

# NATIONAL ROAD 13 NORTH (NR13 NORTH) IMPROVEMENT AND MAINTENANCE

Sikeut to Phonhong

Vientiane Capital and Vientiane Province, Lao PDR

## Ethnic Groups Engagement Plan



Lao People's Democratic Republic

MINISTRY OF PUBLIC WORKS AND TRANSPORT

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*Photo front page:* Hmong (7) and Khmu (2) men’s group at Phonkham-nua “agree with the project proposal”- 26<sup>th</sup> September 2017.

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## Acronyms

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

# 1 Introduction

## 1.1 Project Background and Preparation Process

The overall focus of the project is the climate resilient upgrade and improvement of 58km on NR13 North from Vientiane to Phonhong, a critical stretch serving high traffic volumes.

**Component 1: Road Improvement and Maintenance** This component would finance: (a) improvement and maintenance, ensuring traffic capacity, quality, climate resilience, road safety aspects for (i) Section Sikeut-Songpeuay Market (km 12 to km 31), which is to be upgraded from 2 to 4-lane, with a 23m wide right-of-way; and (ii) Section Songpeuay Market-Phonhong (km 31 to km 70), to improve the existing 2-lane with a 15m wide right-of-way; and (b) land acquisition as needed for the road improvement. The improvement works, and maintenance will be carried out through the implementation of an Output and Performance-Based Road Contract (OPBRC). The main features of the OPBRC approach for the project include:

**Component 2: Supervision and Capacity Building** This component would finance: (a) supervision of road improvement works over a 3-year construction period, including monitoring implementation of environment and social requirements, followed by supervision and monitoring of the contractor's performance for the initial two years of the post-construction operational period, including monitoring implementation of environment and social requirements, and capacity building of the MPWT on OPBRC supervision and monitoring; and (b) technical assistance to prepare environmental and social studies, and detailed design for other critical sections of NR13 that will be defined during project implementation .

**Component 3: Project Management.** This component would finance: (a) road safety activities; and (b) project management, including coordination, procurement, financial management (FM), technical and safeguards aspects, monitoring and evaluation (M&E), reporting, training, and incremental operating costs for both the construction period and the initial two years of the operational period. National Road 13, with the total length of 1,426 km, connects Laos with China in the North and Cambodia in the South. It is the most important highway in Lao PDR: 13<sup>th</sup> North – Vientiane – Boten covers 626 km. The proposed 13<sup>th</sup> North Road improvement and maintenance project is 58 km from Naxaythong district (Vientiane Capital) to Phonhong district (Vientiane Province). The project focuses on two sections as follows:

- (i) Vientiane Capital (Ban Dong – km 12 to km 31): upgrade from 2 lanes to 4 with 24 meters and 1-meter temporary acquisition required for each side; and
- (ii) Vientiane Capital (Ban Dong) – Vientiane Province (Phonhong) – km 31 to km 70: improve 2 lanes with 16 meters and 1-meter temporary acquisition required for each side.

## 1.2 Project Objective and its benefits and potential adverse impacts

According to the MPWT, the project aims to improve the national highway in order to meet the regional ASEAN and international standard, following the American Association of State Highway and Transportation Official Standards (ASSHTO), and to accommodate a growth of traffic in the country as well as the sub-region. In addition, the 13<sup>th</sup> North road is one of the main strategic business road in Lao PDR so it is the government's top priority to ensure that its quality and safety issue is taken care of appropriately.

The findings from the feasibility study conducted in 2014 indicates that the 13<sup>th</sup> North Road needs to be upgraded and maintained: the road is too narrow, many houses and shops are constructed along the main road inappropriately; the water canals alongside the road are in poor conditions, etc. Thus, the upgraded and maintained 13<sup>th</sup> North Road hopes to bring the positive impact to the communities and country in the long-term, including (i) reduced flooding through improved drainage canal and bridge construction, (ii) minimizing the Greenhouse Gas (GHGs) emission through less auto traffic on the road (wider road), (iii) increasing road safety through improved road conditions, clear divided lanes, included more appropriate traffic rule signs and available pedestrian crossing areas.

Nevertheless, the proposed project has the potential to create negative impacts as follows:

- I. Air Pollution
  - Dust during the construction: from construction trucks, cement, soil for the construction, etc.
  - Emissions from the machines and trucks during the construction.
- II. Soil and Water Impacts
  - Chemicals/waste oil from the construction could leak to the earth or stream.
  - The construction could use too much water from the community water source.
  - The water treatment at the construction camp may not be done appropriately.
- III. Bio-diversity
  - Cutting trees or/and interrupting the wildlife habitat and forest conservative area to expand the road and build construction camps;
  - Illegal logging.
- IV. Socio-economic impacts (expressed in focus groups and household survey)
  - The construction work imposes difficulties for people to access to their properties and for them to keep up with their daily businesses.
  - The family incomes of people whose shops are along the main road could be disturbed and reduced.
  - Those people whose land areas are small and too close to the main road could be seriously impacted; they may lose their home/land entirely.
  - Concern that those whose lands are not formally registered may not receive the expected compensation.
  - The compensation rate may not meet the expectation of the affected people.
  - The construction work could be too noisy for people living along the main road, especially for the older people and children.
  - There could be more road accidents during construction, and after construction due to increased vehicle speed.
  - Waste control may not be managed properly.
  - Road construction could interrupt community religious and public places such as temples and graveyards.

### 1.3 Safeguard policies to minimize the negative impact on Ethnic Groups

The proposed project is likely to result in a number of adverse socio-economic impacts for the ethnic groups present in the project area, including the Hmong at Lak 52 and Phonkham-nua villages. Following the consultation by the WB's social scientists with the relevant stakeholders (local authorities, and the Lao Front for National Construction), as well as site visits to Lak 52 and Phonkham, it was determined that the project will trigger the World Bank Indigenous Peoples Policy OP.4.10 due to the presence of these ethnic groups that adhered to the policy criteria along the sections of NR13 to be upgraded. As such, this represented the screening for the presence of indigenous people, to be conducted by the World Bank, required under OP 4.10.

The social assessment and ethnic minority engagement plan presented in this report have been prepared in accordance with the World Bank's Policy on Indigenous People (OP.4.10). While the World Bank's policy refers to Indigenous Peoples Policy, the Lao PDR does not consider any of the ethnic group as indigenous. However, the paragraph 3 in the World Bank's Operational Policy on Indigenous People does allow for alternative terms including ethnic that are appropriate to the national context, when referring to *distinct, vulnerable, social and cultural groups possessing the following characteristics in varying degrees*

- (a) *self-identification as members of a distinct indigenous cultural group and recognition of this identity by others;*
- (b) *collective attachment to geographically distinct habitats or ancestral territories in the project area and to the natural resources in these habitats and territories;*
- (c) *customary cultural, economic, social, or political institutions that are separated from those of the dominant society and culture; and*
- (d) *an indigenous language, often different from the official language of the country or region."*

To fulfill the requirements of OP.4.10 and, the following tasks were carried out:

- (i) a social assessment was conducted in the project area
- (ii) a process of free, prior and informed consultation was conducted with representatives of the ethnic minority groups; and
- (iii) an Ethnic Group Engagement Plan (EGEP), which was prepared based the Social Assessment, and the process of free, prior and informed consultation

## 2 Legal and institutional framework concerning Ethnic Groups

### 2.1 Country's constitution

The constitution of Lao PDR states that Lao has been a multi-ethnic country since the middle of the 14th century, and since the 1930's, the multi-ethnic Lao people have fought together for the liberation of the country leading to the establishment of the Lao People's Democratic Republic on 2 December 1975. The constitution, No. 25/NA, dated 06 May 2013 includes the specific articles relevant to the equality among all ethnic groups in the multi-ethnic state of the Lao PDR:

Article 8 states that *"The State pursues the policy of promoting unity and equality among all ethnic groups. All ethnic groups have the right to protect, preserve and promote the customs and cultures of their own tribes and of the nation. All acts of creating division and discrimination among ethnic groups are forbidden. The State implements every measure to gradually develop and upgrade the economic and social level of all ethnic groups."*

Article 13 states that *"The national economy of the Lao People's Democratic Republic relies on a stable multi-sectoral economy which is encouraged [by the government]; such economy shall expand manufacturing capacity, broaden production, businesses and services, transform the natural economy into a trading and manufacturing economy, and modernize; [while] combining with regional and global economies to stabilize and develop the national economy continuously and to improve the material and spiritual living conditions of the multi-ethnic people. All types of enterprises are equal before the laws and operate according to the principle of the market economy, competing and cooperating with each other to expand production and business while regulated by the State in the direction of socialism."*

Article 22 states that: *"...The State and society attend to developing high quality national education, to create opportunities and [favourable] conditions in education for all people*

*throughout the country, especially people in remote areas, ethnic groups, women and disadvantaged children. ...”*

Article 23 states that *“The State promotes preservation of the national culture which is a representative of the fine tradition of the country and its ethnic people while accepting selected progressive cultures from around the world. ...”*

Article 35 states that *“Lao citizens are all equal before the law irrespective of their gender, social status, education, beliefs and ethnic group.”*

## 2.2 Local Administration Law of Lao PDR

The local administration law states that the role of the local administration is to represent the locality and be responsible to the government to administer political, socio-economic and cultural affairs, human resource management, natural resource and environment management, national and local defense and security; and others as assigned by the government. The 4 articles – 14, 27, 40 and 53 under the administrative law define the specific role and responsibility of the provincial governor, mayor, chief of district and head of the villages that are *“To motivate, promote and facilitate the participation of the Lao Front for National Construction, mass organizations, social organizations and all economic entities and ethnic people in the socio-economic development of the village; **and** to preserve and promote good national traditions and cultures of the multi-ethnic Lao people; to discourage negative occurrences and superstitious beliefs; to promote education within the community; and to educate the community to be responsible for hygiene and sanitation.”*

## 2.3 Ethnic Minority Policy

The Hmong Policy adapted in 1981, was the first explicit policy statement on ethnic groups since the establishment of the Lao People’s Democratic Republic in 1975. The main purpose of the policy was to improve the living conditions of Hmong people, and to increase national security for the country. In 1992, the government revised the policy and developed it into the resolution on Ethnic Affairs in the New Era, applying to all ethnic groups across the country. The ethnic policy was developed to (i) build national sentiment (national identity), (ii) realize equality between ethnic groups, (iii) increase the level of solidarity among ethnic groups as members of the greater Lao family, (iv) resolve problems of inflexible and vengeful thinking, and economic and cultural inequality, (v) improve the living conditions of the ethnic group step-by-step, and (vi) expand the good and beautiful heritage and ethnic identity of each group and their capacity to participate in the affairs of the nation.

## 2.4 Land Law of Lao PDR

The Land law of the Lao PDR states that the State will protect the legal interests of the holder of land use rights by allowing effective, peaceful, regular and long-term use of land and by ensuring the land owners have the legitimate rights to utilizing, transferring and inheriting their lands. The land law, No. 4/NA, dated 21 October 2003, categorizes the land in the country by regions and categories as follows:

### 1. **Region Based:**

- *Urban regions*
- *Rural regions;*
- *Specific economic regions;*
- *Special economic regions.*

### 2. **Land Categories:**

- *Agricultural land;*
- *Forest land;*
- *Water area land;*
- *Industrial land;*

- *Communication land;*
- *Cultural land;*
- *Land for national defense and security;*
- *Construction land.*

The land registration process starts at the village level. An individual or organization that wishes to register its land shall submit a request, through the village administration and the district land management authority, to the provincial land management authority. The main documents needed for land registration include (1) Certificate of acquisition of the land such as: certificate of land allocation by the State, transfer or inheritance; (2) the land certificate in the case of agricultural land or forest land; and (3) Certificate of land guarantee from the original owner or from the local administrations of the place where the land is located.

According to the Land Law (2003), a land title is considered as the main evidence for permanent land use rights. It is filled out based on information in the land register in one copy only and is handed over to the land owner who shall keep it as long-term evidence until there is a change according to the conditions prescribed in the laws. In addition, the law also allows the land owner to request appropriate compensation for losses caused to crops, construction, or other development having the public service installation affecting such land, including where the access passage is required, installation of electricity wires, telephone cables, public water pipes and water canals.

