



**LAO PEOPLE'S DEMOCRATIC REPUBLIC**  
Peace Independence Democracy Unity Prosperity

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**Ministry of Public Works and Transport**

**Lao Southeast Asia Disaster Risk Management Project II**

# **RESETTLEMENT POLICY FRAMEWORK**

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## Definitions

**Affected People (AP)/ Affected Households (AHs).** In the context of involuntary resettlement, AP are those who are physically displaced (relocation, loss of residential land, or loss of shelter) and/or economically affected (loss of land, assets, access to assets, income sources, or means of livelihood) as a result of (i) land acquisition and involuntary resettlement; or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas. In the case of AHs, it includes all members residing under one roof and operating as a single economic unit who is adversely affected by the project or any of its components. They can also be referred to as Displaced Persons. In this Resettlement Policy Framework (RPF), the term used will be “AH.”

**Beneficiary** – all persons and households from the villages who voluntarily seek to avail of and be part of the project.

**Compensation** – payment in cash at replacement cost of the acquired assets for the project. Compensation for affected lands, houses, structures, and trees will be made at full replacement costs without taking into account depreciation and deduction of the salvageable materials.

**Displaced persons** – refers to all of the people who, on account of the activities listed above, would have their (1) standard of living adversely affected; or (2) right, title, interest in any house, land (including premises, agricultural and grazing land) or any other fixed or movable asset acquired or possessed temporarily or permanently; (3) access to productive assets and landholding adversely affected, temporarily or permanently; or (4) business, occupation, work or place of residence or habitat adversely affected; and “displaced person” means any of the displaced persons, including those who have no legal recognizable right or claim to the land they are occupying.

**Simplified Resettlement Plan (SRP)** or previously called Abbreviated Resettlement Action Plan (ARAP or ARP). A public document that specifies the procedures and actions to be undertaken to mitigate adverse effects related to land acquisition, economic displacement, resettlement, including compensation payment and livelihoods support. An SRP is recommended for a subproject with less than 200 project affected people and involve no physical resettlement.

**Region of Influence (RoI).** It is the area which is required for construction of the planned civil works under the Project. The RoI is agreed by the implementing agency and is demarcated by the civil work consultant within which the construction activities will take place.

**Disadvantaged/vulnerable groups:** In this project, disadvantaged/vulnerable individuals and groups are defined as those who have the following characteristics: (i) from an ethnic minority group, (ii) female headed household with dependents, (iii) landless/ having limited productive land, (iv) frequent lack of male labor at home (e.g. migrant workers); (v) jobless, or having limited economic opportunities; (vi) family member(s) with chronic illness, or disabilities; (vii) elderly who live on their own; (viii) people living in an especially difficult circumstance, (ix) Lesbian, Gays, Bio-sexual and Transgender (LGBT), and (x) people who don't meet above criteria but are concurred by local community as vulnerable to poverty and need project's support to reduce their vulnerability. Disadvantaged/ vulnerable individuals are usually from a poor, or a near-poor household.

**Economic displacement.** Refers to loss of land, assets or access to assets, loss of income sources or means of livelihood, as a result of (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected.

**Eligibility.** All AHs confirmed to be residing in, doing business, or cultivating land within the project affected area or land to be acquired or used for the project before the cut-off date are eligible for resettlement compensation for their affected properties.

**Entitlements.** Refers to a range of measures comprising compensation payment for loss of assets, resettlement assistance, income restoration and other non-financial support for physical relocation and livelihood restoration, etc. which are due to the AHs, depending on the type and severity of their losses, to restore their economic and social base.

**Income Restoration.** Improve, or at least restore, the livelihoods of all persons displaced by the Project through: (i) where possible, land-based resettlement strategies when affected livelihoods are land-based or where land is collectively owned; or cash compensation at replacement cost for land, including transitional costs, when the loss of land does not undermine livelihoods; (ii) prompt replacement of assets with assets of equal or higher value; (iii) prompt compensation at full replacement cost for assets that cannot be restored; and (iv) capacity building programs to support improved use of livelihood resources and enhance access to alternative sources of livelihood.

**Indigenous Peoples.** “Indigenous Peoples” is used in a generic sense to refer exclusively to a distinct social and cultural group possessing all the following characteristics – in varying degrees:

- Self-identification as members of a distinct indigenous social and cultural group and recognition of this identity by others; and
- Collective attachment<sup>1</sup> to geographically distinct habitats, ancestral territories, or areas of seasonal use or occupation, as well as to the natural resources in these areas; and
- Customary cultural, economic, social, or political institutions that are distinct or separate from those of the mainstream society or culture, and
- A distinct language or dialect, often different from the official language or languages of the country or region in which they reside.

In the Lao context, the terms “Ethnic Groups or Ethnic village” are officially used. As per the above four characteristics outlined above, 42 out of total 50 ethnic groups under three ethno-linguistic families (Mon-Khmer, Hmong lewmien and Chino-Tiber) meet the definition of IPs. The other 8 ethnic groups under Lao Tai family making up the majority (about 65%) of total population are not considered as IP.

**Information Disclosure.** The process of disseminating project information to stakeholders to allow them to understand the risks and impacts of the project, and potential opportunities.

**Inventory of losses.** This is the process where all fixed assets (i.e. lands used for residence, commerce, agriculture, including ponds; dwelling units; stalls and shops; secondary structures, such as fences, tombs, wells; trees with commercial value; etc.) and sources of income and livelihood inside the Project right of way are identified, measured, their owner identified, their exact location pinpointed, and their replacement costs calculated.

**Involuntary resettlement.** Resettlement is considered involuntary when directly affected persons or communities do not have the right to refuse project related land acquisition or restrictions on land use that result in their displacement.

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<sup>1</sup> Collective attachment means that for generations there has been a physical presence in and economic ties to land and territories traditionally owned, or customarily used or occupied, by the group concerned, including areas that hold special significance for it, such as sacred sites.

**Land acquisition.** Refers to process and methods that are adopted to acquire land for the project purpose. This may include outright purchase, expropriation of property and acquisition of access rights, such as easements or rights of way. Land acquisition may also include: (a) acquisition of unoccupied or unutilized land whether or not the landholder relies upon for income or livelihood purpose; (b) repossession of public land that is used or occupied by individuals or households; and (c) project impacts that result in land being flooded or otherwise rendered unusable or inaccessible. Land acquisition refers to anything growing on or permanently affixed to land, such as crops, buildings, and other improvements.

**Meaningful consultation.** Two-way process that (a) begins early in project planning process to gather initial views on project proposal and inform project design; (b) encourages stakeholder feedback, particularly as a way of informing project design and engagement by stakeholders in the identification and mitigation of environmental and social risks and impacts; (c) continues on an ongoing basis, as risks and impacts arise; (d) is based on prior disclosure and dissemination of relevant, transparent, objective, meaningful and easily accessible information in a timeframe that enables meaningful consultation with project stakeholders in a format culturally appropriate, and in relevant local language(s) and is understandable to stakeholders; (e) considers and responds to feedback; (f) supports active and inclusive engagement with project-affected parties; (g) is free of external manipulation, interference, coercion, discrimination, and intimidation; and (h) is documented and disclosed by the Government. Under the RPF, meaningful consultation refers to consultation in respect of land acquisition, economic displacement, and physical resettlement which is clearly stipulated in the Government's Standard Operating Procedures (SOP) for Land Acquisition and Involuntary Resettlement (LAR) and incorporates all the above elements.

**Physical Displacement.** Relocation, loss of residential land, or loss of shelter as a result of (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas. **Relocation.** This is the physical relocation of an AH from her/his pre-project place of location and/or business to another location.

**Replacement Cost.** A method of valuation that yields compensation sufficient to replace affected assets, plus necessary transaction costs associated with asset replacement. Where markets are active, replacement cost is the market value as established through independent and competent real estate valuation, plus transaction costs. Where functioning markets do not exist, replacement cost may be determined through alternative means, such as calculation of output value for land or productive assets, or the undepreciated value of replacement material and labor for construction of structures or other fixed assets, plus transaction costs. In all instances where physical displacement results in loss of shelter, replacement cost must at least be sufficient to enable purchase or construction of housing that meets acceptable minimum community standards of quality and safety. The valuation method for determining replacement cost should be documented and included in relevant resettlement planning documents. Transaction costs include administrative charges, registration or title fees, reasonable moving expenses, and any similar costs imposed on affected persons. Planned compensation rates may be subject to updating where inflation is high or the period of time between calculation of compensation rates and delivery of compensation is extensive.

**Resettlement Policy Framework.** Prepared when project components are not known and therefore land acquisition needs cannot be identified. The RPF will guide the preparation of future Resettlement Plans if they become necessary.

**Severely affected households.** Households who a) lose 10% or more of their total productive assets and landholding, and/or b) resettle physically.

**Voluntary donation.** Under WB's ESS5 (footnote 10), in some circumstances, it may be proposed that part or all of the land to be used by the project is donated on a voluntary basis without payment of full compensation. Subject to prior Bank approval, this may be acceptable providing the Borrower demonstrates that: (a) the potential donor or donors have been appropriately informed and consulted about the project and the choices available to them; (b) potential donors are aware that refusal is an option, and have confirmed in writing their willingness to proceed with the donation; (c) the amount of land being donated is minor and will not reduce the donor's remaining land area below that required to maintain the donor's livelihood at current levels; (d) no household relocation is involved; (e) the donor is expected to benefit directly from the project; and (f) for community or collective land, donation can only occur with the consent of individuals using or occupying the land. The Borrower will maintain a transparent record of all consultations and agreements reached. Owners should have the right to refuse making a voluntary donation without compromising the project, and should not be under pressure to donate by other Borrower representatives, community members, or other actors.

**Willing buyer – willing seller transactions:** Under WB's ESS5 (paragraph 6), ESS5 does not apply to voluntary, legally recorded market transactions unless such voluntary land transactions may result in displacement of persons other than the seller.

## Abbreviation and Acronym

<b>AH</b>	Affected Households
<b>COF</b>	Corridor of Influence
<b>CMU</b>	Component Management Unit
<b>CS</b>	Census Survey
<b>DAEO</b>	District Agriculture and Environment Office
<b>DOW</b>	Department of Waterways
<b>DIA</b>	Designated Implementing Agency
<b>EGDP</b>	Ethnic Group Development Plan
<b>EPL</b>	Environmental Protection Law
<b>ESIA</b>	Environmental and Social Impact Assessment
<b>ESMF</b>	Environmental and Social Management Framework
<b>GoL</b>	Government of Lao PDR
<b>GRM</b>	Grievance Redress Mechanism
<b>IDA</b>	International Development Association
<b>IOL</b>	Inventory of Loss
<b>MAE</b>	Ministry of Agriculture and Environment
<b>M&amp;E</b>	Monitoring and Evaluation
<b>MOF</b>	Ministry of Finance
<b>PAEO</b>	Provincial Agriculture and Environment Office
<b>PAH</b>	Project Affected Households
<b>RP</b>	Resettlement Plan
<b>PTI</b>	Public Works and Transport Institute
<b>RPF</b>	Resettlement Policy Framework
<b>RoI</b>	Region of Influence
<b>SRP</b>	Simplified Resettlement Plan
<b>VLD</b>	Voluntary land donations
<b>VMC</b>	Village Mediation Committee
<b>VRS</b>	Village Resettlement Sub-committees
<b>WB</b>	World Bank

# 1. INTRODUCTION

## 1.1 Project Overview

### 1.1.1 Project Rationale

The South East Asia Disaster Risk Management Project for Lao PDR (Lao SEADRMP) is being implemented with financing from the World Bank (WB). The Project has been carried out from 2017 till 2025 with the aim of reducing the risk of flooding and enhancing the disaster risk financing capacity of Lao PDR. The Project Development Objective (PDO) is to reduce the impacts of flooding in Muang Xay of Oudomxay (ODX) Province and enhance the capacity of the Government of Lao PDR (GoL) and to provide hydro-meteorological services and disaster response.

In 2018, Lao PDR experienced widespread floods, which significantly impacted its people and economy. To help reduce the financing gap and augment the response efforts, the World Bank approved Additional Financing (LDRM-AF, or AF) of about \$25 million. This includes funding for Structural Investments to Strengthen Flood Protection to support additional investments in Muang Xay and to implement similar activities in two additional provinces i.e. Luang Prabang (LPB) and Borikhamxay (BKX).

The proposed second Southeast Asia Disaster Risk Management Project (SEADRM II) builds on the achievements of the original SEADRM project (described briefly above), and continues to support implementation and scale-up of the activities initiated under it. SEADRM II takes an integrated approach to disaster risk management, supporting activities across the thematic areas of flood risk management (including nature-based solutions), early warning systems and disaster risk finance.

### 1.1.2 Project Development Objective

The Project Development Objective (PDO) aims to enhance flood resilience in target areas and strengthen the Government's capacity for hydro-meteorological services and financing post-disaster response.

**Key results:** Achievement towards the PDO will be monitored by the following indicators:

- People with reduced exposure to flood-related hazards due to project investments (disaggregated by gender and youth)
- Area with improved flood protection (Square Kilometers)
- Increase in the lead time for delivery of early warnings for hydromet hazards (Hours)
- People covered by disaster risk finance and insurance (Number of people) (disaggregated by gender and youth)

The project will be carried out through coordinated implementation of five project components:

#### **Component 1: Integrated Urban Flood Risk Management (US\$ 46 million)**

Component 1 will strengthen flood protection and resilient urban planning in several locations across Lao PDR. The component activities will be coordinated with Department of Housing and Urban Planning (DHUP) of the MPWT. Component 1 has two subcomponents::

- **Sub-component 1.1 – Riverbank Protection and Flood Risk Management (US\$ 40 million):** finance the construction of flood protection infrastructure in Muang Xay, Luang Prabang, and Paksan to reduce the impacts of increasingly severe flooding caused by climate change. This will include riverbank protection works on the Nam Mao and Nam Kor rivers in Muang Xay, riverbank protection on the Mekong and Nam Khan Rivers and flood gates with pumping

stations in Luang Prabang, and flood and erosion protection infrastructure, including flood gates in Paksan. This component will also finance about US\$2.2-2.5 million estimated as the compensation for land acquisition and resettlement activities for project affected households.

