be eligible to have land legal titles allocated as regulated by the Land Law</li> <li>■ have claims to such lands that are recognized or recognizable under national laws</li> </ul>	<ul style="list-style-type: none"> <li>■ For private landholdings, provision of compensation for the duration of temporary acquisition i.e. the Project construction period is assumed 3 years.</li> <li>■ Land used temporarily will be returned to users after being restored to the original condition or preferably after being rehabilitated to better conditions</li> </ul>	<ul style="list-style-type: none"> <li>■ If use of the productive land represents AH's primary source of income, AHs will also be entitled to participation in the livelihood restoration program</li> </ul>	<p>Temporary land acquisition is necessary for the full ROW during the first year to allow clearance of trees and other assets, in the years following tower installation and stringing, temporary impacts will be limited to construction land around towers and the access track.</p> <p>After the first compensation, the remaining compensations will be made regularly during the harvest season to compensate for income loss from harvesting.</p>
1.5	Community forest within ROW of the transmission line	<ul style="list-style-type: none"> <li>■ Villages, village authorities, mass organizations</li> </ul>	<ul style="list-style-type: none"> <li>■ For community forest land, the project will compensate land-for-land or easement fee will be paid on a kilometer basis to each village the transmission line passes through nearby forest. Community forests are usually zoned by the village into 3 types: (i) conservation</li> </ul>	NA	<p>For Type (i) conservation forest and (ii) protection forests, offset strategy will be implemented (Refer to <b>Biodiversity Action Plan</b>)</p> <p>For Type (iii) production forests i.e., forest areas designated for supply of wood and NTFPs refer to item 5.5 and 5.6 of this Table.</p>

Item	Type of Loss	Entitled Persons/Entity	Compensation Policy	Additional Allowance and Livelihood Restoration	Implementation Considerations
1.6	Forest land and land for perennial trees within ROW	<ul style="list-style-type: none"> <li>■ Owners with legal titles to the land</li> <li>■ be eligible to have land legal titles allocated as regulated by the Land Law</li> <li>■ have claims to such lands that are recognized or recognizable under national laws</li> </ul>	<p>forest, (ii) protection forest, and (iii) production forest.</p> <ul style="list-style-type: none"> <li>■ Forest land and land for perennial trees within ROW are not compensated, but the affected land is entitled to assistance for restriction on land use, equal to 30% of compensation amount of the affected land for loss of access..</li> <li>■ If such land under the TL is not allowed to be used after land acquisition, 100% of compensation amount will be paid.</li> </ul>	Affected households will be assisted under the LRP to shift from tree crops to seasonal, annual or multi-year crops which will grow within the height cap.	<p>It is expected that land will be temporarily affected for 3 years as per construction phase. After the TL is installed and for the duration of the design life of the TL, there are limitations of use for production and timber tree plantations therefore, an annual easement fee will be negotiated and compensated as a lump sum for community and privately owned land currently used for such plantations.</p> <p>As per the Forest Law 2019, plantation and planted trees in designated areas by individuals, using their own labour and fund are legally recognized, and shall become property of the planters. Owners will be able to keep the cut wood in case of loss of standing trees, crops, or industrial trees with customary rights.</p>

## 2. Loss of Residential Land or Shelter (Not Residential Land affected but entitlements added in case of unanticipated impacts)

2.1	Loss of Residential Land With or Without Houses/Structures (Marginal Loss)	<ul style="list-style-type: none"> <li>■ Owners with legal titles to the land</li> <li>■ be eligible to have land legal titles allocated as regulated by the Land Law</li> <li>■ have claims to such lands that are recognized or recognizable under national laws</li> </ul>	<p>Marginal loss of land with remaining land sufficient to rebuild houses/structures will be compensated by:</p> <p>Cash compensation at full replacement cost (free from transaction costs e.g., taxes, administration fees).</p> <p>Cash compensation for the works required to prepare land for construction. (e.g., land filling and levelling), to facilitate</p>	Assistance for issuance or renewal or amendment of land titles and/or upgrade of land use certificate to land titles for the affected land plot (in the names of both husband and wife)	<p>Viability of remaining land is based on technical assessment by a third party with the endorsement of ADB. If remaining land is not viable to rebuild, APs may request the Project to acquire the entire land holding</p> <ul style="list-style-type: none"> <li>■ All affected households with remaining land with title or land use certificate or remaining legalizable land (i.e. booking land with land tax as recorded in the DMS) will be assisted in the issuance/re-</li> </ul>
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Item	Type of Loss	Entitled Persons/Entity	Compensation Policy	Additional Allowance and Livelihood Restoration	Implementation Considerations
			APs to rebuild on remaining land		<p>issuance of land certificates of unaffected land.</p> <ul style="list-style-type: none"> <li>All transaction fees, taxes and other costs associated with issuance of land certificates for remaining legally owned land legalizable land and allocation of replacement land with title or secure tenure will be paid by the Project.</li> </ul>
2.2	Loss of Residential Land With or Without Houses/Structures (Significant Loss)	<ul style="list-style-type: none"> <li>Owners with legal titles to the land</li> <li>be eligible to have land legal titles allocated as regulated by the Land Law</li> <li>have claims to such lands that are recognized or recognizable under national laws</li> </ul>	<p>Remaining land is not sufficient to rebuild houses/structures will be compensated by:</p> <ul style="list-style-type: none"> <li>replacement land equivalent in area, type and category of the lost land, without charge for taxes, registration and land transfer fees, with security of tenure (i.e. land title or land documentation of equal or higher status than previously held). Land doc; or</li> <li>Cash compensation at full replacement cost.</li> </ul>	Assistance to purchase and register replacement land	<p>Viability of remaining land is based on technical assessment by a third party with the endorsement of ADB. If remaining land is not viable to rebuild, APs may request the Project to acquire the entire land holding</p>
2.3	Houses and Structures	<ul style="list-style-type: none"> <li>Owner of houses/structures, regardless of tenure status</li> </ul>	Cash compensation for affected part of the structure at replacement cost	<p>Allowance to cover repair cost of the remaining structure (covering labour, materials, and other related costs)</p> <p>Allowance to cover the expense of relocation and</p>	<p>The Project will be responsible for the cost of dismantling either to the structure owners in the case the owners dismantle the structure themselves or to a third party in the case the owners are not capable or not unwilling to dismantle such structures.</p>

Item	Type of Loss	Entitled Persons/Entity	Compensation Policy	Additional Allowance and Livelihood Restoration	Implementation Considerations
				loss of income during the transfer	
2.4	Houses and Structures	■ Tenant and lease holder	First, the lease agreement will be reviewed to identify whether the lease agreement between the two parties cover this issue e.g., the house owner pay back the remaining value of the lease holder, in case of the lease agreement is terminated in advance due to acquisition. If not, the Project will then provide cash compensation to tenant or lease holder.	Assistance to find new place to rent Materials transport allowance to new location Allowance to cover the expense of relocation and loss of income during the transfer	<i>No tenants or lease holders have been identified as a result of DMS.</i>

### 3. Loss of Crops and Trees<sup>46</sup>

3.1	Loss crops and trees	Persons/households whose crops (seasonal/annual/perennial) and trees are affected by the Project	<ul style="list-style-type: none"> <li>■ For affected trees, cash compensation at market rate in the locality (Dakcheung district and Sanxay District)</li> <li>■ Cash compensation for perennial crops and fruit bearing trees based on annual net product market value multiplied by 5 years</li> <li>■ For timber trees, cash compensation at replacement cost equal to current market prices based on types, age and diameter at breast height of trees.</li> </ul>	Livelihood restoration programs described in <b>Section 6</b>	Owners will be able to keep the cut wood in case of loss of standing trees, crops, or industrial trees with customary rights
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<sup>46</sup> Different crops and trees will be compensated according to the approved unit rates by Sekong and Attapeu Compensation Committee. Refer to **Appendix D** for approved unit rates for Sekong and **Appendix J** for approved unit rates for Attapeu.

Item	Type of Loss	Entitled Persons/Entity	Compensation Policy	Additional Allowance and Livelihood Restoration	Implementation Considerations
			<ul style="list-style-type: none"> <li>■ Notice to harvest annual and seasonal crops, if possible 30-60 days before use by the EPCC or its subcontractors.</li> <li>■ For annual crops that cannot be harvested, cash compensation equivalent to current market prices times the average yield/crop calculated over the past three (3) years.</li> </ul>		
<b>4. Vulnerable Households</b>					
4.1	Vulnerable households	Households that are categorised under the vulnerable criteria	<ul style="list-style-type: none"> <li>■ Land-for-land option will be a guaranteed option for vulnerable displaced persons.</li> <li>■ Transitional support (<b>Section 6.9</b>) will be provided for vulnerable households on case-by-case basis.</li> </ul>	Livelihood restoration programs described in <b>Section 6</b> will assist the vulnerable households with a target to improve status to at least national minimum standards Vulnerable households will have priority in any employment required for the project.	Vulnerable households, including those headed by women identified by socio-economic HH survey <ul style="list-style-type: none"> <li>■ Land title will go to both husband and wife.</li> </ul>
<b>5. Other Losses</b>					
5.1	Temporary loss of access or Impacts during construction activities	<ul style="list-style-type: none"> <li>■ Owners with legal titles to the land</li> <li>■ be eligible to have land legal titles allocated as</li> </ul>	<ul style="list-style-type: none"> <li>■ The contractor will pay at full replacement cost for any impact on crops, structures or water</li> </ul>	NA	During Project planning, the Project to consult with village heads to avoid restriction of access during Project construction and operation where possible



Item	Type of Loss	Entitled Persons/Entity	Compensation Policy	Additional Allowance and Livelihood Restoration	Implementation Considerations
		<p>regulated by the Land Law</p> <ul style="list-style-type: none"> <li>■ have claims to such lands that are recognized or recognizable under national laws</li> <li>■ Persons without legal titles</li> </ul>	<p>supply systems resulting from movement of machineries and construction materials or pollution or soil erosion caused by construction activities</p> <ul style="list-style-type: none"> <li>■ Land used temporarily will be returned to users after being restored to the original condition or preferably after being rehabilitated to better conditions</li> <li>■ Provision of temporary access where possible or land rental at market rate</li> </ul>		
5.2	Permanent Loss of Livelihood/source of income	Agricultural labourers, non-agricultural labourers and employees permanently affected by the Project, NTFP collectors	<ul style="list-style-type: none"> <li>■ Assistance for lost income based on 3 months' lost income or minimum wage rates.</li> <li>■ Additional compensation for vulnerable households</li> </ul>	<p>Livelihood restoration programs described in <b>Section 6</b>. If poor and vulnerable, <b>they will be</b> assisted with a target to improve status to at least national minimum standards</p> <ul style="list-style-type: none"> <li>■ Priority to participate in Project employment opportunities.</li> </ul>	Additional compensation for vulnerable households
5.3	Temporary Loss of Livelihood/Source of income	Agricultural labourers, non-agricultural labourers and employees temporarily affected by the Project, NTFP collectors	<ul style="list-style-type: none"> <li>■ For construction activities involving unavoidable livelihood disruption, compensation for lost income or a transitional allowance for the period of disruption, whichever greater</li> </ul>	<p>Livelihood restoration programs described in <b>Section 6</b></p> <ul style="list-style-type: none"> <li>■ Assistance to mobile</li> </ul>	<ul style="list-style-type: none"> <li>■ Contractor's actions must ensure there is no income/access loss through provision of access etc.</li> </ul>

Item	Type of Loss	Entitled Persons/Entity	Compensation Policy	Additional Allowance and Livelihood Restoration	Implementation Considerations
			<ul style="list-style-type: none"> <li>Restoration of affected land, structure, utilities, common property resources</li> </ul>	vendors/hawkers to temporarily shift for continued economic activity.	
5.4	Loss of common property resources (Affected buildings and structures, community resources such as streams, grazing land, fishponds)	Villages, village authorities, mass organizations	<ul style="list-style-type: none"> <li>Affected buildings and structures will be restored to original or better condition in the case of damage as a result of project activities.</li> <li>Community resources such as streams, grazing land, fishponds require rehabilitation in the event of damage to original or better condition</li> </ul>	NA	EPC Contractor's Environmental and Social Manager will closely monitor ESMP implementation (restoration, replacement, rehabilitation), and details will be reported through semi-annual safeguards monitoring reports
5.5	Loss of communal land	Affected villages	<p>The project will follow principle of land for land where affected livelihoods are land based:</p> <ul style="list-style-type: none"> <li>Communal land designated as replacement community production forest will be replaced with production forest with similar features</li> <li>Communal land used as NTFP collection area will be replaced with replacement NTFP collection area</li> <li>Other type of community land under use which is acquired by the Project (e.g., grazing land) should be consulted with the community and compensated in a way acceptable to the community as a whole.</li> </ul>	Livelihood Restoration Plan	<p>Communal lands under use by individual households for agricultural purposes will follow the compensation policy for legalizable land. Communal land used for agricultural purposes with no evidence of tax payment will not receive compensation for land.</p> <p>Affected villages will be assisted to find replacement land to be designated as community production forest and replacement NTFP collection area.</p>

Item	Type of Loss	Entitled Persons/Entity	Compensation Policy	Additional Allowance and Livelihood Restoration	Implementation Considerations
5.6	Loss of NTFP collection areas	Affected villages	<ul style="list-style-type: none"> <li>■ Replacement NTFP collection areas</li> </ul>	Livelihood Restoration Plan	Affected villages will be assisted to find replacement land to be designated as replacement NTFP collection area and formal allocation to respective villages in collaboration with relevant government authorities
5.7	Unforeseen Impacts	To be confirmed	<ul style="list-style-type: none"> <li>■ In case of any additional impacts identified during implementation, appropriate entitlement measures would be included</li> </ul>	To be confirmed	To be confirmed

## 6.5 Compensation and Valuation Methodology

The following section present the methodology for determining compensation unit rates and approved compensation unit rates for Sekong and Attapeu.

### 6.5.1 Methodology for Determining Unit Rates for Different Types of Assets

**Figure 6-1** presents the principle and methodologies for valuation and determining compensation unit rate. The compensation unit rates were based on the followings:

- Compensation unit rates approved for previous projects— No.74/Sakong Governor (2018) for Sekong Province and compensation unit rates for 500 kV transmission line of Nam Kong HPP (2019) for Attapeu.
- Based on actual market/local price at each village available and comparison to land prices data from the land office, crops and trees prices data from Agriculture office, and structure/building prices are from Public Works and Transport office
- Feedback from the affected HHs on the compensation unit rates through consultation with village heads or representatives as detailed in **Section 8.5.1**. It was noted during the consultation with Provincial and District authorities on 18 July 2022 that this was the approach that the authorities used for market price survey and take into consideration of determining compensation unit rates
- As outlined in Principles in **Section 6.1** and Entitlement Matrix in **Section 6.4** that all compensation will be based on the principle of full replacement cost (including any fees or taxes, registration or land transfer cost at the time of compensation).
- This RP attempts to compare the Project's compensation rate with other projects ADB-approved resettlement plans in Laos in recent years to validate if the unit rates for the Project are on par with other ADB approved projects.
- **Section 6.5.2** presents detailed compensation unit rate for this Project. Based on the discussion above, the Project has demonstrated that the compensation will be at replacement costs by taking into consideration market price valuation and principle of compensation at full replacement cost. **Table 6-2** presents comparison of the Project 's compensation unit rate to unit rates of other ADB's approved Project in Lao PDR in recent years. It is noted that these ADB approved projects also refer to compensation unit rates determined by the relevant authorities in that respective jurisdiction.

**Table 6-2: Unit Rate Comparison**

Item	Unit	Unit Rates of the Project (LAK)		Unit Rates of Other ADB Approved Project (LAK)			
		Sekong (No.32)	Attapeu(No.601)	Second Greater Mekong Subregion Tourism Infrastructure for Inclusive Growth Project (2020) <sup>47</sup>	Sustainable Rural Infrastructure and Watershed Management Project (2019) <sup>48</sup>	Greater Mekong Subregion Tourism Infrastructure for Inclusive Growth Project (2017) <sup>49</sup>	Nam Ngiep 1 Hydropower Project (2015) <sup>50</sup>
Agricultural land	m <sup>2</sup>	3,500 – 9,000	15,000 - 50,000	20,000	NA	NA	1,200 – 3,500
Paddy land	m <sup>2</sup>	5,000 – 9,000	25,000 - 50,000	NA	6,000	NA	3,000 – 5,000
Garden land	m <sup>2</sup>	3,500	15,000 - 20,000	25,000	2,250	NA	800-1,500
Trees	tree	5,000 – 170,000 <sup>51</sup>	25,000 – 900,000 <sup>52</sup>	NA	30,000	150,000 (mature)	25,000 – 100,000
Banana	tree	100,000 <sup>53</sup>	242,800	150,000	NA	NA	60,000 <sup>54</sup>
Land title renewal	title	NA	NA	5,000,000	NA	NA	NA

<sup>47</sup> [https://www.adb.org/sites/default/files/project-documents/49387/49387-002-remdp-en\\_0.pdf](https://www.adb.org/sites/default/files/project-documents/49387/49387-002-remdp-en_0.pdf)

<sup>48</sup> [50236-002-rp-en\\_1.pdf \(adb.org\)](https://www.adb.org/sites/default/files/project-documents/50236/50236-002-rp-en_1.pdf)

<sup>49</sup> [46293-003-rp-en.pdf \(adb.org\)](https://www.adb.org/sites/default/files/project-documents/46293/46293-003-rp-en.pdf)

<sup>50</sup> <https://www.adb.org/sites/default/files/project-document/81147/41924-014-remdp-01.pdf>

<sup>51</sup> Industrial trees

<sup>52</sup> Industrial trees

<sup>53</sup> 100,000 LAK for one groupd (which consists of more than 5 banana trees)

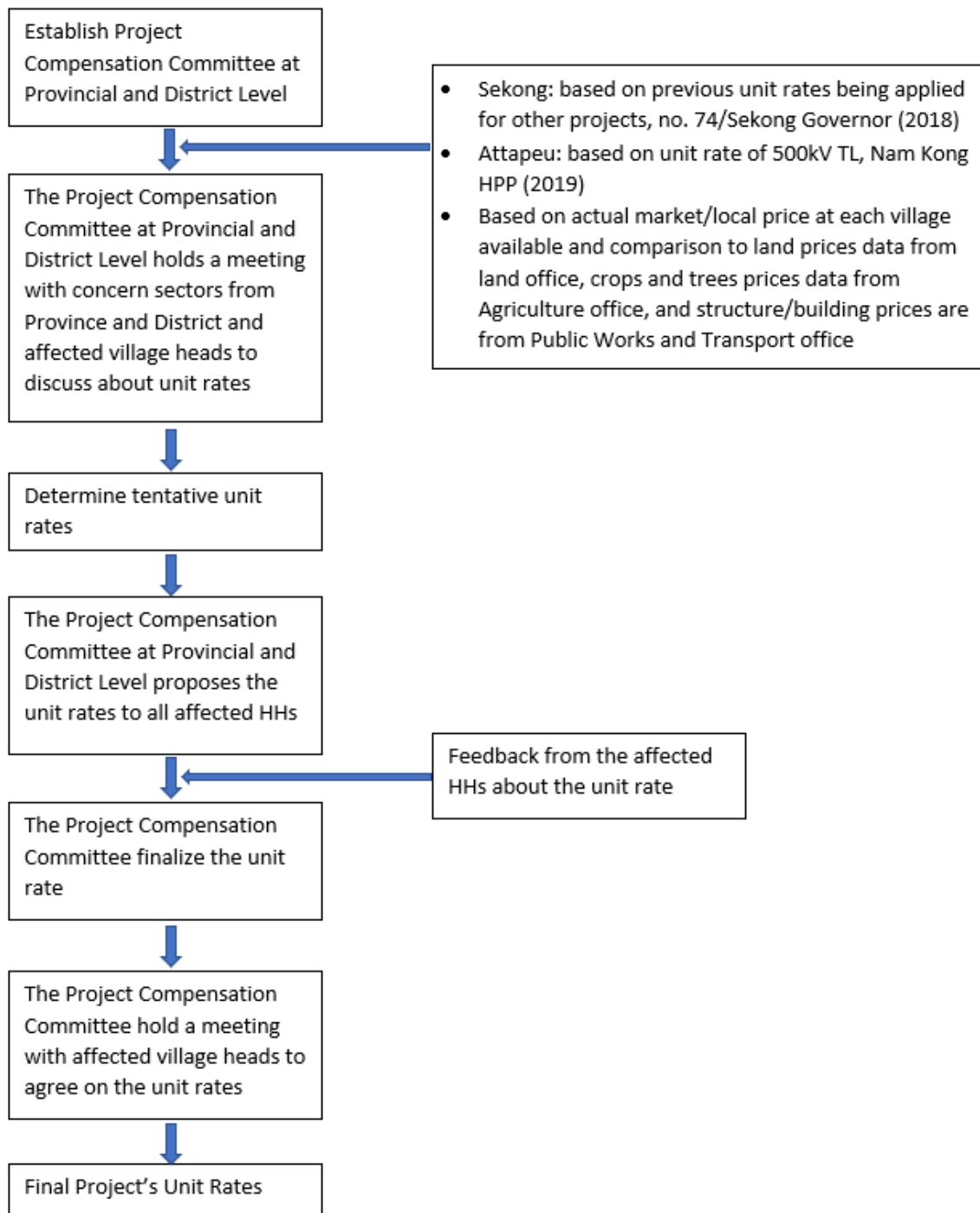
<sup>54</sup> 60,000 LAK per one group (which consists of three banana trees)



Item	Unit	Unit Rates of the Project (LAK)		Unit Rates of Other ADB Approved Project (LAK)			
		Sekong (No.32)	Attapeu(No.601)	Second Greater Mekong Subregion Tourism Infrastructure for Inclusive Growth Project (2020) <sup>47</sup>	Sustainable Rural Infrastructure and Watershed Management Project (2019) <sup>48</sup>	Greater Mekong Subregion Tourism Infrastructure for Inclusive Growth Project (2017) <sup>49</sup>	Nam Ngiep 1 Hydropower Project (2015) <sup>50</sup>
Rice	kg	3,500 <sup>55</sup>	3,500	NA	NA	NA	NA
Cassava	kg	720	800	NA	NA	NA	500
Coffee	tree	15,000 – 80,000	13,200 – 112,000	NA	NA	NA	NA

<sup>55</sup> 3,500 LAK per rice production per ha

**Figure 6-1: Principles and Methodologies for Valuation and Determining Compensation Rates for Affected Land and Assets**



## 6.5.2 Unit Rates

This Section presents approved compensation unit rates for common affected assets including land, crops and structures according to the DMS result and consultations undertaken in July-August 2022. For full translation of compensation unit rates refer to **Appendix D** for Sekong Province and **Appendix J** for Attapeu Province.