## 2.5 Institutional Responsibility

In Lao PDR, overall development of ethnic groups lies with the Lao Front for National Construction (LFNC). According to the Law on Lao Front for National Construction, No. 01/NA, dated 08 July 2009, the main roles of the LFNC are:

1. *To construct and to improve forces of the entire people and act as an umbrella organization guarding the solidarity of Lao ethnic people.*
2. *To educate, train and encourage all Lao ethnic people to participate in the mission to protect and develop the nation.*
3. *To enhance the ownership, protect the culture and traditions, rights and legitimate interests of Lao ethnic people and races.*
4. *To be a center for public awareness, desires and opinions of Lao ethnic people.*
5. *To act as a central coordination body for all parties.*

In addition, the LFNC also has the responsibility to:

1. *Focus the solidarity of Lao ethnic people both domestic and international.*
2. *Propose drafts of laws and legislation in according to its roles and responsibilities.*
3. *Advertise, educate, encourage and enhance the ownership of Lao ethnic people in the implementation of guidelines, policies, the constitution and national socio-economic development plans.*
4. *Act as a repository for proposals and ideas for the development of Lao ethnic people of all religions, genders, and ages and communicate these to the responsible organisations.*
5. *Propose candidates for elections to political organisations, the National Assembly and other organizations according to regulations.*
6. *Participate in improvement of the state power of People's Democratic Regime, monitor and inspect activities of the state administrative apparatus, the National Assembly and other organizations in line with the regulations.*
7. *Protect the rights and legitimate interests of the party's organisations for the Lao ethnic people and participate in mediation of disputes in according to its roles.*

8. *Contribute to the protection and enhancement of the traditions of patriotism and culture of the Lao ethnic people.*
9. *Convey knowledge, lessons, experience and fine traditions of the Lao ethnic peoples to new generations.*
10. *Enhance friendly relations and cooperation between Lao Ethnic People and People of Nations in the region and internationally.*

The LFNC consists of seven departments and one center, including 1) General Administration, 2) Organization Department, 3) Inspection Department, 4) Class and Civil Society Department, 5) Ethnic Affairs Department, 6) Obligations of Religion Department, 7) Propaganda Department, and 8) Training Center. *It is important to note that the Ethnic Affairs Department (DEA) acts as the secretariat of LFNC central Committee to mobilize, protect and promote the benefits of all ethnic groups, to advertise and disseminate the Party's policies, regulations and laws, and the national socio-economic development plan to all ethnic groups and to communicate the requirements, frustrations and real desires of all ethnic people to the higher officials, in order to strengthen the solidarity and equality of ethnic people across the country.*<sup>1</sup>

## 3 EGEP Methodology

### 3.1 Social Assessment Methodology and Process.

The social assessment (SA) is the process of identifying and reviewing the social effects of current or proposed infrastructure projects and other development interventions. According to the OP 4.10, if the indigenous people are present in or have a collective attachment to the project area, the borrower undertakes a social assessment to evaluate the project's potential positive and adverse effects on the indigenous people, and to examine project alternatives where adverse effects may be significant. The purpose of the SA is to:

- a) Depending on the scale of the sub-project, review the institutional framework applicable to ethnic groups living in the affected community. For example, are there communal authorities or decision-making structures and what is their relationship with local authorities?
- b) Collection and analysis of relevant baseline information on the cultural, socio-economic and political characteristics of the impacted indigenous communities, and if relevant on the land and territories they traditionally occupy and natural resources they depend on. This may be particularly relevant if the livelihoods of ethnic groups are dependent on natural resources that may be impacted by civil works financed by the project.
- c) Using this baseline information, key project stakeholders will be identified within the affected communities, and a culturally appropriate process for consulting with the ethnic groups during sub-project preparation and implementation will be identified with those stakeholders.
- d) An assessment, based on free, prior, and informed consultation, with the affected ethnic group communities, of the potential adverse and positive effects of the sub-project. This assessment should be sensitive to the unique vulnerabilities of ethnic group communities, considering their distinct circumstances, ties to the land and natural resources, and potentially limited access to development opportunities compared to other groups.

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<sup>1</sup> [http://www.lfnc.gov.la/lfncs/englishs/gov\\_ethnic.php](http://www.lfnc.gov.la/lfncs/englishs/gov_ethnic.php)

- e) The identification and evaluation, based on free, prior, and informed consultation with the affected ethnic group communities, of measures necessary to avoid adverse effects, or if such measures are not feasible, the identification of measures to minimize, mitigate, or compensate for such effects, and to ensure that the ethnic group receive culturally appropriate benefits under the sub-projects.

## 3.2 Consultations and Information Gathering

In order to capture the opinions and voice of the ethnic groups in response to the proposed widening and upgrading 13<sup>th</sup> North Road, the following 3 activities have been carried out:

### 1. *First public consultation meetings to share information and elicit initial feedback*

The 1<sup>st</sup> public consultation meetings were conducted separately in each of the 44 affected villages from the last week of June 2017 to the first week of July 2017, with only a few of the smallest villages having combined meetings. These meetings were for all affected people, including members of the smaller ethnic groups. The meetings were conducted by the Public Consultation team and covered the presentation of (i) the purpose of the project, (ii) the purpose of the consultation meeting, (iii) affected areas, (iv) Relevant policies including World Bank Policy and government decree, (V) Steps to be taken including informing the community that there would be different teams to meet with the community separately (including meeting with the ethnic group members for the EGEP).

During the first public consultation meetings there were 34 ethnic group members attending including 12 women.

### 2. *Participatory focus group discussions at the village level*

The first formal consultations with ethnic peoples were held alongside the Focus Group Discussions. A total of 63 FGD meetings were held in 42 of the 44 villages (including in all of the villages with multi-ethnic populations. About half of the smaller ethnic groups (Hmong and Khmu) had attended the first round of meetings, and invitations were sent to all Hmong and Khmu groups (via the Village Heads) for the FGDs. Altogether, 9 FGDs were conducted with 38 representatives of the smaller ethnic groups, numbering 25 Hmong and 13 Khmu.

One of the main aims FGDs was to engage with the key ethnic group informants who are potentially affected by the project including people living and doing some business along the 13<sup>th</sup> North road, female household heads or widows and ethnic elderly people (and ethnic village authorities). The FGDs were organized separately between men and women where applicable.

During the focus group discussion with the Hmong women's group, they raised the issue of communication and requested an interpreter, which was provided. This implies that the Lao language is still an issue among the Hmong women group members.

The focus was on members of the ethnic groups likely to be directly affected/benefit from the project, due to their proximity to the road, as the wider catchment area had a population of 65,000 (the vast majority of whom are Lao-Tai), most of whom would be only marginally affected, as they lived at some distance from the road.

The village level survey provides information that the large majority of smaller ethnic groups (Hmong and Khmu) resided in two villages: Lak 52 and Phonkham-nua. Of the two, Lak 52 seemed to present a greater opportunity for loss and negative project effects due to the Hmong traders and small business people making their living there. Therefore, two key FGDs were conducted in Lak 52: one with a Hmong women's group and another with elderly Hmong. In addition, a separate meeting

was also held with a potentially affected cooked food shop owner to get his perspective about the project.

In addition, an in-depth discussion<sup>2</sup> was held with the village authority at Lak 52 to record their opinion about the positive and adverse social impact of the project, and to obtain further advice and recommended measures to reduce the negative impacts.

### 3. Data Collection through a household survey

A census was conducted of all potentially affected households and businesses along the road 13 north. A census instrument was created, with a division of questions into four sometimes overlapping questionnaires as follows: households, households that also operate a business from the same premises; businesses whose owners and staff do not ordinarily reside at the business premises, vacant land and empty houses. The census took around one hour to administer to a household, and a little longer to a business or a household with an attached business. The household census covered basic household data and household composition, presence of a disability in the household, ethnicity, languages spoken, type of title deed or right to occupy the land, length of residence, monthly household expenditure, household income, basic health-seeking data, opinions on the condition of the road, and so on. The business surveys added details of the business type and business legal standing, business ownership structure, number of employees, business expenditure, business income, and so on.

A team of enumerators and team leaders carried out the household survey (which also included a census of households affected by land acquisition/resettlement). from mid-July to late September. The sample approach was to survey all households facing the sections of the road to upgraded, due to the likelihood that they would be affected both prior to construction (due to land acquisition and resettlement), during construction (noise, dust, labor influx, business disturbance), and during operation (increased traffic). Data was cleaned and re-enumerated where necessary from late July to late October, and subsequently analyzed.

### 4. Data analysis and findings collected from FGDs, Household survey and detailed measurement survey

Household socio-economic data collected by the social assessment team, impacted household data collected by the detailed measurement survey (DMS) team for the purposes of preparing the resettlement plan, and findings from the FGD reports, were reviewed and compared to ensure that the smaller ethnic group members were correctly represented in the report.

According to the affected household data, there are 49 ethnic group households who have businesses or households directly facing the road sections to be rehabilitated, and therefore likely to be directly affected by, and benefit from the project (11 affected HHs are Khmu; 38 affected households are Hmong (8 households have an affected business as they are selling food and fruit along the road).

### 5. The second public consultation meetings – to establish broad community support

Following the analysis of the FGD reports, household survey and detailed measurement survey, the second public consultation meetings were arranged with the ethnic households identified as direct beneficiaries or affected people. The main objectives of the meetings were to present a brief summary of the social impact assessment conducted during June and July 2017, establish broad community support, and to discuss and finalize the Ethnic Group Engagement Plan. The meetings were organized in two sessions in Phonhong district, attended by 28 potentially affected ethnic

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<sup>2</sup> Annex 2: In-depth focus group guideline (with the village authority).

group members, and one session in Naxaythong district, attended by 6 potentially affected ethnic group members. The Ethnic Group consultations were held at the conclusion of and separately from the main plenary consultation meetings in Naxaythong and Phonhong (which were also attended by several ethnic group representatives).



Hmong Women's group voting for the project at Lak 52 second consultation meeting, 26<sup>th</sup> September 2017

The second public consultation meeting gave an opportunity to the potential affected ethnic group members to hear the findings of the FGDs and to express their final opinion including whether they agree or have any objection to the project. The meeting was organized into three main parts:

1. Sharing the FGD findings and the draft of the grievance procedure: the presentation was prepared in Lao language and presented by the social consulting team presenting key findings from FGD reports, household survey and draft of grievance procedures. Copies of presentations were also distributed during the meeting;
2. Discussion: Participants were divided into small groups – men's and women's groups went through each section of the presentation together as groups to give further comments and opinion<sup>3</sup>. The group work was facilitated by the social consulting team members; and
3. Voting: At the end of the meeting, all participants had an opportunity to express in a final vote whether they agree with or whether they have any objections to the project. Each participant was given a blank card, and they wrote anonymously on their cards if they agreed with or objected to the project<sup>4</sup>. This was used as a basis for establishing broad community support based on free, prior and informed consultation.

### 3.3 Free, prior and informed consultations

Following the World Bank's operational policy, for a project proposed for bank financing, a borrower is required to process a free, prior and informed consultation process leading to broad community

<sup>3</sup> Refer to Annex 3 for the summary of comments from the meeting

<sup>4</sup> Refer to Annex 4 for pictures of voting

support from ethnic groups benefiting from, or affected by, a proposed project at each stage of the project, especially during the project preparation in order to identify and collect their views, concerns and collective support for the project. The consultative methods (including using indigenous languages, allowing time for consensus building, and selecting an appropriate venue) used must be appropriate to the social and cultural values of the affected ethnic groups and their local conditions. In designing these methods, special attention should be given to the concerns of ethnic women, youth, and children and their access to development opportunities and benefits.