- **Sub-component 1.2 – Strengthening Urban Resilience (US\$ 4 million)** will finance activities for strengthening flood risk management in Vientiane Capital City and Luang Namtha province. In Vientiane Capital, it will finance follow-on activities to the Bank-supported Flood Risk Management Strategy and detailed risk modelling that aims to improve the city's preparedness and response capabilities for routine as well as extreme flood events. This will include feasibility studies and detailed designs for priority investments (including NBS) identified under the strategy to create an implementation-ready pipeline of flood risk reduction interventions. In Luang Namtha province, this sub-component will support flood hazard and risk modelling aimed at identifying the main drivers of flooding, including climate change, in key hot spots that experienced extensive flooding and sustained heavy losses in September 2024. It will also finance a strategic investment plan for flood protection measures in Luang Namtha district along with feasibility studies and detailed designs for priority investments.
- **Subcomponent 1.3: Project Management (US\$ 2 million):** provision of assistance to strengthen the institutional, organizational, and technical capacity of MPWT to support implementation of Component 1 of the project, including coordination, technical matters, procurement, financial management (FM), social and environmental safeguards, monitoring and evaluation (M&E), and reporting.

### **Component 2: Strengthening Hydromet Monitoring and Early Warning Systems (US\$ 2 million)**

Implemented by the Department of Meteorology and Hydrology (DMH) under Ministry of Agriculture and Environment), this component will strengthen the effectiveness and reliability of DMH's hydromet network through operations and maintenance support and improve communication and dissemination of early warnings. It is designed to leverage the activities supported under the ongoing SEADRM project, with a particular focus on ensuring that hydromet stations installed through it function optimally to provide requisite hazard monitoring and forecasting capabilities, which are critical for enhancing flood preparedness and climate resilience.

This component will finance essential activities such as equipment inspection and calibration, minor repairs and upgrades, ICT maintenance, and other critical refurbishments to verify functionality, accuracy and effectiveness of the network. These efforts will be complemented by on-site and remote technical support on meteorological ICT systems, protocols and processes to support DMH in integrating observation data from diverse set of sensor equipment and technologies into the existing integrated data management platform. It will also finance technology-driven pilots such as location-based cell broadcasting to improve communication and last-mile dissemination of early warnings in 2-3 target cities.

### **Component 3: Financial Planning for Disaster Resilience (US\$ 9 million)**

This component will enable the GoL to access and utilize pre-arranged, market-based risk financing instruments including insurance and strengthen the GoL's capacity to meet post-disaster funding needs. It builds on activities supported under the SEADRM project and RETF grant for premium financing, incorporating lessons learnt from prior project implementation. It focuses on securing ex-ante funding and ensuring that the GoL can efficiently channel funds to the affected population and sectors after a disaster occurs. Implemented by FRD of MOF, this component includes the following sub-components

- **Sub-component 3.1 – Financing the Costs of Disaster Risk Finance Instrument (US\$ 7.5 million)** will facilitate continued access to pre-arranged, market-based disaster risk financing instruments such as insurance. It will finance the cost of these instruments including insurance

premiums from mid-2027 up to project closure. While the GoL may continue to access products through SEADRIF, should SEADRIF be unable to provide these products, it may purchase coverage directly through the World Bank Treasury or from the insurance markets.

- **Sub-component 3.2 – Strengthening National Financial Resilience (US\$1.5 million)** strengthening the national capacity to effectively procure insurance products, manage post-disaster financial resources, and channel funds to the affected populations and sectors. It will support the GoL’s preparatory work necessary for the successful procurement of insurance coverage. In addition, it will finance technical assistance and investments to support public financial management reforms aimed at institutionalizing long-term insurance premium financing within the government’s budget, enhancing post-disaster resource management, and linking insurance payouts to adaptive social protection systems such as the Helping Hand program or other mechanisms. The component will support capacity building in environmental & social risk management and FM to ensure sufficient capacity for oversight of the use of payouts. In addition, it will support the recipient’s engagement in regional disaster risk financing mechanisms and oversight of Component 3.

#### **Component 4: Knowledge and Coordination (US\$ 3 million)**

Housed at the DOP of MOF, this component will support overall project management and coordination including M&E and financial audits, and manage procurement and FM functions for Components 2, 3, 4, and 5. In addition, it would also finance few technical support activities for mainstreaming DRM considerations in government’s development planning such as the next iteration of the NSEDP

#### **Component 5: Contingency Emergency Response Component (US\$0 million)**

This component is a ‘zero-assignment’ Contingent Emergency Response Component (CERC) that will provide funding for immediate response in the event of an eligible crisis or emergency, defined as an event that has caused or is likely to imminently cause a major adverse economic and/or social impact associated with natural or man-made crises or disasters.

The proposed Component 1 activities under Phase 2 focus on structural flood risk management across five provinces covering a total of **approximately 18.53 km with a budget of US\$ 40 million** (See Table 1 below).

**Table 1 – List of Potential Subproject Proposed under Component 1**

<b>Provinces</b>	<b>Length</b>	<b>Budget</b>	<b>Document</b>
<b>Luang Namtha Province (LNT):</b> Feasibility Studies and detailed designs for key hotspots and strategic investment plan for flood management in Luangnamtha District	<b>FS-DD</b>	<b>\$2 M</b>	Flood risk management, FS, and design studies are currently underway, with no physical infrastructure investments planned at this site. Funding from other donors may potentially support future investments. (no resettlement impacts expected)
<b>Luang Prabang Province (LPB):</b> Construction of Riverbank protection along the Nam Khan and Mekong rivers and flood gates LuangPrabang Province (4.67 km)	<b>Water gate; 4.67 Km</b>	<b>\$ 9M</b>	FS for riverbank protection works and detail designs for water gates/pumping stations <b><u>but need be discussed in detail and agreed with UNESCO. Previous experience took times.</u></b>

Provinces	Length	Budget	Document
<b>Oudomxay Province (ODX):</b> Construction of River improvements on the Nam Mao and Nam Kor rivers in Muang Xay , Oudomxay Province (OUX) (9.36 km)	9.36 Km	\$ 12 M	FS report and the riverbank protection will follow similar pattern of works of Phase 1 project <b><u>Component Management Unit 1/ Public Works &amp; Transport Institute (CMU1/PTI)/province requested to cover the whole studied area of package 2 (2022 ISAN FS)</u></b>
<b>Bolikhmexay Province (BKX):</b> Construction of Riverbank protection, road raising along vulnerable sections and Watergates in Mekong and Nam Xan tributary Bolikhmexay Province (BLK)	4.5 Km	\$9 M	Largely to finance riverbank protection. <b><u>No feasibility study</u></b> is available for this site, as we would be working incompletely new parts.
<b>Vientiane Capital (VTE):</b> Feasibility Studies and detailed designs for priority flood risk management investment	FS-DD	\$2 M	TA to do detail designs and urban drainage (no resettlement impacts expected)
<b>Consultancy (ODX&amp;LPB):</b> Phase I: Feasibility Studies; Designs; Safeguard Documents; Bidding Documents for Muangxay (OUX) and LuangPrabang (LPB);  Phase II: The Construction Supervision for ODX and LPB	FS-DD Supervision	\$4 M	Feasibility Studies; Designs; Safeguard Documents; Bidding Documents for Muangxay (OUX) and LuangPrabang (LPB) and Construction Supervision for ODX and LPB
<b>Consultancy (BLK):</b> Phase I: Feasibility Studies; Designs; Safeguard Documents; Bidding Documents for Pakxan Bolikhmexay Province (BLK);  Phase II: The Construction Supervision for BLK	FS-DD Supervision	\$2 M	Feasibility Studies; Designs; Safeguard Documents; Bidding Documents for Pakxan Bolikhmexay Province (BLK) and Construction Supervision for BLK
<b>Total</b>	<b>18.53 Km</b>	<b>\$40 M</b>	

## 1.2 Land Impacts

Under SEADRM II, civil works that are related to rehabilitation/ construction of riverbank protection and flood protection under Component 1 are anticipated to involve land acquisition. Effort will be made during design to avoid any impact on land. However, where avoidance is not possible – due to technical requirements, impact on land and livelihoods to local people will be minimized – through design alternatives. If case land acquisition is inevitable, it is anticipated that the subprojects would cause both permanent and temporary impact on public and private land and properties on land in the subproject area. Land impact will be confirmed for each subproject to inform preparation for site-specific resettlement plan.

### 1.3 Purpose and coverage of RPF

Since the project does not know the exact locations of the subprojects, and scope of land impact for each subproject, this RPF is prepared to establish resettlement principles, eligibility criteria, an entitlements matrix, implementation arrangements, grievance redress mechanism, funding mechanisms, and monitoring and reporting arrangements that would be applied to site-specific Resettlement Plan that will be prepared for subprojects to be identified/ confirmed during project implementation, as well as for the Resettlement Plan that has been prepared during project preparation in accordance with the WB's ESF and relevant national laws and regulations.

## 2. LEGAL FRAMEWORK

### 2.1 National Laws and Regulations

In the context of project's potential impacts on land and livelihoods of local people, including people from ethnic groups, the following national laws and regulations are relevant to the project:

- **Constitution of the Lao People's Democratic Republic** (1991. Amended in 2003 and 2015)
- **Land Law** (No. 01/97 NA/1997, Amended as No. 70/NA, 2019)
- **Law on Resettlement and Vocation** (No. 204/P, 2018)
- **Public Involvement Guideline** (2012)
- **Guideline for Consultation with Ethnic Groups** (2012)
- **Law on Handling of Petitions** (No. 07/NA, 2005, amended 05/NA, 2016)
- **Ministerial Instruction No. 8030/MONRE on Environmental and Social Impact Assessment (ESIA) and Initial Environmental Examination (IEE) of Investment Projects** (2013)
- **Environmental Protection Law** (No. 29/NA, 2013, Amended as No. 53/NA, 2024)
- **Water and Water Resources Law** (No.02-96/NA, 1996. Amended in 2017)
- **Forestry Law** (No.6/NA, 2007. Amended as Law No. 64/NA, 2019)

Under this project, the Law on Resettlement and Vocation (2018) applies to the project. The Law sets out principles, rules and measures regarding the supervision, inspection and monitoring of resettlement and vocation in order to enhance its efficiency, effectiveness, compliance, and to be consistent with locality condition and development. The Law ensures the right on resettlement and vocation of citizen in accordance with the Constitution. It focuses on implementing the resettlement and vocation as a strategic measure that is linked to construction, rural development and poverty reduction - in a near and long term, to ensure the better livelihood of affected people. The Law protects the right and interest of affected person on the basis of equality, accuracy, transparency, disclosure, promptitude and fairness. It also ensure people who need to resettle as a result of development project have a place for a living, sustainable vocation, and better livelihoods.

### 2.2 World Bank's Environmental and Social Framework

The following relevant World Bank's Environmental and Social Standards (ESSs) also apply to the project:

- **ESS 1: Assessment and Management of Environmental and Social Risks and Impacts.** The objectives of ESS1 are a) Identify, evaluate, and manage environment and social risks and impacts in a manner consistent with the ESSs, b) Adopt a mitigation hierarchy, b) Adopt differentiated measures so that adverse impacts do not fall disproportionately on the disadvantaged or vulnerable, and they are not disadvantaged in sharing development benefits and opportunities, c) Utilize national environmental and social institutions, systems, laws,

regulations and procedures where appropriate, b) Promote improved environmental and social performance, in ways which recognize and enhance Government capacity.

- **ESS5: Land acquisition, Restrictions and Land Use and Involuntary Resettlement.** The objectives of ESS5 are a) Avoid or minimize involuntary resettlement by exploring project design alternatives, b) Avoid forced eviction, b) Mitigate unavoidable adverse impacts from land acquisition or restrictions on land use by providing compensation at replacement cost and assisting displaced persons in their efforts to improve, or at least restore, livelihoods and living standards to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher, c) Improve living conditions of poor or vulnerable persons who are physically displaced, through provision of adequate housing, access to services and facilities, and security of tenure, d) Conceive and execute resettlement activities as sustainable development programs, e) Ensure that resettlement activities are planned and implemented as sustainable development programs, with appropriate disclosure of information, meaningful consultation, and informed participation.
  
- **ESS7: Indigenous Peoples.** The objectives of ESS7 are a) Ensure that the development process fosters full respect for affected parties' human rights, dignity, aspirations, identity, culture, and natural resource-based livelihoods, b) Promote sustainable development benefits and opportunities in a manner that is accessible, culturally appropriate and inclusive, c) Improve project design and promote local support by establishing and maintaining an ongoing relationship based on meaningful consultation with affected parties, d) Obtain the Free, Prior, and Informed Consent (FPIC) of affected parties in three circumstances, e) Recognize, respect and preserve the culture, knowledge, and practices of Indigenous Peoples, and to provide them with an opportunity to adapt to changing conditions in a manner and in a timeframe acceptable to them.
  