### 6.5.2.1 Sekong Province

Notification No. 32 Agreement on the Endorsement of Compensation Unit Rates for the 600 MW Monsoon Wind Farm Project Including 500kV Transmission Line in of Dak Cheung District, Sekong Province of Impact Energy Asia Development Co., Ltd has outlines the compensation unit rates as follows:

**Compensation for cemetery and sacred area:** the compensation of cemetery, sacred forest or Ma He Sak Forest (Lao Name) will be compensated once-off for conducting customs/rituals as follows:

No.	Type	Unit	Compensation Price (LAK)	Remarks
1	Cemetery, Sacred Forest, Ma He Sak Forest (Lao Name)	Village	10,000,000	There are no cemeteries, sacred forests affected.
2	Rituals Regarding Village Traditions	Times/Village	4,000,000	In the case where the project does not affect the cemetery but run through the village
3	Fixing Customs and Graves Outside the Cemetery of the Village	Grave	5,000,000	Graves located at dry season rice field head lowland rice field tail are affected by the development.

## Land Compensation

Type	Land Classification According to the Entitlement Matrix	Impact Type			
		Direct (Permanent)		Indirect (Temporary)	
		Unit (m <sup>2</sup> )	Price/LAK	Unit (m <sup>2</sup> )	Price/LAK
Allocated Residential land <sup>56</sup>	Residential land	1 m <sup>2</sup>	10,000	1 m <sup>2</sup>	2,000
Lowland Rainwater Rice Field Land	Agricultural land	1 m <sup>2</sup>	9,000	1 m <sup>2</sup>	1,000
Old Lowland Rice Field Land	Agricultural land	1 m <sup>2</sup>	5,000	1 m <sup>2</sup>	1,000
Garden Land*	Agricultural land	1 m <sup>2</sup>	3,500	1 m <sup>2</sup>	1,000

<sup>56</sup> Land allocated as residential land by the Laos government; however, there are no residential buildings on these lands identified within the Project development area.

Type	Land Classification According to the Entitlement Matrix	Impact Type			
		Direct (Permanent)		Indirect (Temporary)	
		Unit (m <sup>2</sup> )	Price/LAK	Unit (m <sup>2</sup> )	Price/LAK
Undeveloped Reserved Land Area**	Booking land with evidence of ownership to land (e. g. land tax receipt) with no development on land (i.e., agricultural activities)	Will not be compensated			
Developed Reserved Land Area	Booking land with evidence of ownership to land (e.g. land tax receipt) with development on land (i.e., agricultural activities)	1 m <sup>2</sup>	1,000	1 m <sup>2</sup>	800
Livestock Stable Land	Agricultural land	1 m <sup>2</sup>	3,000	1 m <sup>2</sup>	1,000
Industrial Plants Land (industrial plants listed in No. 32 include, such as Agarwood, Burma padauk, rubber wood, etc.)	Agricultural land	1 m <sup>2</sup>	3,000	1 m <sup>2</sup>	1,000

\* Garden Land includes vegetable garden, cassava, and coffee plantation

\*\*This may subject to the consideration of the Compensation Committee, PAPs may be granted compensation despite no development i.e., agricultural activities.

### Compensation for Structures

No.	Type	Unit	Compensation Price (LAK)	Remarks
1	Grass Thatch Hut, Hear Wood (Lao Name) Wall (Small) 2x3 m	Hut	450,000	Labor costs for moving as the owner can reuse materials
2	Grass Thatch Hut, Hear Wood (Lao Name) Wall (Medium) 4x8 m	Hut	600,000	
3	Zinc Roof Thatch Hut, Aem Paen (Lao Name) (Large) 4x8 m	Hut	900,000	
4	Concrete Mill/Zinc Roof Thatch	m <sup>2</sup>	20,000	After payment, repairment is the owner responsibility.
5	Fence (Barbed Wire)	Meter Long/3 Row	5,000	
6	Mai Kaen Lorn Wood (Lao Name) Wooden Fence Post	Post	10,000	
7	Cement Fence Post	Meter Long	35,000	
8	General Wooden Fence Post	Meter Long	5,000	

**Compensation Unit price for Coffee Tree**

SN	Crops Species	Unit	Does Not Give Product Newly Planted 2 Years or Less	Not Yet Harvested	Large Tree Harvested
1	Arabica/Robusta	Tree/LAK	15,000	35,000	60,000
2	Catimor	Tree/ LAK	15,000	40,000	80,000
3	Old Coffee	Tree/ LAK	15,000		30,000
4	Cardamom	m <sup>2</sup>		5,000	15,000

**Compensation Unit Price for Single Season Lowland Rice Field, Dual Season and Upland Rice Field**

Crops Species		Direct Impact (Permanent)			Indirect Impact (Temporary)		
Wet Season Rice		Product Kg/Year/ha	Unit Rate (LAK/unit)	Compensation Year(s)	Product Kg/Year/ha	Unit Rate (LAK/unit)	Compensation Year(s)
	Sticky Rice	3,500	3,000	3	3,500	3,000	1
	Boiled Rice	3,500	3,500	3	3,500	3,500	1
Dual Season Rice	Sticky Rice	5,000	3,000	3	5,000	3,000	1
	Boiled Rice	5,000	3,500	3	5,000	3,500	1
Upland Rice	Sticky/Boiled	3,000	3,000	3	3,000	3,000	1

Remark: Calculation Method

Calculation = [((Productivity x Rice Field Area) x Rice Price) x Compensation Year(s)]

Example: Mr. A have 0.5 ha wet season rice field.

Calculation = [((3 x 0.5) x 3,000,000) x 3]

Result = 15,750,000 Kip

**Compensation Unit Price on Carbohydrate Type Crops**

Crops Species	Direct Impact (Permanent)			Indirect Impact (Temporary)		
	Product Kg/Year/ha	Compensation Value (LAK/kg)	Compensation Year(s)	Product Kg/Year/ha	Compensation Value (LAK/kg)	Compensation Year(s)
Raw Cassava		720	1		720	1
Corn		10,000	1		10,000	1
Sweet Potato		7,000	1		7,000	1
Taro		6,000	1		6,000	1
White Potato		5,000	1		5,000	1

Remark: Calculation Method = [((Productivity x Field Area) x Compensation value x Year(s)]

For compensation unit rates for fruiting trees, industrial trees, annual crops, and other types of assets, refer to **Appendix D**.



### 6.5.2.2 Attapeu Province

Notification No. 601 Agreement on the Endorsement of the Compensation Unit Price for Land, Structures and Crops for the People who are Affected by the Construction of the 600 MW Monsoon Wind Farm Project, Sanxay District, Attapeu Province outlines the compensation unit rates as follows:

#### Compensation to Land (with land use rights certificate as per Laos Laws)

Type of Land	Location of Land	Land Classification According to the Entitlement Matrix	Permanent Impact (Tower Foundation Area and under the Transmission Corridor) (LAK/m <sup>2</sup> )	Temporary Impact 3 Years Construction Phase (LAK/ m <sup>2</sup> )
Allocated Residential land <sup>57</sup>	District Municipal Area	Residential land	60,000	2,000
	Suburban Area	Residential land	50,000	1,500
	Rural Area	Residential land	30,000	1,000
Agriculture Land	Productive Lowland Rice Field	Agricultural land	50,000	1,000
	Old Lowland Rice Field	Agricultural land	25,000	800
	Upland Field	Agricultural land	25,000	800
	Garden adjacent to connecting road	Agricultural land	20,000	800
	Garden adjacent to alleyway	Agricultural land	15,000	800

#### Compensation Unit Price for Rice

Rice Type	Permanent Impact	Unit Price (LAK/kg)	Temporary Impact (LAK /kg)	Unit Price (LAK /kg)
Wet Season Rice	Compensate 10 Years	3,500	Compensate 03 Years	3,500
Dry Season Rice	Compensate 10 Years	3,500	Compensate 03 Years	3,500
Stable Upland Rice	Compensate 5 Years	3,500	Compensate 01 Years	3,500
Shifting Upland Rice	Compensate 3 Years	3,500	Compensate 01 Years	3,500

#### Remarks (Wet Season, Dry Season Rice)

Productivity: 2.8/ha

- **Permanent Impact Calculation** = Productivity x Affected Area x Unit Price x 10 Years

<sup>57</sup> Allocated Residential land by the Laos government; however, there are no residential buildings on these lands identified within the Project development area.

- **Temporary Impact Calculation** = Productivity x Affected Area x Unit Price x 1 Year
- **Remarks** (Shifting Upland Rice)  
Productivity 2.8/ha  
**Permanent Impact Calculation** = Productivity x Affected Area x Unit Price x 5 Years  
**Temporary Impact Calculation** = Productivity x Affected Area x Unit Price x 1 Year  
**In case of Temporary Impact:**  
If not yet harvested, calculate 100% of that year product. If already harvested, there will be calculation to compensate.

#### Compensation for Cassava

Crop Type	Permanent Impact	Unit Price (LAK/kg)	Temporary Impact (LAK/kg)	Unit Price (LAK/kg)
Cassava	Compensate 10 Years	800	Compensate 01 Years	800

- **Remarks** (Cassava)  
Productivity 30/ha  
**Permanent Impact Calculation** = Productivity x Affected Area x Unit Price x 10 Years (Market Price)

#### Compensation for Coffee

Coffee Type	Robusta (LAK/Tree)	Arabic (LAK/Tree)
Newly Planted (1 Year)	13,200	18,945
Sapling (2 <sup>nd</sup> Year)	98.800	128.670
Yield (3 <sup>rd</sup> Year)	112.000	147.615
Yield (4 <sup>th</sup> Year)	112.000	147.615
Yield (5 <sup>th</sup> Year)	112.000	147.615
Yield (6 <sup>th</sup> Year)	112.000	147.615
Old Coffee	Yield = 30,000	

#### Compensation Unit Price for Structures

Type	Material	Size	Price/LAK	Remarks
<b>Pillar</b>				
Round Pillar	Hardwood	20x400 cm	150,000	Include material, labor and ready-made assemble costs
Round Pillar	Softwood	20x400 cm	100,000	
Pointed Edge Pillar	Hardwood	20x20x400 cm	500,000	
Pointed Edge Pillar	Softwood	20x20x400 cm	300,000	
Ready-Made Cement Pillar		20x20x400 cm	400,000	
Cement Pillar that was poured at site			400,000	

For compensation unit rates for fruiting trees, industrial trees, annual crops, and other types of assets, refer to **Appendix J**.

### 6.5.3 Compensation Budget Estimation

Based on the land acquisition impact presented in **Section 3** and the compensation unit rates presented in **Section 6.3**, the compensation budget is estimated in **Table 6-3**.

**Table 6-3: Compensation Budget Estimation**

Type of Land	Type of Effect	Sekong		Attapeu	
		Area(m <sup>2</sup> )	Compensation Cost (USD)**	Area(m <sup>2</sup> )	Compensation Cost (USD)**
Temporary	Agricultural land (including paddy fields, rice fields, etc.)	1,092,570.00	68,025.97	64,365.00	3,211.03
	Booking land	383,488.00	7,240.81	53,697.00	152.21
	Allocated Residential Land*	42,035.00	5,242.58	-	-
	Agricultural Products	-	548,874.75	-	25,134.04
	Ancillary Structures	-	14,500.22	-	3,722.87
Permanent	Agricultural land (including paddy fields, rice fields, etc.)	210,922.00	52,523.84	30,734.00	41,797.21
	Booking land	18,489.00	492.27	19,732.00	974.37
	Allocated Residential Land*	3,938.00	2,455.72	-	-
	Agricultural Products	-	6,074.27	-	1,485.43
	Ancillary Structures	-	1,745.76	-	399.10
<b>Total</b>			<b>707,176.19</b>		<b>76,876.25</b>

\*This is land allocated as residential land by the Laos government; however, there are no residential buildings on these lands identified within the Project development area.

\*\*Exchange rate as of 21 September 2022 1 USD = 16,036 KIP (Bank of Lao PDR  
<https://www.bol.gov.la/en/ExchangRate>)

## 6.6 Replacement Land

As presented in **Figure 4-1** that 92% (365 HHs) of the PAPs preferred cash compensation, 1% (2 HHs) indicated replacement land as their preferred compensation options, 5% (21 HHs) indicated both replacement land and cash compensation are their preferential compensation and 2% (8 HHs) did not identify their preferred option.

Land for Land is however the preferred strategy of making arrangements for compensation with PAPs, as clearly expressed in GoL Decree No. 84/NA, ADB policy requirements as outlined in **Section 3** and Compensation Principles in **Section 6.1** of this report. Land for land compensation is referred to when an impacted parcel of land is compensated by making available to the PAP a parcel of land of equivalent or better land. For instance, a parcel of paddy rice field impacted by the project can be compensated by making available a replacement parcel of paddy rice field land. Annex C of the CA outlines the principles of land for land compensation as follows:

- Every land plot provided by way of compensation shall be of equivalent or greater size or productive potential to land plots lost to the PAP as a result of the Project.
- In the event compensation in land is provided in respect of more than one land plot, the Company may, with the written agreement of the concerned PAP, cumulate the total land size of the lost plots to create one single plot of equivalent or greater area.
- The Company shall propose one or more land plots to each concerned PAP for their approval and shall provide the necessary facilities so that each such PAP, accompanied by a member of the relevant DWG can visit such plots.
- The consent of a PAP to accept a land plot provided by way of compensation shall be freely made in writing by that PAP and witnessed by: (a) a member of the DWG; and (b) an adult member of the PAP's family, preferably the spouse of head of household.
- In the event that an agricultural land plot provided by way of compensation is distant from the dwelling of the PAP, the Company shall provide financial or material compensation so as to facilitate access to the land plot by the concerned PAP for a period of 10 years.

In addition, as clearly stated in the Entitlement and Eligibility Matrix (**Table 6-1**) that for replacement land, land titles will be provided with all related costs borne by the Project.

In the case that replacement land is not feasible or viable, the Project will demonstrate the effort to identify and secure replacement land for PAPs by:

- Provide information of the potential replacement land that IEAD and relevant authority considered including 1) location (which should not be too far from PAP's residence), 2) quality of such land (should be equal or better productive potential than the land of PAP lost) of replacement land, and 3) Information of current ownership, current land use type (if possible)
- If the replacement land is owned by other communities (i.e., host community), documentation related to consultation with residents and leads of these host communities. Clarify whether the additional involuntary resettlement will be induced by provision of replacement land, if yes, provide related information as much as possible, e.g., impact type (economic and/or physical), number of PAPs, mitigation measures, etc.
- Thereafter, the Project will provide justifications as to why qualified replacement land does not exist or is unaffordable

## 6.7 Compensation in the form of materials

Compensation in the form of materials is referred to when an impacted structures or objects will be compensated with equivalent or of better quantity and quality to those being impacted. For instance, if a well is being impacted, an equivalent quality well will be compensated for. Annex C of the CA outlines the principles of land for land compensation in the forms of materials or in-kind compensation follows:

- Materials provided by way compensation shall be of equivalent or of better quantity and quality to those being compensated.
- The Company shall propose the materials to be provided by way of compensation to each concerned PAP for their approval and shall provide the necessary facilities so that each such PAP, accompanied by a member of the relevant DWG can inspect such materials
- The consent of a PAP to accept materials by way of compensation shall be freely made in writing by that PAP and witnessed by: (a) a member of the DWG; and (b) an adult member of the PAP's family, preferably the spouse of head of household.

## 6.8 Cash Compensation

Payment of cash compensation will be made to bank accounts of PAPs in both husband's and wife's names. If PAPs have no bank account available, the Project will provide assistance to PAPs to open a

bank account; all costs of this procedure will be borne by the company. Training on banking system and financial management will be provided.

All immediate compensation measures (cash or in-kind compensation) will be concluded before the Project takes possession of such land and proceed with any ground activities.

### 6.8.1 Financial Literacy Program

As compensation payments will be deposited via bank accounts of the PAPs which requires dual signature for withdrawal of funds. Many PAPs, considering that they live in remote villages, do not have knowledge on banking system nor have previous experience with banking. Financial Literacy Program will aim at:

- Create better understanding of banking system such as saving account, transaction, deposit, interests, ATM card, etc.
- Create knowledge around financial decision, for example, when PAPs purchase large households items with a monthly payment contract, mobile phone plans, etc. This will facilitate the PAPs to make decision that are suitable to their financial situation
- Create knowledge around financial management. PAPs may receive cash compensation in large amount, therefore it is crucial to provide knowledge on how to plan their finances for the long term to ensure sustainable livelihood.

## 6.9 Transitional Support

Transitional support is provided to the displaced persons when income recovery or livelihood restoration programs cannot be expected at the time of displacement. For example, communities with subsistence livelihoods should be provided with food-based transitional support or in some cases cash support may be provided. If the transition extends beyond the originally intended period, all form of transitional assistance must be extended as well.<sup>58</sup>

If the livelihood restoration programs cannot be expected at the time of displacement, the Project will provide PAPs with:

- Food, rice, and other essential food items, such as cooking oil, salt, high protein items such as meat, eggs and other items.
- Cash support for compensation of electricity, water supply fees, and other public services.
- Transitional support will be provided for vulnerable households on case-by-case basis.

## 6.10 Key Considerations

### 6.10.1 Gender Considerations

#### Box 6-1: Gender

The needs of women affected by involuntary resettlement are likely to be different from those of men, particularly in terms of social support, services, employment, and livelihood. For example, women might face greater difficulty than relocated men in re-establishing markets for home industry produce or small trade items if they are constrained by lack of mobility or illiteracy. Female heads of household are eligible for the same benefits as their male counterparts but they need special attention if, when compared with men, they lack resources, educational qualifications, skills, or work experience.

The underlying causes that have influenced gender dynamics are:

<sup>58</sup> ADB (2012) Involuntary Resettlement Safeguards A Planning and Implementation Good Practice Sourcebook – Draft Working Document



- Unequal property ownership with more likelihood to lesser female land ownership
- Females are more confined to household chores and domestic work
- Females have slightly lower average level of education than men. The average level of education for females is up to year 3-4 of secondary school, while for males it was identified that the average education is year 4-5 of secondary school
- Female-headed households have a significant fewer cultivation land areas and smaller animals holding size.
- As discussed in **Section 5.8.8** that women have less participation in decision-making in the community and political sphere which may have limit their access to common resources. The financial management and decisions with account holding rest with male more than female

### 6.10.1.1 Key Principles

Ensure that gender responsive budgeting is considered in all aspects of project deliverables

Ensure the inclusion and full participation of women in the planning, decision-making, compensation, and monitoring process as a part of any community-level mechanisms that are part of implementation.

Ensure that all compensation entitlements are gender sensitive and inclusive.

Ensure that any compensation payments and/or land replacement titles are made in the name of both husband and wife where joint ownership is confirmed

Ensure the protection of women's rights with regards to ownership of land & property and other land tenure arrangements (de-jure and de-facto), even if their names are not included on land documents;

Develop entitlement options that can derive improved practical benefits for women such as increased income, greater financial security, and more economic rights and opportunities or needs as emerging from consultations; and

Develop mechanisms to ensure collection, analysis, and reporting, of gender-disaggregated data in the monitoring & evaluation process.

### 6.10.1.2 Gender Equity Procedures

The following procedures are recommended to ensure that the gender equity principles are integrated into the implementation process as presented in **Table 6-2**.

