

Resettlement Due Diligence Report

Project number: 49387-002
December 2019

Lao People's Democratic Republic: Second Greater Mekong Subregion Tourism Infrastructure for Inclusive Growth Project

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CURRENCY EQUIVALENTS

(as of 31 December 2017)

Currency unit	–	kip (LAK)
LAK1.00	=	\$ 00012
\$1.00	=	LAK 8,720

ABBREVIATIONS

ADB	Asian Development Bank
ASEAN	Association of Southeast Asian Nations
CTG	Community Tourism Group
DICT	Department of Information, Culture and Tourism
DPWT	Department of Public Works and Transport
GMS	Greater Mekong Subregion
KN	Lao Kip
LAR	Land Acquisition and Resettlement
Lao PDR	Lao Peoples Democratic Republic
MICT	Ministry of Information, Culture and Tourism
OICT	Office of Information, Culture and Tourism
OWPT	Office of Public Works and Transport
PAM	Project Administration Manual
PCU	Project Coordination Unit
PIU	Project Implementation Unit
PPTA	Project Preparatory Technical Assistance
SPS	Safeguard Policy Statement

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1. Project Overview

1. **Objectives.** The proposed project will improve urban-rural transport infrastructure, urban environmental services, strengthen capacity to implement regional tourism standards, and strengthen tourism destination management in the Lao People's Democratic Republic (Lao PDR). It will help transform secondary towns in the Greater Mekong Subregion (GMS) economic corridors into green, inclusive and competitive international tourism nodes to boost trade in services and deepen market linkages between members of the GMS and Association of Southeast Asian Nations (ASEAN).

2. The project will build on the ongoing (2014–2019) Asian Development Bank (ADB) financed GMS Tourism Infrastructure for Inclusive Growth Project (Loan 3165-LAO-SF) which includes Champasak province. Project approval is scheduled for Quarter 3/4 2018. The implementation period will be 2019–2024.

3. **Scope.** The expected impact is sustainable, inclusive, and more balanced tourism development, as envisaged in the *ASEAN Tourism Strategic Plan 2016–2025*. The expected outcome is to increase the tourism competitiveness of secondary towns. The project has three outputs: (i) urban-rural access infrastructure and urban environmental services improved; (ii) capacity to implement ASEAN tourism standards strengthened; and (iii) institutional arrangements for tourism destination management and infrastructure O&M strengthened. Project areas in Lao PDR include Champasak, Luang Prabang and Vientiane provinces. Detailed descriptions of the outputs and subprojects are in the Project Administration Manual (PAM).

4. **Strategies and Policies.** Lao PDR's National Tourism Strategy 2012-2020 priority programs include tourism infrastructure and product development. Champasak Province's Tourism Development and Promotion Strategy 2011-2020 strategic objectives are to develop tourism sustainably, in harmony with natural, cultural and environmental protection and conservation, to enhance services and boost arrivals. The Tourism Development and Management Plan for Siphandone Wetlands 2010-2020 objectives include: (i) manage the land use and infrastructure development in line with tourism and landscape requirements; (ii) support conservation and protection of natural resources and the environment; (iii) and develop clean and hygienic villages and tourist attractions.

5. **Implementation Arrangements.** The Ministry of Information, Culture and Tourism (MICT) is the project executing agency (EA). MICT will establish a Project Coordination Unit (PCU) within its Tourism Development Department to handle overall project coordination and management, including safeguards compliance, and lead ASEAN Tourism Standards implementation. A Project Implementation Unit (PIU) will be embedded within Champasak Province Department of Information, Culture and Tourism (DICT). The PIU will comprise a director, manager, administration staff, safeguards coordinator, and technical teams (infrastructure and tourism). The infrastructure technical teams will manage output 1 subproject and the tourism teams will focus on supporting tourism training, capacity building, and other activities under outputs 2 and 3.

6. **Report Purpose.** This involuntary resettlement due diligence report is prepared to confirm, based on the detailed engineering design, that the two infrastructure subprojects in Khong District, Champasak Province, i.e. (i) Nakasang Access Road and Port Rehabilitation and

(ii) Don Det-Don Khone Access Improvements are not expected to cause involuntary resettlement impacts, as defined in ADB's Safeguard Policy Statement (SPS 2009). There are no other subprojects or project activities that could cause involuntary resettlement impacts in Champasak Province. A separate resettlement plan has been prepared to address the expected minor land acquisition and resettlement impacts in Vientiane Province.