- **ESS10: Stakeholder Engagement and Information Disclosure.** The objectives of this ESS are a) Establish a systematic approach to stakeholder engagement that will help Borrowers identify stakeholders and build and maintain a constructive relationship with them, in particular project-affected parties, b) Assess the level of stakeholder interest and support for the project and to enable stakeholders' views to be taken into account in project design and environmental and social performance, c) Promote and provide means for effective and inclusive engagement with project-affected parties throughout the project life -cycle on issues that could potentially affect them, d) Ensure that appropriate project information on environmental and social risks and impacts is disclosed to stakeholders in a timely, understandable, accessible and appropriate manner and format, and e) Provide project-affected parties with accessible and inclusive means to raise issues and grievances, and allow Borrowers to respond to and manage such grievances.

## 2.3 Gap Analysis

There are gaps that exist between the Law on Resettlement and Vocation (2018) and the World Bank's ESS 5 on Land acquisition, Restrictions and Land Use and Involuntary Resettlement. Table 1 (below) summarizes the key policy gaps between the two policies and the measures that will be applied to address the key policy gaps.

Table 2 – Gap analysis between the WB’s ESS5 and Law on Resettlement and Vocation (2018)

Subjects	ESS5	Law on Resettlement and Vocation (2018)	Project Measures
<b>1. Land Property</b>			
1.1. Policy objectives	AHs should be <u>assisted in their efforts to improve, or at least restore, their livelihoods and living standards</u> , in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.	AH are compensated and assisted to improve or maintain their pre-project incomes and living standards and are not made worse off than they would have been without the project.	In-kind compensation at replacement cost for affected land, crops, structures, loss of income generation activities etc. Calculation of replacement costs for affected assets will not take into account asset depreciation (e.g. structures on land). Affected people can use salvageable materials. Also, where applicable – contracted workers will assist affected households to restore impacted assets to the pre-conditions, such as replanting of crops, trees, repair access paths/gateways as well as assist affected household in moving assets, if any.
1.2. Support for affected households who <u>have no recognizable legal right or claim</u> to the land they are occupying under national law (such as occupying land that are currently under government management for either residential, or income generation purpose	<u>Persons who have no recognizable legal right or claim to the land or assets they occupy, or use</u> are also classified as affected persons, and <u>they should be assisted in their efforts to improve, or at least restore, their livelihoods and living standards</u> , in real terms, to pre-displacement levels.	AH who does not have legal land title, land use certificate or other acceptable documentation indicating their land use right, including customary and traditional land use right, only provides the right to claim compensation for their lost assets such as house/structures, trees and/or crops, and not land.	All affected assets on land (e.g. minor part of house, structures, crops...) are compensated at full replacement costs. If affected persons are from poor, <b>vulnerable/ disadvantaged</b> group (as defined in the RPF), additional assistance will be provided on a case-by-case basis – based on their need. For all other impacts, where needed, they will also be entitled to additional financial assistance to improve their livelihoods and standards of living, or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.

Subjects	ESS5	Law on Resettlement and Vocation (2018)	Project Measures
1.3. Compensation for illegal structures	Compensation at replacement cost for affected structures regardless of legal status of the AH's land and structure.	AH who does not have legal land title, land use certificate or other acceptable documentation indicating their land use right, including customary and traditional land use right, only provides the right to claim compensation for their lost assets such as house/structures, trees and/or crops, and not land.	Compensation at full replacement cost for all structures affected, regardless of legal status of the land and structure. If structure affected is shop/business (and not residential house), moving allowance will be provided to affected person.
<b>2. Compensation</b>			
<b>2.1. Methods for determining compensation rates</b>	<p>Compensation for lost land and other assets at replacement costs.</p> <p>Where market is active, replacement cost is the market value (as established by independent and competent real estate valuation), plus transaction costs<sup>2</sup>.</p> <p>Where market is not active, alternative method may be used, such as calculation of output value for land, or productive assets, or the undepreciated value of replacement material and labour for construction of structures or other fixed assets, plus transaction costs.</p> <p>Where the period of time between calculation of compensation rates and delivery of compensation is extensive, planned compensation rates need updating to ensure compensation at replacement cost.</p>	<p><b>Article 3</b> (Definitions)</p> <ul style="list-style-type: none"> <li>▪ <b>Compensation value means the value calculated</b> in the form of land, material or money, constructed facilities, agricultural products, livestock and incomes which have been affected by development projects.</li> <li>▪ <b>Replacement value means the value that accounts</b> for object, money or land <b>which need to be used for replacing</b> land, construction, agricultural products, livestock and income affected from settlement allocation.</li> </ul>	Independent competent appraiser will be engaged to conduct a replacement cost survey for affected assets (e.g. land, crops, trees on land). Replacement cost values must meet the criteria as per methods mentioned at point 2.1.
<b>2.2. Compensation for affected assets</b>	Loss of income sources should be compensated (whether or not the affected persons must move to another location)	<b>Article 22</b> (Compensation for Damages caused by Resettlement)	ESS5 will be applied. In particular, livelihood restoration plan will be developed which may include non-farm income generation

<sup>2</sup> Transaction costs include administrative charges, registration or title fees, reasonable moving expenses, and any similar costs imposed on affected persons.

Subjects	ESS5	Law on Resettlement and Vocation (2018)	Project Measures
		<ul style="list-style-type: none"> <li>▪ For <b>affected land</b>, affected people with lawful documents will be compensated for only for the lost part with the <b>pre-set substitute value</b></li> <li>▪ For <b>affected structures/ buildings</b>, affected people shall be compensated with the <b>substitution value of such buildings without any deduction of depreciation</b> or reduction of compensation against remaining construction materials</li> <li>▪ For households losing <b>trees, crops, livestock or income</b>, they shall be compensated <b>based on the substitute value</b></li> </ul>	<p>activities, job training, job opportunity as project's labor (e.g. in civil works), etc. Affected people will be supported to restore to pre-displacement level regardless of the legal status of their affected land.</p>
<b>2.3. Livelihood restoration and assistance</b>	Provision of livelihood restoration and assistance to achieve the policy objectives.	<p><b>Article 26</b> (Livelihood Rehabilitation during Transition Period)</p> <ul style="list-style-type: none"> <li>▪ Affected people will be <b>provided with assistance</b> during transition period <b>according to livelihood rehabilitation plan to improve living standard</b> of affected people</li> <li>▪ Affected people will be <b>provided with necessary equipment for production</b></li> <li>▪ <b>Affected people with disability</b> will be given special attention</li> </ul> <p><b>Article 45</b> (Obligations of project developer)</p> <ul style="list-style-type: none"> <li>▪ Ensure <b>sufficient budget is allocated</b> to implementation of compensation plan, resettlement plan and livelihood rehabilitation plan.</li> </ul>	<p>Because the impacts are expected to be minor (as described at Section 1.4 – Scope of land impact), income restoration measures will be provided on a case-by-case basis, and on the need of AH. Where necessary, financial and/or non-financial measure will be offered to AH to assist them in restoring their incomes and/or livelihoods, to the pre-displacement level.</p>
<b>2.4. Consultation and disclosure</b>	Participation in planning and implementation, specially confirming the eligibility criteria for compensation and assistance, and access to Grievances Redress Mechanism	<p><b>Article 46</b> (Rights of person receiving resettlement)</p> <ul style="list-style-type: none"> <li>▪ Affected people <b>have the rights to participate in the consultation meeting and discuss on the resettlement plan</b>, compensation and livelihood rehabilitation, and to participate in other meetings as invited</li> </ul>	<p>Meaningful consultation will be conducted at every stage of RP planning and implementation.</p> <p>ESS5 will be applied.</p>
<b>3. Grievance Redress Mechanism</b>			
Procedures for recording and processing grievances	Where feasible and suitable for the project, the grievance mechanism <u>will utilize existing formal or informal grievance mechanisms</u> , supplemented as needed with project-specific arrangements	No specific provision is specified in the Law. However, there is grievance redress procedure in the Law on Handling of Petitions (No. 07/NA, 2005, amended 012/NA, 2015)	<p>Affected persons, particularly those from Ethnic Group may lodge their grievance through their traditional channel (informal) in addition to the procedures (formal).</p> <p>Project-level GRM is specified at specified at Chapter 6 of this document.</p>
<b>4. Monitoring &amp; Evaluation</b>			

Subjects	ESS5	Law on Resettlement and Vocation (2018)	Project Measures
	<p><b>Baseline conditions need to be established</b> for monitoring and evaluation purposes.</p>	<p><b>Article 22</b> (Compensation for Damages caused by Resettlement)</p> <ul style="list-style-type: none"> <li>▪ Implementation of compensation plan is required to be monitored at local authority level.</li> </ul> <p><b>Article 44</b> (Rights of project developer)</p> <ul style="list-style-type: none"> <li>▪ Project owner <b>has the right to self-monitor and self-inspect</b> their own study on resettlement and vocation program, <b>including compensation and livelihood rehabilitation</b> of affected people</li> </ul> <p><b>Article 45</b> (Obligations of project developer)</p> <ul style="list-style-type: none"> <li>▪ Project developer is obliged to establish a report that, among other things, monitor resettlement plans in compliance with required technical standards.</li> </ul>	<p>Component Management Unit 1/ Public Works &amp; Transport Institute (CMU1/PTI) will conduct internal monitoring on resettlement implementation. The monitoring will include progress reports, status of the RP implementation, information on location and numbers of people affected, compensation amounts paid by affected asset, and assistance provided to AH. The report on RP implementation progress will be prepared by CMU1/PTI and submitted quarterly to the WB as part of overall Project Progress Report.</p>
<p><b>Land donation</b></p>	<p>In some circumstances, it may be proposed that part or all of the land to be used by the project is donated on a voluntary basis without payment of full compensation.</p>	<p>There is no specific guidance on land donation in any legal document albeit donation of land and other assets are generally accepted.</p>	<p>To ensure donation of land and other assets is truly voluntary, Procedures for Voluntary Donation is proposed (See Section 5.2).</p>

## 3. OBJECTIVES, PRINCIPLES, AND APPROACH

### 3.1 Objectives

This RPF establishes principles for land acquisition, resettlement, implementation arrangements, funding mechanisms, eligibility criteria, entitlements matrix, grievance redress mechanism and monitoring and evaluation for implementation of Resettlement Plan(s) that may be required for certain subprojects (to be identified during project implementation).

### 3.2 Principles

The following approach shall govern the way resettlement, compensation and support are carried out under the project.

#### ***Mitigation hierarchy***

Land impacts should be avoided, or minimized if avoidance is not possible, through the following steps:

- Technical design will aim to avoid permanent and temporary impacts on land, assets, and livelihood activities of local people.
- When anticipated impacts cannot be avoided, such impacts will be minimized through alternative designs.
- Once land impacts have been minimized or reduced through alternate designs, further mitigation measures will be adopted – through compensation for affected assets, income generation activities, and livelihoods, and
- Where impacts still remain, compensate people as per this RPF.

Activities that require Free, Prior and Informed Consent of affected ethnic groups – as per ESS 7, will not be financed by the project.

#### ***Implementation approach***

During land acquisition and livelihood restoration process, the following principles shall be observed:

- Resettlement Plan will be conceived and executed as a sustainable development program, providing sufficient investment resources to enable displaced persons to benefit directly from the project, as the nature of the project may warrant;
- Avoid forced eviction;
- Mitigate unavoidable adverse social and economic impacts from land acquisition or restrictions on land use by: (a) providing timely compensation for loss of assets at replacement cost and (b) assisting affected persons in their efforts to improve, or at least restore, their livelihoods and living standards, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher;
- Improve the living conditions of poor and vulnerable/disadvantaged persons who are physically displaced, through provision of adequate housing, access to services and facilities, and security of tenure where relevant;
- Ensure that resettlement activities are planned and implemented with appropriate disclosure of information, meaningful consultation, and the informed participation of those affected;
- Keep the affected persons fully informed about the process of compensation and other mitigation activities, and their related rights and avenues for redress, in line with consultation procedures outlined in this RPF and the SEP, with particular attention to gender;
- For acquisition of land belonging to IPs, ESS7 of the WB's ESF will need to be followed;
- Conduct meaningful consultation with affected people to inform them of their right to compensation and project's compensation entitlements;
- Compensation rates for affected assets will be determined based on the replacement costs survey to be conducted by an independent price appraiser engaged by CMU1/PTI.;

- Compensation for affected lands, houses, structures, and trees will be made at full replacement costs without taking into account depreciation and deduction of the salvageable materials. Compensation for affected crops will be at full market prices;
- Severely affected households – as defined by the project will receive financial and non-financial support to improve, or at least restore, their livelihood to the pre-project level;
- Individuals/ households who have to relocate their house but ineligible for compensation for affected land (e.g. illegal occupier) will be supported financially (See Entitlement Matrix) and non-financially to identify a new place for physical relocation and successfully resettle, improving or at least restoring their living conditions and livelihoods, prior to the occurrence of land acquisition for project construction;
- Compensation and allowance shall be provided in full to affected households prior to land acquisition and/or physical resettlement;
- By the end of the project, if the livelihoods of affected households have not yet restored to pre-project levels, additional support measures will be provided.

### 3.3 Eligibility Criteria

#### 3.3.1 Eligibility Criteria of Project Affected People

The following land use scenarios of AHs are envisaged under civil work subprojects

- People who **have formal legal rights** to land;
- People who **do not have formal legal rights** to land when census survey begins but have claim to such land and/or assets and their claims are **recognized, or recognizable** under the national laws;
- People who have **neither formal legal rights nor recognized or recognizable claims** to the land they are occupying/using.

Under this project, people under items (i) and (ii) are eligible for compensation and assistance for affected land. People under item (iii) will not be compensated for the affected land.

All people under items (i), (ii), and (iii) are compensated for affected assets attached to affected land, including support for land-based livelihoods. Compensation for affected land and assets will be paid at full replacement costs. If they need to relocate physically due to project, they will be supported with other assistance (see details in Entitlement Matrix).