**Table 6-4: Process of Gender Equity**

Output and Activities	Gender Mainstreaming Initiatives	Responsibility
Informed Consultation and Participation	Consult separately with women in decision making process Develop targeted awareness materials on the discriminatory practices Ensure that women are included and represented on all decision-making committees. Provide capacity building and support to enable fuller and equal contribution; Time any major consultation activities and initiatives also taking into consideration the time-availability of women.	IEAD
Land Ownership and Titles	Ascertain ownership of affected assets in a manner that is cognizant of the rights of women, eg., de-jure and de-facto claims where both spouses are joint owners and/or users; of the affected asset - both are eligible for compensation;	IEAD and local government authorities
Community Development	Ensure targeted financial literacy initiatives for women while opening bank accounts; Include women members in the community committees;	Implementation Team

Output and Activities	Gender Mainstreaming Initiatives	Responsibility
	<p>Document any intangible community knowledge or skill within women groups as part of the associated initiatives;</p> <p>Ensure women socio economic empowerment</p> <p>Ensure the use of gender-sensitive indicators and gender analysis in baseline studies, monitoring, evaluation, and a project performance system.</p> <p>Ensure inclusion of GAP progress and achievements in the progress, mid-term, and annual reports</p>	
	<p>Ensure equal pay for equal work for women and men for all construction work (including with third party contractors, as far as possible);</p> <p>Announce employment opportunities and recruitment notices widely, targeted at women as well as men.</p> <p>Ensure that basic facilities (separate toilets, clean water) and safety are provided for female as well as male construction workers at construction sites.</p> <p>If local labour is hired, assess the need for provision of adequate day-care for children of workers, based on need.</p> <p>Ensure the childcare facilities for women at work</p> <p>Ensure safeguards through insurance mechanism for women labours</p>	Contractors and other partners

### 6.10.2 Vulnerability

**Section 5.7** presents vulnerable groups applicable to the resettlement which include poor households, households of elderly persons above the age of 65 with no economic support; households with physically and/or mentally disabled; female-headed households with dependents; and households with no land/squatters

#### 6.10.2.1 Measures for Vulnerable Households

Vulnerable groups are addressed in **Table 6-1** whereby replacement land will be first compensation priority, additional allowance for loss of land or structure, priority in any employment required for the project and livelihood restoration program will be provided to impacted vulnerable households. In addition, the following measures will be implemented to address different kind of vulnerabilities:

- Needs of ethnic groups will be analysed and addressed through programs and initiatives as outlined in the Community and ethnic Group Development Plan (CEGDP)
- For PAPs without legal title to land, customary rights to land will be recognized within applicable laws, without request for legal titles for such land, for compensation. Additionally, for replacement land, security of land tenure will be ensured by supporting the GoL in the provision of land titles for replacement land.
- Poor households will be addressed by livelihood restoration programs such as local employment, enhancement of agriculture production and animal husbandry as discussed in **Section 6**.
- If measures outlined above are not sufficient or viable to improve their status to at least national minimum standards, they may receive additional assistance, for example, additional allowance or provision of rice.
- Assistance will be provided to specific type of vulnerabilities. For example, households with health problems, health assistance will be provided by the Project; for households with insufficient labours, extended food support will be provided; for elderly farmers and disabled farmers, support for clearing replacement land will be provided. The Project will assess the needs and potential activities together each household and will coordinate with the education, health, and livelihood teams of the Project to provide sustainable and livelihood improving support.

## 7 LIVELIHOOD RESTORATION PROGRAMS

This section presents the Livelihoods Restoration Plan (LRP) for the Monsoon Windfarm project and approved and implemented by GOL by applicable laws in conjunction with required management plans. The purpose of the LRP is to support 378 households to restore their livelihoods to at least pre-project levels and to complement the delivery of compensation and rehabilitation assistance (as applicable) for those that may potentially sustain economic impacts due to the project's land and natural resource requirements.

### 7.1 Approach

This section provides an overview of the context and principles for livelihood restoration, scopes the strategy and components or measures that will be put in place by Monsoon Windfarm and outlines the implementation mechanisms to enable the LRP to adhere to ADB safeguards and standards. Presently, the LRP is indicative and should be viewed as a guidance document to put in place the process elements that are required to develop the strategy outlined into implementable actions plans in accordance with Livelihood Restoration set out in Concession Agreement-Annex C requirements and the ESMMP.

All household members (**from 378 households**) which also includes the vulnerable households with elderly members of physically displaced and economically displaced households are eligible to access livelihood options under the LRP. Specific provisions (e.g., pension in lieu of LR) is proposed for vulnerable households that are not able to access livelihood options. This provision can be further explored and positioned within CDP theme as well.

The economic displacement and impact of livelihoods suggest that loss of agricultural land and NTFP Collection as the potential Impacts and further concludes that the overall impact to the supply of NTFPs will be negligibly affected. The project shall require further confirmation with standalone assessment to undertake NTFPs needs. The LRP shall include the livelihood prospects, particularly in line with these two specifics on the land based livelihoods and NTFPs.

The approach to Livelihood Restoration is based on the following principles:

- **Self-determination:** Livelihood activities will be open to all members of eligible households and wherever possible, households will be provided with choices so that they can self-determine how their household will best benefit from the offered options.
- **Capacity building:** Livelihood restoration activities will incorporate a capacity building component which will acknowledge different needs, with a focus on gender, vulnerable social groups and intensity of impacts.
- **Partnerships for development:** The Project will ensure that there is sufficient technical and institutional capacity and expertise to plan and implement the livelihood restoration measures, which will necessitate engagement of subject-matter experts and technically qualified implementing agencies.
- **Outcome-oriented:** Each livelihood restoration measure will be conceptualised to deliver the following outcomes: (a) Restoring income levels of affected households to pre-Project levels or better; (b) Increased participation of women; (c) Reduced vulnerability; and (d) Promoting the sustainable use of available land and natural resources.
- **Mitigation:** Mitigation of economic displacement will be considered complete when affected households have received compensation and other assistance and are deemed to have been provided with adequate opportunity to re-establish their livelihoods to at minimum pre-Project levels
- **Governance & Delivery:** Any process should be simplified and transparent and ensure easily understood by the locals with appropriate synergy among various stakeholders.

- **Effective and efficient engagement:** Engagement shall be a continuous process and not mandated just to ensure the pre-requisites

## 7.2 Summary of Livelihood Impacts from the Economic Displacement

Agriculture is the main source of income generating activity in the 32 Villages. The Villagers reported limited agriculture production and market linkages to stimulate the existing agriculture activities.

### Loss of Agriculture Land

Agricultural land will be acquired to accommodate wind turbines, access roads, and the internal 35 and 115kV transmission line. In the Sekong Province, the Project will need to acquire a total of 34.51 ha (affecting 180 households in 19 villages) permanently. In addition, an area of 158.98 ha will be used temporarily during construction (affecting 352 households in 19 villages). There are 173 households in 19 villages that will have their land impacted both permanently and temporarily.

In the Attapeu Province, a total of 4.59 ha will be permanently acquired (affecting 33 households in four villages). In addition, an area of 11.22 ha (affecting 33 households in four villages) will be used temporarily during construction. Of these, 30 households in four villages will be impacted both permanently and temporarily. The affected land was recorded as being used as primary and supplementary sources of livelihood. (Refer to table 8.5.4 ESIA)

The acquisition of land currently used for agricultural purposes will lead to economic displacement, since the land will be (permanently or temporarily) removed from its agricultural use, and unable to generate income for landowners and users. In this sense, the loss of agricultural land will cause economic displacement and impact on livelihoods. Whilst some households will be temporarily impacted, it is highlighted that during this period, the impact on livelihoods will experience a similar impact to those households experiencing permanent acquisition.

### NTFP Collection

Social surveys undertaken confirmed that affected villagers, generally women, collect NTFP from the nearby forests (refer to ESIA **Chapter 7**). Affected villagers are dependent on the collection of NTFP to supplement their livelihoods (e.g. Dok lai, Ling zhi), and other household uses (e.g. firewood, wood for houses, sticks to make brooms depicts the areas where NTFP are collected).

In the Sekong Province, 108.25 ha of forest will be permanently removed, and 421.00 ha will be temporarily acquired, affecting a total of 1,752 households. In the Attapeu Province, a total of 44.80 ha of forest will be permanently removed, and 18.98 ha will be temporarily acquired, affecting 355 households.

Although land is temporarily acquired for the Project, this may result in long-term impacts, as revegetation of the area after removal of the facilities in the area will require time. There is also potential that the clearance of forest may lead to a permanent impact if revegetation is unsuccessful. As outlined in (refer to ESIA **Section 8.4.3.7**) biodiversity offsets are typically required in certain situations to compensate for residual impacts to biodiversity and is the 'last resort option in the mitigation hierarchy'. The biodiversity offset rules for the project are detailed in (refer to ESIA **Section 8.4.3.7**) to achieve no-net-loss.

It is also noted that access to forests is still available and there will be improved access to forest resources associated with construction of access road that leads to **Increased Access to Agricultural Land/Forest**. Given that small, fragmented areas of clearing will be undertaken, instead of larger areas, and new access provided by the Project, the overall impact to the supply of NTFPs will be negligibly affected.

**Table 7-1** presents on the summary of Impacted Entities

**Table 7-1: Summary of Impacted Entities**

Category	Numbers
Number of Surveyed Entities	378 HHs (340 in Sekong & 38 in Attapeu)
Landowners	329 HHs (PAPs with land titles and land tax payment)
Land users	49 HHs (PAPs with booking land)
Economic Displaced Persons (including economic displacement)	378 HHs

### 7.3 Eligibility

Based on the impact outcomes, total of 378 HHs will be the target beneficiaries to the Livelihood Restoration Programs.

**Table 7-2** presented below suggest on the status of livelihood of PAPs

#### 7.3.1 Analysis of Livelihood Restoration Needs

**Table 7-2** presents key livelihood Indicators.

**Table 7-2: Key Livelihood Indicators**

Indicator	Economically Displaced HHs
Number of HHs	378
Main Occupation	Agriculture (46%)
Other Occupation	54%
Average Annual Income	LAK 19,356,584
Income from Agriculture	LAK 8,210,000
Income from Livestock	LAK 13,800,000

#### 7.3.2 DMS Survey and Outcomes

The summary on the livelihood restoration preferences results obtained from DMS Survey suggest the following priorities from the project affected persons (PAPs):

##### **Dak Cheung District, Sekong Province**

DMS survey suggest that 71% of PAPs have access to electricity in Dak Cheung District and 97% have access to electricity in Sanxay district.

45% Of PAPs prefer Agriculture & Husbandry Training

43%% Of PAPs prefer Education and Sponsorship Support

36% Of PAPs prefer Clean Water & Sanitation

33% Of PAPs prefer Women & Youth Empowerment Training

11% Of PAPs prefer Nutrition & Support

2% of PAPs prefer other interventions



**Sanxay District, Attapeu Province**

All PAPs have access to the National Electricity System and connected to the National Grid

86% Of PAPs prefer Women & Youth Empowerment Training

81% Of PAPs prefer to receive Clean Water & Sanitation

54%% Of PAPs prefer Education and Sponsorship Support

46% Of PAPs prefer Agriculture & Husbandry Training

5% Of PAPs prefer to receive Nutrition & Support

**7.3.3 Key Concerns and Expectations (PAPs)**

The following table presented suggest the PAPs key concerns and expectation, that is taken into account and shall be supplemented and complement by community development programme in addition to Livelihood restoration programs.

**Table 7-3** presents on the Key Concerns and Expectations from PAPs

**Table 7-3: Key Concerns and Expectations from PAPs**

Villages	Key Concerns	Key Expectations
Representatives from Dak Tiem, Dak Xeng and Xiengluang villages	<ul style="list-style-type: none"> <li>Impacts to agricultural land/rice paddies</li> <li>Safety risks associated with transportation during construction</li> <li>Wastewater and sedimentation from construction activities entering water sources of village</li> <li>Impacts of WTGs during operation to productivity of agricultural land</li> <li>Noise from WTGs</li> <li>Dust from construction</li> </ul>	<ul style="list-style-type: none"> <li>Improvements on healthcare facility and medical supplies</li> <li>Support plantation of fruit trees</li> <li>Support education supplies and sport equipment</li> <li>Ensure roads are not dangerous and that villagers can also use</li> <li>Water supplies and irrigation system</li> <li>Project to comply with Heet-Kong (Heet: long inherited traditions; Kong: social norm, custom or guidelines)</li> <li>Support for poor facilities</li> <li>Scholarship for higher education</li> <li>Livelihood/Occupation/Vocational training</li> <li>Project employment</li> </ul>
Representatives from Prao and Dak Kung villages	<ul style="list-style-type: none"> <li>Concerns about water source due to construction</li> </ul>	<ul style="list-style-type: none"> <li>Village head and villagers to be informed before construction to consider location of camp</li> <li>Ritual to be performed before construction</li> </ul>
Representatives from Dak Terb village	<ul style="list-style-type: none"> <li>Sedimentation entering streams which people depend on for drinking and domestic water sources</li> </ul>	<ul style="list-style-type: none"> <li>Support poor households who do not have income</li> <li>Water supplies and irrigation system</li> <li>Sufficient labour to work on land</li> </ul>
Representatives from Dak Rant and Dak Dor villages	<ul style="list-style-type: none"> <li>Sedimentation entering streams which people depend on for drinking and domestic water sources</li> <li>Agricultural land being affected from internal road</li> <li>Noise and shadow flicker impact</li> <li>Traffic safety</li> <li>Influx of workers</li> </ul>	<ul style="list-style-type: none"> <li>Provide access roads to agricultural land for villagers</li> <li>Vocational training for youth</li> <li>Project employment</li> <li>Livestock raising</li> <li>Budget and training on improvement of vegetable gardens</li> <li>Water supply and irrigation</li> </ul>

Villages	Key Concerns	Key Expectations
		■ Consultation with villagers before Project conducts any activities

## 7.4 Livelihood Restoration Program

This section attempts to develop the diverse range of livelihood options to restore PAPs livelihood to pre-project levels. LRP shall be complemented by the community development programme. LRP will have an emphasis on the income generating (livelihood related) initiatives specifically targeted to total of 378 HHs of PAPs.

Livelihood Restoration includes the following key components:

- Local Employment & Capacity Building (job skills and trainings)
- Agriculture Production Enhancement & Livelihood Improvement
  - Agricultural and Livestock rearing enhancements to upscale agricultural productivity and improve livestock management.
  - Livelihood alternatives within enterprise-based livelihoods and NTFP domestication with agro-pastoral livelihoods will be explored within this component.
  - Linkages with existing organization to conduct deeper dive into the livelihood alternatives is recommended to identify relevant and context specific livelihood alternatives here particularly considering the agricultural aspects (cultivations/productions/NTFP and livestock-based livelihoods)
- Local Procurement of Goods and Services from PAPs
- Women led Home Business/Micro Business Support: To engage local organization to assess the context specific and successful modules on the livelihood schemes for women
- Education Scholarship Assistance

### 7.4.1 Local Employment & Capacity Building

Local Employment & Capacity Building will be guided by the applicable National Laws, Asian Development Bank, company requirements, GIIP and IFC PS2 on labor and working condition. The project shall ensure all aspects of labor including local and migrant workers be guided by the IFC PS 2 on Labor and Working Condition and GIIP and includes E&S Management Frameworks, that integrates the IFC PS2 in the following:

- Labor Content and Influx Management framework
- Workers Camp Management Framework
- Occupational Health and Safety Management Framework.

Worker's health and Safety and working conditions shall be guided by the **IFC PS 2 on Labor and Working Condition** that includes the two main components:

1. *“Recognizes that the pursuit of economic growth through employment creation and income generation should be accompanied by protection of the fundamental<sup>1</sup> rights of workers. For any business, the workforce is an asset, and a sound worker-management relationship is a key ingredient in the sustainability of a company. Failure to establish and foster a sound worker-management relationship can undermine worker commitment and retention and can jeopardize a project. Conversely, through a constructive worker-management relationship, and by treating the workers fairly and providing them with safe and healthy working conditions, clients may create tangible benefits, such as enhancement of the efficiency and productivity of their operations.*

2. *The requirements set out in this Performance Standard have been in part guided by a number of international conventions and instruments, including those of the International Labour Organization (ILO) and the United Nations (UN).<sup>59</sup> IFC PS2*

The project will implement its labor policy in line with National Laws and ensure the objectives of the IFC PS 2 that states the following:

- To promote the fair treatment, non-discrimination, and equal opportunity of workers.
- To establish, maintain, and improve the worker-management relationship.
- To promote compliance with national employment and labor laws.
- To protect workers, including vulnerable categories of workers such as children, migrant workers, workers engaged by third parties, and workers in the client's supply chain.
- To promote safe and healthy working conditions, and the health of workers.
- To avoid the use of forced labor.<sup>60</sup>

The health and safety require a management of influx, specifically in relation to infectious disease risks, and more generally in relation to security, safety, and impacts on local health services; and under the law on labour (No. 021/NA, 2013). This is further established in the labor content and influx management framework.

Health and safety of labors will include but not limited to the following:

- Health and Safety awareness training (Induction)
- Provision of Workers health and accident insurance
- Mandatory first aid orientation training
- Awareness training on the personal health and Hygiene
- To aware workers on the safety working procedures with identification to higher risk areas and mitigation measures to minimize the risk of injury and accidents
- Provision of safety equipment's and clothing at work

It is noted that Project can influence and contribute to both positive and negative working conditions of the locals and migrant workers, therefore the application of IFC PS2 during its implementation, both construction and operation phase, reflects the realities of IFC PS2 and working cultural practises.

#### 7.4.1.1 Rationale

of preferences for local employment and opportunities from the project. The locals have highlighted the potential employment opportunities during the project construction phase and have suggested long term employment sustainability via skill training opportunities that shall create an optimum skilled local for their future employment potentials.

The project shall encourage the local participation and encourage the provision of 70% -80% local participation to the employment purpose.

Based on the project impact assessment, following labour assessment is presented in

<sup>59</sup> Guidance Note 2 Labor and Working Conditions, January 1, 2012

<sup>60</sup> IFC PS 2

**Table 7-4.**

**Table 7-4: Labour Assessment**

	Skilled Labour		Semi-Skilled		Unskilled		Total
	Required	Available	Required	Available	Required	Available	
	500	280 (Migrant worker) 220 (locals)	350	350 locals	150	150 locals	700
At Peak Season		560 (Migrant)					1400

### 7.4.1.2 Objectives

The main objective is to emphasize local employment potential, to which communities foresee this Project as providing income generating employment opportunities that would substantiate their livelihood improvement. The local employment opportunity has the potential to transform and upgrade the livelihoods, however it needs to be complemented by the supplementary saving & credit scheme, where local communities can connect their income to savings and credit funds.

Local employment provides substantial opportunity for the affected people to restore their income and to improve their socio-economic conditions. This income generating opportunity shall extend primarily to the local people from the affected communities with emphasis on social (ethnic minority groups) and economic (poor HH). A detailed labor assessments shall be undertaken during Project implementation to ensure that labor requirements will enable the local communities to access employment opportunities

To promote women and ethnic minority participation, particularly the youth, in alternative livelihoods, including working for local companies, via vocational training that meets market demands and local working population's strengths.

### 7.4.1.3 Eligibility

The local employment will target PAPs as the primary beneficiary eligible to employment and skill-based trainings. The local employment will have a coverage to all 32 villages with the emphasis on vulnerable groups such as women, ethnic minorities, and youth.

To avoid any community conflict or discrepancy eligibility and prioritization criteria will be developed to further local employment opportunity. The eligible and prioritized persons for the local employment will meet the following priority criteria based on the below mentioned category:

- Project Affected Persons (PAPs)
- Ethnic Minority Groups and Poor HHs from 32 Villages
- Women headed HHs and female participation
- Between 18 and 60 years of Age
- Be mentally and physically fit

### 7.4.1.4 Main Project Components and Activities

The PAPs will be able to participate to the short-term project employment for the period of three years. The PAPs will be able to participate to the short-term project employment for the period of three years during project construction and beyond. The direct employment potential from the project shall contribute to reducing the impacts on the loss of livelihoods from the land acquisition.



Some of the key components of the activities are the following:

- Employ local members for construction of facilities (i.e., water facilities, public bathroom, school renovations, etc.)
- Community welfare will be taken into primary consideration
- Equal wages for equal work and timely payment of wages shall be implemented
- There shall be no discrimination, deception, and exploitation of any individuals
- Health and safety awareness induction shall be mandatory and to be taken into serious account
- Safe working procedures shall be practised all times
- First aid kits and trainings will be made available to all workers
- All workers shall be insured against accidents and health issues related to project works
- Gender mainstreaming shall be encouraged at all stages of project works
- Skill trainings shall be part of the labour employment if/when and where applicable to capacitate the local workforce and support any potential employment opportunities within or beyond project concession period.
- Women and Youth Empowerment
- Childcare facility services shall be provisioned where/when appropriate to encourage women participation in local employment opportunities.

#### **7.4.1.5 Capacity Building-Skill Trainings**

identified by the project. In addition to internal employment to project, it will extend to employment potential. This initiative is intended to increase the local capacities in developing the required skills and capacity to expand their employment potentials and increase their probability in obtaining the employment in different sectors.

The local capacity building will be based on various skill-based trainings that may be associated with government endorsed and certifications available at the local level to provide official certification to skill levels. The project will further explore on the capacity building trainings appropriate to the local context and relevant to future employment potentials within and beyond project employment opportunities.

The Capacity building trainings need to be context specific to ensure that it can directly be put to action upon completion of specific capacity building. For example, construction vehicle operators, drivers, welding, electronics, plumbing etc.