2. Project Area

7. Lao PDR covers 236,800 square kilometers with an estimated population of 6.8 million in 2016.¹ Most people live in valleys of the Mekong River and its tributaries. Champasak Province, where the 2 subprojects are located, is in the south bordering Cambodia and Thailand. Champasak covers 15,415 square kilometers and has 10 districts populated by 694,023 people.² The two infrastructure subprojects are in Khong District, specifically Nakasang, Houa Don Det, Khone Tai, and Hang Khone villages.

8. Khong District population is 93,605 (51.6% women). The total number of households is 16,114. Population and basic demographic information for Nakasang, Don Det, Don Khone, and Hang Khone villages is in Table 1. The entire population identify themselves as ethnic Lao, which is Lao PDR's main ethnic group.

Table 1: Demographic Information, Khong District Subprojects

Village	Population	Female	Households	Families
Nakasang	1,641	766 (47%)	245	247
Houa Don Det	1,240	659 (53%)	245	213
Khone Tai	1,345	687 (51%)	214	214
Hang Khone	348	180 (52%)	50	50
Total	4,574	2,122 (46%)	754	724

Source. Khong District Office of Information, Culture and Tourism.

4. The latest poverty data for Lao PDR shows 23.2% of the population is below the Lao poverty threshold of 240,000 Lao kip/person/month for urban areas and 180,000 Lao kip/person/month for rural areas (the average is 192,000 Lao kip/person/month). ADB Basic Statistics 2019 mentions 22.7% of the population lived on less than \$1.90/person/day in 2019³.

5. In 2014 the poverty rate in Champasak Province was 19.9% and the poverty rate in Khong District was 26.5%.⁴ Key livelihood activities in the subproject area are farming, fishing, trading, and tourism. The overall literacy rate for people age 15 years and above is 94.8% in Khong District compared to 84.5% overall in the Lao PDR.⁵

3. Subproject Descriptions

6. **Nakasang Access Road and Port Rehabilitation** Nakasang port is about 5 km north of

¹ United Nations. 2017. *World Population Prospects: The 2017 Revision*. New York.

² Ministry of Planning and Investment. 2013. *Lao Expenditure and Consumption Survey 2012/13*. Vientiane.

³ ADB: Basic Statistics 2019

⁴ Ministry of Planning and Investment. 2014. *Poverty Profile in Lao PDR*. Vientiane.

⁵ Ministry of Planning and Investment. 2015. *Lao Population and Housing Census 2015*. Vientiane.

the Lao PDR–Cambodia border and a key entry point to the “4,000 islands” tourism area. In 2016 there were 5,760 boat trips with 138,833 passengers. The Nakasang access road component is shown in Figure 1 and port rehabilitation concept plan is in Figure 2.