#### 3.3.2 Cut-off date

Cut-off date is defined as a date when assets and means of livelihood that have existed within the Region of Influence (RoI) before the cut-off date are eligible for compensation and support. This also means people who encroach upon the RoI and establish any kind of assets such as crop, houses, structures, and/or business within the RoI after the cut-off day will not be entitled to any compensation, assistance, or support.

Under this project, the cut-off day is defined as either a) the date when the census survey commences, or b) the date when the civil works subproject (including RoI) is publicly announced to affected people and the general public in the subproject area.

## 4. COMPENSATION AND SUPPORT POLICY

Compensation will be provided to eligible affected persons/households based the following principles, and on the entitlement, matrix shown in Table 2 (below):

- Land (residential and agricultural purposes) will be compensated at replacement costs.

- Affected structures, including secondary structures and/or part of the house (for residential and/or business purpose) will be compensated at replacement cost.
- Crops and trees will be compensated at replacement cost. Where possible, AH will be allowed to harvest crops before permanent acquisition of land and/or before temporary use of the land for construction activities (e.g. construction of bypass road, workers camp, material stockpiling...).
- Temporary loss of income generation activities during transition period will be supported through provision of allowances. Affected business who need relocation to a new site during construction time and plan to return to the original site upon construction completion will be supported for the temporary loss of income and transport during business relocation. Affected businesses are compensated irrespective of its business registration status (registered or not).
- Permanent loss of income due to project construction will be supported in terms of livelihood restoration based on the needs of affected households.

**Table 3 – Entitlement Matrix**

Type of Losses	Entitled Persons	Entitlements	Implementation Issues
<i>A. Loss of Land</i>			
Residential Land	Legal owner or occupant identified during census and tagging.	<ul style="list-style-type: none"> <li>▪ With remaining land sufficient to rebuild houses/structures: (i) Cash compensation at replacement cost which is equivalent to the current market value of land of similar type and category, and free from transaction costs (taxes, administration fees) and (ii) District government to improve remaining residential land at no cost to AH/PAH (e.g., filling and leveling) so AH/PAH can move back onto a plot.</li> <li>▪ Without remaining land sufficient to rebuild houses/structures: (i) Replacement land equal in area, same type and category, without charge for taxes, registration and land transfer, with land title (assuming Land Titles are available in the area); if not, land survey certificate, OR (ii) cash compensation at replacement cost which is equivalent to the current market value of land of similar type and category, free from transaction costs (taxes, administration fees) plus assistance to purchase and register land.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Legal owners are those who have land use certificates or land titles from the Land Titling Project.</li> <li>▪ Voluntary donation of minor strips of residential land will only be allowed by the project provided that principles and criteria set forth under Section 5.2 (Procedures for Voluntary Donation) are strictly complied with.</li> <li>▪ Voluntary donation according to these criteria will follow the process in accordance with World Bank’s ESS 5.</li> </ul>
Productive Land (Paddy, garden, plantation)	Legal owner or occupant identified during census and tagging.	<ul style="list-style-type: none"> <li>▪ For marginal loss of 10% (or less) of land, cash compensation at replacement cost which is equivalent to the current market value of land within the village, of similar type, category and productive capacity, free from transaction costs (taxes, administration fees), or</li> <li>▪ Replacement land of similar type, category and productive capacity of land within or nearby the village, with land title.</li> <li>▪ If the impact on the total productive land is 10% or more, as a priority, replacement land of similar type, category and productive capacity of land within or nearby the village will be provided with land title (assuming Land Titles are issued in the area). If not, land use certificate to be issued. Alternatively, at the request of PAP or PAH, cash compensation at replacement cost plus assistance to purchase and register land will be provided.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Legal owners are those who received land utilization certificates</li> </ul>

Type of Losses	Entitled Persons	Entitlements	Implementation Issues
<b>B. Loss of Structures</b>			
Totally Affected Houses/Shops, and Secondary Structures (kitchen, rice bins) Partially Affected Houses/Shops but no longer viable (Will require relocation)	Owners of affected houses whether or not land is owned (regardless of legal status).	<ul style="list-style-type: none"> <li>Cash compensation at replacement cost for the entire structure equivalent to current market prices of (i) materials, with no deduction for depreciation of the structure or salvageable materials; (ii) materials transport; and (iii) labor cost to cover cost for dismantling, transfer and rebuild.</li> </ul>	<ul style="list-style-type: none"> <li>Adequate time provided for AH/PAH to rebuild/repair their structures.</li> </ul>
		<ul style="list-style-type: none"> <li>Timely provision of trucks for hauling personal belongings at no cost to the AH.</li> </ul>	<ul style="list-style-type: none"> <li>Affected houses and shops that are no longer viable are those whose remaining affected portion are no longer usable/habitable.</li> </ul>
Partially Affected Houses and Shops and secondary structures (Will not require relocation)	Owners of affected houses whether or not land is owned.	<ul style="list-style-type: none"> <li>Cash compensation at replacement cost for the affected portion of structure equivalent to current market prices of (i) materials and labor, with no deduction for depreciation of the structure or for salvageable materials (ii) materials transport, and (iii) cost of repair of the unaffected portion.</li> </ul>	
Electricity Poles	Electricity Companies.	<ul style="list-style-type: none"> <li>Cash compensation for cost to dismantle, transfer and rebuild.</li> </ul>	
<b>C. Loss of Livelihoods Activities Including Crops, Trees and Ponds</b>			
Productive Land (paddy, garden, and Teak Plantation)	Legal owner or occupant identified during census and tagging.	<ul style="list-style-type: none"> <li>For marginal loss of 10% (or less) of land, cash compensation at replacement cost which is equivalent to the current market value of land within the village, of similar type, category and productive capacity, free from transaction costs (taxes, administration fees), or</li> </ul>	<ul style="list-style-type: none"> <li>Legal owners are those who received land utilization certificates or land titles from the Land Titling Project.</li> </ul>
		<ul style="list-style-type: none"> <li>Replacement land of similar type, category and productive capacity of land within or nearby the village, with land title.</li> </ul>	<ul style="list-style-type: none"> <li>Voluntary donation will not be applied for any assets except for very minor losses of land holding as defined under this CRPF.</li> </ul>
		<ul style="list-style-type: none"> <li>If the impacts on the total productive land is 10% or more, as a priority, replacement land of similar type, category and productive capacity of land within or nearby the village, with land title (assuming Land Titles are issued in the area). If not, land use certificate to be issued. Alternatively, at the request of AH or PAH, cash compensation at replacement cost plus assistance to purchase and register land.</li> </ul>	

Type of Losses	Entitled Persons	Entitlements	Implementation Issues
Fishpond (Remaining area is still viable or can still meet expected personal or commercial yield)	Owner of affected fishpond.	<ul style="list-style-type: none"> <li>Cash compensation of affected portion at replacement cost which is equivalent to the current market value of fishpond, labor and rent of equipment to excavate fishpond, free from transaction costs (taxes, administration fees).</li> </ul>	Adequate time provided for AH to harvest fish stocks.
		<ul style="list-style-type: none"> <li>If the currently held fish stocks will not be harvested before the project takes possession of the fishpond, then cash compensation for the projected mature value of fish stock held at the time of compensation.</li> </ul>	Voluntary donation of fishpond land will not be allowed by the project.
		<ul style="list-style-type: none"> <li>District government to restore/repair remaining fishpond. If support cannot be provided by the contractor, the AH will be entitled to cash assistance to cover for payment of labor and rent of equipment to restore/repair fishpond.</li> </ul>	
Loss of business income during relocation or during dismantling/repair of affected portion (without relocation)	Owners of shops.	<ul style="list-style-type: none"> <li>For businesses (shops) cash compensation equivalent to the average daily revenue for the business over the previous 12 months.</li> </ul>	<p>It is estimated that it will take one day to move the shops if made of traditional materials (bamboo)/movable (can be carried without totally dismantling the structure) and approximately four weeks – maximum - to re-establish business in another location. It will take about two days to remove and repair affected portion of shop made of permanent materials (such as good wood and concrete). Because these structures will not be relocated, business can commence as soon as repairs are completed.</p> <p>During project implementation, when a business (with house/shop on it) need to be relocated, the replacement costs survey will survey the actual situation (based on consultation with affected households) to estimate the potential transaction costs associated with the business relocation (e.g. fee, permit) that may be associated with the re-establishment of the business in another location.</p>
			The rate will be verified through interviews with informal shop owners to get an estimate of daily net profit.
Severely impacts	Vulnerable AH/PAH such as the poorest, or households headed by	<ul style="list-style-type: none"> <li>An additional allowance of 1-month supply of rice per person in the household.</li> </ul>	The poorest will be those below the national poverty line as defined in the poverty partnership agreement with World Bank.

Type of Losses	Entitled Persons	Entitlements	Implementation Issues
Refer to households who a) need to physically relocate, or b) lose 10% or more of total their total productive assets and landholding)	women, the elderly, or disabled, and ethnic group.	<ul style="list-style-type: none"> <li>Eligible to participate in income restoration program.</li> </ul>	Provision of livelihood restoration support which may include a) job training, b) attending training on relevant farming techniques – based on PAP's needs, and c) other support that are relevant to livelihood restoration support (to be explored on a case-by-case basis).
		<ul style="list-style-type: none"> <li>The contractors will be required to make all reasonable efforts to recruit severely affected and vulnerable AH as laborers for road construction and road maintenance works.</li> </ul>	
Transition subsistence allowance	Relocating households – relocating on residual land or to other sites. Vulnerable AH losing 10% or more of their productive land.	<ul style="list-style-type: none"> <li>Relocating AH/PAH without any impact on business or source of incomes will be provided with cash or in-kind assistance equivalent to 16 kg of rice at current market value for 3 months per household member.</li> <li>Relocating AH/PAH with main source of income affected (i.e., from businesses) or AH losing more than 10% of their productive land will be provided with cash or in-kind assistance equivalent to 16 kg of rice at current market value for 6 months per household member.</li> </ul>	
Permanent loss of physical cultural resources/public structures/village or collective ownerships	Villagers or village households.	<ul style="list-style-type: none"> <li>Compensation at replacement cost for present/existing structures based on its present value.</li> </ul>	
<b><i>D. Loss of Common Property Resources</i></b>			
Public structures/village or collective ownerships	Villagers or village households.	<ul style="list-style-type: none"> <li>Compensation at replacement cost for present/existing structures based on its present value.</li> </ul>	
Graves located in the affected areas	Owners of graves	<ul style="list-style-type: none"> <li>Compensation for the removal, excavation, relocation, reburial and other related costs, including reasonable costs associated with local, cultural ceremonies before, during, and after relocation of graves, will be paid in cash to each affected family.</li> </ul>	
<b><i>E. Temporary Impacts Due to Sub-Project Construction or Maintenance</i></b>			

Type of Losses	Entitled Persons	Entitlements	Implementation Issues
Temporary Use of Land	Legal owner or occupant.	<ul style="list-style-type: none"> <li>▪ For agricultural and residential land to be used by the civil works contractor as by-pass routes or for contractor's working space, (i) rent to be agreed between the affected households and the civil works contractor but should not be less than the unrealized income and revenue that could be generated by the property during the period of temporary use of the land; (ii) cash compensation at replacement cost for affected fixed assets (e.g., structures, trees, crops); and (iii) restoration of the temporarily used land within 1 month after closure of the by-pass route or removal of equipment and materials from contractor's working space subject to the conditions agreed between the affected households and the civil works contractor.</li> </ul>	The construction supervision consultant will ensure that the (i) location and alignment of the by-pass route to be proposed by the civil works will have the least adverse social impacts; (ii) that the affected households is adequately informed of his/her rights and entitlements as per the Project resettlement policy; and (iii) agreement reached between the affected households and the civil works contractor are carried out.
Transportation allowance	Relocating households – to other sites.	<ul style="list-style-type: none"> <li>▪ Provision of dump trucks to haul all old and new building materials and personal possessions.</li> </ul>	AH/PAH may also opt for cash assistance. The amount (cost of labor and distance from relocation site) to be determined during implementation.
Temporary loss of crop production due to loss of access to water during construction works	Agricultural Producers affected by the works on irrigation sites	<ul style="list-style-type: none"> <li>▪ Compensation sufficient to restore incomes based on market rates for quantity of crops lost during construction works.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Timing construction works to correspond with period where production is not taking place</li> <li>▪ Payment should be made before works are initiated, and additional payments should be made if delays are anticipated.</li> </ul>

## 5. IMPLEMENTATION ARRANGEMENTS

### 5.1 Procedures for Land Acquisition

The following key steps will be taken when there is a need for involuntary land acquisition:

#### 5.1.1 Census Survey/ Inventory of Loss

A census survey (CS)/ Inventory of Loss (IOL) will be carried out on the basis of the demarcation set up based on the approved technical design of the relevant subproject. The purpose of CS/IOL is to obtain derive list of affected individuals/households, type of affected assets (e.g. land, assets on land, business...), estimated number of affected land area, trees, crops, and type and scope of business that may be potentially affected. Where people are affected severely, socioeconomic data may be obtained from these households (in census survey) to inform the design of livelihood restoration measures.

Given the small scope of land impact under the project, a census survey and inventory of loss will be combined and can be done by administering a simplified questionnaire to obtain socioeconomic data of affected households and scope of land impacts.

#### 5.1.2 Detailed Measurement Survey

Detailed Measurement Survey (DMS) will be carried out by the District Agriculture and Environment Office (DAEO) with the support from DPWT/CMU1/PTI at provincial level. Where a land database managed by DAEO is available, DMS results will be checked vis-à-vis existing land database to confirm the legal status of the affected land. This assists the process of updating land record for the affected households (e.g. land titling) and government's cadastral database.