Some of the key components of the activities are the following:

- The project shall conduct a preliminary assessment to identify potential capacity building trainings applicable to internal employment and external potentials for future employment of locals
- Youth and women empowerment skill trainings (eg. Wind power related technical requirement to skilled labor)
- DMS survey suggest 731 PAPs in Dak Cheung and 17 PAPs in Sanxay district are interested in obtaining the benefits from this program

### **7.4.2 Agriculture Production Enhancement & Livelihood Improvement**

#### **7.4.2.1 Rationale**

The main livelihoods of those affected identified through the HH socio-economic survey were land-based livelihoods i.e., engagement in agricultural activities including rice farming, coffee and cassava cultivation, livestock, and non-timber forest products (NTFPs) collection. The impact assessment

suggest that the coffee production is one of the primary activities and the main source of income generation. The FGDs with livelihood groups indicate 90% to 100% of the villages are engaged in coffee cultivation (mainly Catimor coffee). Within the surveyed villages, people usually raised animals in large numbers, including both large animals such as buffalos, cows, goats and pigs, and small animals such as poultry. Large animals are released to graze outside the village and in the mountain areas where grass is available. Pigs and poultry are usually raised in the yards around the house. Animal husbandry is mainly for household consumption, performing ceremonies, and annual festivals (i.e., animal offerings) and for welcoming the visit of relatives and village official guests. Approximately ten households practise animal husbandry in large number for sale and is the main income source for the households.

While NTFPs is also an important livelihood both for subsistence and cash income, livelihood programs and measures to address the loss of NTFP collection areas, including the replacement of NTFP collection areas will be managed at the village level.

- This Resettlement Plan will target individual households affected by economic displacement using the following strategy: Agricultural and Livestock enhancements program to upgrade the agricultural and livestock productions
- Livelihood options for income generation from agriculture and agro-forestry-based livelihoods including the NTFPs management

The animal husbandry based on the livestock rearing will assist in building capacity to promote livestock rearing. The capacity building in the rearing livestock will occur via a series of community trainings.

#### 7.4.2.2 Objectives

The overall objective of the Agriculture Production Enhancement and Animal Husbandry program is to integrate land-based livelihoods and, accelerate economic opportunities .so that affected people- are to restore their socio-economic status to pre-project levels in real terms and for poor and vulnerable people to improve their status to at least national minimum standards..

The main objectives include:

- To improve the quality of agriculture- based livelihoods through improved quality and soil improvement techniques with the supply of inputs to agriculture, agricultural production, introduction of agroforestry, other upland crops, NTFP domestication and the processing of outputs - of agriculture-based livelihoods and industrial products, its distribution, marketing, and retailing; and sale.

#### 7.4.2.3 Eligibility

All the PAPs affected by the land acquisition will be eligible to this livelihood restoration program. Significantly affected households and vulnerable households will be prioritized for livelihood restoration program during the first year of RP implementation.

- (i) The first priority will be economically- displaced households and the income loss resulting from affected assets has to be computed for each household to determine the amount of income loss and as target of income restoration for each household and guide the development of income restoration strategy tailored to each of them;
- (ii) Women and vulnerable groups among the economically displaced households will be given priority in income restoration activities;

#### 7.4.2.4 Main Project Components and Activities

The main components of this program shall include the following actions:

- (iii) Livelihood support will cover all livelihood sources including all main crops (coffee, cassava and rice), NTFP collection and processing and off-farm livelihood;
- (iv) Candidate replacement NTFP collection areas will be surveyed with the DAFO to have information of the NTFP collected by men and women, their seasonality, associated habitats, stocking density and collection practices and the survey result will be presented in a meeting and the replacement NTFP collection areas will be identified with the DAFO and local authorities and formally allocated to respective villages;
- (v) Improvement of product quality (through post-harvest handling and grading), market linkages and value-addition processing;
- (vi) At the end of the construction phase, an income restoration survey will be done to determine which households failed to meet their income restoration target and using the result, recalibrate the degree of inputs based on the households' likelihood of meeting the income restoration target; and
- (vii) Livelihood support may be extended to non- affected households once income restoration targets are met
- (viii) Coffee and cassava production and strengthening the local capacities to generate revenue
- (ix) Agriculture-based income generating (alternative and modern agriculture techniques) activities
- (x) Livestock based income generating activities and other programs such as agro-forestry, NTFP domestication, aquaculture, introduction of new upland crops; and
- (xi) Provision of equipment and support infrastructure (e.g. rice and coffee milling equipment, research training center)

Some of aspects of this program include the following components:

- Agroforestry activities that include the linkages with local farmers group
- To improve and strengthen the small holder tree farms in close coordination with the local organization (upon post identifications of the appropriate alternatives with respect to production and market supply)
- Liaise with the local NGO to identify the high value agricultural products
- Encourage the small livestock initiatives (poultry, pigs, goats)
- Explore and identify the areas of potential aquaculture
- Provision of Seedling and fertilizers
- Livestock provision and healthcare/vaccination for livestock
- The project aims to improve the quality of the coffee production and pay a premium price for the coffee, find a sustainable market for it, and adopt a profit-sharing scheme with the farmers
- Coffee Plantation and Processing in collaboration with local authorities
- Make location and method of subsistence farming more effective.
- Provide seeds and livestock for long-term self-consumption.
- Support growing different types of plants that can be commercialized and which have a proven accessible market (e.g., avocados, macadamia nuts, etc.)
- Provide rice and coffee milling equipment
- Build a research/training center with the aim to promote and encourage local entrepreneurship facilitate a workshop/workspace that can be utilized by PAPs to create linkages with local entrepreneurs to undertake testing to any newer productions of food/fruits and combine with the market value and entrepreneurial needs.

- Entrepreneurial training and local capacity building trainings will be positioned with the utilization of research/training facility-workshop space for local farmers/committees and entrepreneurs to built linkages with each other and promote the commercial horizons of the region.
- Enhance or create new skills related to agribusiness for villagers (e.g., coffee cultivation, livestock reproduction, alternative method to slash-and-burn, etc.)
- Enhance quality of products to export to global market
- Entrepreneurial training and capacity building

#### Addressing Impacts on Loss of NTFP Collection areas

- Collection of baseline information on seasonal collection, processing and sale NTFP by men and women in project affected villages,
- Assessment of of potential replacement NTFP collection areas
- Replacement of affected NTFP areas with areas of similar features and formal allocation to respective villages in collaboration with relevant government authorities

### **7.4.3 Local Procurement of Goods and Services from PAPs**

#### **7.4.3.1 Rationale**

It suggests that there shall be potential outcomes on from the employment and establishments of project facilities and office, which may require accommodations, services and opportunities in terms of goods/services from the local business. In this respect, the project can obtain such services and opportunities from PAPs, thus contributing to the income generating capacities of the local, particularly PAPs.

#### **7.4.3.2 Objectives**

This intervention will empower the PAPs in contributing to their income generating capacity. The PAPs can provide various local services, goods to the project and project personnel during the project development and amplify the PAPs income generating trend.

#### **7.4.3.3 Eligibility**

All PAPs will be eligible to participate in this livelihood restoration program.

#### **7.4.3.4 Main Project Components and Activities**

The project components are proposed here with the intent that the project will obtain services and goods from the PAPs. The major components and activities include the following:

- Local accommodation, food consumption
- Various services to the needs and requirements of project developments
- Project site office set up and the local employment (PAPs) to support staffs

### **7.4.4 Women Led Home/Micro Business Support**

#### **7.4.4.1 Rationale**

This initiative will capacitate women PAPs in empowering the income generating activities. In addition, the economic empowerment activities, it will explore relevant and contextual skill that could sustain her livelihood in the potential employment or income generating capacities.

#### 7.4.4.2 Objectives

This program is intended to empower women PAPs to obtain multiple alternatives to income generating opportunities and engage in activities to escalate their income-based livelihood options.

#### 7.4.4.3 Eligibility

All women PAPs will be eligible to participate in this livelihood restoration program and further invest in the women's capacity to generate income via various income-based trainings and modules to facilitate the home-based enterprises and income generating engagement.

#### 7.4.4.4 Main Project Components and Activities

The project components are proposed here with the intent that the Project will engage local organization in the process to assess the ground context and viable options for women-based livelihoods. The major components include the following:

- i) Potential income generating activities based on the outcomes of contextual assessments for the appropriate livelihood options in close coordination and linkages with the local organization (organizational competence in assessing and identifying viable income generating livelihood options)
- ii) home-based income generating activities and
- iii) Women Capacity Building.

Further exploration on the detail home-based enterprises (such as agriculture-based production via greenhouse establishment or kitchen garden approach can be adopted, food production of small home business enterprises) suitable to women's need and local requirement (supply/demand) to explored by the project during its first year of inception to establish and tailor income generating activities based on the demand-supply approach to accelerate the income generating opportunities for women.

Some of the key components of the activities are the following with the emphasis on the capacity building of women in achieving the economic empowerment are as follows:

- Formation of women groups or creating linkages of PAPs to the existing institutional set up in the region.
- Women capacity building through various level of trainings in areas such as entrepreneurial training and capacity building on financial management, account keeping, leadership management, accountability and transparency, conflict management and business-related inductions (accounting, finance and administration, capital management) should include both improvement of business knowledge and facilitation of business setup.
- This program should include the capacity component and income generating finance component in combination to enable women PAPs to amplify and substantiate their income generating capacity at the local level.

### 7.4.5 Education Scholarship Assistance

#### 7.4.5.1 Rationale

This initiative is intended to support the 444 HHs, relevant to the status on the school/college going children to promote education through means of scholarship assistance.

#### 7.4.5.2 Objectives

The education scholarship assistance can provide a substantial economic transformation, particularly even more significant in terms of PAPs where this program can expedite the process of livelihood improvement and provide a sustainable livelihood income in the long term on the basis of education status.



### 7.4.5.3 Eligibility

The PAPs from 378 HHs will be the primary beneficiary and the remaining PAPs.

### 7.4.5.4 Main Project Components and Activities

There will be three major components to this program (i) Annual scholarships to colleges (academic and athletic based scholarships) and (ii) Sponsorship based funding to the most vulnerable and indigent children from PAPs (Kindergarten to 12) and (iii) Disabled Support to the disabled and handicapped children and facilitate learning activities via funding assistance or material support and (iv) Empowering girls to obtain education services and opportunities as equal as boys with various incentive models to HHs (distributing food basket, medical basket or stationeries etc. to HHs that sends girls to school or promotes equity among girls and boys etc.)

## 7.5 Implementation Plan for Livelihood Restoration

The implementation Plan for Livelihood Restoration is guided by the CA 4.15 on the Compensation and Livelihood Restoration and thee Annex C (CA) that entails, “the project shall ensure the correct implementation of specific plan with respect to compensation and livelihood restoration arrangements, as applicable, and shall at all times remain responsible for the performance of its contractors in terms of its discharge its compensation and livelihood restoration obligations.”

The details of the implementation of Livelihood Restoration preparation as defined by CA suggest that it shall be in accordance with CA and shall initiate within the first year of project construction phase.

**Table 7-5** further elaborates on the key components of the Livelihood Restoration.

The livelihood activities shall be supported by the institutional component such as capacity building, trainings and awareness and formation of committees. Furthermore, the livelihood restoration is further supplemented by Community Development Programme and applicable to all PAPs. The subsequent table provides further details on the implementation for Livelihood Restoration.

**Table 7-5** Implementation for Livelihood Restoration

**Table 7-5: Implementation for Livelihood Restoration**

Livelihood Restoration Programs	Implementation Approach	Potential Partners
Local Employment & Capacity Building	Collaboration of Committees from CDP and LRP with ESMO (Joint Committee and Compensation Committee)	<ul style="list-style-type: none"> <li>■ Village Heads, Managers of education institutions in the Project areas.</li> <li>■ Commune PC, local companies.</li> <li>■ contractors and subcontractors.</li> <li>■ Subcontractors and suppliers; and</li> <li>■ Other businesses.</li> </ul>
Agriculture Production Enhancement and Animal Husbandry	Department of Agriculture and Forestry & ESMO	<ul style="list-style-type: none"> <li>■ Village Heads, local mass organizations, women's unions existing local groups and committees</li> <li>■ Agricultural Agencies (Government and Non-Government)</li> </ul>
Women Led Home Business/Micro Business Support	Synergy with IFAD and internal women associations and committees	<ul style="list-style-type: none"> <li>■ Village support and husband support.</li> <li>■ Local mass organizations, women's unions</li> <li>■ existing local groups and clubs.</li> <li>■ Consultants and/or NGOs with expertise in agriculture and rural development, microfinance, and business development.</li> <li>■ local companies, contractors.</li> <li>■ Government and Non-government microfinance institutions/organizations</li> </ul>

Livelihood Restoration Programs	Implementation Approach	Potential Partners
		<p>that eligible household may access funds in setting-up microbusinesses; and</p> <ul style="list-style-type: none"> <li>■ Other businesses.</li> </ul>
Education Scholarship Assistance	Joint Committee	<ul style="list-style-type: none"> <li>■ Village Heads, Managers of education institutions in the Project areas.</li> <li>■ Representatives of health-nutrition office of commune/district.</li> <li>■ local companies, contractors.</li> <li>■ Association for Education Promotion or other education related social organizations; and</li> <li>■ Other businesses.</li> </ul>

### 7.5.1 Proposed Implementation Process

During the last quarter of every calendar year, the Project will undertake a participatory approach to prepare an annual implementation plan with budget and timelines which will be finalised and implemented at the beginning of the next calendar year.

Based on the approved annual implementation plan, implementation process should include general and project-specific steps. The implementation often starts with the following general steps:

- Community and Social Relations team set up;
- Refreshment training and capacity building on social performance standards for Project staff;
- Recruit and provide trainings for Community Relation Liaisons, on needs basis, to support the Community and social Relations team in field;
- Develop and get approval for detailed planning and budget for LRP implementation 1st year; and
- Disclose the Annual LRP to relevant stakeholders.

Project-specific phase often consists of the planning, implementation and evaluation and monitoring steps throughout the project's lifecycle (see

**Figure 7-1).** The implementation of a project should aim to achieve the outcomes and impacts specified in each project's theory of change model.

**Figure 7-1: Main Steps of Project Implementation and Management**



### 7.5.2 Total Budget

Total USD. 165,000 for 3 years of construction budget is proposed at this stage with subject to change and adjustment based on the livelihood improvements to the pre-project level of PAPs. It shall consider the livelihood options be further assessed and confirmed prior to implementation and updated each year to appropriately fit to PAPs requirements and needs. It shall remain flexible to consider beyond construction phase to address the issues of livelihoods based on the monitoring outcomes to livelihood outcomes of PAPs and further proceed to operation phase up to total of 5 years in the events if/when livelihoods are still not achieved to pre-project level during the completion of construction phase.

### 7.5.3 Implementation Schedule

To ensure the proposed potential programs can be effectively conducted within the annual budget, these sub activities to these programs, shall be further developed based on discussions in each village to allocate the appropriate programs for PAPs.

As earlier suggested in each LRP program, most of the programs are encouraged to be implemented via a partnership approach (to be referred to CEGDP) with suggestions on potential partners and conducive synergy.

This implementation schedule is subject to be updated when the annual budget for the implementation of the LRP is final.

Annual review enables regular review of the appropriateness and effectiveness of the various LRP programs, and iterative development of the LRP as the surrounding conditions change over the Project life cycle. The proposed Implementation schedule includes the major activities and sub activities to be further developed during the project inception with PAPs consultation. As a result, the schedule for implementation of the LRP is proposed as in **Table 7-6** below.

**Table 7-6: Propose Implementation Schedule**

Sn.	Thematic Area	RESPONSABILITY MATRIX			Project Proposed Schedule									
		GOL (MEM)	ESMO	TEOB/DOE/NEIO	PROPOSED SCHEDULE	Year 1- Year 3					Year 3- Year 5			
						0	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
1	Local Employment & Capacity Building													
2	Agriculture Production Enhancement & Animal Husbandry (Livestock Based Initiative)													
3	Local Procurement of Goods and Services													
4	Women Led Home Business/Micro Enterprise Support													
5	Education Scholarship & Sponsorship Assistance													



## 8 INFORMATION DISCLOSURE, CONSULTATION AND PARTICIPATION AND GRIEVANCE MECHANISM

### 8.1 Key Principles

Information disclosure, consultation and participation constitute an integrated process in the preparation and implementation of this RP, the key principles of this process include the following:

- Ensure that the information disclosure, consultation and disclosure process comply with national legislation, regulations, and Lenders' requirements including ADB SPS and IFC PS requirements.
- Ensure that the stakeholder engagement process commences early in the project cycle, i.e., as of scoping, and is tailored to the stage of land acquisition and to communities and households affected by displacement.
- Work with affected households and communities to explore ways to avoid, minimize, where possible, physical displacement and economic displacement of households.
- Ensure that the stakeholder engagement process is culturally appropriate and inclusive of all stakeholders affected by displacement, and that it is free of interference, intimidation, or coercion.

The full process of meaningful consultation and participation and information disclosure are described in the Project's **Stakeholder Engagement Plan**.

### 8.2 Meaningful Consultations vs Informed Consultation and Participation (ICP)

#### Box 8-1: Meaningful Consultation vs Informed Consultation and Participation (ICP)

##### Meaningful Consultation (ADB Safeguard Policy 2009)

- Participatory: Communication is two-way, and views of stakeholders are incorporated into decision-making;
- Timely: Participants receive relevant and adequate information so that they are equipped to engage in decision-making processes such as project design, formulation of mitigation measures, sharing of development benefits, and implementation issues;
- Socially inclusive: Participation must be responsive to gender issues, needs and priorities of vulnerable and disadvantaged groups; and
- Open: Undertaken in an atmosphere free of intimidation and /or risk.

##### Informed Consultation and Participation (ICP)

Projects are required to follow an ICP process, which involves organised and iterative consultation and in-depth exchange of views and information, leading to the inclusion of the views of the affected communities into the project's decision making related to proposed mitigation measures, sharing of development benefits and opportunities, and implementation issues. The process of ICP entails consultation that occurs freely and voluntarily, without any external manipulation, interference or coercion, and without intimidation. ICP builds upon the following steps:

- begin early in the process of identification of environmental and social risks and impacts and continue on an ongoing basis as risks and impacts arise;
- be based on the prior disclosure and dissemination of relevant, transparent, objective, meaningful and easily accessible information which is in a culturally appropriate local language(s) and format and is understandable to affected communities;
- focus inclusive engagement on those directly affected as opposed to those not directly affected, such as men, women, the elderly, youth, displaced persons, and vulnerable and disadvantaged persons or groups;
- be free of external manipulation, interference, coercion, or intimidation;
- enable meaningful participation, where applicable; and
- be documented. If the Project has already engaged in such a process, adequate documented evidence of such engagement should be provided.

### 8.3 Objectives

The key objectives of stakeholder engagement with respect to resettlement are the following:

- Build relationships based on trust and transparency with communities affected by the economic displacement
- Build the capacity of affected communities to understand and participate in the land acquisition and compensation process, including understanding their rights and entitlements.
- Enable affected communities to provide meaningful input, that is, to meaningfully participate in and influence the design and implementation of the RP.
- Create an inclusive environment in which views, issues, and suggestions can be expressed by all members of the affected communities, including women, elderly, youth, and other potentially vulnerable, disadvantaged or marginalized groups.
- Ensure the stakeholder engagement process is gender-inclusive, tailored to the needs of the disadvantaged and vulnerable.

### 8.4 Key RP Engagement Strategies

A primary engagement process running concurrently with the overall Project consultation and disclosure is engagement related to resettlement planning. Consultations with government departments and offices, together with displaced families were undertaken for the development of the Resettlement Plan (RP). Key engagement activities and their status for RP are outlined in **Table 8-1**.

**Table 8-1: Key RP Engagement Strategies**

Stage	Engagement Activities for RP	Status
Scoping	<ul style="list-style-type: none"> <li>■ Disclosure of potential Project footprint, to be managed with utmost caution to mitigate the speculation risks</li> <li>■ Gathering initial PAP issues and concerns regarding land acquisition and resettlement</li> <li>■ Preparation of stakeholder engagement (SE) road map for further stages</li> </ul>	Complete
Resettlement Planning	<ul style="list-style-type: none"> <li>■ Disclose the resettlement planning process and explain its key steps to stakeholders, including detailed explanations on cut-off date, resettlement committee(s), timeframes, feedback, and GRM</li> <li>■ Establish the resettlement committee/s</li> <li>■ Announcement of cut-off-date and legal progress backing the declaration of cut-off</li> <li>■ Consult to plan to mitigate and compensate impacts of physical and/or economic displacements</li> <li>■ Conduct socio-economic and asset inventory surveys</li> <li>■ Negotiations to agree on compensation entitlements for loss of household and community assets</li> <li>■ Involve displaced persons in developing livelihood restoration strategies</li> <li>■ Involve representatives of affected persons in grievance procedures</li> <li>■ Disclose the RP and related plans</li> <li>■ More meaningful consultations with PAPs to facilitate them to better understand that provision of cash compensation alone would not result in sustainable livelihood – they will need to also participate in financial literacy program and LRP provided by the Project.</li> </ul>	Complete

Stage	Engagement Activities for RP	Status
Detailed Livelihood Restoration Planning	<ul style="list-style-type: none"> <li>■ Consult with PAPs to understand their needs to develop LRP which is tailored to their needs</li> <li>■ Propose LRP initiatives to PAPs and receive feedback</li> <li>■ Involve PAPs in planning for LRP and implementation in consultation with PAPs</li> <li>■ Involve PAPs in monitoring and evaluation of LRP</li> </ul>	Complete
Implementation, Monitoring and Evaluation	<ul style="list-style-type: none"> <li>■ Organize participation of displaced persons in RP implementation, as appropriate</li> <li>■ Involve affected persons in monitoring and evaluation</li> <li>■ Ensure the grievance mechanism is functional</li> </ul>	To be conducted

## 8.5 Past Consultation

The Project's engagement activities have been driven by the principles of meaningful consultation and ICP as outlined in **Box 8-1**. The Project started to engage affected IPs in 2014 when the Project was initiated. Affected IPs communities were also consulted during EIA public consultation process in 2020 which was conducted in compliance with the Laos regulatory requirements for public consultation. During the ESIA preparation in 2021, the engagement sought to update its understanding of project impacts, including perspectives of IPs and vulnerable group such as women and youth through focus group discussions. The consultations were two-ways communications—translators were presented in case translation to Tring language is needed, undertaken in atmosphere without coercion/intimidation whereby views of affected peoples were included in the Project design, ESIA and management plans.