The consultation process needs to ensure:

Requirement	Action taken
Ethnic groups have full information about the scope and impacts of the proposed development activities on their lands, resources and well-being, including (i) the nature, size, pace and scope of the proposed project, (ii) the purpose of the project and its duration, (iii) areas affected areas, (iv) a preliminary assessment of the likely economic, social, cultural and environmental impact, including potential risks,(v) personnel likely to be involved in the execution of the project, and (vi) procedures the project may entail.	The 1 <sup>st</sup> public consultation meetings were conducted in all 44 affected villages from the last week of June 2017 to the first week of July 2017. The first public consultation meeting was not only for the ethnic group members, but for the communities as a whole. The meeting covered the presentation of (i) the purpose of the project, (ii) the purpose of the consultation meeting, (iii) affected areas, (iv) relevant policies including World Bank Policies and government decrees, (IV) Steps to be taken including informing the community that there would be different teams to meet with the community separately (including meeting with the ethnic group members for the EGEP). These meetings provided the baseline information that could be further considered by the ethnic group members that could subsequently inform their participation in focus group meetings, and the 2 <sup>nd</sup> consultation meeting where broad community support was established.
Ethnic groups are not coerced, pressured or intimidated in their choices of development, ideas, opinions and concerns;	The first and second consultation meeting and FGDs were conducted by the Public Consultation team of experienced facilitators at the village temples and village meeting rooms, where they were supposed to create an friendly environment where it was convenient for everybody to access and attend. In addition, the meetings and FGDs always allowed sufficient time for all participants to express their thoughts and opinion freely including small group work and discussion.
Ethnic groups receive sufficient time to participate in consultation process and are informed of the preparation of an EGEP	The overall consultation process took place over a period of three months, and provided ample opportunity and time for members of ethnic groups to learn about the project impacts, and

	<p>contribute to the preparation of the EGEP. Engagement opportunities ranged from the first broad community consultation meeting, to more in-depth focus group meetings, and a 2<sup>nd</sup> consultation meeting with ethnic group members to establish broad community support. Participant were identified with the help of village authorities and through the household socio-economic survey.</p>
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## 4 Social Assessment of Ethnic Groups in the project areas

### 4.1 Preparation of EGEP and overview of content

The main objective of the EGEP preparation is to ensure that the 13<sup>th</sup> North Road upgrading and widening project fully meets the objective of the World Bank’s Operational Policy 4.10 – Indigenous People, requiring the borrower to engage in a process of free, prior, and informed consultation in order to (i) avoid potentially adverse effects on the indigenous peoples’ communities; or (ii) when avoidance is not feasible, minimize, mitigate, or compensate for such effects, and to ensure that the indigenous peoples obtain social and economic benefits, appropriate to their culture, gender and intergenerational inclusion. To this purpose, the social assessment was carried out (through Focus Group Discussions (FGDs) and meetings with concerned village authorities) and free, prior and informed consultations with the affected ethnic group members. The findings from the social assessment and free, prior and informed consultation process were used to prepare the EGEP for the affected ethnic group, which in this case, is the Hmong Community present in the project area.

### 4.2 Methodology and approach adopted for the Ethnic Group identification

The Ethnic group identification followed the main criteria or characteristics, described in the World Bank Operational Policy 4.10 (OP 4.10) as follows:

- (a) Self-identification as members of a district indigenous cultural group and recognition of this identity by others;
- (b) Collective attachment to geographically distinct habitats or ancestral territories in the project area and to the natural resources in these habitats and territories<sup>5</sup>;
- (c) Customary cultural, economic, social, or political institutions that are separate from those of the dominant society and cultures; and
- (d) An indigenous language, often different from the official language of the country or region.

The following methods of data collection were employed at various stages for the social assessment of impacts on ethnic minorities of the 13<sup>th</sup> North Road:

- Household surveys for gathering the data of socio-economic, construction property (shops, hotels and restaurants) and different types of affected households including the most vulnerable groups such as woman headed households, poorest households and disable households. These surveys included questions relevant to ethnicity.

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<sup>5</sup>“Collective attachment” means that for generations there has been a physical presence in and economic ties to lands 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. “Collective attachment” also refers to the attachment of transhumant/nomadic groups to the territory they use on a seasonal or cyclical basis.

- Focus group discussions conducted with various groups: woman headed household groups, men and women groups, ethnic groups and village authority groups to collect further information about people’s thoughts and opinions relevant to the positive and negative impacts from the road expansion and maintenance project on their daily livelihood, and to find out their proposed solutions to minimize the negative impacts.
- In-depth interviews with the ethnic village authorities was carried out in order to update statistics on village population and traditional and formal positions of power within the villages.

#### 4.2.1 Demography and Definition of Ethnic Group (Hmong Ethnic Group)

Lao PDR has the highest number of recognized ethnic groups among the southeast Asian countries. In 2005, the government census identified 49 ethnic groups with at least 240 sub-groups. According to the Ministry of Information and Culture of Lao PDR, the ethnic groups are classified based on the ethno-linguistic system, and the major ethno-linguistic groups include (i) Lao Tai, (ii) Mon-Khmer, (iii) Chinese Tibetan, and (iv) Hmong Mien.

In 2016, the total population in Lao PDR was approximately 6.8 million people, out of which 67% was Lao Tai, 21% was Mon-Khmer, 8% was Hmong – Mien and 3% was Chinese Tibetan. The government has concerns about the concept of “indigenous” and “ethnic minority” because the wordings seem to imply separateness or non-inclusion within the Lao state. Therefore, the National Assembly’s Official Agreement No. 213, dated 24 November 2008, clearly recognized only ONE nationality (all citizens are Lao) while multi ethnic groups as mentioned above are still recognized.

#### Ethnic Groups in the project area

Under the 13<sup>th</sup> North Road Improvement and Maintenance Project, the total population in 44 affected villages is 65,725 people living in 12,581 households. The total number of Hmong and Khmu ethnic households living along the road numbered 57 including 43 Hmong households (which includes those households selling food and fruits along the road at Lak 52 market) and 14 Khmu households, from a total of 17 villages. Of these, 35 Hmong households/businesses and 6 Khmu households/businesses will be affected by land acquisition. Lak 52 and Phonkham-nua have the greatest number of ethnic group members who will be affected by the project: 13 households from Lak 52 and 16 households from Phonkham-nua.

Of the total of 1,496 Hmong households living in the 44 villages affected by the Project, 38 will be compensated for compulsory land acquisition. Of the 224 Khmu households, 6 will receive compensation for compulsory land acquisition.

**Table 1: Ethnicity and Population in the 44 project villages, Household size and Sex ratios**

<b>Ethnicity</b>	<b>Total No. HHs</b>	<b>Total Population</b>	<b>Sex ratio</b>	<b>HH size</b>
Laoloum	10,494	52,642	0.98	5.02
Hmong	1,496	10,736	1.01	7.18
Tai Dam	293	901	0.96	3.08
Khmu	224	1,280	1.28	5.71
Tai Daeng	74	166	0.73	2.24
<b>Totals</b>	<b>12,581</b>	<b>65,725</b>	<b>0.99</b>	<b>5.22</b>

## 4.3 The Hmong in Road 13N Corridor

### 4.3.1 Background

The Hmong ethnic group in Lao PDR originally migrated from China in the early years of the 19th century, and the historical conflict between Hmong and Han Chinese, population growth, unacceptable burden of taxation and refusal to integrate with Han Chinese are believed to be the causes. In Laos, most migrated Hmong are now found throughout the northern provinces of the country (Mann & Luangkhot, 2008).

Traditionally, the Hmong population in Lao PDR has lived on the upper slopes of the mountains in the north of Laos, reliant on shifting agriculture, hunting and collecting NTFPs. Originally, Hmong consisted of 20 groups<sup>6</sup> (see table 1).

**Table 2: Hmong Groups**

1. Hayi	2. Hmong Dam (Black Hmong)	3. Hong Khao (White Hmong)
4. Kongsard	5. Hmong Lai (Striped Hmong)	6. Korcheechad
7. Kormoochee	8. Kormoutern	9. Korpana
10. Korpheh	11. Korphousang	12. Korphouyord
13. Korpoulee	14. Korsida	15. Kui
16. Laentaen	17. Mouser Dam (Black Mouser)	18. Mouser Khao (White Mouser)
19. Lahou	20. Yao	

Originally, Hmong were organized into an 18-clan structure, whose members of each clan recognize that they are related by the ancestor (see table 2).<sup>7</sup>

**Table 3: The 18 Hmong Clans**

Chang (Cha)	Lee (Le or Ly)	Cheng	Lor (Lo)	Chue (Chu)	Moua (Mua)
Fang	Pha	Hang	Thao (Thor)	Her (Herr or Heu)	Khang
Kue	Yang (Ya)	Xiong	Vue (Vu)	Vang (Va)	Kong

The Hmong population in Vientiane Province is mainly Hmong Khao, moving from different provinces such as Louangprabang, Oudomxay, Phongsaly, with the majority from Xiengkhouang province. The main reasons for this internal migration are:

1. People started with temporary resettlement, waiting for the approval to go to the third country, in this case, to the USA;
2. People followed their relatives: some who could not go to the USA and some who already settled in the village; and
3. People moved in because of the livelihood and business opportunities such as more land for agricultural activities and trade and business opportunities.

**Table 4: Hmong Groups in Relation to Safeguard Policies**

<b>Ethnic Group</b>	<b>Collective Attachment to Land</b>	<b>Traditional Institutions</b>	<b>Language</b>	<b>Self-identity</b>
Hmong	Collective settlement and concentration of Hmong in Lak 52, with individual households	Formal administrative leadership structure and kinship structure are in parallel with Lao political	Hmong language is still spoken in the community and families.	Identify themselves as Hmong or <i>Lao Soung</i>

<sup>6</sup> IFAD: Country Technical Note on Indigenous People's Issues. 2012.

<sup>7</sup>"Family Clan Structure,"<https://geriatrics.stanford.edu/ethnomed/hmong/introduction/family.html> (accessed July 31, 2017).

	owning private plots of residential and commercial land, shops, paddy fields, upland gardens and grazing areas.	institutions. For example, the village has their regular administrative structure, but they also have the advising body outside the formal structure, providing regular advice to the village authority members. The advising body includes the head of the important clan or seng, who commands the respect of the people present in the village.	Officially, people speak Lao, but when they are with their Hmong people or in their families, most people prefer to speak their own language (Hmong).	They have very strict marriage rules, where members of the same clan cannot marry; for example, if one is under "Lee clan", he or she must not be married to a person from "Lee clan".
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### 4.3.2 Socio-economic Status

According to the household survey and FGDs, the main livelihood activities for Hmong living in Lak 52 include engaging in various businesses, such as selling foods, clothes, groceries, construction materials, electrical appliances and phone shops. In addition, some people also rely on the agricultural activities such as rice and cash crop plantation, rubber tree plantation and livestock husbandry. Some are receiving remittances from their parents and cousins abroad. Although Hmong groups are traditionally extensively involved in collecting Non-Timber Forest Products (NTFPs), including herbs to use as traditional medicines, this practice has died out because there are no NTFPs for them to collect these days.

### 4.3.3 Belief System and Cultural Heritage

#### Territorial and ancestral spirits/Traditional Celebration

Unlike other ethnic groups in Laos, Hmong do not have any specific spirit of the village or town territory (Phi Muang). They only practice some spiritual activities when they would like to request some protection for certain situations: moving into their new houses, going to war, and traveling to a new place. A *Basi* or specific ceremony to ask for the blessing and protection from the spirit of their ancestors and/or houses will be organized for these occasions.

In the project area, Hmong people still follow this practice, and the size of the event depends on the capacity of the households, ranging from offering chickens to pigs to cows. During the focus group discussions with the affected people, they did not show a great deal of concern about this arrangement. They said that if they receive appropriate compensation for their assets before the actual construction, they will be able to take care of their customary traditional requirements relevant to their resettlement.

Nevertheless, they do have an important ceremony that they have to follow annually, that is Hmong New Year (*Boun Kin Chieng*), which is between December and January of every year for a maximum of 7 days. The purpose of the ceremony is to celebrate the harvest. The main activities arranged during the Hmong new year are as follows:

- Day 1: The head of families prepares and conducts the necessary spiritual prayers and offerings to thank the ancestor and spirit of the house. Only chicken is offered on day 1.

Day 2-7: Full celebration: eating and playing some traditional games: (i) spinning MakKhang and (ii) throwing MakKhone (for men and women who are looking for partners).