#### 5.1.3 Replacement Cost survey

Where land market is active, CMU1/PTI will engage a qualified local consultant to conduct a Replacement Cost Survey (RCS). However, where market is not functioning actively, CMU1/PTI (through its Project Implementation Unit) work together with DAEO to estimate prices for affected land, productive assets, replacement material and labor for construction of structures or other fixed assets, plus transaction costs. CMU1/PTI may also engage a consultant specialized in price appraisal to assist CMU1/PTI. The outcome of this exercise is the compensation rates for each type of affected assets that can be applied to calculate compensation packages for affected households at replacement cost. Compensation rates proposed for use in calculation of compensation package is subject to review and concurrence by district and provincial Government.

The RCS will be carried out in parallel with the DMS exercise to save time. The agreement of AH as to the proposed compensation package for them is confirmed. Errors found will be corrected during the consultation process. In case compensation payment to AH is late and the compensation unit rates are no longer valid before commencing compensation, the RCS results will be updated to reflect the current market prices of the affected assets. Updating of RSC, if required, will be carried out by the RCS consultant.

#### 5.1.4 Preparation of Simplified Resettlement Plan

Given the minor scope of land acquisition that are envisaged at subproject level, where land acquisition is inevitable, and the number of affected people is less than 200 people, simplified RP for the relevant subproject.

As a minimum, Simplified RP should cover the following:

- Census survey of APs and affected assets;
- Description of compensation and other resettlement assistance to be provided;
- Consultations with affected people about alternatives;
- Institutional responsibility for implementation;

- Grievance redress mechanism;
- Monitoring and evaluation arrangements; and
- A timetable and budget.

## 5.2 Procedures for Voluntary Donation

### 5.2.1 Principles

In some circumstances, it may be proposed that part or all of the land to be used by the project is donated on a voluntary basis without payment of full compensation. Subject to prior Bank approval, this may be acceptable providing the Borrower demonstrates that: (a) the potential donor or donors have been appropriately informed and consulted about the project and the choices available to them; (b) potential donors are aware that refusal is an option, and have confirmed in writing their willingness to proceed with the donation; (c) the amount of land being donated is minor and will not reduce the donor's remaining land area below that required to maintain the donor's livelihood at current levels; (d) no household relocation is involved; (e) the donor is expected to benefit directly from the project; and (f) for community or collective land, donation can only occur with the consent of individuals using or occupying the land. The Borrower will maintain a transparent record of all consultations and agreements reached.

Only potentially affected people who meet the criteria below ("Donation Criteria") should be approached to explore if they wish to donate. Affected people has the right to refuse donating their land and/or asset.

#### **Donation Criteria.**

Under this project, Voluntary Donation (VD) is considered as an option for only individuals/ households who meet all the following conditions:

- The donating household does not experience pressure to donate. Refusal to donate will not compromise the project implementation (i.e., technical alternatives are available to avoid impact on the refusing household, or the household will be compensated as per the entitlement matrix of this RPF)
- Donating people are not from vulnerable/disadvantaged group – as defined by the Project (See Terms and Definition in this document);
- Donating people must be direct beneficiary household of the planned subproject;
- Donating person/people should have sole ownership to the land portion intended for donation and there are no legal disputes associated with the donated land;
- Donating household are not physically resettled;
- Potentially donated land area does not exceed 10% of the total landholding (both productive land and residential land) of the donating individual/households;
- Land portion (intended to be donated to the subproject) is free of houses, structures or other fixed assets;
- As a result of their donation, donating household will not face any risk of failure in maintaining their livelihood at the current/pre-subproject level – as a minimum.
- Donating household will be exempt from any tax and transaction fee(s) that may be associated with the portion of land that they have donated. If such cost is involved, the project will cover all costs.

#### **Poor, or Near-Poor, or Vulnerable/Disadvantaged People**

- Any persons/households who are considered poor, or near-poor, or vulnerable/disadvantaged and who solely depend on the land lot for a livelihood and income are not allowed to donate land in any circumstances;
- The Project is designed to ensure local people, including poor, or near-poor, or vulnerable/ disadvantaged group, benefit from the project. For those affected adversely due to land

acquisition, compensation and other support will be provided to support affected people's effort in restoring and improving living conditions;

VLD shall not be applied to people identified as poor, or near-poor, or vulnerable/ disadvantaged individuals (as defined in this RPF and in SEP) and who are considered extremely poor/vulnerable/disadvantage and depend on the land for a daily livelihood.

**For People from Ethnic Groups.**

- In case land donation is planned to be proposed to ethnic group individuals/households who are from poor, or near-poor, or vulnerable/ disadvantaged group (as defined in the project's RPF), the criteria to VD for Poor/Near-Poor/Vulnerable/ Disadvantaged People (mentioned above) is applied.

**People who do not wish to donate.**

- When land is potentially affected, technical design shall be adjusted, where feasible, to avoid impacts on the affected land/asset of local people;
- If impact on land/ assets cannot be avoided, compensation payment will be made to the affected people in accordance with the Entitlement Matrix.

**5.2.2 Process of Voluntary Land Donation**

For subproject that involves potential voluntary document, the followings will be done:

- All affected people will be fully informed and consulted of the subproject (e.g. subproject purpose, impacts and risks, mitigation measures, grievance redress procedure) and their compensation eligibility and entitlements;
- Land survey result is prepared to clearly indicate the location and amount of land, and/or affected assets on land, to be donated;
- The amount of land (in square meter) to be donated and the percentage of the donated land area out of the total landholding of the donating person;
- The amount and estimated value of affected assets per household, if any, to be donated; and
- Thumb print or signature confirming voluntary donation.

In particular, the following steps will be taken CMU1/PTI:

**Step 1. Conduct Initial Screening for VD Eligibility**

For each subproject, based on the final design, CMU1/PTI staff (Province level) will:

- Collect necessary demographic information about affected individuals/households within the subproject's area of influence;
- Collect information on the magnitude of land/asset impacts based on the Inventory of Loss;
- Conduct consultation with affected people on project compensation policy, introducing voluntary land donation as an option;
- Screen for individuals/households potentially qualified for VD from the affected group, using the criteria above;
- Summarize this step using the form in Annex 1.

**Step 2. Consult with Potential VD**

- CMU1/PTI will assure that only people who meet VD prerequisite as described in the above Principles are approached and are appropriately informed of the project's VD requirements and procedure.
- Consult with potential donors qualified for VD, explaining details of VD procedures, including project's compensation policies and the VD option.
- When consulting, emphasize affected peoples' right to either receiving compensation or donating their affected assets, including their right to decide on their preferred extent for asset donation, and CMU1/PTI's right to accepting their donation;
- Continue consultation process to inform affected people of key steps and timelines for VD;
- Finalize the list of people who wish to donate affected assets.
- CMU1/PTI, in collaboration with DAEO is responsible for all undertakings related to VD consultation process and outcome.
- Submit VD documents to the WB for review and approval.

### **Step 3. Start Donation Process**

- Conduct the detailed survey of assets donated based on the list of donating households;
- Identify if there are anyone who are using the part of land intended for donation; if there is, consult with them to obtain their consent related to planned donation;
- Establish a formal statement of donation which will be signed by each owner and user involved, if any;
- Establish informed consent and confirm that no dispute exists over the ownership of the donated part of land/asset, and that there are no claims by renters, users, squatters, or encroachers (use Form in Annex 2);
- Proceed the formal procedures for donating the part of land/asset following the government's procedures;
- Hand over the donated land to project;
- CMU1/PTI will maintain all records of asset donations and donated lands are notarized to avoid future disputes. Ensure supporting documents are available for review in case where grievance arises;
- CMU1/PTI will document fully and carefully the entire VD process, and compile a report which includes the followings:
  - Subproject name, location, geographical area (including timing of the report and disclosure information);
  - Description of the sub-project's construction work site/section, area of influence, and the extent of impacts on assets (attach Annex 1);
  - Description of consultation activities and procedures that have been undertaken to ensure donors are appropriately informed of the project's VD procedures and requirements, including their rights to choosing compensation payment or opting for VD;
  - A detailed list of assets voluntarily donated and corresponding donors (attach Annex 2);
  - Minutes of consultation, including consultation process and consultation outcomes as to asset donation, and grievance redress mechanism;
  - Ensure that VD process is regularly monitored as part of CMU1/PTI's internal monitoring arrangements.

### 5.2.3 Responsibilities

CMU1/PTI is responsible for the entire VD process and outcome. In collaboration with the DAEO, CMU1/PTI will:

- Develop fair and transparent procedures for VDs in consultation with affected households (AHs) and the communities;
- Ensure the Village Chief is involved when preparing a Voluntary Land Donation Report to indicate all affected people have been fully informed of the subproject and of their right to refuse donating their land and/or other assets;
- Ensure the detailed design avoid impacts on land, houses, structures and other fixed assets. When avoidance is not possible, effort shall be made to minimize such impacts;
- Screen for eligible donating household(s) who meet the donation prerequisite – to explore if they wish to make voluntary donation based on the VD principle;
- Ensure eligible potential donating household(s) are appropriately informed<sup>3</sup> that by donating their affected land and/or asset for the subproject purpose, they are renegeing on their right to compensation;
- Ensure donating households are those who receive direct benefit from the planned subproject (e.g. access to better flood protection, public spaces.)
- Ensure that donated assets are owned and used by the owner, and that if others are using the asset, land or asset users are fully consulted on the potential donation by the asset owner<sup>4</sup>;
- Ensure that person donating land/asset pay no fee associated with their donation. Any fees or taxes incurred to land donation and any update of land ownership documents are covered by CMU1/PTI;
- Obtain the consent of the community involved, including individuals who are using or occupying the land in case where community or collective land is proposed for donation;
- Keep AHs informed timely and appropriately about the VD process, including their rights and project's grievance redress procedure;
- Inform potential donors of their right in deciding the extent of their VD (out of the total impact that the project may cause to them);
- Attention shall be paid to poor, or near-poor, or vulnerable/ disadvantaged group (e.g., Ethnic Group, women, the elderlies, where relevant);
- Resolve any grievances that may occur in relation to VLD process; and
- Ensure that the entire VD process and its outcome is fully and timely documented by CMU1/PTI and submitted to the WB for review.

## 5.3 Responsibilities of Relevant Governmental Agencies

### 5.3.1 Project Management Unit

As a unit designated by MPWT, CMU1/PTI will take lead in all aspect of RPF day-to-day implementation. CMU1/PTI will lead and provide technical support and guidance to District Implementation Unit (DIU),

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<sup>3</sup> "Appropriately informed" means that the potential donor has all available information regarding the proposed project activity and its impacts, its land requirements, and its alternative activity sites, as well as the potential donors' rights to compensation as per this RPF. The potential donor has also been provided with sufficient time to consider his or her disposition of the affected assets and has knowingly rejected the right to renege on his or her decision.

<sup>4</sup> For instance, if part of a business stall is leased and is being donated by the owner, the person leasing the stall should also be consulted.

particularly in preparing the RP, particularly technical aspects and capacity building for DIU. Where required, CMU1/PTI will provide training, and repeat the training, as needed, to ensure DIU understand the requirements of RPF and know key elements of an RP and how to prepare an S-RP, including requesting collaboration, engagement, and support from other stakeholders, in RP preparation. As needed, CMU1/PTI will contact the WB's task team to request technical support and advice, including review of and no-objection to RP and/or Voluntary Donation plan. CMU1/PTI is also responsible for the functioning of the project-level GRM, including resolution, monitoring, reporting of grievance process and resolution results.

### *5.3.2 Project Implementation Unit*

Under this project, CMU1/PTI assumes lead role for a number of key tasks. CMU1/PTI is mainly responsible for ensuring the subproject design meet technical requirements and is completed timely. As for land acquisition, CMU1/PTI is also lead unit conducting a census survey, prepare an Inventory of Loss (IoL). While carrying out the IoL exercise, CMU1/PTI will request collaboration of village authorities in verifying the types of land. CMU1/PTI will check whether affected land is owned by ethnic community, or it is private land, any whether this any land use disputes, or land use history.

Output of CMU1/PTI is completion of S-RP/voluntary donation to facilitate CMU1/PTI review and WB's no-objection before construction is proceeded.

### *5.3.3 District Government*

As the government agency at district level, district government oversee all investment activities that take place within their respective district. With regards to land acquisition, district governments oversee the works done by DAEO and provide instruction and support where needed. District government is also expected to review the final S-RP and concur with the plan before the plan is submitted to the WB for review and no-objection for implementation.

### *5.3.4 Agriculture and Environment Office (provincial, district)*

As a government agency responsible for land administration (among other things), AEO will support CMU1/PTI during the process of RP preparation. AEO will lead and conduct the Detailed Measurement Survey to verify IOL results (completed by DIU) and to classify the affected land vis-à-vis government's cadastral map and land use database/record. AEO will not also measure land but also do the counting of trees and affected land area alongside with other parameters such as age of trees, maturity, market values, and so. This information will be shared with affected households for double-check and confirmation. The information collected by AEO forms a legal basis for design of compensation packages for each of the affected households.

As the subproject owner at community level, village authorities play various important roles. They are not only expected to collaborate closely with DIU during subproject design but also during Inventory of Loss and Detailed Measurement Survey exercises. Villages authorities will be responsible for engaging participation of villagers (both subproject beneficiaries and affected households) in subproject design, preparation and implementation of S-RP.

### *5.3.5 Community members*

Community members are expected to cooperate with CMU1/PTI, AEO, Village Authorities in all activities related to land acquisition, compensation, support, voluntary donation. Once compensation/voluntary donation is completed, affected households are expected to hand over the affected land to the project on time upon receiving full compensation and support package. If there is any dispute, involved community members are expected to support in reconciliation with regards to land disputes, and help affected households in the process of resettlement and livelihoods restoration. Community

may appoint representatives to monitor the compensation, support and voluntary donation process and outcomes.