**Table 8-2** provides a summary of past consultations undertaken from 2014 to August 2022. Refer to **Stakeholder Engagement Plan** for detailed summary of past consultations.

**Table 8-2: Summary of Consultations**

Date	Location	Issues and Concerns	Considerations in the ESIA or Project Design/Actions Taken
12-21 Nov 2014	16 villages located in the Project area and nearby areas	<ul style="list-style-type: none"> <li>■ The Project should provide funding and assistance to improve water supply system (e.g., gravity-fed) to the villages and irrigation systems for rice paddies.</li> </ul>	<ul style="list-style-type: none"> <li>■ Information dissemination is be considered in the ESIA and SEP. A SEP will be prepared for the Project including future and on-going engagement required to ensure stakeholders are provided sufficient information on the potential impacts.</li> </ul>
7-26 Sep 2020	18 villages located in the Project area	<ul style="list-style-type: none"> <li>■ The Project should help to improve the access road to the village and within village and the access roads to production land e.g., rice, coffee, and cassava plantations.</li> <li>■ The Project should provide funding and assistance to establish and improve school facilities, supplies and personnel.</li> <li>■ The Project should provide funding and assistance to establish and improve dispensary and healthcare centres in the villages.</li> <li>■ The Project should provide funding assistance to establish a village administrative office.</li> <li>■ People in the potentially affected villages should be able to benefit (i.e., access to electricity generated by the Project).</li> </ul>	<ul style="list-style-type: none"> <li>■ The impact assessment including information on mitigation measures for the social receptors is provided in <b>Section 8.5</b> of the ESIA Report.</li> <li>■ Impacts to livelihoods and land use, including rice paddies, is included in <b>Section 8.5.3</b> of the ESIA Report. This includes proposed mitigation measures.</li> <li>■ Land and economic displacement is assessed in</li> </ul>

Date	Location	Issues and Concerns	Considerations in the ESIA or Project Design/Actions Taken
		<ul style="list-style-type: none"> <li>■ The Project should provide reasonable and fair compensation to those households affected by land acquisition.</li> <li>■ The Project should provide assistance to poor families in the affected villages. In addition, the Project should provide assistance for improvement of vocations in the villages and offer job opportunities for the village members to work on the Project.</li> <li>■ Request for the Project to provide financial support to the villages/village fund/monthly tax to the villages</li> </ul> <p>Refer to <b>Appendix K</b> for detailed summary of local EIA consultations.</p>	<p><b>Section 8.5.3</b> of the ESIA Report. This includes proposed mitigation measures. The Project will ensure all required processes for land acquisition are conducted in conjunction with relevant stakeholders.</p> <ul style="list-style-type: none"> <li>■ Impacts and processes for land acquisition are provided in <b>Section 8.5.3</b> of the ESIA Report. Note that this is based on preliminary land and asset registration undertaken by Innogreen in November and December 2021.</li> <li>■ Village heads will be informed prior to construction, this commitment is included in <b>Section 9 (ESMP)</b> of the ESIA Report.</li> </ul>
November – December 2021	31 village located in the Project area	The Project should minimise impacts to sensitive receptors and houses and paddy field as much as possible.	<p>The impact assessment including information on mitigation measures for the social receptors is provided in <b>Section 8.5</b> of the ESIA Report.</p> <p>Impacts were minimized by reducing the number of WTGs under a new design and avoiding houses and minimize impacts to paddy fields.</p>
		The Project development will impact the cultivation land, particularly rice paddy field as suitable land for rice cultivation is highly limited due to mountainous terrain of the region.	Impacts to livelihoods and land use, including rice paddies, is included in <b>Section 8.5.3</b> of the ESIA Report. This includes proposed mitigation measures.
		The Project should ensure that there will be no encroachment into villagers' land containing houses/dwellings.	<p>Land and economic displacement is assessed in <b>Section 8.5.3</b> of the ESIA Report. This includes proposed mitigation measures.</p> <p>The Project will ensure all required processes for land acquisition are conducted in conjunction with relevant stakeholders.</p>
		Concern about nuisance from noise from wind turbines during operation.	<p>Noise impacts (including from turbines) are assessed in <b>Section 8.3.7</b> and <b>Section 8.5.7</b> of the ESIA Report. This includes proposed mitigation measures.</p> <p>WTGs have been relocated to ensure distance from villages. The nearest WTG to village is located more than 500 m from the village</p>

Date	Location	Issues and Concerns	Considerations in the ESIA or Project Design/Actions Taken
		Concern about nuisance from shadow flicker and negative impacts on agricultural productivity.	Shadow flicker impacts are assessed in <b>Section 8.3.10</b> and <b>Section 8.5.7</b> of the ESIA Report. This includes proposed mitigation measures. Impacts were minimized by reducing the number of WTGs under a new design and avoiding houses and minimize impacts to paddy field
		Concern that the Project development may impact cemeteries of the village.	Impacts to cemeteries and other cultural heritage are assessed in <b>Section 8.5.9</b> of the ESIA Report. This includes proposed mitigation measures. Project layout has been optimized to avoid impacts to all cemeteries
		Some people expressed that they cannot articulate their concerns as they do not have sufficient information about the Project and its potential impacts	Information dissemination will be considered in the ESIA and SEP. A SEP (this document) has been prepared for the Project including future and on-going engagement required to ensure stakeholders are provided sufficient information on the potential impacts. Project Information disclosure and consultations were conducted in July 2022. Refer to <b>Section 8.5.2</b> for more details.
		Concerns about unfair compensation for those impacted by land acquisition of the Project, and there will be no replacement land for cultivation and animal husbandry and therefore people will lose their main source of livelihood.	Impacts and processes for land acquisition are provided in <b>Section 8.5.3</b> of the ESIA Report. Note that this is based on preliminary land and asset registration undertaken in November and December 2021. RP and livelihood restoration programs have been developed.
		Concerns around safety of life and property and livestock of households nearby the wind towers and safety of those that conduct agricultural activities under the transmission line.	Impacts to community health and safety are assessed in <b>Section 8.5.4</b> of the ESIA Report. This includes proposed mitigation measures.
		Prior to commencement of the Project construction, the village heads should be informed.	Village heads will be informed prior to construction, this commitment is included in <b>Section 9</b> (ESMP) of the ESIA Report.



Date	Location	Issues and Concerns	Considerations in the ESIA or Project Design/Actions Taken
		The people in the affected villages were not sure if they can use electricity generated by the Project.	Household solar power systems will be provided to the affected villages. Priority will be given to the households affected by the Project's land acquisition, then poor households within the Project's affected communities, and finally the entire the affected villages if possible. Refer to <b>Section 8.5.2</b> and CEGDP for more details.
		During construction and operation of the Project, there will be influx of workers and people from outside to the villages. There are concerns that these people may bring transactional sex to villagers, disrupt community dynamics, increase gender-based violence, and/or negatively impact on public infrastructure and resources.	Impacts from worker influx are assessed in <b>Section 8.5.6</b> of the ESIA Report. This includes proposed mitigation measures.
		Concerns about the Project's impact on landslides	Impacts from unplanned events (including those impacts as a consequence of natural hazards) are assessed in <b>Section 8.6.3</b> of the ESIA Report. This includes proposed mitigation measures.
		Concerns about the Project's impacts to forest resources as people are highly dependent on NTFP collection from the forests.  Refer to <b>Appendix L</b> for detailed summary of ESIA consultations.	Impacts on communities' livelihoods associated with NTFPs are assessed in <b>Section 8.5.3</b> of the ESIA Report. This includes proposed mitigation measures. Livelihood restoration programs and CEGDP have been prepared.
July-August 2022		<b>Main concerns include</b> Impacts to agricultural land Safety risks associated with transportation of Project components during construction. Wastewater and sedimentation from project construction activities will enter the water sources of the village Impacts of WTGs during operation to productivity of agricultural land. Noise from WTGs Dust from construction activities Concerns about impact of Project land acquisition on rice paddies as currently they hardly have sufficient rice for consumption The Project must compensate for any impacts on land according to the laws	Impacts to livelihoods and land use, including rice paddies, is included in <b>Section 8.5.3</b> of the ESIA Report. This includes proposed mitigation measures.  Land and economic displacement is assessed in <b>Section 8.5.3</b> of the ESIA Report. This includes proposed mitigation measures. The Project will ensure all required processes for land acquisition are conducted in conjunction with relevant stakeholders.  Noise impacts (including from turbines) are assessed in <b>Section 8.3.7</b> and <b>Section 8.5.7</b> of the ESIA Report. This

Date	Location	Issues and Concerns	Considerations in the ESIA or Project Design/Actions Taken
		<p>Concerns related to influx</p> <p>CDP Needs and priority</p> <p>Healthcare facility improvement and medical supplies and transportation to healthcare facility</p> <p>Support plantation of fruit trees such as pomelo, rambutan, etc.</p> <p>Support on education supplies and sport equipment</p> <p>The Project to ensure that the roads are not too dangerous where villagers can also use it</p> <p>Water supply and Irrigation system as the village experiences water shortage during dry season</p> <p>Village office with computers</p> <p>The Project to comply with village's Heet-Kong</p> <p>Scholarship for higher education</p> <p>Livelihood/Occupation/Vocational training</p> <p>Project employment</p> <p>Support on livestock raising and agriculture</p> <p>Water supply and irrigation system</p> <p>The Project to provide support on village office</p> <p>The Project to provide assistance to poor households</p> <p>Refer to <b>Appendix M</b> for detailed summary of Project Information Disclosure and Consultation in July 2022</p>	<p>includes proposed mitigation measures.</p> <p>Impacts associated with shadow flickers are assessed in <b>Section 8.3.8</b> of the ESIA report. This includes proposed mitigation measures.</p> <p>WTGs have been relocated to ensure distance from villages. The nearest WTG to the village is located more than 500 m from the village</p> <p>Impacts were minimized by reducing the number of WTGs under a new design and avoiding houses and minimize impacts to paddy field.</p> <p>Impacts on surface water quality is assessed in <b>Section 8.3.6</b> of the ESIA report. This includes proposed mitigation measures. Impacts on air quality are assessed in <b>Section 8.3.4</b> of the ESIA report. This includes proposed mitigation measures.</p> <p>Shadow flicker impacts are assessed in <b>Section 8.3.10</b> and <b>Section 8.5.7</b> of the ESIA Report. This includes proposed mitigation measures.</p> <p>Community Health and safety impacts are assessed in <b>Section 8.5.4</b> of the ESIA report. This includes proposed mitigation measures.</p> <p>RP and Livelihood restoration plan have been prepared to minimize impacts to affected people from Project land acquisition.</p> <p>CEGDP has been prepared to reflect community needs.</p> <p>CHMP has been developed to ensure Project's compliance to villages' Heet-Kong.</p> <p>Village heads will be informed prior to construction, this commitment is included in <b>Section 9</b> (ESMP) of the ESIA Report</p>

### 8.5.1 Consultation and Disclosure Activities by the Compensation Committee

Consultation and Disclosure Activities by the Compensation Committee have been undertaken as follows:

Dak Cheung District, Sekong Province

Meeting on 17 February 2022 with the Dak Cheung District Governor and Department of Natural Resources and Environmental and other relevant authorities, the Project developer and its local E&S consultant, and village heads from 23 villages in Dak Cheung District. Total participants of 61 people (of which 12 were women)

The meeting agreed on the affected area from the Project land acquisition plan—total affected area of 748.88 ha (136.7 ha permanently affected and 612.18 ha temporarily affected). Of this affected land 139.31 ha are agricultural land (6.45 permanently affected and 132.86 temporarily affected). The impact is from land acquisition for 128 WTGs, access roads, 4 substations, 115 kV and 35 kV transmission line and one 500 kV substation.

- The meeting agreed that the Project has land acquisition impacts in 23 villages in Dak Cheung Province. A total of 242 households are to be affected (138 households will be impacted from WTGs and 104 households will be impacted from 500 kV transmission line)
- The meeting agreed for the Provincial Compensation Committee to determine the compensation unit rates
- It was recommended for the Project developer to participate with the Provincial, District and Village authorities to undertake DMS which should be approved by affected households and village heads. Thereafter, compensation costs should be calculated for affected households.
- After compensation costs are calculated, the authorities suggested that the Project developer organize a meeting to inform affected households of the compensation amount in all villages, including calculation methods. Following this, the Provincial and District Committee, together with the Project developer will notify the affected households of final compensation costs and obtain their signature prior to compensation payment.

Minutes of meeting of this meeting is attached in **Appendix B**.

On 31 March 2022, the Vice Governor of Sekong and the relevant provincial and district, and Project developer and its E&S consultant (total 28 participants, of which 3 are female) met to approve compensation unit rates for 600 MW wind farm project and 500 kV transmission line. The Provincial Compensation Committee presented draft compensation unit rates to the meeting, consulted the participants on the compensation unit rates and agreed on the following:

- The meeting agreed and approved the draft compensation unit rates
- The Compensation Committee should include comments and recommendations from this meeting to revise the compensation unit rates. The determination of compensation unit rates should be based on the standard price outlined by relevant departments (e.g. land department and forestry and agriculture department) and to confirm the price with these departments. In addition, the compensation units should also reflect the current market price.
- The Compensation Committee to complete unit compensation rates revision by 18 April 2022 to be presented to the District Governor.

Minutes of meeting is attached in **Appendix C**.

Sanxay District, Attapeu Province

The Committee conducts a market price survey of affected assets and consulted with five project affected villages on the unit compensation rates for various types of assets on 30 March 2022 namely, Dak Nong, Dak Padou, Dak Samor, Dak Xeum, and Dak Yok with the District Committee. It was observed that list of compensation unit rates discussed with the village representatives are presented at the end of each minutes of meeting. Minutes of meeting is attached in

**Appendix G.**

On 12 May 2022, the meeting was held to report on the consultation on compensation unit rates with village heads and affected households conducted in March-April 2022 and to approve compensation unit rates.

During 30-31 March and 1-2 April 2022, Provincial, District and Village Compensation Committee agreed on compensation unit rates. A total of 8 villages within Sanxay District will be impacted and the summary of impact and compensation unit rates are as follows:

Dak Nong Village: impacts from 115 kV transmission line and 2 WTGs. Communal land and agricultural land are impacted. The Compensation Committee presented the compensation unit rates to land and crops to the village head and one affected household. The meeting agreed on the following with the village head and affected households:

- Coffee (less than 2 years old) 15,000 LAK and improved the price for coffee plants older than 2 years
- Small coffee plant 90,000 LAK and large coffee plant 100,000 LAK
- Cost for Heet-Kong ((in Triang language Heet-Kong means inherited traditions or ritual practices and Kong meaning social norms, customs or guidelines) of the village 3,340,000 LAK
- Additionally, the village requested the Project to provide scholarship for students, water supply, vehicles for the village, village office equipment (e.g., computer) and toilets.

Dak Samor Village: 3 WTGs impact productive and communal forests and access road impacts 6 households and 7 land parcels. The Committee presented compensation unit rates for land and crops to affected households and village head and the units were agreed by the village heads and affected households. In addition, the Project should provide 1,670,000 LAK for Heet-Kong of the village. The village also requested the Project to support its water supply (Nam Lin) and provide electricity for new houses.

Dak Yok Village: Communal land will be impacted by 2 WTGs. The Committee presented compensation unit rates for land and crops to village head and the units were agreed by the village head. In addition, the Project should provide 1,060,000 LAK for Heet-Kong of the village. The village also requested the Project to help with the water supply (dug well) and village office.

Dak Xuem Village: Communal land is impacted by 6 WTGs. The Committee presented compensation unit rates for land and crops to the village head and the unit rates were agreed by the village head. In addition, the Project should provide 4,500,000 LAK for Heet-Kong of the village.

Dak Padou Village: land will be impacted by 9 WTGs, the meeting agreed on the compensation unit rates for land and crops as follows:

- Recommendations from village head and affected households:
- Coffee (less than 2 years) 150,000 LAK/tree
- Coffee (3-5 years, no productivity) 350,000 LAK/tree
- Coffee (3-5 years, productivity) 400,000 LAK/tree
- Coffee (productivity) 450,000 LAK/tree
- Coffee (Noi) large size in productivity 525,000 LAK/tree

- The village suggested the Project to perform ritual according to villages' Heet-Kong which costs approximately 2,134,000 LAK.
- Dak Xied, Dak Dor and Namgnonnuea villages are not impacted by Project land acquisition. The Provincial Compensation Committee, Project developer and village heads agreed to perform ritual according to villages' Heet-Kong.

Minutes of meeting is attached in **Appendix H**.

### 8.5.2 Consultation and Disclosure in July and September 2022

Following the completion of ESIA study and development of management plans (MPs), information related to ESIA findings, proposed mitigation measures and MPs are disclosed to PAPs in 16 villages. The participants of the consultation include village heads and PAPs – women were ensured to participate in the sessions in all villages, Project developer (IEAD) and its local E&S consultant (Innogreen) and international E&S consultant (ERM), lenders' E&S representatives including ADB (and Artelia as its lender E&S advisor), DEG (also representing FMO), AIIB and JICA. The participants were asked to sign registration form as evidence of participation in the information disclosure activity (refer to ESIA **Appendix M**).

The Project information was disclosed through presentation of ESIA study findings and proposed mitigation measures and management plans in basic Laos given by Innogreen. During the presentation, the affected people were given the opportunity to ask questions related to topics discussed, particularly women. The presenter would ask questions to the participants from time to time to ensure their understanding of topic discussed. Village coordinator and village head assisted with translating to Triang language (where needed) to facilitate the discussions and understanding of the affected people. Refer to **Appendix N** for summary of consultations undertaken in July 2022.

**Figure 8-1** presents photos of information disclosure and consultation activities and **Figure 8-2** presents disclosure materials utilized and disseminated during the activities.

The presentation covers key findings of the ESIA study and proposed mitigation measures and management plan (refer to **Appendix O**), including:

- Key Project components (with photos to give clear illustration to the participants). Information on land requirements for WTGs and TLs, area of restriction within ROW including activities allowed and not allowed within the ROW.
- Project activities including construction and installation of WTGs and transmission line and transportation activities
- Key environmental impacts include topography and landscape impact, shadow flicker impact and impact to water quality during construction activities
- Key biological impacts include reduction in forest area and increased hunting and poaching associated with improved access roads
- Social impacts include land acquisition impacts, impacts to cultural heritage resources, community health and safety impact and, impacts associated with influx
- Resettlement Plan:
  - Village specific land requirement impacts
  - Cut-off date and eligibility and entitlement
  - Proposed livelihood restoration programs
  - Seek to understand process and involvement of the affected people in resettlement process e.g., consultation by compensation committee on compensation unit rate
  - Compensation unit rates

- Next steps to be undertaken for resettlement and compensation process

**CEGDP:**

- Understand community needs for CEGDP
- Proposed community and ethnic group development initiatives and programs
- Feedback from the affected people on community needs and proposed initiatives and programs

**CHMP:**

- Proposed mitigation measures
- Feedback from communities on village requirements for the Project to comply with villages' culture, traditions, customs

Grievance Mechanism with contact details

In addition to the presentation, disclosure booklet/handbook in Laos language (refer to ESIA **Appendix P**) was also distributed during the consultation. The booklet covers similar key contents as the presentation but with more details for PAPs to refer to.

After the presentation, the participants were also given opportunities to ask questions, share their concerns or needs to the Project developer or the E&S consultants. The participants were consulted after the information disclosure activity with focuses on:

- Better understand the villagers' beliefs towards the Phou Koungking Mountain and the spirit that inhabits the mountain and Dak Bong cemetery.
- Solicit villagers' concerns regarding Project development in Phou Koungking area and Dak Bong cemetery.
- Understand conditions and requirements from the villagers for the Project to enter and develop Project components within Phou Koungking area and Dak Bong cemetery, such as particular ceremonies or rituals that should be undertaken by the Project according to the villagers' beliefs.
- To assess the impacts of project activities within the Phou Koungking and Dak Bong cemetery area against ADB's criteria for the application of BCS and IFC's criteria for the application of FPIC and to confirm that affected villages do not object to such project activities.
- Understand resettlement and compensation process undertaken to date and participation of affected people in determination of compensation unit rates

In September 2022, information disclosure and consultations were undertaken with the remaining 16 villages with the same objectives and approach as those conducted in July 2022 (**Figure 8-2**). Minutes of meeting and attendee registration are provided in **Appendix Q**.