### Life Cycle Rituals

#### ▪ **Birth**

Since Lak 52 village is quite developed, and people have an easy access to the district or/and provincial hospital most women give birth in the hospital. Only a few women still give birth in their houses or the house of their parents. Traditional midwives and experienced elderly women as well as mothers, mothers-in-law are usually present to assist the woman. A recovery period after women give birth, where they are excluded from society, is called *yuufai* (3 days) and *yuukam* (30 days). Members of the Hmong ethnic group have a very strict set of practices during the 30-day *yuukam* as follows:

- Mothers can eat ONLY chicken, jasmine rice and hot water; nothing else is allowed during this 30-day period;
- The owner of the house always puts up a wooden sign to let people know that the house has a woman who has just given birth to her baby. It is really important to observe this because during the 30-day *yuukam* period, outsiders (not family members) are not allowed to visit the mother. If needed, they have to enter the house without shoes and bags/sacks because they believe that the spirit of the stranger would take milk from the mother.
- If an outsider accidentally enters the house and does not follow the rule, he/she has to carry out a spiritual activity asking for forgiveness by offering a pig to the mother.

#### ▪ **Marriage**

Like other ethnic groups, it is common for the young Hmong men and women to decide themselves about their future marriage partners. However, what they have to seriously consider is that the same clan or seng is not able to marry each other, no matter where they are; for example, seng Vue cannot marry seng Vue; if one is Vue, the other person MUST be Vang, Xion, Lee, etc. Therefore, it is very important for the young Hmong person to ask the other person his/her seng prior to starting their relationship. In addition, Hmong married culture is *phaisu* (*woman moves to man's house after getting married*) with some strict rules as follows:

- Under no circumstances, (for Hmong Lai) are daughters-in-law allowed to enter the house of parents-in-law;
- When married, a woman is brought to her husband's family and introduced to the *phi* (*spirit*) of her husband's family; after her introduction, she formally and fully becomes a family member. With this status, she is not able to go back to her family for the rest of her life;
- After marriage, all children have to use the last name of their father.

#### ▪ **Illness**

Although there are government and private clinics and dispensaries in the town or nearby, there are also traditional practitioners and a belief that illnesses may have both natural (scientific) and supernatural causes. Hmong ethnic group has traditional practitioners called *maw yao* who are responsible for conducting elaborate *baci* ceremonies or spiritual activities for sick people. When someone gets sick, his/her family considers a sickness, and if the sickness is natural or common, such as accident, falling off a tree, broken arms or legs, etc., he/she will be sent to the hospital or clinic to get the normal scientific treatment; however, if the sickness is more likely to be caused by a spirit (*phii*), the *maw yao* will be

called to conduct the *baci* or spiritual activity to treat a patient. The animal used for the spiritual activity to treat illnesses ranges from chicken, pigs, goats and cows, as suggested by the *maw yao*.

#### ▪ **Death**

Traditionally, Hmong ethnic group bury their dead. The dead body is kept for 1- 7 days, depending on the financial capacity of the family: rich people normally keep a dead body for a minimum of 3 days and poor people only keep the body for 1 day:

- Day 1: when someone dies, an old person, with knowledge of funeral arrangements, is invited to help the family with all arrangements;
- Day 2 – 3 or 4 or 5: welcoming visitors, friends and cousins with food every day;
- The last day: the body is taken to the cemetery for burial. In the case of an elder who is highly regarded in his/her community, his/her children have to sacrifice animals, mostly cows. If a married son does not have money to sacrifice a cow for his in-laws, he is shunned and brings shame to the person's family and children.

### Characteristics of Hmong Culture

Hmong culture differs significantly from the Tai-Lao and Mon-Khmer cultures in terms of social organization and religious beliefs. The majority of Hmong people maintain a spiritual religion (*phii*), and ancestor worship of the household, illness, nature and death are integral parts of Hmong religion. In terms of social organization, the Hmong are divided into clans and loyalty to one's clan is central and clan solidarity is very important, linking members to villages throughout the country and even abroad. Hmong people tend to live close to their family members because they feel more secure when they need some help.

### Gender

Traditionally, Hmong is a male dominated culture. Young women, daughters and wives are expected to be passive followers of their parents, husbands and elders. Men are brought up to assume roles of superiority, and women are encouraged to take the role of caregivers.

Currently, Hmong people living in urban areas seem to be changing their perspective toward Hmong women's roles in a family socio-economic development as well as contribution to the community. However, the traditional arrangements are still strong, and even though members share responsibilities within a family and when participating in a social event, there are some clear notions of what is male and female work/duty and what is shared between them:

- Women's tasks: taking care of household tasks including cleaning, washing, preparing meals, taking care of young children and sick family members;
- Men's tasks: being responsible for heavy work, including removing large trees, constructing houses, cutting down trees and representing in a formal government structure; and
- Shared tasks: weeding and clearing the paddy fields, planting and harvesting, raising animals and taking care of children (sometimes).

### Language

Hmong ethnic group has its own language that is still widely spoken among the Hmong community. Although Hmong have many different groups, Hmong language is understandable for all although some words are pronounced slightly differently from region to region. One elder said that originally, the Hmong language was only a spoken language; however, during the war, under the French

colonial regime, French people tried to put Hmong into written forms by using the French alphabet, which worked perfectly.

Currently, most Hmong families encourage their family members and new generations to maintain their mother tongue: some set the rule for family members to communicate in Hmong when being at home or Hmong communities. However, the success of this endeavor is highly dependent on the efforts of the parents and social environment, and in some families, although the parents are Hmong, their children are unable to speak Hmong.

In the project area, although 86% of Hmong households use Hmong language at home, most of them, especially men, are able to communicate in the Lao language publicly or when having their conversation with non-Hmong people. From the focus group discussion with the village authorities of Lak 52, the village chief said that women also understand the Lao language too though they may not be as fluent as men. However, during the focus group discussion with the Hmong women group, they raised the issue of communication and requested the translator. This implies that the Lao language is still an issue among the Hmong women group members.

#### Land tenure and Ownership system

Most of Hmong members are settlers from other regions; the land ownership is mainly from purchasing from others, mainly Lao Loum, and most land plots already permanently and legally registered; that is, they already have their permanent land titles.

One elder (a dentist) pointed out that he moved from Xiengkhouang province and settled in Lak 52 in 1980, and bought his land (16m x 40m = 640m<sup>2</sup>) for 3 baht of gold, equivalent to 52,500 kip (1 baht = 17,500 kip) at the time. When asked about the current market value of the land in Lak 52, he shared that not long ago, the Lao Development Bank bought a piece of land along the road with the dimension of 20m x 40m = 800m<sup>2</sup> for US\$150,000. He also added that during the last impact survey conducted few years ago, his land was valued at US\$200,000. He said that even if the compensation was going to be for the full amount, he still would have to think it over because of the potential loss of business income. (Note: no Hmong or Khmu are among the APs who will need to move as a result of this project)

According to the village authorities, the village does not have any vacant land left, particularly in the business focus area. Therefore, people need a realistic offer for any land they have to give up for the road.

#### Institutional and political characteristics

The village has its own formal village administrative structure, following the government administrative law. Hmong members actively participate in the current formal political structure (Lak 52 village administration structure), described as follows:

- |   |                      |
|---|----------------------|
| 1. Head of the village:                   | 1 person (Hmong)     |
| 2. Deputy head of the village:            | 1 person (Lao)       |
| 3. Deputy head of the village:            | 1 person (Lao)       |
| 4. Village mediation/grievance Committee: | 7 members (1 Hmong)  |
| 5. Village Women's Union:                 | 7 members (1 Hmong)  |
| 6. Village Youth Union:                   | 7 members            |
| 7. Village Safety and Security – Police:  | 7 members (1 Hmong)  |
| 8. Village Safety and Security – Army:    | 5 members (1 Hmong)  |
| 9. Village Elder:                         | 11 members (1 Hmong) |

The Hmong ethnic group still pays their high respect and royalty to their clan, and the decision made by the head of their clan is considerably important and has to be respected. With this cultural practice, Hmong communities follow the formal political system, paralleling the informal traditional structure; that is the villagers informally select some elders (mostly heads of clans) who are knowledgeable and highly respected by the community, to act as the advisors to the formal village administrative members. The advisors play an important role in any difficult and serious decision relevant to the community development, conflict resolution, security, etc.

#### 4.4 The Khmu in the Road 13 N Corridor

The Khmu are an Austroasiatic people of the Mon-Khmer language group constituting 24% of the population of Lao PDR. They live mainly in mid- and highland areas in the North, Central and South; smaller groups (Khmu) live also in the Northern lowlands. They are the most diverse ethnic group and the first one to inhabit large areas of Lao PDR. They mainly follow animistic belief systems and historically worked as shifting cultivators. However, they are now quite well assimilated due to hundreds of years of interaction with Lao/tai peoples. Some small single communities live in isolation as hunter-gatherers.

The 14 Khmu households living along road 13N have not settled as an ethnic group, but rather as individual households spread among 7 villages. The household members between them owned and operated 13 businesses: take-away food shops (5); car and bike repair (3), general store (4), and one pharmacy. However, the income (sales less expenditure) they earned was, on average, less than that earned by Lao/tai and Hmong businesses. The businesses were very small, and on average employed only 0.92 of an employee. The table below shows the summarized answers to questions about business costs and profits. Note that only the Khmu businesses data had a neat fit between Profit on the one hand, and Sales less Cost of Sales, on the other. The distribution of Household income (as opposed to business income, is also included for comparison, as all of the Khmu were running the business out of their house, or in front of their house. Business profit is not included in household income. The average of total business plus personal income would be LAK 12,336,000 (USD 1,486) per month. The average household income for Lao PDR as a whole is just under USD 1,000 per month.

**Table 5 Business income of ethnic groups**

<b>Ethnic Group</b>	<b>Cost of sales</b>	<b>Sales</b>	<b>Profit</b>	<b>Gross Margin %</b>	<b>Mean income per HH</b>
Khmu	27,600,000	31,200,000	3,700,000	11.9	8,900,000
Lao/Tai	45,700,000	83,400,000	27,300,000	32.7	19,162,000
Hmong	35,900,000	38,400,000	10,500,000	27.3	25,406,000
Total	45,100,000	81,500,000	26,600,000	32.6	

The Khmu had no vulnerable households, and 11 of the 14 owned the land they were living on, with the other 3 being renters. Of these 11, eight had full land titles, whereas the other 3 had land certifications or other documents that could be regularized as a title. Nine households preferred to speak Khmu at home, but all were also fluent in Lao.

## 5 Survey Findings and Social Assessment

### 5.1 Survey Findings

From the household survey, 57 ethnic group households were found to be living in the project area along Road 13N. Of these, 41 were found to be living in the Right of Way (all of these are Hmong), and would lose some part of their land and/or buildings. The remainder would be indirectly affected by project operations – access, dust etc. The survey results below are for the 57 households from 17 villages, (with the majority living in Lak 52 and Phonkham-nua). The full details are as follows:

**Table 6: Ethnic population living along Road 13 North, by village**

No	Name of villages	Hmong	Khmu	Total
1	Boua	-	2	2
2	Donglouang	1	-	1
3	Hongluay	1	-	1
4	Houaynamyen	-	1	1
5	Lak 52	13	-	13
6	Mai	2	-	2
7	Nakha	1	-	1
8	Nalao	2	1	3
9	Nanga	1	3	4
10	Nongkhankhou	1	-	1
11	Nongnak	4	-	4
12	Phanghaeng	-	1	1
13	Phonkham-nua	13	3	16
14	Phonkham-tai	2	-	2
15	Phonmouang	1	-	1
16	Phonngeun	-	3	3
17	Taothan	1	-	1
	<b>Total</b>	<b>43</b>	<b>14</b>	<b>57</b>

From the data collected, it was noted that both Hmong and Khmu are well-established in their residences along 13 North, Khmu households have been living in their current house a little longer than the Hmong: 22 years versus 19 years. Further, 79% of Khmu households own the house they live in and 21% rent their houses, while 72% Hmong households own their houses and 28% rent their houses. This compares to the 94% of Lao tai households who own the houses they live in.