Figure 1: Nakasang Access Road Improvement

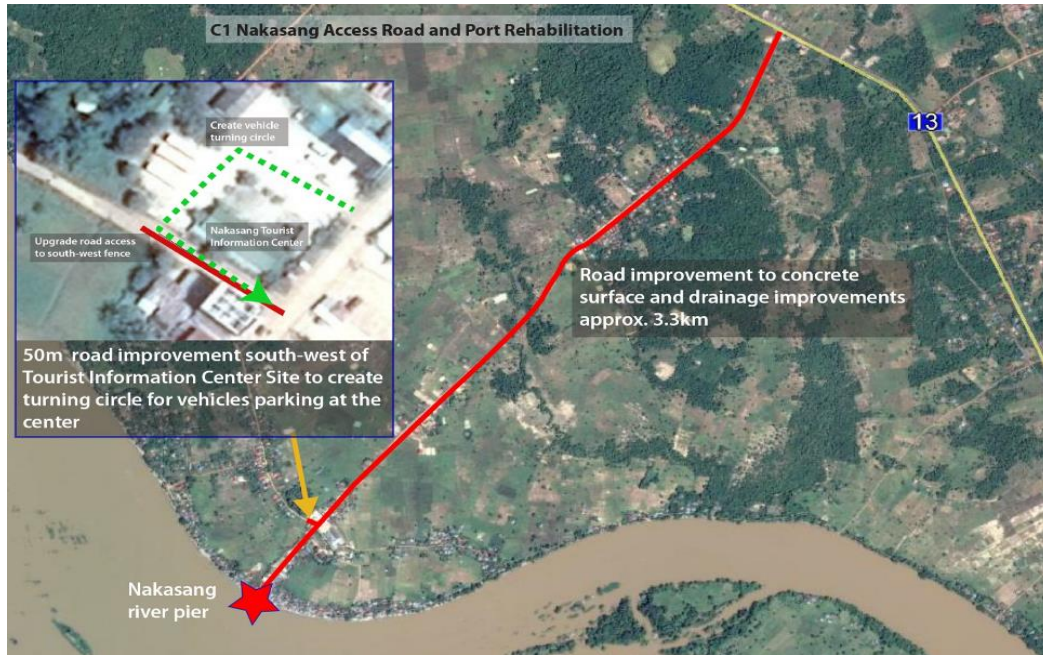
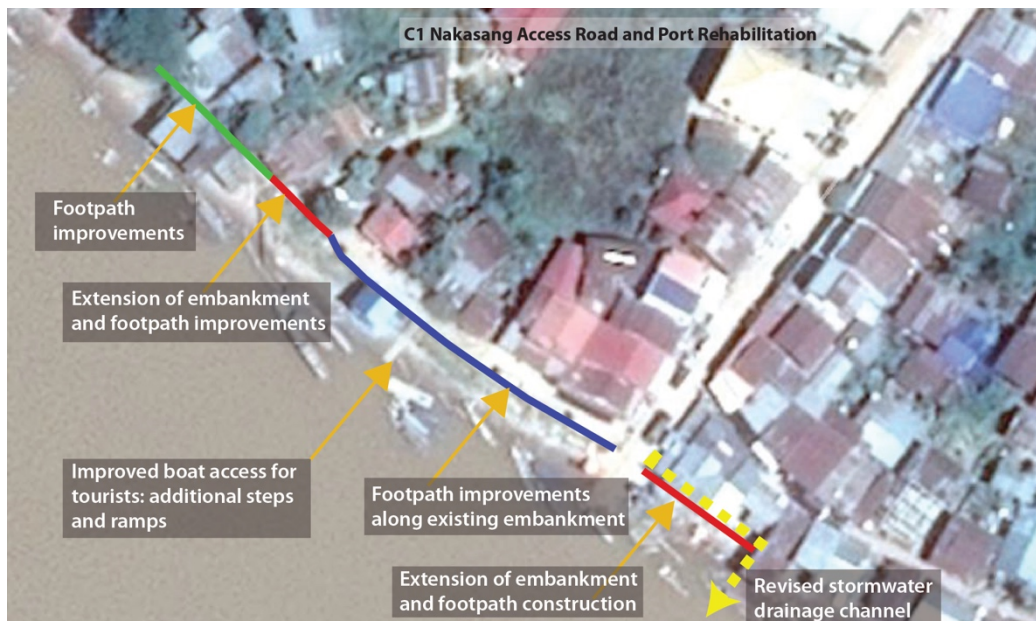