**Figure 8-1: Information Disclosure and Consultation Activities**



Meetings with District and Provincial Authorities, 18 July 2022



Dak Tiem Village, 19 July 2022



Prao Village, 19 July 2022



Dak Terb, 19 July 2022



Dak Lern Village, 19 July 2022



Dak Rant Village, 19 July 2022





KII in Dak Lern, 20 July 2022



KII in Dak Lern, 20 July 2022 (Project's village coordinator (on the right) was present to facilitate translation to Tirang)

## Figure 8-2: Information Disclosure and Consultation Activities (September 2022)



Consultation with Dan Xuem, Dak Sied and Dak Dor Village



Consultation with Dak Ta-ok Noi Village



Consultation with Dak Padou



Consultation with Dak Pum Village





Consultation with Dak Yang Village



Consultation with Dak Den Village



Consultation with Dak Jom Village



Consultation with Dak Dom Village



Consultation with Trongmeuang Village



Consultation with Tong Xieng Village



Consultation with Namgnonnuea Village



Consultation with Nonsavan Village



**Figure 8-3: Disclosure Materials**



PowerPoint Presentation and a large map

Project Information Booklet (in Laos language)

## 8.6 Future Engagement Activities

Stakeholder engagement is a dynamic process starting early in project preparation and continuing throughout project preparation and project implementation in both design, construction, and operational phases. Meaningful consultations and information disclosure have been ongoing with affected communities as a key part of stakeholder engagement, and the Project is committed to continuing these throughout the project lifetime. This also means that as any new information becomes available and as the Project is able to respond to concerns and issues raised by affected communities, consultations will continue on a rolling basis. The Project will inform and consult the communities regarding changes to Project design which may impact Project's land acquisition and subsequently compensation for affected households.

## 8.7 Grievance Redress Mechanism

An effective stakeholder engagement process can help to prevent grievances. However, projects with high potential for environmental and social impacts to occur, often result in grievances from stakeholders.

This section provides a framework for the GRM that will be used to identify, track, and manage grievances raised by external Project stakeholders. The GRM applies to land acquisition and

resettlement related grievances. A separate grievance mechanism will be developed to address internal grievances relating to employment matters.

The GRM will be refined during SEP development and be maintained throughout the Project lifecycle, to ensure that grievances are promptly heard, analysed and, to the extent possible, resolved.

### 8.7.1 Objectives

The main objective of the grievance mechanism is:

- To address grievances promptly and effectively, in a transparent manner resulting in fair, effective and lasting outcomes.
- To provide a grievance management process that is culturally appropriate and readily accessible to all Project affected parties.
- To build trust as an integral component of the Project community relations activities.
- To enable a systematic identification of emerging issues facilitating correcting actions and pre-emptive engagement.

### 8.7.2 General Requirements

The objective of this system is to ensure there is a robust and transparent process available for addressing complaints. This system comprises a sequential process of three (4) levels of resolution. The next level of resolution is triggered if the complaint cannot be resolved at a lower level (see エラー! 参照元が見つかりません。 ).

During pre-construction and start construction phase, the Project will establish interim ESMO which will consist of the local team and Innogreen who will be engaged as the Project's temporary E&S management team. The local team, with the Area Director (Chaovalit Khunchaiyaphum) as the main contact, will receive and address all grievances until the ESMO and JCR can be established. The contact information for receiving grievance was disclosed during the July 2022 consultation and provided in the booklet disseminated to villagers (**Box 8.3**). Innogreen will provide support for other responsibilities of ESMO as needed during this period until the ESMO is set up. The grievances received will be documented and raised to the Compensation Committee if cannot be solved by the interim ESMO.

#### Box 8.2: The Project Grievance Resolution System

After grievance is received, the CLOs and/or the Project Grievance Redress Unit (PGRU) (which will be set up as part of the ESMO) will assess and classify the complaints according to エラー! 参照元が見つかりません。 and assign priority and responsibilities.

**Resolution Level 1:** This level of resolution is for complaints that can be resolved by the Project Grievance Redress Unit (PGRU) and Village Committee directly. This level of complaint can be dealt with through immediate corrective action or mediated before such grievance is proceeded further with formal grievance mechanism which involves the government.

**Resolution Level 2:** If the complainants are not satisfied with the resolution proposed by the PGRU and the Village Committee, they can appeal to the District Committee.

**Resolution Level 3:** If the complainants do not accept the resolution or decision at Step 2, they can appeal to the Provincial Committee.

**Resolution Level 4:** If the complainants do not accept the resolution or decision at Step 3 then they can take legal action at the judicial system which is composed of the Provincial Court, Central Appeal Court and the High Supreme Court.<sup>1</sup> The Project does not control this level of resolution but acknowledges this process is available to stakeholders. It also acknowledges that some complainants may choose to proceed directly to this level of resolution.

### Box 8.3: The Current Project Grievance Receiving Channel



Impact Energy Asia Development



+856 20 98 947 318– Mr. Chaovalit Khunchaiyaphum, Area Director



chaovalit@ieadgroup.com



Ban Phon Kham, Lamam , Sekong, Group 1, No. 1

### 8.7.3 The Grievance Procedure

All grievances shall be managed in accordance with the Project's Grievance Procedure and steps (**Figure 8.4**). All grievances must be handled in a discreet and objective manner. The PGRU must take into consideration the sensitive nature of the needs and concerns of the affected communities and be responsive to the grievances made by the Project-Affected Parties, especially during the peak of the construction phase.

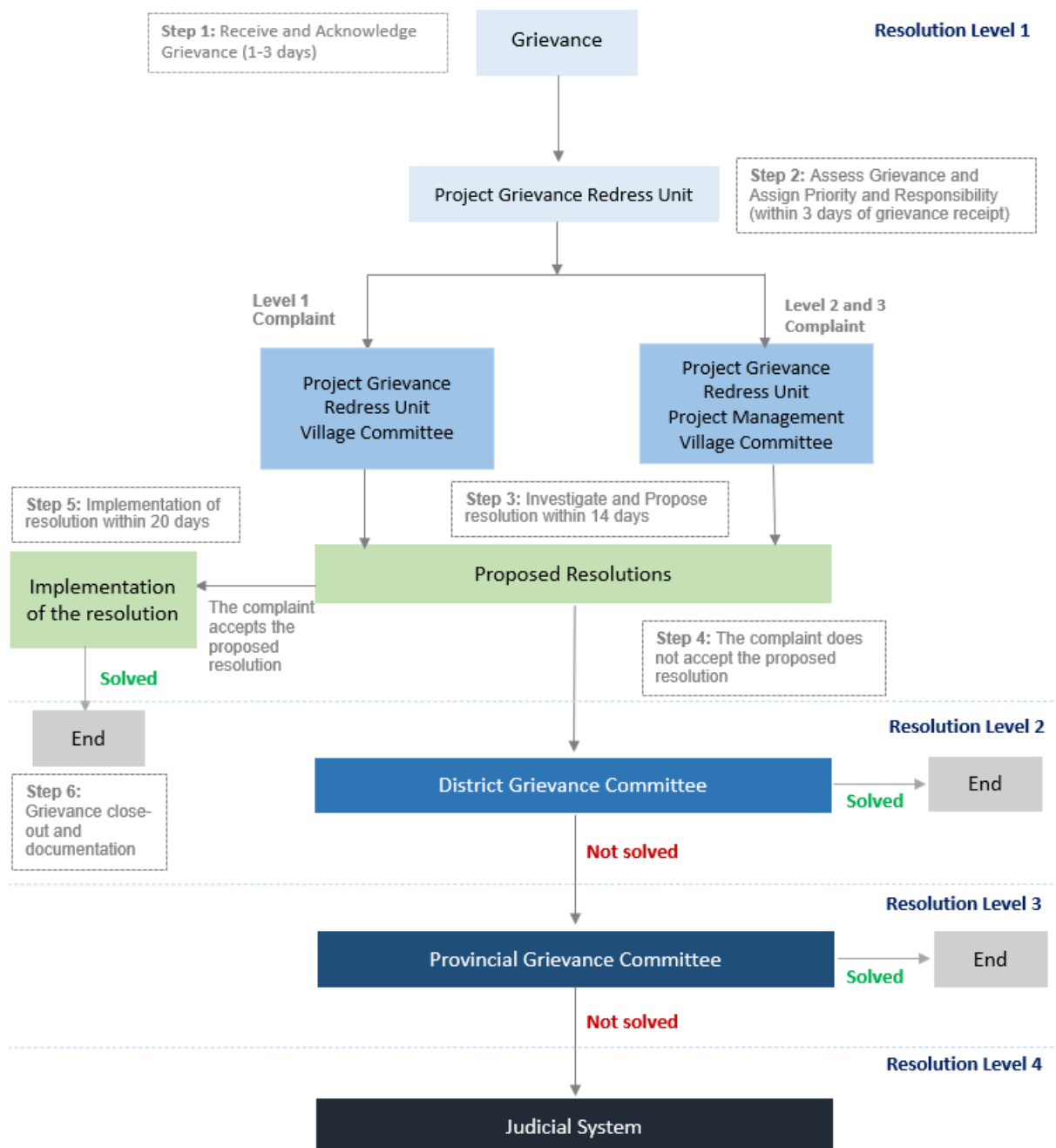
A separate grievance mechanism will be developed to address internal grievances relating to employment matters.

All grievances and how they have been managed will be recorded in the Stakeholder Engagement Database including complaint details, a summary of the grievance, the resolution or agreement on proposed actions (between the Project and the complainant), and monitoring actions taken in response to the grievance. Grievances for highly sensitive cases, and as requested by complainants, will be filed anonymously, which is essential for capturing any grievances that may arise in relation to gender-based violence (GBV) and sexual exploitation and abuse (SEA).

All correspondence related to the grievance must be documented in the Stakeholder Engagement Database for monitoring, reporting and learning. This will help drive continual improvement.



**Figure 8.4: Project Grievance Resolution System**



#### 8.7.4 Step 1: Receive and Acknowledge Grievance

A variety of methods will be available through which stakeholders can lodge grievances. This will include:

- Written communication by filling out the Grievance Form which will be made available on the Project Website.
- Verbal communication with the CLOs who are stationed in the local communities. For those who have difficulty reading or writing or inexperienced with the complaint process the CLOs will assist them in filling out the complaint form.
- The form will also be made available at the Project Information Centre, and other disclosure venues.

- The Project Community Relations Team will assign a unique grievance number to each grievance for easy tracking. Grievances for highly sensitive cases, and as requested by complainants, will be filed anonymously, which is essential for capturing any grievances that may arise in relation to gender-based violence (GBV) and sexual exploitation and abuse (SEA).

The Project Community Relations Team will provide the complainant with a **verbal acknowledgement** of the receipt of the complaint **within 1 working days** (phone call, text message, or a meeting) and a **written acknowledgement within 3 days** (email, letter). The acknowledgement will include the grievance number so the complainant can use as reference to track the status of their complaint. If the grievance is not well understood or if additional information is required, clarification should be sought from the complainant during this step.

### 8.7.5 Step 2: Assess Grievance and Assign Priority and Responsibility

Grievance is screened and assessed within 3 days of receipt by the Project's Community Relations Team as follows:

- If it is decided that a grievance is not valid, the grievance will be dismissed and advice of the decision and the reasons for dismissal will be provided to the complainant in writing (and in person if required). Where applicable, the Project will refer the complainant to a government department, organisations, or judicial committee within the local government.
- If the grievance is valid, it will be classified in to one of the following categories:

#### Box 8-4: Grievance Assessment Criteria

**Level 1 Complaint:** A complaint where potential impacts and/or consequences are low that can be resolved quickly (e.g. a Project vehicle damaging other's property)

**Level 2 Complaint:** A complaint which is widespread and repeated (e.g. dust from Project vehicles)

**Level 3 Complaint:** A complaint that could potentially result in a serious breach of National laws and regulations, or affect Government and Project image and performance (e.g. inadequate offshore waste management).

Management will be notified of all grievances and the Project Director is notified of all Level 3 grievances.

- Project Community Relations Team will initiate resolution for Level 1 complaints where potential impacts and consequences are relatively low.
- Management will initiate resolution of all complaints at Levels 2 and 3, and Level 1 complaints that can have significant implications to the business image or performance.
- For any grievance that requires the involvement of a third party (e.g. technical expert, authority), Project Community Relations Team are responsible for contacting the relevant third party for their advice or resolution.

### 8.7.6 Step 3: Investigate and Propose Resolution (within 14 days)

- The Project's Community Relations Team member will investigate the grievance and propose resolution or as soon as possible but **no later than 14 days after screening** and assessing the grievance. The responsible team member shall seek input from Village Committee and relevant district officials, as well as Project personnel and contractors, as necessary.
  - The responsible team member will discuss the outcomes of the investigation, and proposed resolution with the complainant. The response can be communicated in several ways depending on the complainant's preference (e.g. face-to-face, email, letter, phone call, etc.).

- They will ask complainant for written acceptance of the resolution (or verbal if the complainant has difficult reading/writing).
- For grievances assessed as a 'Level 1', Project Community Relations Team will contact the complainant directly to develop and solutions with oversight from the Manager
- For a grievance is assessed as a 'Level 2,' the Manager will be responsible for identifying a coordinated management solution and response. This should involve other senior managers and sign off from the Project Director.
- For a grievance assessed as a 'Level 3,' immediate intervention of related parties such as senior managers, contractor/s, and/or local authorities to seek their advice on potential resolutions.
- The response is signed-off by the Project Director for Level 3 grievances and the Manager for Level 2 and Level 1.

#### **8.7.7 Step 4: If the Complainant does not accept the Proposed Resolution**

If the complainant does not accept the proposed solution, the responsible Project Community Relations Team member shall refer to the District Grievance Committee to facilitate an agreeable resolution (Level 2 of the Grievance Resolution System). Level 3 Provincial Grievance Committee will be triggered if an agreed resolution is not reached at Level 2. And finally, as the last resort, they can appeal at District Court (Level 4).

#### **8.7.8 Step 5: Implement the Solution**

For relatively simple, short-term actions that can resolve the grievance, the objective will be for the solution to be **implemented within 20 days** after assessing the grievance.

For solutions that take longer to address, or for which the complainants are not satisfied or additional corrective actions are required, the Project Community Relations Team will inform the complainants of the progress on a regular basis until the solution is completely implemented.

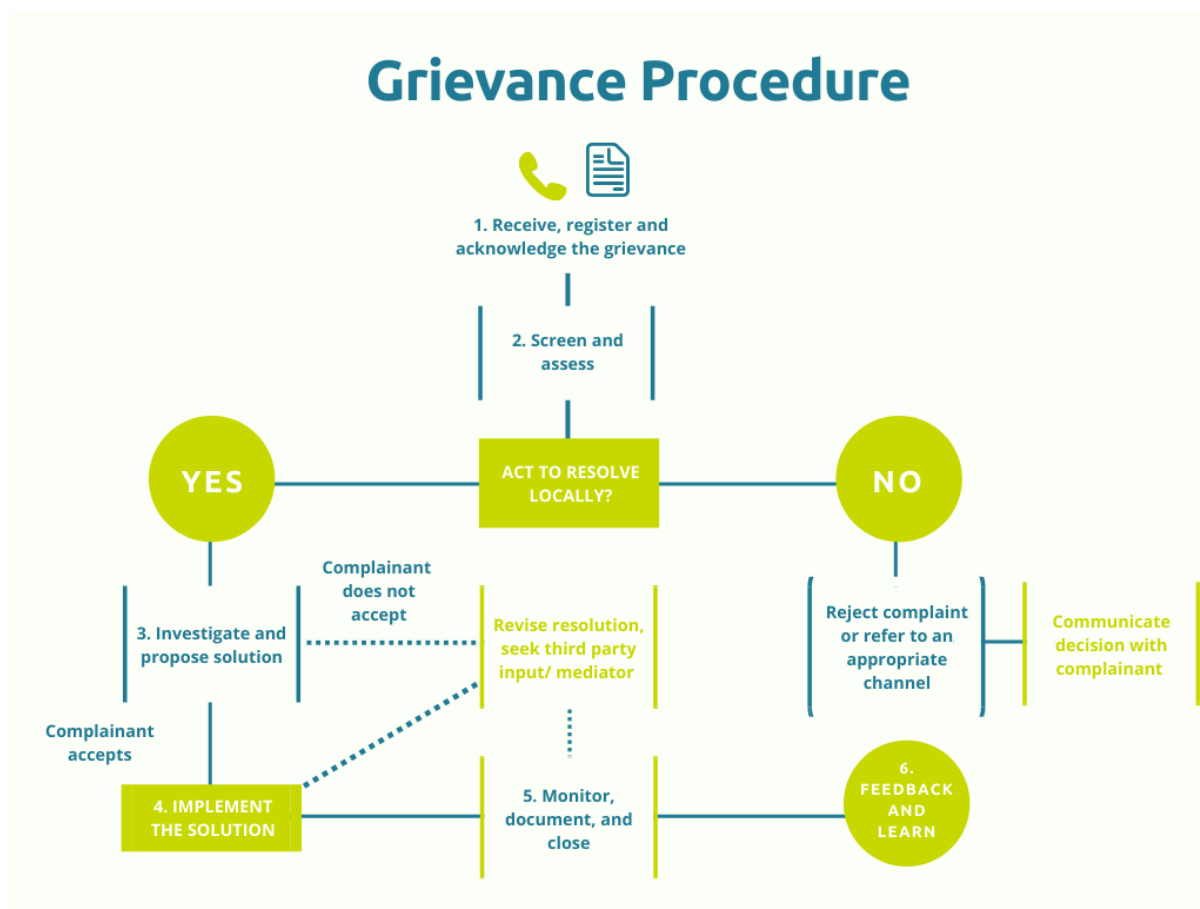
**Inform the complainant once the resolution is implemented.** The responsible team member will inform the complainant that the corrective actions have been implemented and confirm that the complainant is satisfied with the resolution.

#### **8.7.9 Step 6: Grievance Close Out and Documentation**

Monitor, document the grievance resolution process and close the grievance with sign-off from the Manager with the Project Director approval to close out Level 3 grievances. If further attention is required the responsible team member should return to Step 2 to re-assess the grievance.

All correspondence related to the grievance must be documented in the Stakeholder Engagement Management System for monitoring, reporting and learning. This will help drive continual improvement.

Figure 8-5: Steps in Grievance Mechanism



## 9 INSTITUTIONAL ARRANGEMENT

The planning and implementation of land acquisition and compensation for the Project involves designated roles and responsibilities of organizations at the national, provincial, and local levels. This section presents institutional arrangement and roles and responsibilities of different organizations involved in planning and implementation of RP.

### 9.1 GOL Institutional Arrangements

#### 9.1.1 At National Level

The GOL, as party to the Concession Agreement, exercises its rights and obligations relating to this through the ministries and state bodies described in the concession agreement.

The Ministry of Energy and Mines (“MEM”) is the implementing agency (“Implementing Agency”) and has full power and authority to: (i) implement this Agreement, exercising the GOL’s rights and performing the GOL’s obligations hereunder; (ii) make decisions of the GOL relating to this Agreement; (iii) coordinate with other GOL agencies, departments and offices and to facilitate their performance in connection with this Agreement; (iv) resolve any issues relating to this Agreement and negotiate and finalize any amendment; and (v) exercise all other powers of the GOL with respect to this Agreement., acting through its Department of Energy Business (DEB), is the Implementing Agency for the exercise of the GOL’s rights and the performance of its obligations pursuant to the Concession Agreement (CA) including screening and checking the completeness of all related documents and bears overall responsibility for ensuring compliance with the provisions of Annex C of the CA.

The Implementing Agency shall act through the Department of Energy Business (“DEB”) from and after the Effective Date (and other than in respect of matters on which DPC is acting) with regard to: (a) implementing this Agreement, exercising the GOL’s rights and the performing the GOL’s obligations hereunder; (b) making decisions of the GOL relating to this Agreement; and (c) coordinating with other GOL agencies, departments and offices and facilitating their performance in connection with this Agreement; (d) invoicing and collecting budget amounts / funds; (e) carrying out routine Project monitoring, inspection and evaluation, utilizing relevant budgets therefor; (f) responding to any request by the Company to commence any Project-related work prior to the achievement of the Effective Date, determining and imposing any conditions or requirements to be satisfied by the Company for such early work and monitoring the Company’s performance of such early work and compliance with any applicable conditions or requirements; and (g) clarifying and resolving with the Company any issues arising under this Agreement and any Annexes (including consultation with all relevant departments of MEM which have been involved in the preparation, negotiation and finalization of this Agreement and its Annexes).

The Ministry of Natural Resources and Environment (MONRE), acting through its Department of Environment (DOE) and Natural Resources and Environment Inspection Office (NEIO), is the Technical Environmental Oversight Body regarding the exercise of the GOL’s rights and the performance of its duties pertaining to environmental and social issues as described in Annex C of the CA.

The Ministry of Labour & Social Welfare is the Health and Safety Oversight Body regarding the exercise of the GOL’s rights and the performance of its duties pertaining to health and safety issues as contemplated in Annex C of the CA.