Most ethnic households have formal land titles: of the households who own their own land, 83% of Hmong have full title and 73% of Khmu (compared with 78% of Lao/Tai). The mean area owned or occupied is 938 square meters, with the largest plot being 9,888 square meters. On average, Hmong households own approximately 960 square meters and Khmu households own 638 square meters, compared to 1,253 square meters owned by the average Lao tai.

In terms of the language spoken at home, 77% of Hmong use Hmong at home and the remainder more often use Lao. For Khmu, 64% of them speak Khmu at home and the remainder normally use Lao.

#### *Education level of male and female heads of households:*

The data shows that both male and female Hmong ethnic group members were better represented at the higher levels of education than their Khmu and Lao tai groups counterparts. Male Hmong and male Lao tai had roughly equivalent educational achievements, while male Khmu generally had a lower level of education (note that the population of Khmu is quite small). The table below shows full details of educational levels of the male heads of households by ethnicity:

**Table 7: Education and Ethnicity: Males**

Educational Levels	Hmong	Khmu	Lao/tai
No schooling	0	9	2
Primary	13	36	20
Lower Secondary	21	18	19
Upper Secondary	21	27	23
Technical Institute	24	10	16
University	21	-	20
	100	100	100

Like Khmu males, Khmu females had received less education than Hmong and Lao tai groups. For example, no Khmu females had education at the technical institute and University level, compared to 15% of Hmong females at the technical institute and 7.5% at the University. However, 25% of Hmong and Khmu females had no education at all, compared to only 7% of Lao tai females. The table below shows full details of education level of the female head of households by ethnicity:

**Table 8 Education and Ethnicity: Females**

Educational Level	Hmong (%)	Khmu (%)	Lao/tai (%)
No schooling	25	25	7
Primary	22.5	42	34
Lower Secondary	17.5	25	25
Upper Secondary	12.5	8	20
Technical Institute	15	-	7
University	7.5	-	7
	100	100	100

The above differences in educational achievement between ethnic men and women already reflects different types of occupation between them. Comparing Hmong and Khmu ethnic groups, a higher percentage of male Hmong and Khmu were farmers, but for the females, a higher percentage were traders. Another important fact is that only a very small percentage is working for the government, only 2.5% of Hmong females and no Khmu females worked as government officers. The table below shows the full details of the different occupations of male and female heads of households by ethnicity:

**Table 9: Occupations of Ethnic Groups living along Road 13 N.**

Type of Occupation	Hmong		Khmu		Lao/tai	
	M	F	M	F	M	F
Farmer	26.3	30	55.5	25	14.6	13.1
Government Officer	13.2	2.5	9.1	0	15.2	4.4
Company employee	2.6	0	9.1	8.3	5.8	2.3
Trader	23.7	32.5	18.2	50	30.3	39.2
Daily worker/ labourer	5.3	2.5	0	0	7.8	1.9
Homemaker	0	22.5	0	16.7	0.8	28.0
Migrant worker	0	0	0	0	0.4	0.1
Retired, ill, not working	2.6	0	9.1	0	4.6	2.6
Unemployed	10.5	0	0	0	11.2	0
Business owner	15.8	10	0	0	9.2	8.2
	100	100	100	100	100	100

*Household Incomes:*

From the data collected, average income of different ethnic groups varied substantially. While the mean household income of Hmong ethnic households was 32.58% lower than Lao/tai households, the median household income was almost 30% higher. This indicates that the income inequality among Hmong households is substantially less than among Lao/tai households. Lao/tai households spent almost 93% of their median household incomes on the basket of items for which data was gathered in the census, compared to only about 36% among Hmong households. Khmu households earned the least, but their expenditure was 79.58% of their median household incomes. Vietnamese and Chinese households, almost all of which incorporated small businesses, had almost double the mean household incomes. Chinese households had the second highest mean income after Vietnamese and the highest median household income, but their household expenditures were the lowest, only 6.27% of their median household income or 2.70% of their mean household incomes, which implies their high commitment to “earn” rather than “spend”. The table below show more detail of incomes by ethnicity.

**Table 10: Income by ethnicity, per Household and per person (kip)**

	Mean income per HH	Median income per HH	Mean income per HH member	Mean HH expenditure
Hmong	19,162,000	13,000,000	4,671,000	4,671,000
Khmu	8,900,000	3,900,000	1,464,000	3,104,000
Lao/tai	25,406,000	9,500,000	6,074,000	8,817,000
Vietnamese	44,300,000	9,800,000	15,257,000	5,186,000
Chinese	42,038,000	18,114,000	7,519,000	1,137,000

*Accessing the main sources of fuel and water*

*Drinking and domestic water sources:* All ethnic groups had access to the Nam Papa water supply, and over half of the Hmong used this water for domestic purposes, compared with 21.6% of the majority Lao/tai population. Almost everyone in all groups used bottled water for drinking. The table below provides more details:

**Table 11: Fuel and Water Use**

Type	Hmong		Khmu		Lao/tai	
	Domestic Water	Drinking Water	Domestic Water	Drinking Water	Domestic Water	Drinking Water
<b>Nam Papa water supply</b>	51.2	2.3	28.6		21.6	0.4
<b>Piped water (private)</b>	7.3				7.9	
<b>Borehole</b>	14.6		28.6		47.0	0.5
<b>Dug well, uncovered</b>			14.2		3.9	
<b>Covered dug well</b>	24.4	2.3	28.6		19.2	0.3
<b>Trucked water from vendor</b>						0.1
<b>Bottled water</b>	2.4	95.3		100	0.5	98.7

*Lighting and fuel used for cooking:* Data was collected on the main source of lighting used in the surveyed houses. It was found that 100% of respondents of all ethnicities used mains electricity. Nevertheless, different ethnic groups responded differently in terms of cooking fuel: Khmu respondents used mainly wood and charcoal, Hmong used a mixture of gas, electricity, charcoal and wood, and Lao/tai used mainly charcoal, with a significant minority using gas and wood.

From the data below, it is interesting to note that Hmong households had very low % of using firewood and charcoal (44%), compared to Khmu (86%) and Lao/tai (73%), while traditionally a cooking fire is a normal practice among Hmong ethnic group members. In addition, the Khmu ethnic household income was the lowest; therefore, it is not surprising to see the high percentage using firewood for their cooking.

**Table 12: Fuel most often used for cooking (%)**

Type of Fuel Used	Hmong	Khmu	Lao/tai
Gas	28	7	22
electricity	28	7	5
Wood	16	57	22
Charcoal	28	29	51
<b>Total</b>	<b>100</b>	<b>100</b>	<b>100</b>

Focus Group Discussions were held with all three national ethnic groups living along the road. Separate groups were organized for males and females, business people, and general citizens. In general, there was no difference in the issues brought up by the three ethnic groups – all were concerned with access to their properties during construction, adequate compensation in the case of loss of land or ability to carry out their business, dust and construction noise, and construction delays. However, several Hmong groups brought up the issue of disturbance of their traditional festival, and were concerned that they would not have the “freedom of the road” during their week-long new year festival (Kin Chieng), that happens between December and January every year.

Given that there may be some communication difficulties, particularly with some Hmong women, the appointment of a Social Specialist with skills in understanding the needs of particular ethnic groups, particularly poor or elderly people, has been recommended, to work alongside the interpreter. These two positions would work together to ensure that the ethnic group members are not disadvantaged during the construction, and that help is available where needed.

## 5.2 Results of 2<sup>nd</sup> round Consultation Meetings – Establishing Broad Community Support

The three final consultation meetings held on 26<sup>th</sup> and 27<sup>th</sup> September 2017 in Lak 52, Phonkhamnua and Naxaythong provided an opportunity for the interested ethnic group members to express their approval of or opposition to the project.

After presentation of the Draft EGEP (in a truncated form), and open discussion, the participants were given blank pieces of paper and asked to write if they approved or did not approve of the project. No-one wrote that they did not approve, but two participants left the meetings before the votes were taken. The table below shows how people voted.

**Table 13: 2nd Consultation - No. of participants**

Date	Hmong	Approve	Khmu	Approve
26/09/2017	23	21	5	5
27/09/2017	2	2	4	4
Total	25	23	9	9

This indicates that among those ethnic groups likely to be either directly or indirectly affected by the project, there is strong and broad community support for the investment itself.

### 5.3 Assessment of Adverse and Positive Impact

**Table 14 Adverse and Positive Impacts**

The following table presents a summary analysis of the main issues raised during the focus group and consultation meetings with Hmong and Khmu, which raised issues that were identical to those raised in focus groups with the majority ethnic group with the exception of a concern that an annual, week-long Hmong festival could be disrupted by roadworks.

Adverse Impacts	Positive Impacts
<p><u>Communication</u></p> <ul style="list-style-type: none"> <li>▪ Unclear communication between the officials (communication about the project) and affected people or/and village authority could cause confusion and frustration (raised in 1 FGD).</li> <li>▪ Foreign construction workers may not follow the rules and tradition of the village, and villagers may have difficulty communicating with them or they/ the construction company may not listen to villagers (raised in 2 FGDs). This refers to the Hmong festival where they are allowed to encroach on the road. They are concerned that if the construction work is scheduled for that period in Lak 52 village then there could be construction materials on the roadside that would hamper the festival activities.</li> </ul> <p><u>Issue during the construction</u></p> <ul style="list-style-type: none"> <li>▪ The construction work will damage drainage pipe, fence and driveway (raised in 1 FGD).</li> <li>▪ Damage of village temple's fence (raised in 1 FGD).</li> <li>▪ The dust issue is of great concern to the local people (raised in 6 FGDs).</li> <li>▪ Waste from construction: dirty water, chemicals used and rubbish (raised in 2 FGDs).</li> <li>▪ Noise from construction work such as digging or drilling the ground or vibration (raised in 2 FGDs).</li> <li>▪ Flooding during the construction work (raised in 3 FGDs).</li> <li>▪ Access problems from unorganized construction materials and messy from the construction (raised in 6 FGDs).</li> <li>▪ Safety concern during the construction</li> </ul>	<ul style="list-style-type: none"> <li>▪ Create new development opportunity for the country (raised in 5 FGDs).</li> <li>▪ Add convenience for travellers and also for people of the village who use the road (raised in 9 FGDs).</li> <li>▪ Boost the national economy by enhancing efficiency for transporting/exporting goods (raised in 5 FGDs).</li> <li>▪ Help local merchants and businesses along the road to have more customers (raised in 5 FGDs).</li> <li>▪ Bring more tourists (raised in 2 FGDs).</li> <li>▪ Added convenience for people to access public services such as hospitals (raised in 3 FGDs)</li> <li>▪ It will be much better for students who have to travel to Vientiane for their studies (raised in 1 FGD).</li> <li>▪ It is hoped that the number of accidents will be reduced when the pavement is smoother and wider (raised in 3 FGDs).</li> <li>▪ New road will be cleaner and wider and well organized (raised in 3 FGDs).</li> <li>▪ Good quality and wider road will be convenient for traveler and traders for business purposes (raised in 1 FGD).</li> </ul>

including accident and social safety (theft) (raised in 9 FGDs).

- Delay of the construction project will impose many difficulties for local business, local people living along the road and those using the road everyday (raised in 8 FGDs).
- The construction work may damage the public utilities causing some cutting off water, electricity and internet (raised in 2 FGDs).

#### Infrastructure and Business

- For those who have a limited land in front of their houses, they will be left with no walkway in front of the house, making the house too close to the road, which could leave them vulnerable to accidents (raised in 2 FGDs).
- No place to live especially the poor or female headed households as they already have only a very small piece of land or the compensation may not be enough to buy new land (raised in 4 FGDs).
- Households with older people or no male labour will not be able to handle the demolition of their houses (raised in 2 FGDs).
- No place to move the shops especially those selling food and fruits in the Lak 52 market (raised in 1 FGD).
- Shops/Businesses will be closed or no place to continue running the regular business during the construction (raised in 3 FGDs).
- Income will decrease due to closing down businesses (shops and renting business) (raised in 5 FGDs).
- Decreased incomes could affect their livelihood and children's education (raised in 2 FGDs).

#### Compensation

- The compensation may be not transparent (raised in 2 FGDs).
- The compensation may be paid very late (raised in 5 FGD).
- Inappropriate compensation rate (raised in 1 FGD).