Key responsibility of parties involved in preparation and implementation of S-RP is summarized in table below.

**Table 4 – Tabulated Key Responsibilities of Relevant Stakeholders in S-RP Implementation**

Key tasks in S-RP Preparation Process	MPWT	CMU1/P TI	CMU1/PTI	AEO	District Government	Village authority
	Oversight	Lead & Support	Lead Implement	Collaborate		Collaborate and Support
Finalize subproject design	Oversee	Support/ Approve	Lead			Collaborate
Inventory of Loss			Lead			Collaborate
Detailed Measurement Survey		Oversee	Collaborate	Lead	Oversee	Support
Replacement cost calculation						
• If done by independent consultant		Lead		Co-lead		
• If done by DIU & AEO			Lead	Co-lead		Support
• Review and Ratify RC results for application		Co-Lead		Lead		
Initiate Voluntary Donation to those meeting VD criteria			Lead		Oversee	
Finalize draft S-RP			Lead			
Review of S-RP		Review			Co-review	
No-objection						
Implement S-RP			Lead			
Completion of RP implementation verified by		Lead				
Acquisition of land		Lead				
Hand-over to Contractors for preparation of construction site						

## 5.4 Funding mechanisms

PMU under the Department of Waterways (Ministry of Public Works and Transport) has recently submitted a request to the WB to request the WB's consideration for financing the costs associated with compensation, support, and livelihoods restoration for affected households under all civil work subprojects to be implemented during project life. Once confirmed and cleared by the World Bank, the cost for compensation, support, and livelihoods restoration for affected households will be included in the overall IDA loan to be disbursed for implementation of SEADRM II project.

During project preparation, the Oudomxay subproject has been confirmed to be included in the project. However, preliminary design has not been yet available, so that draft RP for this subproject is not yet ready for the WB's official review. It is anticipated the draft RP for Oudomxay will be updated

once the engineering concept is final, when detailed engineering design for Oudomxay is final and approved to facilitate the disclosure for consultation with affected people.

During project implementation, compensation costs for other civil works subprojects will be estimated once preliminary design for those subprojects become available. The actual total cost for compensation and support associated with each civil work subproject will be confirmed based on final detailed engineering design for respective subprojects.

It is noted that method for resettlement cost estimation will be carried out in accordance with the Law on Resettlement and Vocation (No. 204/P, 2018) and the 2005 Technical Guidelines on Compensation and Resettlement in Development Projects.

## 5.5 Fund Management

**5.5.1. Roles and Responsibilities:** The management of funds involves coordination and approval between central ministries and local agencies, as follows:

- **PMU/PTI:** Calculates total compensation based on the Inventory of Losses (IOL) and Replacement Cost Survey (RCS).
- **Project Management Unit (PMU):** Submits budget requests to the Ministry of Finance (MoF).
- **MoF / Treasury:** Reviews the budget against the approved Resettlement Plan and government allocation.
- **Provincial Treasury:** Transfers funds (from central treasury) to project designated bank account.
- **CMU/District Finance Office:** Arrange actual payment to affected households (in witness of local authorities).

**5.5.2. Fund Flow:** To ensure transparency, fund follow is arranged as below:

- **Assessment and Valuation:** Resettlement Committee and Provincial Implementation Office will conduct value evaluation of the affected assets (in the presence of affected households)
- **Compensation Value Record:** A Memorandum of Understanding (MOU) will be signed with the District Mediation and Resettlement Committee.
- **Provincial Proposal:** Provincial MPWT summarizes values and requests a Decree from the Provincial Governor.
- **Governor's Decree:** The Governor issues a decree accepting the valuation.
- **Central Approval Request:** Provincial MPWT requests Department of Waterways/CMU1 to transfer budget for compensation (for compensation payment)
- **Internal Processing:** Requests was sent by the Department of Waterways to the MPWT's Department of Planning and Finance.
- **Submission to Ministry of Finance:** MPWT Department of Finance requests disbursement from the Ministry of Finance.
- **Ministry of Finance's Approval:** MoF instructs the Central Bank to transfer the budget to the Provincial Treasury.
- **Provincial Fund Transfer:** Provincial MPWT transfers funds into individual bank account of each affected households (bank accounts opened at Lao Development Bank (LDB).
- **Official Handover Ceremony:** A ceremony is held to hand over funds, documented by an MOU and photographic evidence.

**5.5.3. Timing Controls:**

The following control procedures are mandatory to protect AH rights:

- **Fund Security:** Full funds must be secured and deposited before any civil works contracts are awarded for a section.
- **Payment Completion:** No site handover or Notice to Proceed (NTP) is issued until 100% of compensation and allowances are paid in the area (required for construction)

- **Proof of Payment:** A "Completion of Payment" report must be verified before land clearing begins.

#### 5.5.4. Modality and Documentation

- **Preferred Modality:** Payment via bank transfer is the default payment method.
- **Documentation:** A signed Compensation Agreement, ID/Family Book, and a receipt signed/thumbprinted by both spouses are required.
- **Witnessing:** Payments must be witnessed by Village Authorities or Grievance Redress Committee members.
- **Audit Trail:** Digital and physical ledgers are maintained for review by the MoF and donors.

## 6. GRIEVANCE REDRESS MECHANISM

### 6.1 Project-level Grievance Redress Mechanism

#### 6.1.1 Principles

The principles are adopted to design GMR for the project:

- **Channels.** Different channels are established to enable affected person to submit their grievances, including submission at village level to allow convenience for aggrieved people.
- **Forms.** Grievances can be submitted in writing and verbally, and either directly by the affected households, or by a person delegated by the complainant (e.g. the elderly, people with disabilities). Anonymous complaints are accepted and kept confidential.
- **Complainant can delegate a representative who act on their behalf.** Person lodging a grievance can ask assistance from their family or from individual that they trust to transcribe their complaint, and act as their representative to submit their complaint.
- **Disclosure.** GRM procedures are disclosed in public domain (e.g. websites of PMU, at public notice board located at village hall, and during consultation meetings). GRM procedure will be explained to people attending consultation meetings. In addition, contact detail of responsible persons including phone and WhatsApp numbers will be disseminated and displayed on poster in the project areas and affected villages.
- **Documentation.** A grievance logbook will be maintained at village hall (subproject level) and at PMU and CMU1 levels (through PMU and CMU1 GRM focal points). A grievance logbook will be established and regularly updated/maintained at village hall, and PMU and CMU1 levels.
- **Transparency.** The grievance procedures include steps, expected time frame grievance resolution for each step, notification to affected person, how decision is made, decision makers, mediation options.
- **Time-limit for grievance resolution is specified for each step.** Complaint will be acknowledged within a reasonable time frame from the date of complaint receipt.
- **Acknowledgement of complaint receipt.** The unit in charge of complaint resolution will notify complainant upon complaint receipt and will initiate the complaint resolution process.
- **Appeal.** If the agency in charge does not resolve a grievance in a manner that is satisfactory to the affected person, a multistakeholder committee will be established (ad-hoc) to resolve the dismissed grievance – as an alternative for affected person going to court. If the grievance could not be resolved satisfactorily by the multistakeholder committee, the affected person may resort

to the Provincial Assembly for consideration and decision prior to submitting to the court of law (Law on Grievance Redress No. 106/NA, 2022).

- **Monitoring.** All grievances received are recorded by PMU/CMU1 and relevant Village Mediation Committees, and are processed/resolved in a given timeframe, and are monitored by PMU and CMU1 GRM focal points.
- **Complainants bear no costs associated with the entire complaint resolution process.** Costs incurred as a result of grievance resolution will be borne by the project.

The CMU1/PTI will establish a grievance redress committee at the village level based on the existing Village Mediation Committee, as well as the district and provincial level. These committees will receive, evaluate and facilitate the resolution of PAH's grievances. Grievance redress committees would be comprised of representatives of AH, community leaders, and independent civil society organizations (Non-Profit Association and CBO) in addition to representatives from village and district levels, and CMU1/PTI. If the grievance relates to a dispute over the valuation of an asset to be acquired, then the CMU1/PTI will acquire of an additional independent assessor to inform the decision of the relevant grievance redress committee. The grievance redress committees will function, for the benefit of AH, during the entire life of the sub-projects, including the defects liability period.

Consultation with AH take place early in the process of the project planning. Prior to sub-project commencement, village leaders will conduct a survey of directly affected people's land and assets. Village leaders will conduct free, prior and informed consent with affected groups, including businesses and AH to discuss options in the case of land acquisition and land donation. The whole process will be well documented.

All complaints and grievances will be received in writing, or if given verbally then written at the same time and place, from AH and duly recorded by each level of the grievance committee. AH will be exempted from all administrative and legal fees incurred pursuant to the grievance redress procedures. Grievances related to any aspect of the proposed sub-projects will be dealt with through negotiations with the ultimate aim of reaching a consensus. Grievance redress procedures aim to provide a time-bound and transparent mechanism to voice and resolve social and environmental concerns linked to the sub-projects. These grievance redress procedures are not meant to circumvent the government's inbuilt redress process, nor provisions of the national laws, but rather to address AH concerns and complaints promptly, making it readily accessible to all segments of AH and different populations and scaled to the risks and impacts of the sub-projects.

Resettlement Plan, or Simplified Resettlement Plan will establish the means for AH and/or affected businesses to bring complaints to the attention of relevant project authorities. Grievance procedures should include reasonable performance standards, including time required to respond to complaints and should be provided without charge to those displaced persons. The RP should also state other avenues available to aggrieved persons if the project-related procedures fail to resolve complaints.

However, the complainant also retains the right to bypass this procedure and can address a grievance directly to the DPTW CMU1/PTI office or the national assembly, as provided by law in Lao PDR. GRM related information including the contact detail of responsible persons in PMU, CMUs and Supervision Consultant Contractors will be disseminated to project affected villages and AHs and displayed in a poster or billboard in the villages.

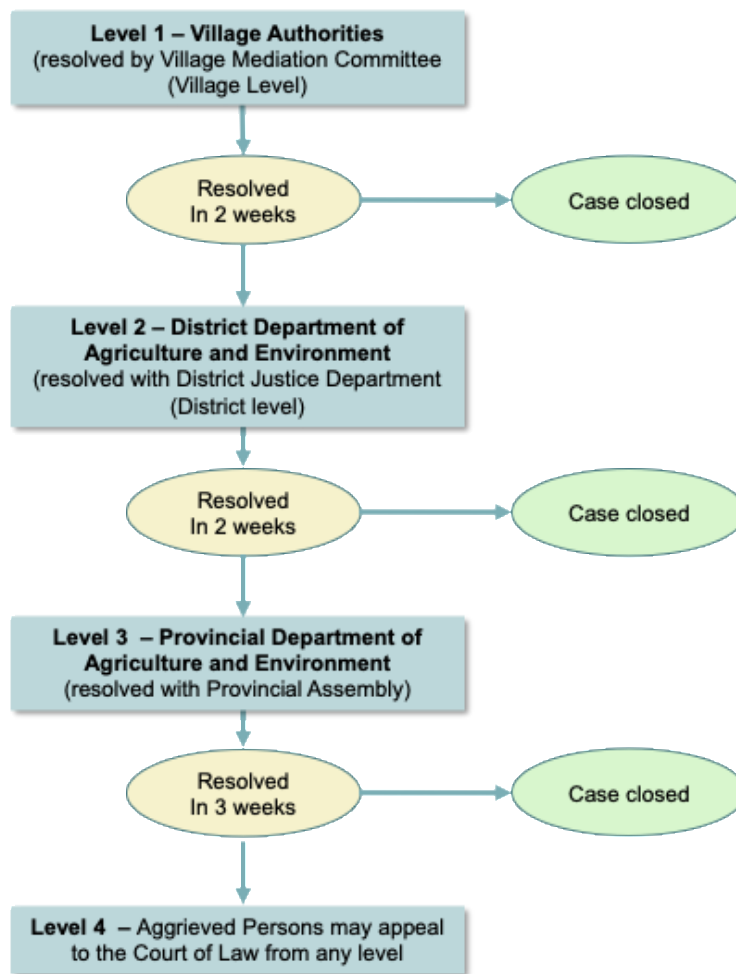
#### 6.1.2 Hierachy of GRM

GRM procedures will be disclosed in public domain (e.g. websites of PMU, at public notice board located at village hall, and village office). GRM procedure will be explained to people attending consultation meetings. In addition, the contact detail of responsible persons including phone and WhatsApp numbers will be disseminated and displayed on poster in the project areas and affected villages.

At each level, grievance details, discussions and outcomes will be documented and recorded in a grievance logbook. The status of grievances submitted and grievance redress will be reported to Provincial DPWT management through the monthly report. In order to effectively and quickly resolve grievances AH may have, the following process will be applied:

- **Level 1 – Village level:** AH can make verbal or written complaint to Village Authority (Village Mediation Committee). People from ethnic groups could lodge their complaint through their local EG leaders (who will relay the complaint to Villag Authority. The VA/VMC will resolve the complaint within two weeks (since the receipt of the grievance) and inform AH of the resolution results.
  - If VA/ VMC could not be resolve the complaint, VA will refer the grievance to the next level and inform the AH of the referral and the time duration expected for resolution in the next step.
  - If AH is not satisfied with the resolution result at this level, they can escalate their grievance to any next level as they wish.
- **Level 2 – District level:** District Department of Agriculture and Environment (DAE) will resolve the grievance that was referred to from Level 1. The DAE will resolve the grievance within two weeks (since the receipt of the grievance) and inform the AH of the resolution results.
  - If DAE could not be resolve the complaint, DAE will refer the grievance to the next level and inform the AH of the referral and the time duration expected for resolution in the next step.
  - If AH is not satisfied with the resolution result at this level, AH can escalate their grievance to any next level as they wish.
- **Level 3 – Provincial level:** Provincial Department of Agriculture and Environment (PDAE) will resolve the grievance in consultation with Provincial Assembly) for administrative arbitration within two weeks (since the receipt of the grievance). PDAE will inform the AH of the resolution results. The decision at provincial is final.
- **Level 4 – Court of Law:** If AH is not unsatisfied with resolution results derived from any level (Level 1-3), AH file the case to the local court of law. Affected persons can approach the court of law at any stage in the grievance process.