To the extent that GOL undertakes any Project-related activities in accordance with Annex C of the CA, such activities shall be:

- i. in the nature of the performance of governmental responsibilities (e.g., monitoring, inspections, providing information, grant of Permits, imposition and collection of Penalties, advice and consultation with PAPs and relevant GOL Authorities, or
- ii. in the nature of the performance of any Measures and Compensation as specified under the Assessments and Plans to be GOL responsibilities.



The Company's responsibilities shall not be reduced or avoided by any incomplete performance by GOL hereunder.

GOL shall have the right to modify Measures and Compensation through mutual agreement with the developer at any time if GOL determines that:

- the Measures and Compensation are insufficient or inadequate to mitigate the actual or likely Adverse Impacts of the Project, or to enable the Company to satisfy Additional Project Obligations,
- new information becomes known about how harmful the Adverse Impacts are or are likely to be or become,
- the Project has Adverse Impacts which could not be foreseen at the time the Assessments and Plans were approved, or the Permits were issued,
- the Adverse Impacts are greater than those anticipated impacts that formed the basis for the preparation of the Assessment and Plans and the issuance of the Permits, or
- the size or boundary of the Project changes, or a subsequent extension of the Project development is proposed, changing the basis for the initial measures proposed and approved in the Assessments and Plans,
- Additional Standards or new, updated or revised Best Available Techniques and/or Best Practice are available, or
- the Measures and Compensation are unnecessary or ineffective in mitigating the Adverse Impacts.

### 9.1.2 Planning and Implementation of RP

- The Project Management Committee (Compensation Committee), established by Prime Minister's Decree No.84, is responsible for ensuring the implementation of the GOL's obligations pursuant to Annex C of the CA.
- The Compensation Management Unit (CMU), which was established pursuant to give compensation policy on land and resource use impacts is responsible for the implementation of Annex C of the CA.
- A District Working Group (DWG) shall be a district level body established to coordinate and facilitate the implementation of Annex C of the CA.

#### 9.1.2.1 Compensation Committee

The Compensation Committee is the GOL body with the overall responsibility for supervising and ensuring the correct and timely implementation of the Company's obligations under Clause 4.15 of the CA. The Compensation Committee shall:

- supervise, guide and manage the planning and implementation of the Compensation Plan by the Company and the Compensation Management Unit (CMU);
- consider and promptly respond to requests relating to compensations activities;
- approve and periodically review the implementation plan for the Compensation Plan;
- periodically report to the GOL through its implementing body and technical advisory body on the implementation of the Compensation Plan;
- issue decisions or notices as references for the implementation of the Compensation Plan;
- provide information to PAPs and other stakeholders concerning the development project, benefits and impacts, progress in the implementation of the Compensation Plan throughout the implementation of the Project;
- exercise rights and perform other duties as assigned by GOL.

The costs of funding the Compensation Committee throughout its operation period shall be borne by the Company in accordance with the budget attached in Appendix Six of Appendix C to the CA ("Appendix Six"). The Compensation Committee shall be entitled to contract consultants and staff to assist it in the discharge of its functions in accordance with the budget attached in Appendix Six.

#### **9.1.2.2 Compensation Management Unit (CMU)**

The CMU shall:

- serve as the secretariat and executive body of the Compensation Committee in co-ordination with all parties of state organizations and the Company with regard to the implementation of the Compensation Plan;
- serve as the core co-ordination body with the relevant parties both at central and local levels and the Company in the implementation of the obligations of the Company relating to compensation;
- plan detailed activities and budget for the implementation of Compensation Plan by the committee in coordination with the Company for the approval of the Compensation Committee; and
- supervise the performance of the District Working Group.

The staff of the CMU may include seconded government officials as well as contracted experts and other workers.

The CMU shall establish an office in Dakcheung, Sekong Province and Sanxay district Attapeu Province respectively and the costs of constructing that office, if office space for rent is not available, equipping and operating that office shall be borne by the Company throughout its operating period.

The CMU shall function for as long as the Compensation Committee remains in operation

The costs of operation of the CMU throughout its operating period shall be borne by the Company in accordance with the budget attached in Appendix Six.

### **9.2 Company Arrangements**

- The Company shall implement its obligations pursuant to Annex C relating to environmental and social issues through its Environmental and Social Management Office (ESMO)
- The Company shall implement its obligations pursuant to Annex C relating to Health and Safety issues through its Occupational Health and Safety Office

#### **9.2.1 Environmental and Social Management Office**

The Company shall within 90 days of the Effective Date establish the ESMO to act as the focal point for the implementation by the Company of its environmental and social obligations throughout the Construction Period and the Operation Period.

The ESMO shall:

- ensure compliance with the provisions of CA Annex C and any related licences or permits to which the Company is obliged;
- ensure that the environmental and social obligations of the Company are properly reflected in contracts and subcontracts;
- review and clear reports, plans and other documents submitted by the EPC Contractor and other Contractors related to CA Annex C;
- perform site inspections and undertake monitoring of environmental and social performance relating to CA Annex C and prepare and circulate relevant reports to internal and external stakeholders;
- liaise and cooperate with relevant GOL authorities and participate in joint inspections;

- document the implementation of all activities undertaken pursuant to CA Annex C to ensure compliance with its provisions;
- create and implement programs for all the budgeting and financial reporting for the operation of the ESMO; and
- undertake or arrange such internal and external audits as may be necessary to comply with the related requirements of the Concession Agreement, Annex C, and the relevant procedures of the Company.

The social management office of the ESMO will be primarily responsible for the RP and CEGDP implementation.

IEAD will have two office locations, one in Vientiane and one in Dak Cheung District. The ESMO office will be located in the Dak Cheung District.

#### 9.2.1.1 *Structure and resource requirements of the ESMO*

The Company shall ensure that the ESMO is at all times adequately resourced and staffed so as to enable the Company to comply with its environmental and social obligations and to that end shall ensure that the staff of the ESMO have necessary language skills and capacity so as to enable routine communication and reporting in the Lao language.

During the Construction Period, the staff employed by the ESMO shall have, at a minimum, skill sets necessary to address the following subject areas:

- the environmental impacts of construction activities including protection against soil erosion;
- management of wastewater, solid waste, hazardous waste and hazardous materials;
- sampling and monitoring (e.g. for noise, dust, water quality);
- biodiversity conservation (if applicable); and
- communication, outreach, community liaison and grievance redress mechanisms.
- During the Operation Period, the ESMO staff shall have, at a minimum, skill sets necessary to address the following subject areas:
  - water quality management and monitoring;
  - forest and wildlife management;
  - biodiversity management and monitoring;
  - communication, outreach, community liaison and grievance redress mechanisms.
- The office locations, final structure and resources of the ESMO shall be identified in the ESMMP-CP and ESMMP – OP and therefore subject to approval by GOL.

#### 9.2.2 *Interim ESMO*

During pre-construction and start construction phase, the Project will establish interim ESMO which consist of IEAD local team and Innogreen who will be engaged as the Project's temporary E&S management team. The interim ESMO will carry out the responsibilities of the ESMO described in **Section 9.2.1** as needed until the ESMO is set up.

### 9.3 **Environmental Oversight Body**

The Technical Environmental Oversight Body shall undertake its functions relating to CA Annex C through the Department of Environment (DOE)/ Natural Resources and Environment Inspection Office (NEIO) at national level as well as through the natural resource and environment offices at Province

and Department level: Department of Natural Resources and Environment of Sekong and Attapeu Province.

The Technical Environmental Oversight Body shall monitor the Company's compliance with its environmental and social obligations as set out in CA Annex C and other relevant assessments and plans and provide necessary technical support and coordination with other GOL entities including National Assembly representatives at the local levels on issues related to environmental and social obligations.

The Technical Environmental Oversight Body shall coordinate as appropriate with relevant departments of GOL for the performance of such monitoring activities.

The Company shall provide training, capacity building and financial support to the Technical Environmental Oversight Body, including the provision of training on the environmental and social obligations stipulated in the Annex and other relevant documents through DOE, vehicles and necessary technical equipment, to the offices at Province and District levels specified in paragraph a. above in order to enable them to fully discharge their functions pursuant to CA Annex C in accordance with the budget specified in Appendix Six of CA Annex C. To that end, within [ 90 ] days after the Effective Date the Company shall submit a draft Capacity Building and Support Plan to the Technical Environmental Oversight Body for implementation until the commencement of the Operation Period .

On receipt of a draft Capacity Building and Support Plan, the Technical Environmental Oversight Body may either accept the draft or request further information which the Company shall provide within [ 30 ] days or propose changes to the draft document and the parties shall negotiate in good faith to agree such changes.

The Technical Environmental Oversight Body may contract one or more private professional firms for the provision of monitoring services, technical advisory services, including the provision of legal advice, and training and capacity building services in accordance with the budget specified in Appendix Six of Annex C and the Company shall bear.

## 9.4 Roles and Responsibilities

**Figure 9-1** presents Project's organizational chart during construction phase and **Figure 9-2** presents Project's organizational chart during operational phase.

Key roles and responsibilities for implementing the Resettlement Plan are outlined in **Table 9-1**.

**Table 9-1: Roles and Responsibilities**

Role	Responsibilities
IEAD MD	<ul style="list-style-type: none"> <li>■ Has overall accountability for ensuring the implementation of this plan, and Project compliance with the commitments set out within it.</li> <li>■ Provide sign-off and regular revision sign-off.</li> <li>■ Allocate financial and human resources required for plan implementation.</li> <li>■ Budget and decision-making support for the implementation of this plan.</li> <li>■ Lead annual reviews and revisions/updates of the management plans.</li> <li>■ Report on progress in implementing this management plan.</li> </ul>
International Advisors (ESHS Advisors)	<ul style="list-style-type: none"> <li>■ To provide guidance to the team, and especially the ESHS Manager, on pro-actively managing the Project's environmental and social risks during construction and initial operations</li> </ul>
ESHS Manager	<ul style="list-style-type: none"> <li>■ Has responsibility for day-to-day implementation.</li> <li>■ Coordinate with various operational departments, implementing organisations, and other stakeholders.</li> <li>■ Monitor and regularly review and update the plan.</li> <li>■ Train applicable IEAD staff and contractors on the requirements of the plan.</li> </ul>

Role	Responsibilities
	<ul style="list-style-type: none"> <li>■ Ensure Project compliance with the Project standards and other requirements set out in this Plan.</li> <li>■ Ensure Plan is available to all IEAD employees and Principal Contractors.</li> <li>■ Undertake regular audits to verify implementation of the Plan; report non compliances identified, define corrective actions, and follow-up through closure.</li> </ul>
IEAD HR Manager	<ul style="list-style-type: none"> <li>■ Has responsibility for local employment and liaison with EPC Contractor to implement the local employment plan in this RP</li> </ul>
Senior Environmental, Health & Safety (H&S)	<ul style="list-style-type: none"> <li>■ Has responsibility for emergency planning.</li> <li>■ Has responsibility for conducting Community H&amp;S training, where applicable (e.g., emergency response planning) and ensuring that these training programs are culturally appropriate and ethnically sensitive.</li> <li>■ Support Project compliance with the Project standards and other requirements set out in this Plan.</li> </ul>
Social Specialist	<ul style="list-style-type: none"> <li>■ Ensures the RP implementation in close coordination with the Joint Committee, Compensation Committee and the Compensation Management Unit.</li> <li>■ Minimise the impact of their activities on local communities in the Social Aol/social context wherever practical and reasonable.</li> <li>■ Comply with IEAD company policies and procedures and with the requirements of this plan.</li> <li>■ Report actual and potential community health and safety and other impacts, from affected ethnic groups to the IEAD Executive and Lenders.</li> <li>■ Refer any issues, concerns potential grievances to the IEAD Grievance Management Team.</li> </ul>
Social Management Office of the ESMO	<ul style="list-style-type: none"> <li>■ Carry out consultation with the PAPs on the compensation agreement form with all PAPs to inform them on the affected asset and compensation cost. After agreement, the PAPs will sign the compensation form and certified by village heads and the Committee</li> <li>■ Actual disbursement of compensation to the PAP: Land for land compensation, Cash compensation payment</li> <li>■ Report to the relevant committees on the completion of compensation</li> <li>■ Implementation of livelihood restoration programs</li> <li>■ Monitoring and reporting</li> </ul>
Interim ESMO (and Project Grievance Redress Unit (PGRU))	<ul style="list-style-type: none"> <li>■ A temporary unit established by the Project to carry out responsibilities of the ESMO and PGRU during pre-construction and the start of construction until the ESMO and PGRU are set up</li> </ul>
Database, Information Management Specialists	<ul style="list-style-type: none"> <li>■ To management the database on project affected people including inventory of assets, detailed recording of compensation payments, tracking of benefits provided to affected people, maps and generating all necessary data for monitoring and reporting.</li> </ul>
Project Grievance Redress Unit (PGRU)	<ul style="list-style-type: none"> <li>■ The Project Grievance Redress Unit (PGRU) will be set up as part of the ESMO and will be responsible for tracking, investigating the issues, concerns and grievances from the affected communities</li> <li>■ Liaise with village, district and provincial government officials and relevant line agencies in resolving grievances</li> </ul>
Facility Operators (EHS/SHS Staff)/ Social Safeguard Officers (SSO)	<ul style="list-style-type: none"> <li>■ Coordinate and ensure synergy between project and communities</li> <li>■ Facilitate public hearing and Public Audits for transparency and good governance.</li> </ul>
All IEAD Contractors	<ul style="list-style-type: none"> <li>■ Ensure their operations comply with IEAD's policies and procedures, including requirements for managing community health and safety aspects as set out in this Plan.</li> </ul>



Role	Responsibilities
	<ul style="list-style-type: none"><li>■ Report actual and potential community health and safety impacts to relevant supervisor.</li><li>■ Report any known grievances to the Monsoon Grievance Management Team.</li></ul>

Aol = Area of Influence; CSR = Corporate Social Responsibility; E&S = Environmental and Social; H&S = Health and Safety

## 9.5 Capacity Building Program for Project Staff and Government Offices on Lenders Requirements for RP and CEGDP implementation

The following trainings will be provided for the Project staffs and provincial and district government officers who will be involved in RP and CEGDP to build their capacity to be able to effectively deliver Project commitments following lenders requirements:

- Introduction of RP and CEGDP
- Regulation framework, including applicable national laws and regulations and applicable international standards
- Requirements of RP/CEGDP planning, implementation, and monitoring (including internal and external monitoring)
- Delivery of entitlement matrix defined in RP and other community development programs
- Requirements of stakeholder engagement
- Understand needs of vulnerable groups
- Concerns of gender issues
- Culture of affected ethnic group
- Grievance mechanism management
- Case study: Nam Ngiep HP Project

**Figure 9-1: The Project Organization Chart for the Construction Phase**

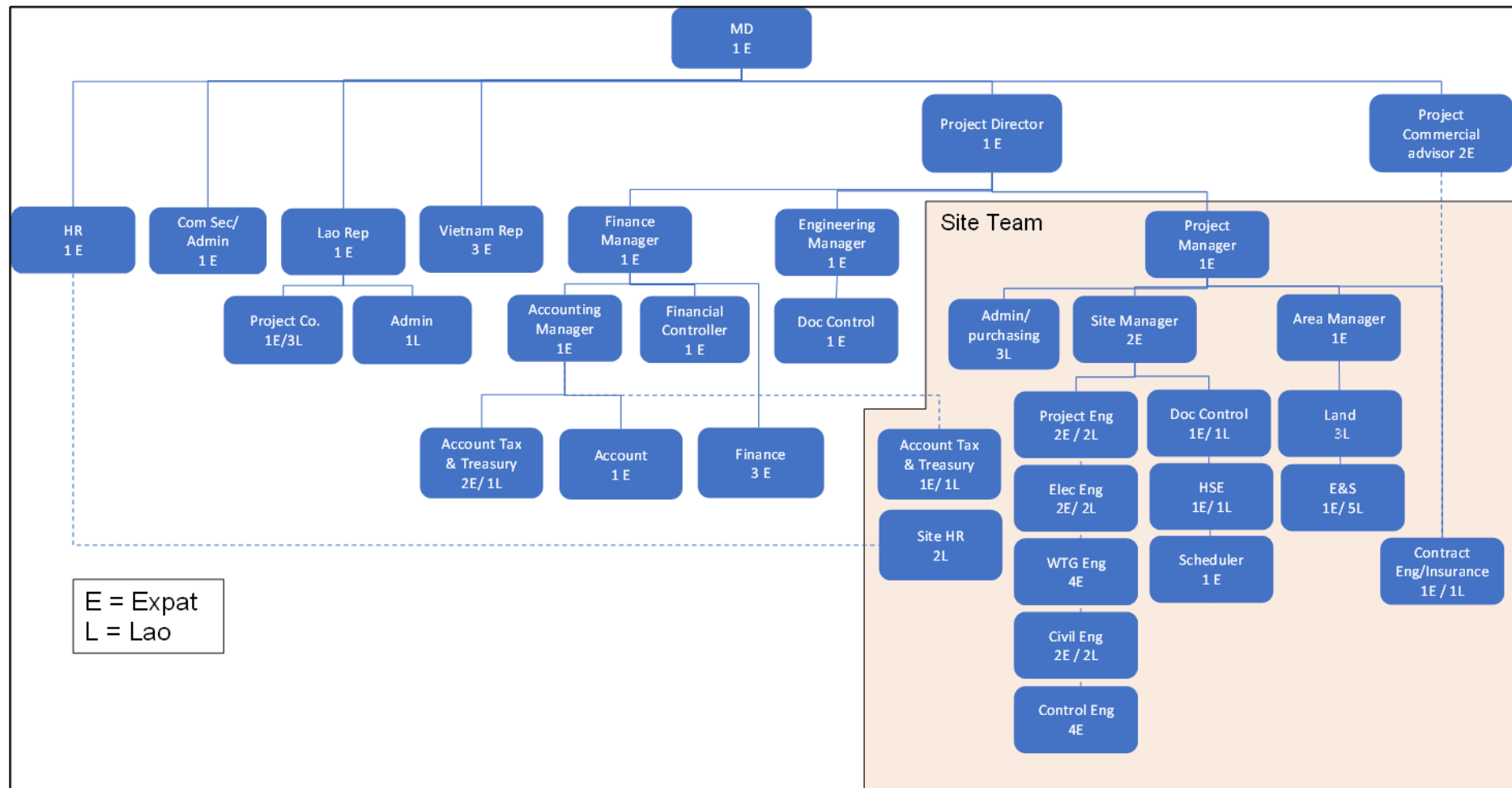
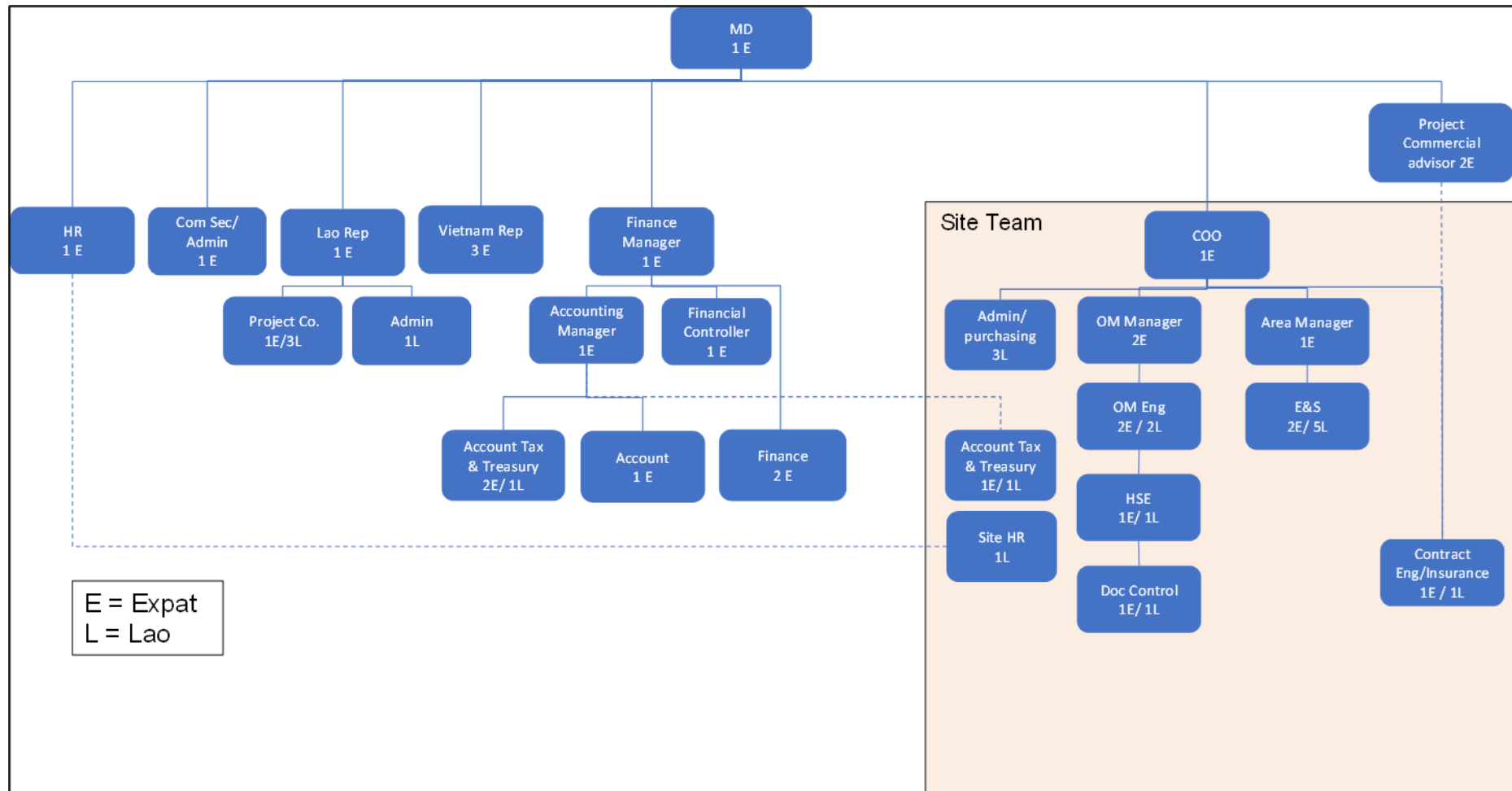


Figure 9-2: The Organization Chart for Operation Phase



## 10 IMPLEMENTATION SCHEDULE AND BUDGET

This section presents implementation schedule and budget for RP.