#### Issues after completing road construction

- A smoother and wider road may cause some drivers to use excessive speed and cause a lot of accidents (raised in 7 FGDs).
- A wider road may be difficult for people to

cross especially old people and children (raised in 7 FGDs).	
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Additional impacts identified based on the social assessment included:

- 6 Khmu households and 35 Hmong households are directly affected by the project as their landholdings are in the RoW. The remainder will be affected by noise and dust in the same way as the other Hmong and Lao Loum who live along the road but whose land is not being acquired.
- The number of project workers has been estimated at 100 for the 4-lane section and 100 for the 2-lane section. Of these 40+40 will be foreign workers (depending on the origin of the successful contractors) and 60+60 will be Lao. All the foreign workers and non-local Lao workers will be located in controlled camps. This number of foreign workers is smaller than the current total of foreign residents living in the road corridor, and is not expected to adversely impact members of ethnic groups living along the alignment.
- The percentage of Hmong and Khmu with formal land titles is similar to that of Lao residents (Hmong 83%, Lao Loum 78%, Khmu 73%). Replacement of current land titles with new ones, and the issuing of land titles for those without one, has been acknowledged as a task of the Social Safeguards Team + Resettlement Committee.
- There is no agricultural land along the RoW (apart from personal vegetable/kitchen gardens) belong to members of ethnic groups.

## 6 Implementation Measures and Arrangements

The strategic oversight of the project will be provided through the MPWT management structure, led by the Minister. The Department of Roads (DoR) will manage the project implementation and monitoring. The DoR and Public Works transport and Research Institute (PTRI) will coordinate with the provincial Department of Public Work and Transports (DPWTs) in Vientiane capital and Vientiane province to monitor the implementation of the Environmental and Social Management Plan (ESMP), Resettlement Action Plan (RAP) and Ethnic Group Engagement Plan (EGEP).

### 6.1 Grievance Redress Mechanism (GRM)

To include the affected village authorities into the GRM committee was suggested in most of the FGDs conducted with the affected ethnic group members. They expect that the village committee will be able to represent their affected households within their villages. Moreover, the GRM committee should include ethnic group members and women to ensure that the GRM committee will function for the benefit of all, including ethnic group members, during the project period.

In addition, the appointment of a part-time social specialist to assist all ethnic groups is recommended. The consultant would be active during the periods when construction is going on around the ethnic groups' residences/businesses.

The comprehensive GRM and its steps and functions including roles and responsibility of each body are outlined in the GRM section of the RAP. Key points are as follows:

According to the GRM document<sup>8</sup>, the committee members in each district composed of the following parties:

- Deputy Chief of the District
- Deputy Director of DPWT of both Vientiane Capital and Vientiane Province
- Head of District PWT Office

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<sup>8</sup> Refer to Annex 5 for the full details of the GRM

- Head of District Office for Natural Resources and Environment
- Head of District Agriculture and Forestry
- Chairman of District Lao Front for National Construction
- Chairman of District Lao Women Union

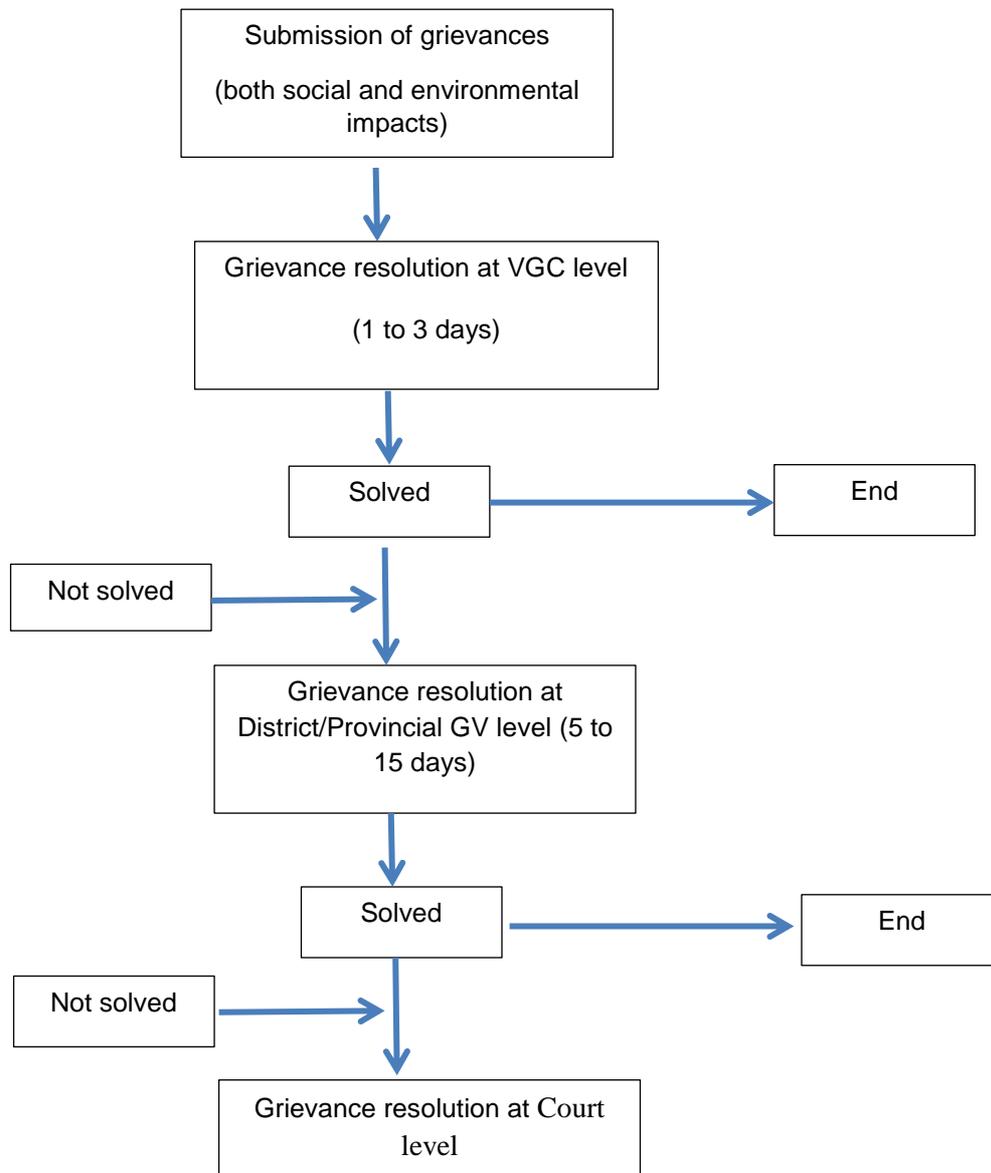
The role and responsibilities identified in these directions for the establishment of the grievance committees in each district include:

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

Since the provincial authorities in both Vientiane Capital and Vientiane Province have already established the grievance committees in their respective provinces it is recommended that village grievance committee should also be established in every affected village that will be composed of the following parties:

- Village chief
- Village authority member, who is responsible for the economic/tax collection issues
- Village Lao Women's Union
- Village Front for National Construction
- Two Representatives from the APs (one man and one woman)
- Two representatives from the ethnic APs (in the villages where there are ethnic APs)

**Figure 1: Grievance Resolution Flow Chart:**



## 6.2 Monitoring and reporting

- Monitoring and reporting are key components of the EGEP implementation to ensure that:
  - the approved proposed actions are implemented, and the women or/and female head households receive sufficient support from the project,
  - the appropriate budget is allocated to the implementation of EGEP,
  - the GRM committee is functioning and able to deal with complaints effectively or refer the case to the higher level,

The MPWT takes full responsibility to oversee the effective implementation of the EGEP. The M&E of the EGEP will be incorporated into the contract of the Social Safeguards firm/consultants. The firm will carry out participatory monitoring by holding quarterly FGDs with Ethnic Groups representatives.

**Ongoing Monitoring and Reporting:**

- The implementation of the EGEP has to be part of and included into the overall project contract and project monitoring and reporting system. The monitoring of the Ethnic Group Engagement Plan will be part of the terms of reference for the firm required the implementation and monitoring of the resettlement action plan.
- The DoR and Public Works transport works closely with the provincial Department of Public Work and Transports (DPWTs) in Vientiane capital and Vientiane province and GRM committee members at the district and village level to conduct the internal monitoring by collecting information and assessing all EGEP activities implemented to identify their achievements and issues/problems encountered. The internal monitoring should be done **monthly**.

**Impact Monitoring:**

The impact monitoring should be an integral part of the project contract. The main focus of the impact monitoring will be on (i) impacts on affected ethnic households and communities in terms of their livelihood/living standard, (ii) men and women have equal right to receive and access to the project support, and (iii) management of grievance, disputes and conflicts.

The impact monitoring could be done by conducting a formal focus group discussion (FGD), which could be done **annually**. The DPWTs have to coordinate with the PPWT and DPWT and GRM committee members at all levels to set up the monitoring team and carry out the FGD. If necessary, the external social expert could be hired to facilitate this process.

**Participatory Monitoring**

In addition to impact monitoring, a special process of participatory monitoring will be conducted, and specifically targeted towards members of the Hmong and Khmu communities. This will take the form of quarterly focus groups convened, while civil works and underway, and locations convenient to the members of ethnic groups impacted by the project. These focus groups will be facilitated by the part time social specialist who will be dedicated to work with members of ethnic groups. Each quarter, a report will be prepared summarizing the results of the focus groups, which will include recommendations for additional corrective actions to be taken, and to be shared with project management, as well as the contractor.

**6.3 Budget and Financing**

Most of proposed activities under the EGEP are linked to the RAP and the preparation of the bidding and contract document. Therefore, the estimated budget is made to only some activities, mainly under the communication, sharing information and community awareness raising. The estimated total cost stands at USD34,540. The source of funds will be the project budget.

**Table 15: Budget**

Main Themes	Description	Indicative Cost (USD)
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<b>Main Themes</b>	<b>Description</b>	<b>Indicative Cost (USD)</b>
<b>Communication</b>	1. Recruit a Hmong interpreter for communicating with the ethnic group, especially women.	6,000 (\$500 x 12 months <sup>9</sup> )
	2. Hire necessary translator to facilitate the communication between village authorities or/and affected people and construction workers.	12,000 (\$500 x 24 months)
	3. Develop 50 posters containing a list of key project contacts (with name and phone numbers)	500 (\$10 x 50)
<b>Assistance to ethnic groups</b>	4. Recruit a Social Specialist to work part-time with groups along the road to convey any concerns or complaints to the appropriate authority	9,000 (\$1,500 x 6 months)
<b>Information Sharing</b>	5. Make 44 copied sets of the final approved technical design to be shared with each affected villages.	440 (\$10 x 44)
<b>Demolition of affected structures</b>	6. For those temporary residents, especially poor female head household, the compensation should cover the cost of moving following the World Bank resettlement policy.	To be addressed and covered in the RAP
	7. The GoL should provide a higher rate of compensation and support for those women headed households who need to demolish and re-construct their houses/shops.	
<b>Business</b>	8. Compensation for income loss during the construction	To be addressed and covered in the RAP
<b>Compensation</b>	9. Compensation for asset loss (land, house and shop structures, drainage and tree)	To be covered in the RAP
	10. The compensation for issuing a new land title for the affected land title.	
	11. The compensation for the demolition	
<b>Issues During the Construction</b>	12. Water the road during the construction at least 2 or 3 or time a day.	To be covered in the construction contract
	13. Put warning signs and lights, and barriers at the incomplete construction areas.	
	14. Pay for any loss/accident cause by the company's neglects during the construction	
	15. Conducts the site inspection to avoid damaging the water pipe and electrical cable.	
	16. Include the driveways in the construction design.	
	17. Arrange the temporary crossing driveway for AP's houses if the drainage canal needs to be done or if the construction has to be blocked their houses/shops.	
<b>Safety issues after completing the construction</b>	18. Construct sky-bridges or zebra crossings at markets, schools, temple and hospitals.	To be covered in the construction contract
	18. Put up speed limit control warning signs and lights at the cross sections, schools, markets, temples and hospitals.	
	19. Put up warning sign for "Drink, Don't Drive"	

<sup>9</sup> This person could be hired as a part-time or on a short-term mission basis

Main Themes	Description	Indicative Cost (USD)
	20. Install sufficient street lights and traffic lights at the cross section or T-junction	
	21. Organize the community awareness raising about the traffic rules and regulations for the villagers and teenagers	6,600 (\$150 x 44)
	22. Assign the patrolling police officers at a particular section to ensure that drivers obey the traffic rules.	To be covered in the district police department working plan
	<b>Total</b>	<b>34,540</b>

## 6.4 Proposed Actions for Mitigation of Project Impacts

The following proposals are taken from the Focus Group Discussions as well as discussion recorded during the 2<sup>nd</sup> round of consultations.