**Figure 1 – Steps in Grievance Resolution Process**



AH can make a complaint on any aspects of subprojects' design and implementation, including issues related to compensation and resettlement. A Feedback Form will be developed and made available at VMC at project villages. AH will be informed of the GRM in consultation meetings that will be conducted during the preparation of the Simplified RP.

The organizations addressing the AH complaint and appeal process shall not charge fees. Any expenses incurred due to submission of complaints and/or appeals should be classified as unexpected expenses, and paid for by the relevant CMU1 - even when their cases are elevated to the Courts of Law. All costs related to handling and solving of the complaints are covered by PMU, and are included in the budget for RP implementation.

## 6.2 World Bank Grievance Redress Service

If affected people have strong reason to believe that the above project-level GRM is not effective in resolving their grievance or resolution of their grievance is not satisfactory, they can submit their complaints to the World Bank using the following methods:

- **Online form** (<https://wbgcmsgrs.powerappsportals.com/en-US/new-complaint/>)
- **Email:** [grievances@worldbank.org](mailto:grievances@worldbank.org)
- **Print and use the form** (download by clicking on the link below).

[https://www.worldbank.org/en/projects-operations/products-and-services/grievance-redress-service#file::~text=and%20use%20this-,form,-\(DOCX\)](https://www.worldbank.org/en/projects-operations/products-and-services/grievance-redress-service#file::~text=and%20use%20this-,form,-(DOCX))

However, complainants are encouraged to use the project GRM before contacting the GRS. The above contact information will only be made available upon request to avoid confusion and promote national ownership and responsibility.

## 7. INFORMATION DISCLOSURE & STAKEHOLDER CONSULTATION

### 7.1 Stakeholder Engagement

Stakeholders Engagement Plan (SEP) is developed for the Project and will be use throughout the life cycle of the project (See standalone SEP for details). The World Bank requires that CMU1/PTI to engage with project affected people through information disclosure, consultation, and informed participation. Depending on the nature of the project, the consultation and participation of project stakeholders should be done in a way that is proportionate to the risks to and impacts of the project on the affected peoples. In case where ethnic group peoples are present in the project area, meaningful consultation need to be conducted with the affected ethnic peoples - in a way that is culturally appropriate to them.

### 7.2 Information disclosure

The World Bank requires that sufficient information about project's potential risks and impacts be made available to the affected project people - in a form and language that is understandable to project affected people and project's stakeholders, and in an accessible place and in a timely manner, enable affected peoples to provide meaningful feedback for project design and mitigation measures.

### 7.3 Arrangement for Information Disclosure and Stakeholder Engagement

**During project preparation:** During project preparation, this RPF was prepared and will be disclosed on the website of MPWT for consultation with potentially affected and interested parties. The RPF will be disclosed in Lao language (in the form of Executive Summary) and in English for full-text version. Feedback and recommendations from consulted stakeholders will be incorporated into the final revised versions. The final RPF will be disclosed through the same channels on the MPWT website, and on the World Bank's website.

**During project implementation:** For civil works subprojects under project Component 1 (Integrated Urban Flood Risk Management), Resettlement Plans for subprojects will be prepared when land acquisition is required, and will be disclosed to the affected households for consultation. The RP will be disclosed locally (village level) in Lao language. If EG people are affected, the Simplified RP will be explained verbally to the affected EG people in the EG language (in addition to disclosed written document).

## 8. MONITORING AND EVALUATION

### 8.1 Internal monitoring

1. The implementation of Resettlement Plans will be monitored periodically by project staff based at CMU1/PTI office at the provincial Department of Public Work and Transport and District Resettlement Committee using monitoring indicators (see **key steps** under Table 4 – Tabulated Key Responsibilities of Relevant Stakeholders in Implementation (in Chapter 5 – Implementation Arrangement), and **key monitoring indicators** at Annex 4). At central level, implementation of Resettlement Plan is monitored by the Social Officer at CMU1/PTI central office on a quarterly basis. The Social Officer will oversee the RP implementation at project level – through provincial project offices. In addition to monitoring of RP implementation, the Social Officer of CMU1/PTI central office will pay visit to select sites on a bi-annual basis, and as additionally required.

### **Implementation Completion of Resettlement Plan:**

Implementation of RP is considered complete when the following key activities are fully completed:

*For affected household(s) without physical resettlement and severe impact (as defined in this document)*

- All households affected (by project activities) have received fully the compensation package they are entitled to, and as agreed with them
- All affected land (as required for project purpose) is handed over to relevant local authorities, and subsequently to CMU1.
- There is no pending issue (including unresolved grievance) – if any.
- Documentation of the resettlement process, and payments, are fully completed in accordance with guidance in this document, and relevant laws and regulations.

*For severely affected household(s) (due to physical resettlement and/or losing more than 10% of total productive assets and/or landholding)*

- All households affected (by project activities) have received fully the compensation package they are entitled to, and as agreed with them
- All affected land (as required for project purpose) is handed over to relevant local authorities, and subsequently to CMU1.
- There is no pending issue (including unresolved grievance) – if any.
- Documentation of the resettlement process, and payments, are fully completed in accordance with guidance in this document, and relevant laws and regulations.
- Livelihoods of all households severely affected by project activities are fully restored, at least, to the pre-project level.

*For households voluntarily donating affected assets (as per Section 5.2 in this document)*

- Consultation process with affected households have been conducted in accordance with the principles, process, and procedures set forth under Section 5.2
- All donated land (as required for project purpose) is handed over to relevant local authorities, and subsequently to CMU1.

### **Verification:**

- **Bank's no-objections:** All RP, SRP, voluntary donation plans are subject to Bank's prior review and no-objective prior to implementation of the plans.
- **Documentations:** during resettlement process, key activities are fully documented, including the following key informations:
  - **Minutes of stakeholder meetings** (that have been conducted with affected households and relevant project stakeholder, e.g., governmental agencies)
  - **Surveys** (that include information collected during a) Census survey/Inventory of Loss, b) Detailed Measurement Survey (DMS), c) Replacement Cost Surveys (RCS),
  - **Minutes of Meeting for Proposed Compensation Packages** (a) meeting results reflecting how RCS results are used and incorporated into proposed compensation package, b) meetings of consultation with affected households on proposed compensation package, and c) relevant minutes related to follow-up consultation till a final agreement is reached between CMU1, relevant governmental agencies, and affected households regarding mutually agreed compensation packages for each affected households
  - **Receipt of agreed compensation packages** (including minutes indicating receipt of full compensation, and relevant allowance and support as need) as appropriate for each affected households.

- **Hand-over minutes** indicating the land hand-over documents (a) from affected households to relevant governmental agencies, and from relevant governmental agencies to CMU1, (b) from affected households to CMU1 – in case of voluntary land donation (in witness of relevant governmental agencies and commune authorities)
- **Livelihood Restoration Assessment Report** prepared by CMU1 covering all households who are severely impacted by project activities. The report contains key information related a) pre-project livelihoods baseline for each severely affected households, b) compensation and assistance provided, c) monitoring process for livelihood restoration and results, d) final assessment results that confirm (based on plausible evidence) full livelihood restoration of severely affected households (within the first 6 months following completion of full compensation and assistance), e) pending issues (if any) and time-bound plan for additional follow-up and support until full livelihood restoration is achieved.
- **Photo records:** a) relevant meetings, b) affected land sites (as necessary), c) site of handed-over land (that is required for CMU1 to hand over the relevant contractors).

## 8.2 External monitoring

An external monitoring will be engaged to support CMU1/PTI to conduct period monitoring to resettlement activities as required.

## Annex

### Annex 1 – Screening Form for Land Acquisition/ Resettlement

Proposed Activity: .....

Brief Description: .....

.....

Location: .....

Filled out by: .....

Organization: .....

Date: .....

Attachments: .....

Prepared with the following Partner Organizations / Community Representatives:

Remarks:

General Instructions:

- This checklist is to be completed to support the verification of the project activity or sub-project that involves land acquisition, compensation, and/or restriction of resources access. It focuses on social issues to ensure that social dimensions are adequately considered during selection of the activities/sub-projects. If applicable please use the “remarks” section to discuss any suggested mitigation measures. The information should be collected in consultation and coordination with local government, communities, NGOs and leaders of affected community.*

QUESTIONS	No	Yes	MITIGATION MEASURES REQUIRED?
<b>A. PROJECT SITING</b>			
<b>ARE THERE ANY OF THE FOLLOWING STRUCTURES OR RESOURCES IN THE SUB-PROJECT CONSTRUCTION AREA?</b>			
• Private households	<input type="checkbox"/>	<input type="checkbox"/>	
• Private small businesses/shops	<input type="checkbox"/>	<input type="checkbox"/>	
• Roads, footpaths or other access routes	<input type="checkbox"/>	<input type="checkbox"/>	
• Agricultural land	<input type="checkbox"/>	<input type="checkbox"/>	
• Natural resources (e.g river, forest/trees, conservation pool/fish spawning areas) used collectively by the village or shared by community members	<input type="checkbox"/>	<input type="checkbox"/>	
• Trees, crops, river bank gardens			
• Cemetery or other area/structures of religious or cultural significance including temples, respected spiritual areas	<input type="checkbox"/>	<input type="checkbox"/>	
• Others (including: (i) public utilities (e.g electric, telecom, water supply, water treatment and drainage systems; (ii) social service infrastructure (schools, hospitals and health centres, government offices, hydrometeorological stations, etc.):	<input type="checkbox"/>	<input type="checkbox"/>	
<b>ADDITIONAL REMARKS/SUGGESTIONS:</b>			
<b>B. POTENTIAL SOCIAL IMPACTS</b>			
<b>WILL THE SUB-PROJECT CAUSE:</b>			
• Temporary loss of land or resources for any families?	<input type="checkbox"/>	<input type="checkbox"/>	
• Permanent loss of land or resources for any families?	<input type="checkbox"/>	<input type="checkbox"/>	
• Conflicts in water supply rights and related social conflicts?	<input type="checkbox"/>	<input type="checkbox"/>	

QUESTIONS	No	Yes	MITIGATION MEASURES REQUIRED?
• Impediments to movements of people and animals?	<input type="checkbox"/>	<input type="checkbox"/>	
• Dislocation or involuntary resettlement of people?	<input type="checkbox"/>	<input type="checkbox"/>	
• Potential social conflicts arising from land tenure and land use issues?	<input type="checkbox"/>	<input type="checkbox"/>	
• Deterioration of livelihoods or living conditions of women or the vulnerable and poorest families in the sub-project service area?	<input type="checkbox"/>	<input type="checkbox"/>	
• <b>Other:</b> .....	<input type="checkbox"/>	<input type="checkbox"/>	

**C. OTHER REMARKS:**

**D. Involuntary Resettlement Category**

After reviewing the answers above, the DPWT or their consultants agree, subject to confirmation, that the project is a:

[ ] “The affected people are not physically displaced and less than 10% of their productive assets and landholding are lost”, a Simplified Resettlement Action Plan is required.

[ ] The proposed sub-project may result in more significant impacts, i.e. displacement of people and more than 10% of their and landholding are lost, then a RAP will be prepared.

[ ] No anticipated displacement, and loss of assets are negligible

QUESTIONS	No	Yes	MITIGATION MEASURES REQUIRED?
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**E. POTENTIAL SOCIAL IMPACTS ON VULNERABLE GROUPS, IF ANY:**

**WILL THE SUB-PROJECT:**

- Affect poverty group? If yes, how many households and people?  No  Yes

---

- Affect women headed households? If yes, how many households and people?  No  Yes

---

- Affect Ethnic Groups or Indigenous People? If yes, how many households and people?  No  Yes

---

- Affect other vulnerable groups? If yes, how many households and people?  No  Yes

**F. OTHER REMARKS:**

**REQUIRED SAFEGUARD DOCUMENTS:**

- Resettlement Plan/Simplified RP?  No  Yes

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- Ethnic Group Engagement Plan (EGDP) which is required if ethnic groups or ethnic villages are identified.  No  Yes

---

- Land use or land tenure status (Land Titles or Documentation?)  No  Yes

---

- Community Declarations?  No  Yes

---

- Other? .....  No  Yes

**G. OTHER REMARKS:**

---

QUESTIONS

No Yes MITIGATION MEASURES REQUIRED?