Annex C to the CA outlines the compensation delivery schedule as follows:

- in accordance with the provisions of the Compensation Delivery Schedule contained in the Compensation Plan;
- prior to any construction activity that may impact the PAP concerned; and
- in any event within [12] months of the Effective Date.

Financial compensation shall be paid in accordance with the Compensation Plan directly by the Company into a joint bank in the name of the head of household and spouse of the PAP or, if that is not reasonably practical due to the remoteness of the location, directly to the PAP concerned and witnessed by the CMU.

Compensation in the form of land shall be provided on the basis of the handing over to the PAP concerned of documents evidencing registered title to the compensation land in the presence of and as witnessed by the CMU or its authorised representatives.

Compensation in the form of materials shall be provided on the basis of the transfer to the PAP concerned of documents relating to the materials together with the materials themselves in the presence of and as witnessed by the CMU or its representatives.

The Company and CMU shall both maintain full records of all compensation provided under the Compensation Plan for as long as the CC is in place, and in any case for at least 10 years from the Effective Date.

**Table 10-1** presents RP implementation schedule and **Table 10-2** present indicative budget for RP implementation.

Table 10-1: Implementation Schedule

No.	Activity	2020				2021				2022				2023				2024				2025			
		Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
1	Established compensation committee for Dak Cheung District, Sekong Province with the CMU as the secretariat and executive body				26 Nov																				
2	Established compensation committee for Sanxay District, Attapeu Province with the CMU as the secretariat and executive body									7 Mar															
3	Agreement of unit rates for compensation for 600 MW wind farm project and 500 kV transmission line to be developed by IEAD in Dak Cheung District, Sekong Province										16 May														
4	Socio-economic household survey was conducted for ESIA preparation								Nov-Dec																
	Preparation of RP								Dec																
5	The Committee conducts a market survey of affect assets and consults with project affected villages regarding unit compensation rates for various types of assets.									30 Mar	12 May														
6	Detailed measurement survey 17 May to 21 June 2022 in Dak Cheung District 14-18 June 2022 in Sanxay District July 2022– revise access route to avoid permanent buildings, cemeteries, and main substation										May-July	May-July													
7	Revised EIA (2022) Approval											28 July													
8	Draft RP											Aug													
9	Formal issuance of cut-off date											End Aug													
10	Disclosure of the compensation policy and final unit compensation rates by the relevant government authority with support from the Project Developer											Mid Sep													
11	Final RP											16 Sep													
12	Carry out consultation with the PAPs on the compensation agreement form with all PAPs to inform them on the affected asset and compensation cost. After agreement, the PAPs will sign the compensation form and certified by village heads and the Committee											Mid Sep	Mid Nov												
13	Land for land compensation											Mid Sep	Mid Oct												
14	Cash compensation payment											Mid Sep	Mid Dec												
15	Report to the relevant committees on the completion of compensation												Dec												
16	Implementation of livelihood restoration programs*																								
17	Monitoring and reporting**																								→
18	Construction											Oct***													
19	Signing of the CA with GOL												Early Oct												
20	Set up on Interim ESMO and Interim PGRU											Oct													



No.	Activity	2020				2021				2022				2023				2024				2025			
		Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
20	Set up of ESMO and PGRU													Jan											
21	Set up the Grievance Committee													Jan											
23	COD***																								End Dec

\*Implementation of livelihood to ensure that income and livelihood of PAPs are restored which is likely to extend to post-COD.

\*\*Monitoring and reporting will be conducted quarterly during construction, semi-annually during the first two years of operation, thereafter annually.

\*\*\*Activities in October will be site preparation, design, etc. However, IEAD will ensure compensation disbursement prior to any land-related construction activities.

**Table 10-2** presents indicative budget for implementation of the RP. The total budget is USD 2,027,052.44 which can be broken down into USD 1,829,052.44 for activities before COD and USD 198,000.00 post-COD. It is noted that this is an indicative budget which will be updated following the discussion and agreement with MONRE as part of CA. It is possible that budgets allocated prove to be either under-estimated or over-estimated. The Company will propose annually an update of the overall environmental and social budget with suggestions on the way to reallocate funds.

**Table 10-2: Budget (USD)**

Budget	Pre-COD (USD)	Post COD (USD)	Total (USD)
<b>Compensation</b>	<b>784,052.44</b>	<b>0</b>	<b>784,052.44</b>
<b>Sekong Province</b>			
Agricultural land (including paddy fields, rice fields, etc.)	120,549.81	0	120,549.81
Booking land	7,733.08	0	7,733.08
Allocated Residential Land*	7,698.30	0	7,698.30
Agricultural Products	554,949.02	0	554,949.02
Ancillary Structures	16,245.98	0	16,245.98
<b>Attapeu Province</b>			
Agricultural land (including paddy fields, rice fields, etc.)	45,008.23	0	45,008.23
Booking land	1,126.58	0	1,126.58
Allocated Residential Land*	-	0	-
Agricultural Products	26,619.47	0	26,619.47
Ancillary Structures	4,121.98	0	4,121.98
<b>Livelihood restoration programs</b>	<b>165,000.00</b>	<b>25,000.00</b>	<b>190,000.00</b>
Local employment and capacity building	23,812.50	5,000.00	28,812.50
Agriculture production enhancement & Livelihood Improvement	98,062.50	10,000.00	108,062.50
Women Led Home/Micro Business Support	28,125.00	10,000.00	38,125.00
Education Scholarship Assistance	15,000.00	Not included in LRP, included in CEGDP budget	15,000.00
<b>CMO and ESMO operation cost</b>	<b>405,000.00</b>	<b>75,000.00</b>	<b>480,000.00</b>
ESMO	310,000.00	55,000.00	365,000.00
CMO	25,000.00	N/A	25,000.00
Compensation Committee	20,000.00	N/A	20,000.00
Capacity building for ESMO, CMO, and other government officials	50,000.00	20,000.00	70,000.00
<b>Surveys, studies and reports</b>	<b>100,000.00</b>	<b>25,000.00</b>	<b>125,000.00</b>
<b>External Monitoring (Lender's Environmental and Social Advisor)</b>	<b>220,000.00</b>	<b>35,000.00</b>	<b>255,000.00</b>

Budget	Pre-COD (USD)	Post COD (USD)	Total (USD)
Grievances redress mechanism operations	60,000.00	20,000.00	80,000.00
Contingency (10-20%)	95,000.00	18,000.00	113,000.00
<b>Total</b>	<b>1,829,052.44</b>	<b>198,000.00</b>	<b>2,027,052.44</b>

\* This is land allocated as residential land by the Laos government; however, there are no residential buildings on these lands identified within the Project development area

\*\* Exchange rate as of 21 September 2022 1 USD = 16,036 KIP (Bank of Lao PDR  
<https://www.bol.gov.la/en/ExchangRate>)

## 11 MONITORING AND EVALUATION FRAMEWORK

Monitoring and evaluation of the Resettlement Plan (RP) allows the project owner to ensure a smooth progress of the implementation of the Resettlement Plan. By reviewing the information on the progress of implementing the RP activities through monitoring, the project owner is able to understand the necessary feedback and possible impacts of previous steps and tasks ahead to better inform the risks underlying in the RP and make corresponding adjustments. Data is to be collected, analysed, evaluated, and maintained to demonstrate compliance with social and environmental obligations, as well as the requirements of the Laos legislation. Importantly, monitoring must also address the degree to which the RP activities have achieved their outcomes.

The RP monitoring and evaluation is embedded in the overall monitoring and evaluation approach of the Project. The monitoring distinguishes between internal and external components. The technical strategy of the RP monitoring should be partly based on a participative approach involving different stakeholders in a transparent and comprehensible manner, such as affected people, village representatives, vulnerable groups, local authorities, and ADB. Minority language will be considered if the Lao language and English language is not understandable during consultation

### 11.1 Key Performance Indicators and Monitoring

To measure the degree of achievements of the RP activity objectives, the internal and external monitoring will use a set of key monitoring indicators. Monitoring indicators are primarily sourced from baseline data to address the specific contents of the activities and entitlement matrix. These indicators (**Table 11-1**) are not exhaustive and could be revised as required during the implementation of the RP monitoring.

The monitoring indicators are planned to inform:

- RP implementation progress,
- compensation progress,
- replacement land development and status,
- budget and expenditures,
- quality of the compensation process, including issues relating to consultations, gender, ethnic minority, vulnerable groups, grievance, transparency and disclosure, and
- outcomes of the implementation of the approved RP.

**Table 11-1: Indicative Monitoring Indicators**

Performance Objective	Key Performance Indicator (KPI)
Disbursement of compensation payment	Compensation payments disbursed according to number and category of losses set out in the entitlement matrix (women, men, and vulnerable groups)
	Compensation payment disbursed against timeline
	Provision of replacement land plots
	Quality of new plots and issue of land titles
	Identification of the displaced persons losing land temporarily during construction, e.g. soil disposal, borrow pits, contractors' camps (women, men, and vulnerable groups)
Restoration of livelihoods	Number and percentage of displaced persons in the livelihood restoration program (women, men, and vulnerable groups)
	Number of displaced persons hired through project preferential employment (women, men, and vulnerable groups)

Performance Objective	Key Performance Indicator (KPI)
	Number of displaced persons who receive vocational training (women, men, and vulnerable groups)
	Types of training and number of participants in each (women, men)
	Degree of satisfaction with livelihood programs (women, men)
	Percentage of displaced persons who improved their income (women, men, and vulnerable groups)
	Number of displaced persons with replacement agriculture land (women, men, and vulnerable groups)
	Quantity of land owned/contracted by displaced persons (women, men and vulnerable groups)
	Number of households with agricultural equipment (women, men)
	Number of households with large/medium/small livestock (women, men)
	Number of displaced persons who have restored their income and livelihood patterns (women, men, vulnerable groups)
	Number of displaced persons who improved their standard of living (women, men, and vulnerable groups)
	Percentage of successful enterprises breaking even (women, men, vulnerable groups)
Meaningful consultation and Grievances	Number of affected persons who know their entitlements
	Consultations organized as scheduled including meetings, groups, and community activities
	Level of participation in meetings of women, men, and vulnerable groups (specify if high, medium, low)
	Number of general meetings (for both men and women)
	Number of meetings exclusively with women
	Percentage of women out of total participants
	Have any displaced persons used the GRM? What were the outcomes? (women, men)
	Number of grievances solved
	Number of grievances unsolved
	What are the subjects of the grievances? (men, women)
	Level of information communicated – adequate or inadequate?
	Information disclosure to the displaced persons
	Percentage of translation of information disclosure in the local languages
	Fair and equitable sharing of benefits associated with the Project
Budget and Time Frame	Achieving resettlement implementation activities against the agreed implementation plan
	Funds allocation for resettlement to responsible implementation agencies on time.
	Funds disbursement according to the resettlement plan.
	Land acquisition and occupation in time for implementation.



Performance Objective	Key Performance Indicator (KPI)
Institutional arrangement	Percentage of land acquisition and resettlement staff been appointed and mobilized on schedule for the field and office work (women, men)
	Percentage of capacity building and training activities completed on schedule (women, men)
	Has the external monitor contracted and mobilized?
Benefit monitoring	Changes in patterns of occupation, production, and resource use compared to pre-project situation (women, men)
	Changes in income and expenditure patterns compared to pre project situation (women, men)
	Changes in cost of living compared to pre-project situation (women, men)
	Changes occurred for vulnerable groups
	Have displaced persons' incomes kept pace with these changes? (women, men)
Employment and capability building	Employment priority for significantly impacted people and vulnerable groups
	Number of recruitments of unskilled workers (women and men)
	Recruitments of semi-skilled workers
	Percentage of skilled workers are women and/or vulnerable peoples
Education	Number of students receive scholarship
	Number of children receive sponsorship based findings. Preferential beneficiary will be vulnerable and indigenous children
	Number of disabled and handicapped children receive support on learning activities
	Number of girls obtain education and opportunities against boys
Women Led Home/Micro Business Support	Number of women undertake alternative/additional income generating activities such as weaving
	Number of women undertake home-based income generating activities
	Number of women undertake capacity building
	Number of women generate improved income and livelihood

## 11.2 Monitoring process

### 11.2.1 Internal monitoring process

The objective of internal monitoring is to (i) measure and report on the progress in the preparation and implementation of the approved RP; (ii) identify problems and risks, if any, and the measures to mitigate them; and (iii) assess if the compensation and other assistance provided are in accordance with provisions of the approved RP.

IEAD will monitor and measure the progress of implementation of the RP in collaboration with the Compensation Management Unit (CMU), and other relevant local authority to ensure full compliance with its obligations pursuant and will notify the Compensation Committee any breaches or non-compliance. IEAD is responsible for conducting the internal monitoring of RP implementation and submit quarterly progress report during construction and semi-annual progress report during operation for the first two years, thereafter annually to ADB and other Lenders including AIIB, DEG, FMO and JICA for supervision and disclosure. The progress reports will describe the progress of the implementation of the RP activities and any compliance issues and corrective actions. The semi-annual

report will closely follow the resettlement monitoring indicators. In addition, it shall be ensured that any results of self-monitoring are not shared or released in any way to the public or any other entity, in exception for the public release of information.

Annex C of the CA regulates that the the Company shall design and implement a comprehensive, accurate and effective self-monitoring system with targets, scope and methodology to verify compliance with the Resettlement Plan and shall make institutional and staffing arrangements to carry out the self-monitoring program.

The self-monitoring program of the Company, through the ESMO, shall include the following indicators at a minimum:

- implementation progress,
- compensation progress,
- replacement land development and status,
- health of PAPs,
- budget and expenditures,
- quality of the compensation process, including issues relating to consultations, gender, ethnic minority, vulnerable groups, grievance, transparency and disclosure, and
- outcomes of the implementation of the Compensation Plan.

The Company, through the ESMO, shall rectify any failure by the Company to perform, in whole or in part, its obligations with regard to the implementation of the Resettlement Plan.

### 11.2.2 External Monitoring

#### Monitoring by ADB and other Lenders

The project involves significant involuntary resettlement impacts and is classified as Category A on involuntary resettlement. IEAD engaged qualified and experienced external experts who form part of the Lenders Environmental and Social Advisors who will periodically (i.e., quarterly monitoring and reporting during construction and semi-annual monitoring and reporting during operation for the first two years, thereafter annually for the rest of the repayment period) verify the monitoring information. The external experts will assess whether resettlement objectives have been met and whether the livelihoods and living standards have been restored or enhanced, including those of the non-titled displaced persons. The experts should be qualified professionals with relevant experience in similar activities who are not involved in day-to-day project implementation or supervision. The external monitoring will also identify compliance issues and advise on remediation.

#### Monitoring and Inspection by MONRE

Annex C of the CA regulates the GOL's responsibilities regarding monitoring as follows:

To the extent that GOL undertakes any Project-related activities in accordance with CA Annex C, such activities shall be:

- in the nature of the performance of governmental responsibilities (e.g., monitoring, inspections, providing information, grant of Permits, imposition and collection of Penalties, advice and consultation with PAPs and relevant GOL Authorities, or
- in the nature of the performance of any Measures and Compensation as specified under the Assessments and Plans to be GOL responsibilities.

The Ministry of Natural Resources and Environment (MONRE), acting through its Department of Environment (DOE) and Natural Resources and Environment Inspection Office (NEIO), is the Environmental Oversight Body regarding the exercise of the GOL's rights and the performance of its duties pertaining to environmental and social issues as described in Annex C. The Annex C prescribes

MONRE's responsibility as *"The Technical Environmental Oversight Body shall coordinate as appropriate with relevant departments of GOL for the performance of such monitoring activities."*

### Monitoring by Other External Bodies

Further external monitoring will be undertaken by organizations not directly integrated into the Project's organization structure e.g., national and international NGOs and media or other interested parties. The Project will disclose information and monitoring report in an open and transparent way in compliance with national and international standards. Other monitoring bodies may request to visit the Project site, the Project will assist these monitoring bodies on site visit with Company's health and safety policy, procedure and practice apply at the immediate construction site.

## 11.3 Reporting

Prior to start of any site clearing or construction activities in a particular area, IEAD will prepare a Land Acquisition Compensation Completion Report confirming that affected people have received compensation for the land area for permanent or temporary use by the Project including the EPCC and its subcontractors. The report could be stand alone or integrated into the applicable quarterly report. During the period from the first day of the month immediately after the commencement of the land acquisition compensation payment process, pre-construction, construction period through and including the end of the Concession period, IEAD is required to conduct quarterly monitoring and reporting during construction phase and semi-annual monitoring and reporting during operation for the first two years, thereafter annually. These monitoring reports are readily disclosed on ADB website that include the progress in compensation payments, as well as other resettlement and livelihood restoration activities. The monitoring reports will be disclosed on IEAD's website as well. The relevant information in the monitoring reports will also be disclosed to the affected persons which at least includes implementation status of the RP, information on the compensation disbursement, land and asset acquisition and relocation progress, livelihood/income restoration progress and any information on benefit sharing, and any new-identified compliance issues and corrective action plan. The following information should be made available:

- A downloadable form of the publication regarding environmental and social matters
- Publications and retention of printed materials at a publicly accessible place
- Use of relevant ethnic languages and appropriate techniques to ensure acknowledgement and understanding of all PAPs and affected communities.
- In addition to reporting to ADB and other Lenders and disclosure of monitoring reports on ADB and IEAD website, Annex C to the CA regulates that the Company shall regularly report to the Compensation Committee and the Implementing Agency on the status of the implementation of the Compensation Plan/Resettlement Plan.
- To this end, in connection with the Compensation Plan, during the period from the Effective Date until three (3) years, the Company shall prepare and submit semi-annual to GOL (quarterly to Lenders) reports covering the following items:
  - -the progress made to implement the Compensation Plan against the relevant implementation programs, results of monitoring the social indicators in the monitoring program of the activities, any difficulties encountered in implementing the activities and recommendations for remedying those difficulties for the future,
  - the number and type of instances of non-compliance with the activities, the impacts of such incidents, and proposed remedial measures, and any monitoring data of social indicators for such period. Thereafter, such progress reports shall be made quarterly until such time as the Compensation Committee is dissolved.
  - The Company shall also prepare and submit annual reports covering: a summary of the items covered by required monthly or quarterly progress reports, a Gantt diagram showing the

implementation of measures carried out pursuant to the Compensation Plan/Resettlement Plan during the period against what was planned, progress of planned outputs and performance objectives, significant problems encountered and remedial measures taken, and identification of any deviation from the Plans or the obligations in Annex C.

- The Company shall immediately notify the Compensation Committee and the Implementing Agency as to any serious complaint, problem, or non-compliance or where the urgent attention of the Compensation Committee or the Implementing Agency is required. The Company shall submit all reports specified under this clause to the Compensation Committee and the Implementing Agency.
- The Company shall submit quarterly monitoring reports to Lenders during construction phase upto COD. Post COD Post COD, semi-annual reports will be submitted for the first 3-5 years and annually thereafter.

### **11.3.1 Mid-Program Review and Resettlement Completion Audit**

The key objective of mid-program review and completion audit by external evaluation is to determine whether the Project's effort to restore the living standards and livelihood of the PAPs have been properly implemented and have achieved the desired effect; i.e. restoration to pre-project levels and improvement to at least national minimum standards for the poor and vulnerable. The audit should verify that all commitments in the Resettlement Plan (RP) have been delivered and evaluate if the mitigation measures proposed in the RP contributed to the desired effect. The Project Company will commission a socio-economic survey covering 100% of the households affected by economic displacement in order to determine whether the socio-economic status of the affected population has been restored or improved as compared to the baseline conditions of the population before economic displacement.

The mid-program audit and the socio-economic survey will be undertaken during the 2<sup>nd</sup> year of implementation of RAP as this will enable the Project to undertake corrective actions (if any) as recommended by the auditors in the remaining process of RAP. The completion audit, including a socio-economic survey, will take place after all RP inputs have been completed before the Project Completion Date. The timing of the completion audit should allow the Project developer to undertake corrective action (if any) as recommended by the auditors. The completion audit should bring to closure the Project developer's liability for resettlement, compensation, and livelihood restoration. If the audit finds gaps in implementation or that objectives of the Resettlement Plan to restore to pre-project levels in real terms or improve the status of poor and vulnerable groups to national minimum standards have not been met, a corrective action plan will be prepared and implemented by the Company.