**Table 16: Proposed Actions for Mitigation of Impacts**

Main Themes	Issues/Concerns <sup>10</sup>	Proposed Actions	Responsible Persons	When
<b>Communication</b>	Communications between government officers and authorities in the affected village about the project need more clarity. <i>(Raised in 2 FGDs)</i>	<ul style="list-style-type: none"> <li>- Staff responsible for communicating or collaborate with APs and village authorities require training and need to hold an agreed set of documents and protocols when communicating with affected people and village authorities.</li> <li>- Planned communication with Hmong members, especially women, Hmong staff or translator need to be available to support the discussion.</li> </ul>	<ul style="list-style-type: none"> <li>- Ministry of Public Work Transportation (MPWT).</li> <li>- Provincial Public Work and Transport Department (PPWTD).</li> <li>- Provincial Natural Resource and Environment Department (PNRED) (for land titles).</li> <li>- District Public Work and Transportation office (DPWTO).</li> <li>- District Natural Resource and Environment Office (DNREO)</li> </ul>	As soon as possible or before the construction takes place
	Affected people do not know clearly who is the project owners from the Lao government side. <i>(Raised in 1 FGD)</i>	<ul style="list-style-type: none"> <li>- Prepare a list of key project contacts (with name and phone numbers) to be displayed at the village administration office or village news boards, accessible for everybody. Propose small leaflet to be prepared by GRM include details of project ownership and structure.</li> </ul>		
	Affected people are worried about their communication with foreign workers. <i>(Raised in 5 FGDs)</i>	<ul style="list-style-type: none"> <li>- Agreement has been reached on a maximum 40: 60 splits of foreign: local labour</li> <li>- A maximum of 100 workers will</li> </ul>	<ul style="list-style-type: none"> <li>- MPWT.</li> <li>- Concerned World bank members.</li> <li>- Construction Company.</li> </ul>	Before construction commences

<sup>10</sup> The issues/concerns and proposed actions/measurements, described in the action plan, are mainly summarized from the focus group discussion with the ethnic group and village authorities.

Main Themes	Issues/Concerns <sup>10</sup>	Proposed Actions	Responsible Persons	When
		<p>be engaged on each section of the construction – 4 lane and 2 lane. Two contracts will be let, one for 4 lane and one for the 2 lane part.</p> <ul style="list-style-type: none"> <li>- Where there are foreign construction workers, translators must be hired to facilitate the communication between village authorities or/and affected people and construction workers.</li> </ul>	<ul style="list-style-type: none"> <li>- Head of village clusters.</li> <li>- Concerned village authority members, particularly, village chief, village safety and security unit and village elderly or advisory group.</li> <li>- Village GRM committee members.</li> </ul>	
		<ul style="list-style-type: none"> <li>- List of construction workers including foreign workers (copy of passport or relevant approval documents), who will stay overnight in the village needs to be shared with the village authorities. MPWT has advised that construction camps will be established, and foreign workers will not be staying overnight in villages</li> <li>- The company should take full responsibility for briefing/orienting construction workers on cultural practices and village rules and regulations.</li> </ul>		
	<p>According to their past experience, no clear formal warning was given to the affected people in time for them to prepare to move/pull down their buildings. (raised in 1 FGD)</p>	<ul style="list-style-type: none"> <li>- The GoL or/and construction company shall give a formal notice to affected people at least 3 months before the actual construction project starts.</li> </ul>	<ul style="list-style-type: none"> <li>- MPWT, PPWT, DPWT.</li> <li>- PNRED and DNREO.</li> <li>- PLFNC and DLFNC</li> <li>- Head of village clusters.</li> <li>- Village authorities.</li> </ul>	<p>At least 3 months prior to the actual construction.</p>

<b>Main Themes</b>	<b>Issues/Concerns<sup>10</sup></b>	<b>Proposed Actions</b>	<b>Responsible Persons</b>	<b>When</b>
<b>Information Sharing</b>	The road construction technical design should be shared with the affected people. (Raised in 1 FGD)	- Proposed to share the final approved technical design with at least the village authorities of all affected villages.	- MPWT, PPWT, DPWT.	Prior to the actual construction
<b>Demolition of affected structures</b>	Demolition of houses, shops, fences (including fence of village temple), drainage and driveways. (Raised in 2 FGD)	- Conduct the actual physical inspection of each affected household. Property owners/occupiers to be involved in calculation of extent of loss	- MPWT, PPWT, DPWT - Village authorities. - Detail Measurement Survey (DMS) team. - Villagers request copy of the DMS form they have already signed	Initial measurements have been taken by DMS team.
	For some households, they have to live too close to the road, which could be vulnerable to accidents. (Raised in 2 FGDs)	- The environmental and social management plan has to define an appropriate action to reduce this risk.	MPWT, PPWT, DPWT. Village authorities	As soon as possible after completing the detail measurement survey and impact calculation.
	For some households, no place to live or move to due to the lack of financial capacity, mainly the women headed households. (Raised in 4 FGDs)	- For those temporary residents, especially poor female head household, the compensation should cover the cost of moving following the World Bank resettlement policy.		
	Limited capacity or inability to deal with the demolition and reconstruction or/and repair of the structures, especially women headed households or those without labour. (Raised in 2 FGDs)	- The GoL should provide a higher rate of compensation and support for those women headed households who need to demolish and re-construct their houses/shops.	- MPWT, PPWT, DPWT. - RAP team. - Construction Company. - Village authorities.	The plan has to be included in the RAP. The actual support has to be done prior to the actual construction.
<b>Business</b>	Close down the businesses	- Compensation for loss to be based	- MPWT, PPWT, DPWT.	Has already been

Main Themes	Issues/Concerns <sup>10</sup>	Proposed Actions	Responsible Persons	When
	during the construction or unable to operate the business regularly. (Raised in 3 FGDs)	on the income survey conducted during the socio-economic survey	- Village authorities.	conducted by the SA team.
	No place to continue the regular businesses. (Raised in 1 FGD-Lak 52)	<ul style="list-style-type: none"> <li>- The RAP needs to consider the alternative business options, such as preparing a temporary appropriate space (where land is available)<sup>11</sup> or/and cover the temporary rental cost for people to continue their regular business.</li> <li>- For women selling food and fruit along the road in front of the Lak 52 market, they want to continue their business around the same area but negotiating with VA should be assisted by the MPWT</li> </ul>	<ul style="list-style-type: none"> <li>- MPWT, PPWT, DPWT.</li> <li>- PNRED and DNREO.</li> <li>- Village authorities.</li> <li>- RAP team.</li> <li>- SA team.</li> </ul>	During the RAP development prior to the actual construction.
	<p>Family incomes fall, causing a burden to families to cope with their regular expenditures, and might increase individual debt. (Raised in 5 FGDs)</p> <p>Decreased incomes could affect their livelihood and children's education. (Raised in 2 FGDs)</p>	<ul style="list-style-type: none"> <li>- Based on the result of the income survey, the RAP need to consider appropriate income compensation to people whose businesses will earn less income as a result of the construction.</li> <li>- The compensation plan has to be approved and implemented before the construction start.</li> </ul>	<ul style="list-style-type: none"> <li>- MPWT.</li> <li>- RAP team.</li> <li>- GRM committees.</li> <li>- Village authorities.</li> </ul>	During the RAP development prior to the actual construction.

<sup>11</sup> From the consultation meeting, AP from NaNga mentioned that there was some space available for rent. However, they required the support to cover the rent fee. In contrast, in Phonkham-nue, AP clearly stated that no empty suitable land available for any temporary business space within their village.

Main Themes	Issues/Concerns <sup>10</sup>	Proposed Actions	Responsible Persons	When
	If the business can be continued, affected people will have less chance of increased debt. (Raised in 1 FGD)			
<b>Compensation<sup>12</sup></b>	Unclear compensation package: would it be in cash? would it be in-kind compensation? what is the rate? when would it be implemented? And how would it be implemented? (All 9 FGDs want to know about more about the compensation arrangement)	<ul style="list-style-type: none"> <li>- Conduct the actual physical inspection of each affected asset: lands, houses, shops, etc.</li> <li>- Prepare the detailed summary of the impact details.</li> <li>- Calculate the compensation, and based on the details of impact. develop the compensation package/plan.</li> <li>- The compensation has to also cover the cost for issuing a new land title for the affected land title.</li> </ul>	<ul style="list-style-type: none"> <li>- MPWT, PPWT, DPWT.</li> <li>- Impact calculation team.</li> <li>- RAP team.</li> <li>- PNRED and DNREO.</li> <li>- PLFNC and DLFNC</li> <li>- Head of village clusters.</li> <li>- Village authorities.</li> <li>- GRM Committees.</li> </ul>	The physical inspection has already been conducted by the DMS team. The compensation calculation needs to be completed prior to the actual construction.
	Seriously negative experience in the past about the government compensation. (Raised in 1 FGD)	<ul style="list-style-type: none"> <li>- .</li> <li>- Meet with each affected household to present the proposed compensation package.</li> <li>- Finalize or revise the compensation package as necessary.</li> </ul>	<ul style="list-style-type: none"> <li>- MPWT, PPWT, DPWT.</li> <li>- RAP team.</li> <li>- PNRED and DNREO.</li> <li>- PLFNC and DLFNC</li> <li>- Head of village clusters.</li> <li>- Village authorities.</li> <li>- GRM Committees.</li> </ul>	The compensation has to be paid <b>before</b> the construction starts at least 3 months prior to the actual construction work starts.
	Concerns over transparency of compensation management and distribution. (Raised in 1 FGD)	<ul style="list-style-type: none"> <li>- Pay the agreed compensation to affected households.</li> <li>- The compensation has to cover the cost of demolition.</li> </ul>		
	Concerns over inappropriate			

<sup>12</sup> It is strongly recommended that the compensation process has to be arranged between the project owner and affected households with the support from the village authorities. This arrangement will reduce the lengthy process for affected people to collect their compensation. The important consideration is to cut out the middle person in the compensation process.