---

---

**H. CONCLUSIONS/RECOMMENDATIONS:**

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**I. SIGNING OFF:**

**IMPLEMENTING AGENCY:**

**ENVIRONMENTAL AND SOCIAL  
STARDARDS FOCAL POINT:**

**NAME:** .....

**NAME:** .....

**POSITION:**.....

**POSITION:**.....

**DATE:** .....

**DATE:** .....

---

## Annex 2 – Process of Land Donation

Official information and initial assessment. Determining the appropriateness of VLD in the circumstances of the project. Activities that will require VLD as a result of the screening process and the land study specifically the Voluntary Land Contribution Report sub-project staff will inform the village head and villagers or landowners through official notification on where the activities will be implemented that will require VLD. Record and document the reasons why donation of land is appropriate for the project. The DOW will take into consideration the following details for such documentation:

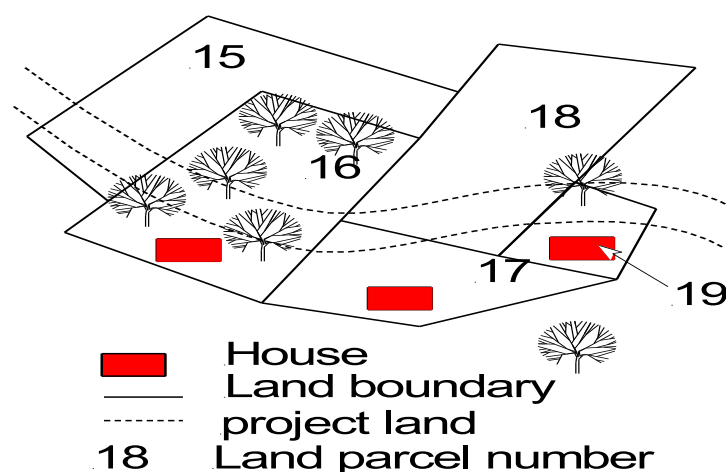
- What the land will be used for;
- How much land the project will require on both a permanent and temporary basis;
- How much of the land will be donated;
- What alternatives to donation exist (e.g., right of use, right of way);
- The terms of the donation;
- The identities of the parties who intend to donate;
- The beneficiary of the donation; and
- Any details that are relevant to why donation may be appropriate.

### Preparation of land survey map and schedule of land acquisition

1. After collecting the information related to land and assets which will be affected by sub-project implementation, the responsible official, with assistance from the related persons, will prepare a land survey map and a schedule of land acquisition.

The land survey map shows each parcel of land that will be affected, and each parcel of land should be given a code (a letter or number).

Figure A2.1 Example of land survey map.



2. Verification of voluntary donations. The following conditions will be confirmed by the Committee including the Village Chief.
  - a) Affected/donating households should be direct project beneficiaries.
  - b) Confirmation that affected people agree to donate land or asset, based on a face-to-face meeting;
  - c) Affect individual/household should not lose more than 10% of the total productive assets and/or landholding;
  - d) No physical relocation necessary.
3. Initial Village Consultation. Under the village head leadership, a consultation process will be launched to invite different interest parties, including landowners to discuss and ratify the appropriateness of the voluntary basis of land donation.
4. Transferring and formalizing the land. Process for land donation includes very clear procedures that explain the process that should be followed to transfer the land, and appropriate ways to formalize the respective transfer. The process includes consideration of the legal and administrative requirements based on the legal framework of Lao PDR. The process will describe a clear and transparent decision-making process.
5. Verification process (surveys) to identify land ownership and use. Village Chief and Technical Assistant will ensure that the land study will include specific surveys to understand the type of land rights that exist in the sub-project area, and to identify any particular issues relating to land ownership and use. The specific surveys must be conducted on each parcel of land proposed for donation to identify:
  - a) The owner or owners of the land;
  - b) The users of the land, or any parties that occupy the land (either physically or through ownership of an asset or conduct of livelihood or business activities on the land);
  - c) Any competing claims of ownership or use;
  - d) Structures and assets on the land; and
  - e) Any encumbrances on the land.
6. It is important to: (i) identify the right that is being transferred (an ownership right, a use right, a right of way, etc.); and (ii) check whether the transferee actually has the right s/he claims to have. In many circumstances where careful due diligence has not been carried out, significant conflict has arisen at a later stage when another party claims that they have the same or a competing right. In some circumstances – but not all – the transferee will have documentary evidence of such right. Where no such evidence exists, the due diligence can establish rights by speaking with local community officials and neighbours.
7. Public consultations and disclosure. The decision to donate must be taken on the basis of a full understanding of the sub-projects and the consequences of agreeing to donate the land. Accordingly, the parties that will be affected by the donation (the owners and users of the land) must be provided with accurate and accessible information regarding what the land will be used for, for how long, and the impact the donation will have on them and their families. It

is important that prior written notification indicating the location and amount of land that is sought be provided and that its intended use for the sub-project is disclosed.

8. Where the intention is to deprive the parties affected by the donation of the land permanently, or for a significant length of time, this must be made clear. It should be noted that in many communities the concept of alienation of land is uncommon and difficult to understand, and care needs to be taken to ensure that the implications of this are fully understood. It is also important to decide who else should be consulted about the proposed donation, for example, spouses and older children.
9. There should be a clear agreement as to which party will pay the costs associated with the donated land. This could include measurement costs, documentation and notarial fees, transfer taxes, registration fees. It should also include the costs of re-measuring/re-titling the transferee's remaining land and any new documentation relating to it.

### **Establishing informed consent**

1. The Village Chief, in coordination with sub-project staff, verifies the informed consent or power of choice by the people who would donate land or an asset. In particular, the following will be verified and documented in the voluntary donation report:
  - a) What the land is going to be used for, by whom and for how long;
  - b) That they will be deprived of the ownership or right to use the land, and what this really means;
  - c) That they have a right to refuse to donate the land;
  - d) Whether there are alternatives to using this land;
  - e) What they will need to do to donate the land (e.g., execute documents, get spousal consents, pay taxes);
  - f) The effect of the donation on their family, and what they can do if they (or their family or heirs) want the land back; and
  - g) All conditions provided in the paragraph 2 above.
2. The right to refuse must be a legitimate right, unconditional, and the potential transferee must be capable of exercising it in the local community and political context. For this reason, it is important to be sure that the decision to donate is undertaken without coercion, manipulation, or any form of pressure on the part of public or traditional authorities. For collective or communal land, donation must be based upon the informed consent of all individuals using or occupying the land.
3. Proper documentation. During the VLD process for sub-project investments, it is important to distinguish between: (a) the agreement to donate the land; and (b) the document that carries out and evidences the legal transfer of the land. While it is important to have evidence of an intention and agreement to donate the land, it is equally important to ensure, where required and appropriate, that the land is legally transferred. While the process relating to the legal transfer of the land is frequently complicated and time consuming, it must be addressed. [In specific circumstances, for example where the land is being transferred to the community, it may not be necessary to legally transfer the land. However, experience indicates that lack of formal transfer can create significant uncertainty in the future, which impacts on the

sustainability of the infrastructure and services and can have a negative effect on community relations.] (Appendix A3)

4. Village Chief and sub-project staff should:
  - a) Identify the appropriate documentation, including the agreement to make the transfer and any legal documentation that may be required;
  - b) Ensure that the agreement:
    - Refers to the consultation has taken place;
    - Sets out the terms of the transfer;
    - Confirms that the decision to transfer was freely made, and was not subject to coercion, manipulation, or any form of pressure;
    - Attaches an accurate map of the land being transferred (boundaries, coordinates);
    - Sets out who will bear the costs of the transfer (e.g., notarial fees, taxes, title issues) and documenting the residual land rights;
  - c) Ensure that all necessary parties sign the documents, including obtaining consent from spouses and children over a certain age;
  - d) Ensure that the transfer and title is registered or recorded; and
  - e) Ensure that the land remaining after the donated land is excised is properly titled, registered or recorded.
5. It is also important to maintain a record of the process that has been followed. Such documents could include the following:
  - a) The notification indicating the location and amount of land that is sought and its intended use for the project, with a record of when and where this was made public;
  - b) Records of the consultations that were held and what was discussed;
  - c) A copy of the due diligence that was conducted;
  - d) Copies of each of the formal statements of donation, establishing informed consent as described above, and signed by each owner or user involved;
  - e) Copies of all documents, registrations or records evidencing the legal transfer of the land; and
  - f) A map, showing each parcel of land.

The Project Management Unit should maintain a record with documentation for each parcel of land donated. Such documentation must be available for World Bank review, and for review in relation to any grievances that may arise.

**Grievance redress arrangements.**

The sub-project specifies means by which donors (and, potentially, persons whose use or occupancy was not recognized in the transfer of land) may raise grievances, and measures to ensure consideration of, and timely response to, grievances raised. The grievance process includes participation of reviewers not directly affiliated with the project implementing agency. The grievance process imposes no cost upon those raising grievances, and participation in the grievance process does not preclude pursuit of legal remedies under the laws of the country.

## Annex 3 – Outline for a Simplified Resettlement Plan

### Introduction

- Project (one paragraph): refer to the CRPF that covers the project and provides the policies and principles for the Resettlement Plan;
- Brief description of the sub-project development objectives and intended beneficiaries; and
- Describe the activities that will give rise to impacts that require “resettlement” (i.e., anything that causes loss of land, assets or elements of AH livelihood – not only physical relocation, but also, loss of trees, temporary relocation of roadside stall (kiosk), and comprised access.

### Census of AH and Inventory of Assets

- Brief description of how the data was gathered (e.g., household survey);
- Table of AH, contact details, affected livelihoods, assets, value of affected dwelling/structures/assets; and
- Brief comment about any significant differences, sources of vulnerability of AH and different populations (ethnic peoples and vulnerable groups – women and female/male youth and children, the elderly and disabled, landless, and poor, etc.), or state that they are representative of the general socioeconomic profile of the country.

### Compensation to be Provided

- Forms of compensation to be provided (e.g., cash or in-kind);
- Description of the conditions for voluntary donation (if applicable), including:
  - Free, prior and informed consultation made of the AH own volition and is un-coerced with the decision-making ability to withhold consent;
  - No severe impacts on living standards; no physical relocation and less than 10 % of AH livelihood assets affected;
  - Availability of complaints and compensation procedure; and
  - Documentation and independent verification of the donation of land or assets.

### Consultation with Affected Persons

- Brief description of the general public disclosure communications to announce the project and invite comment;
- Subsequent consultations with known or self-identified AH;
  - Alternatives discussed with AH and the community; and
  - Dissemination of information about the cut-off date for registering as AH; availability of a complaints/grievance mechanism (details in CRPF Section **Error! Reference source not found.**).

- Arrangements for formal disclosure of resettlement instrument; availability for public disclosure, review and comment, and posted on MPWT and the World Bank websites.

#### **Institutional Responsibilities for Delivery of Compensation**

- Responsible agency;
- Method of notification to AH;
- Timing of settlement (before the incidence of the loss to be compensated);
- Method of verification, disclosure and witnessing of the settlement (i.e., annex form for recording and witnessing handover of entitlement); and
- Process for handling complaints or grievances, appeals.

#### **Implementation Reporting and Monitoring**

- Institutional responsibilities for reporting and monitoring of the Resettlement Plan;
- Independent participation in monitoring (e.g., CSOs, research institutes, etc.); and
- Summary report on consultation with the wider community (append attendance register to document).

#### **Timetable and Budget**

- Time and task matrix; and
- Source and flow of funds:
  - Consultation costs;
  - Personnel costs;
  - Office overhead expenses;
  - Compensation funds; and
  - Monitoring and reporting costs.

#### Annex 4 – Performance Indicators for Monitoring and Evaluation of Resettlement Plan

Hierarchy of resettlement activities	Resettlement process	Indicators	Monitoring Frequency
INPUT	Budget commitment and availability Appointment of Social Officer on CMU1/PTI Training of CMU1/PTIs Social Specialist	<ul style="list-style-type: none"> <li>• Timely availability of budget for compensation payment</li> <li>• Is appointment made after project appraisal completes.</li> <li>• Timely availability of budget for compensation payment</li> </ul>	
ACTIVITIES/ PROCESS	Additional consultation with AH	<ul style="list-style-type: none"> <li>• Is additional consultation with AH carried out during RP updating exercise?</li> <li>• To which extent the consultation is conducted, covering the following key areas: <ul style="list-style-type: none"> <li>○ Proposed replacement costs for affected assets;</li> <li>○ Proposed cash support for affected assets;</li> <li>○ Proposed income restoration activities are consulted with affected households/business</li> </ul> </li> </ul>	
	Disclosure of final updated RP	<ul style="list-style-type: none"> <li>• Is <u>updated Simplified RP</u> disclosed locally in at project site and on Bank's website following Bank's No Objection;</li> <li>• Is Project Information Booklet (PIB) delivered to affected households</li> </ul>	<ul style="list-style-type: none"> <li>• Following appraisal completion of the subproject;</li> </ul>
OUTPUT	Compensation payment	<ul style="list-style-type: none"> <li>• % of households receiving full compensation package within agreed timeline?</li> <li>• Total compensation and support made vs total amount committed.</li> </ul>	<ul style="list-style-type: none"> <li>• Monthly</li> <li>• Quarterly</li> </ul>
	<u>Grievances</u>	<ul style="list-style-type: none"> <li>• Number of grievances lodged (as monitored by CMU1/PTI) per month</li> <li>• Number of grievances solved per month</li> <li>• Number of grievances submitted at district/provincial office?</li> <li>• Number of grievances submitted.</li> </ul>	<ul style="list-style-type: none"> <li>• Monthly</li> <li>• Quarterly</li> </ul>
	Income Restoration	<ul style="list-style-type: none"> <li>• Is Income Restoration carried out in accordance with the approved Simplified RP – in terms of timeline and number of activities?</li> </ul>	<ul style="list-style-type: none"> <li>• Monthly</li> <li>• Quarterly (following completion of compensation payment)</li> </ul>
OUTCOME	Income Restorationis	<ul style="list-style-type: none"> <li>• % of affected households restoring their Income to pre-project level) after six months (since full completion of compensation payment)</li> </ul>	<ul style="list-style-type: none"> <li>• Monthly</li> <li>• Quarterly (monitoring started six months upon full completion of re-establishment of new businesses in the new location.</li> </ul>