Main Themes	Issues/Concerns <sup>10</sup>	Proposed Actions	Responsible Persons	When
	compensation rate. (Raised in 1 FGD)			
<b>Issues During the Construction</b>	Traditional festival season: Hmong new year festival (Kin Chieng) happens between December and January every year and lasts for 7 days. (raised in 3 FDGs)	The company consults with the village authority when planning the construction around this period to ensure that the construction work does not disturb the community too much.	<ul style="list-style-type: none"> <li>- MPWT.</li> <li>- Construction Company.</li> <li>- Head of village cluster.</li> <li>- Village authorities.</li> <li>- GRM Committees.</li> </ul>	Construction Monitoring committee establishment has to be completed before the actual construction start.
	Air pollution (dust and smoke). (Raised in 6 FDGs)	Water the road during the construction at least 2 or 3 or times a day.		Engineering design has to be considered before starting the construction.
	The vibration from the road construction might cause the damage to their property located close to the road. (Raised in 2 FDGs)	RAP needs to consider the specific area where houses are located too close to the construction though they are not physically affected.		Necessary conditions including the environmental mitigation measurements have to be included into the construction contract.
	Noise from the construction might make it difficult to sleep at night, particularly those who have old people, young children and sick people in their houses. (Raised in 2 FDGs)	Construction work should be scheduled for day time only. For any construction work required to be continued into the evening, proper notices shall be given to the village authorities or/and AP.		Other arrangements are to be implemented during the construction.
	Delay of the construction. (Raised in 8 FDGs)	<ul style="list-style-type: none"> <li>- Plan the construction work strictly to the schedule to avoid the delay.</li> <li>- Organize the construction work in stages rather than starting in many different places at once.</li> <li>- The company need to communicate its working</li> </ul>		

Main Themes	Issues/Concerns <sup>10</sup>	Proposed Actions	Responsible Persons	When
		<p>schedule with village authorities in order for them to prepare a necessary arrangement.</p>		
	<p>Waste/chemical water pollution. (Raised in 2 FGDs) Flood. (Raised in 3 FGDs)</p>	<p>An environmental impact mitigation plan has to be integral to the construction contract.</p>		
	<p>Increased road accidents due to negligence during construction. (Raised in 9 FGDs)</p>	<ul style="list-style-type: none"> <li>- Put warning signs and lights, and barriers at the incomplete construction areas.</li> <li>- Suggest including in the construction contract a condition where the company has to pay for any loss/accident caused by their neglect</li> </ul>		
	<p>Broken electrical cables, internet cable and water pipes. (Raised in 2 FGDs)</p>	<ul style="list-style-type: none"> <li>- Prior one-day notice has to be given to the village authorities and AP including restaurants/guesthouses/hotels if any utility system will be disturbed.</li> <li>- The company provides a temporary option if the construction work damages the water pipe.</li> <li>- The construction company conducts site good inspection to avoid damaging the water pipe and electrical cable.</li> </ul>		
	<p>Difficult access, particularly to exit and enter into houses/shops. (Raised in 6 FGDs)</p>	<ul style="list-style-type: none"> <li>- Arrange the construction materials, equipment, tools, and machines appropriately to reduce any inconveniences for people</li> </ul>		

Main Themes	Issues/Concerns <sup>10</sup>	Proposed Actions	Responsible Persons	When
		<p>living along the road under construction<sup>13</sup>.</p> <ul style="list-style-type: none"> <li>- Include the driveways in the construction design.</li> <li>- Arrange the temporary crossing driveway for AP's houses if the drainage canal needs to be done or if the construction has to be blocked their houses/shops.</li> </ul>		
<b>Safety issues after completing the construction</b>	Difficult to cross the road. (Raised in 7 FGDs)	<ul style="list-style-type: none"> <li>- Construct sky-bridges or zebra crossings at markets, schools, temple and hospitals.</li> </ul>	<ul style="list-style-type: none"> <li>- MPWT, PPWT, DPWT.</li> <li>- Head of village clusters.</li> <li>- Construction company</li> </ul>	Plans have to be arranged and included into the technical design.
	High speed could increase number of fatal road accidents. (Raised in 7 FGDs)	<ul style="list-style-type: none"> <li>- Put up speed limit control warning signs and lights at the cross sections, schools, markets, temples and hospitals.</li> <li>- Put up warning sign for "Don't Drink and Drive"</li> <li>- Install sufficient street lights and traffic lights at the cross section or T-junction<sup>14</sup>.</li> <li>- Organize the community awareness raising about the traffic rules and regulations for the villagers and teenagers.</li> <li>- Assign patrolling police officers to relevant road sections to ensure</li> </ul>	<ul style="list-style-type: none"> <li>- Village authorities</li> <li>- Road safety officers</li> <li>- Relevant police offices</li> </ul>	Actual installation will be done toward the end of the construction.

<sup>13</sup> Affected people are very concerned that the construction company would drop piles of construction material in front of their houses/gates, which would impede their access.

<sup>14</sup> From the consultation meeting with the ethnic AP groups, specific **dangerous** crossings and T-junctions are mentioned: T-junction at Namkieng, Nongkhankhou village, crossroad at Namxouang, NaNga village, deadly turn at NaNga temple, T-junction at Vangxang resort, PhonNguen village, T-junction to Darnpha, PhonNguen village, crossroad at Daothong night club, Phonkham-tai village boarder, T-junction to Nam Papa, Phonkham-nue village, and T-junction to Thongchanh guesthouse, Phonkham-nue village.

Main Themes	Issues/Concerns <sup>10</sup>	Proposed Actions	Responsible Persons	When
		that drivers obey the traffic rules.		
<b>Assistance to ethnic groups</b>	Assist EM HHs during project implementation, particularly women (e.g. Khmu vendors); facilitating the active involvement of ethnic community members in implementation; facilitating participatory monitoring and evaluation of project and specific consultations with EMs during implementation, including exclusive consultations with EM women	- Hire a social specialist dedicated to the needs of members of ethnic groups	<ul style="list-style-type: none"> <li>- MPWT, PPWT, DPWT.</li> <li>- RAP Team</li> </ul>	As soon as possible, or at least 3 months prior to the commencement of works

# ANNEXES

## Annex 1: FDG Guideline.

### I. General/Demographic information

- Please use the separated sheet to collect the basic data of the participants
- Please read the government compensation decree 84 and if you are asked by the villagers about the compensation, you can just read the specific article to them in order to make sure that you will not give any wrong information.

### II. Positive Impact from the 13 North road expansion

Key Q1. Ask them if they see any benefits from the road construction 1. to their current and future livelihood and 2. to their village/community

### III. Negative Impact from the 13 North road expansion

#### A. Physical Impact

Key Q1. What would the impact on their lands and house? (Partially or entirely)

Key Q2. What are their recommendations to deal with the impact sustainably?

- What should be done? How should be done?
- When should be done? Who should be the responsible person/authority?

Key Q2. Any impacts on the public/cultural/traditional facilities? Any recommendations to deal with the impact sustainably?

#### B. Socio-economic

Key Q1. How would the impact on their businesses/income sources?

- Close the shop permanently or partially during the construction?
- Stop the rent?
- Terminate the business such as guesthouses/hotels/restaurants?

Key Q2. Any worries about the safety during and after the construction:

- During: unfinished construction could lead to the road accident? Unfinished construction could lead to the inconvenient access?
- After: good road could lead to high speed from the drivers? Could be difficult to cross the road, particularly for the old people and children?

Key Q3. What are their recommendations to deal with the impact sustainably?

- What should be done? How should be done?
- When should be done? Who should be the responsible person/authority?

#### C. Health - mental issue

Key Q1. Would the change (re-location, moving houses, losing land/property, etc.) affect the people? If so, who would be likely to be affected the most?

Key Q2. What could be the solutions/suggestions to this issue?

#### D. Environmental impact

Key Q1. What would be the key concerns about the environment:

- Air pollution (Dust, chemical smell, ...)
- Water pollution (waste from the construction,..)
- Noise pollution, ....
- Flooding experience/issue during the rainy season

Key Q3. What are their recommendations to deal with the impact sustainably?

- What should be done? How should be done?
- When should be done? Who should be the responsible person/authority?

### IV. Opinion about the toll collection?

Key Q1. What do they think if the government would collect the road toll fees?

- How many agree with this idea? If so,
  - How many agree with 100 kip/km?
  - How many agree with 200 kip/km?
  - How many agree with 300 kip/km?
- How many do not agree with this idea?

### V. Any Other suggestions

## **Annex 2: In-depth focus group guideline (with the village authority).**

### **I. Confirmation of the Demography**

- a. Total Hmong HH
- b. Total affected Hmong HH
  - i. Total affected Hmong woman headed households
  - ii. Total affected poorest Hmong HH (if any)
  - iii. Total affected HH with disable persons (if any)
- c. Main category of Hmong: Hmong khao, Hmong Lai, Hmong dam, etc
- d. Origin of the majority of Hmong HH living in Lak 52 (**Try to get as much info as possible on the history of the Hmong settlement there**)

### **II. Belief systems and cultural heritage**

- a. Territorial and ancestral spirits
- b. Life Cycle Rituals: birthing, marriage, illness and death.
- c. Characteristics of Hmong cultures
- d. Seasonal Calendar

### **III. Livelihood**

- a. Socio-economic status of Hmong population in Lak 52
  - i. Household income sources: business, agriculture, NTFP collection, fishing, hunting, etc.
- b. Agricultural Production
  - i. Livestock and animal husbandry
  - ii. Plantation (rubber....)
- c. Non-Timber Forest Product (NTFP)
- d. Gender issue
  - i. Family division of labour
  - ii. Participation in social events
  - iii. Involve in the formal village authority

### **IV. Institutional system and land ownership**

- a. Formal Village Administration structure
- b. Informal Village structure
- c. How do people own their lands: traditionally owned or customarily used, bought, heritage, granted from the government, etc.?

### **V. Direct and indirect affect to socio-cultural and belief practices (any additional information)**

- a. Displacement
- b. Business and Employment
- c. Agriculture – animal husbandry and crop planation
- d. Health
- e. Education
- f. Cultural practices – ceremony, death, marriage, etc.

### **VI. Suggestions to overcome negative impacts (Any additional information)**

1. Physical Displacement
2. Acquisition of lands traditionally owned or customarily used
3. Livelihood
4. Legal knowledge relevant to land and territories



### Annex 3: Comments from the 2<sup>nd</sup> round consultation meetings:

1. The road construction technical design should be shared with the affected people.
2. During the construction, the workers/construction work plans have to pay special attention to children and elderly people using the road.
3. During the construction, the company has to water the road 3-4 times/day.
4. The construction work should be planned on one side first or started with 100 m or 200 m then move to the other section after completing it.
5. Formal notice has to be given to the affected people 2 or 3 or 4 months prior to the actual construction.
6. The construction company has to make sure that the driveways accessing to the houses are in the same condition.
7. If the construction work has to dig the drainage, the company has to make sure that people can still access to their houses: the company could use a strong piece of wood to make a temporary bridge.
8. There should be the temporary exit where the bridge has to be constructed. This issue needs to be investigated and included in the technical plan.
9. The construction working schedule has to consider the traditional festival season of the project area in order to avoid disturbance to the local residents.
10. If providing the temporary place for the business, the place has to be in town or along the road or the same place but moving backward (where applicable) so the business can be continued. However, in Phonkham-nua, there is no space available for the temporary business.
11. If the business cannot be carried out during construction, it will reduce the chance of increasing debt of the affected households.
12. Sometimes the interview is not understood so recommend to have a translator.
13. The meeting notice given to the affected people should not be too short. Avoid meeting with people without prior notice.
14. If possible, government staff should join the meeting/interview so all questions are able to be answered, especially the compensation question.
15. The project owner or representative should inform/share with the affected people the list of people responsible for this project: from the national level – village level.
16. Concern about the electrical and internet cables, and water pipe during the construction. The company has to be careful.
17. After collecting the detailed measurements, the project should give a copy of the *affected individual asset and business registration* in order to make sure the information is held by both parties.
18. The compensation should be reasonable, not too low.
19. The compensation should be in cash based on the decree No. 84.
20. The data collected needs to be checked and has to make sure that the measurement is based on the actual inspection NOT estimation. In addition, the actual construction has to stick with the prior measurement.
21. Some affected households who have small areas are worried that they will not be able to live in their land after the acquisition.
22. The government documents relevant to the compensation has not yet had a clear calculation unit. There should be a clearer guideline and agreement on the compensation calculation unit.
23. The important crossroads and T-junctions need to have traffic lights or/and speed limit signs:

- 1) T-junction at Namkieng, Nongkhankhou village;
- 2) Crossroad at Namxouang, NaNga village;
- 3) Deadly turn at NaNga temple, T-junction at Vangxang resort, PhonNguen village;
- 4) T-junction to Darnpha, PhonNguen village;
- 5) Crossroad at Daothong night club, Phonkham-tai village boarder;
- 6) T-junction to Nam Papa, Phonkham-nue village; and
- 7) T-junction to Thongchanh guesthouse, Phonkham-nue village.

#### 24. Responsible Stakeholders

- 1) Ministry of Public Work and Transport
- 2) Provincial and deputy provincial governor
- 3) Provincial Public Work and Transport Department
- 4) Provincial Natural Resource and Environment Department
- 5) Provincial Lao Front of National Construction Department
- 6) Provincial Commerce Department
- 7) Provincial Women's Union
- 8) District and deputy district governor
- 9) District Public Work and Transport Office
- 10) District Natural Resource and Environment Office
- 11) District Lao Front of National Construction Office
- 12) District Commerce Office
- 13) District Women's Union
- 14) Village Cluster authorities
- 15) Village authorities
- 16) Lak 52 Market owner