Figure 2 : Nakasang Port Rehabilitation

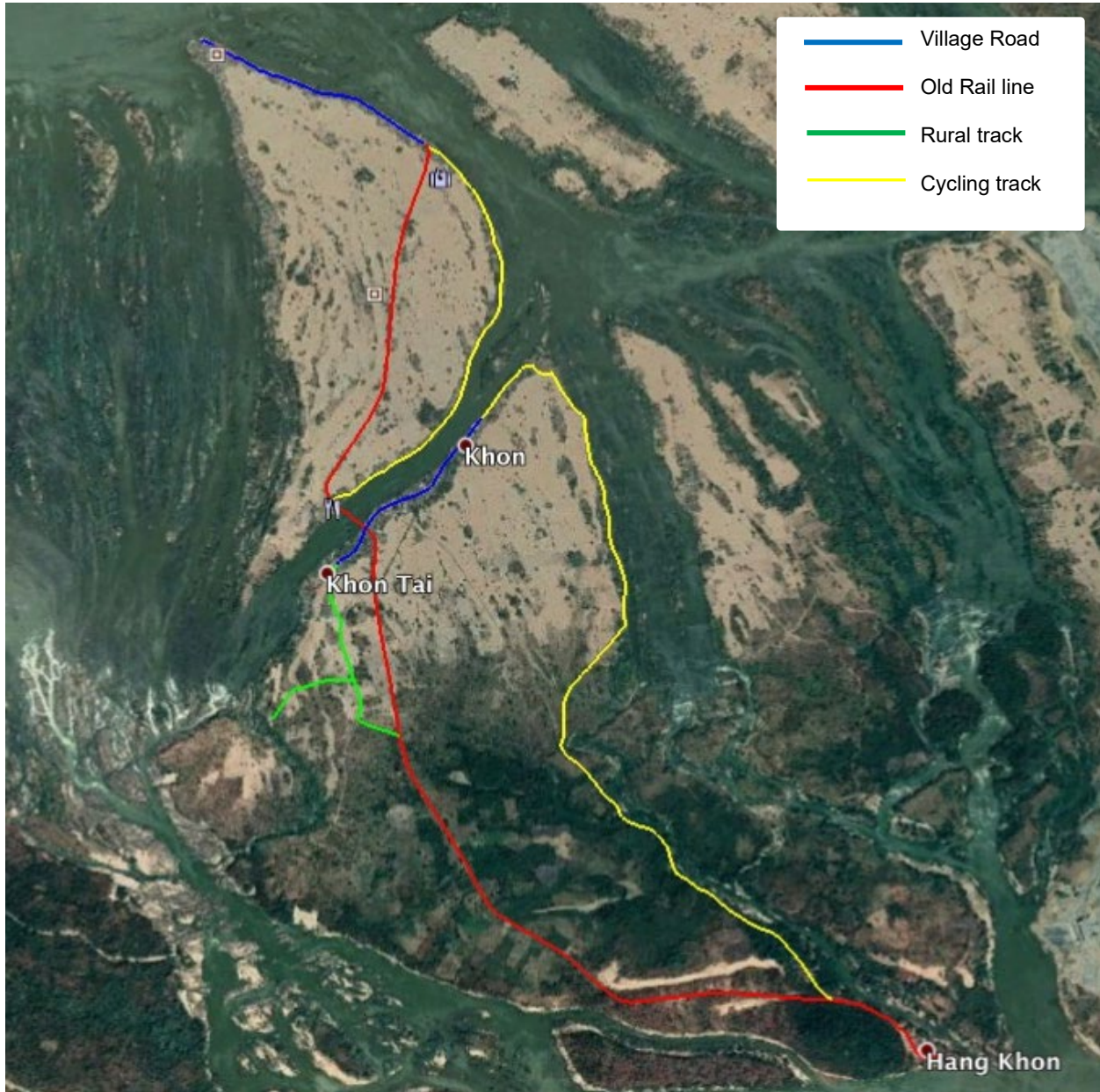


7. Forecasts suggest ferry trips could reach around 9,200 in 2026 with 220,400 passengers. The port and access road are linked to National Road 13, but in poor condition and susceptible to flooding. Drainage and sanitation arrangements are also unsustainable. To address these problems the subproject’s preliminary design proposes to: (i) rehabilitate the 3.3 km access road with concrete paving (6 m carriageway) and side drains, including a turning area for buses; (ii)

reinforce 45 m of riverbank protection with concrete; (iii) improve footpaths and ramps to floating river pontoons to provide safer passenger access; (iv) divert the main drainage outlet (1,000 mm diameter) 15 m downriver; and (v) reconstruct the 60m riverside path (3m wide). The subproject will directly benefit all Nakasang residents, 228 boat operators, and about 100 market vendors.

8. **Don Det-Don Khone Access Improvements.** In 2016 Det and Khone islands received 203,055 visitors and this could increase to 322,500 in 2026. Both islands' existing gravel/dirt roads are dusty during the dry season and become muddy, unsanitary tracks in the rainy season. Figure 3 shows the inter-island road network's existing alignments.

Figure 3: Don Det-Don Khone Access Improvements



9. To address these problems the subproject's preliminary design proposes to (i) pave the

main 11 km network of 3 m wide access roads and passing bays with concrete; (ii) pave the vehicle parking areas that serves the island ferry ports; (iii) improve cycle track/footpaths with gravel; and (iv) install public lighting and safety rails on the old railway bridge linking Don Det and Don Khone islands. The subproject will directly benefit all Don Det and Don Khone residents, including more than 82 locally owned hotels and guesthouses.

4. Due Diligence Methodology

10. Meaningful consultations with Nakasang, Don Det and Don Khone residents were done to inform project design and substantiate involuntary resettlement due diligence. This included a review of the detailed engineering design compared with the preliminary design which formed the basis for the due diligence report prepared as part of the project PPTA. A field visit with key stakeholder meetings were held with Champasak DICT, Khong District OICT, and DPWT staff and community leaders between 2-4 September 2019. A list of persons met is in Annex 1.

11. Key stakeholders expressed their anticipation of the construction as the project has been long awaited. Residents were also concerned that contractors would not perform well (Don Det/Don Khone 6 respondents).

12. Residents hoped to avoid a long construction process and engage good contractors. The consultant emphasized the need for transparent procurement, and good construction supervision engineers, and the cooperation of the local community. The residents expressed interest to be involved in the construction work.

13. The Consultants also emphasized that according to the project documents, there would be no resettlement issues on the two subprojects.

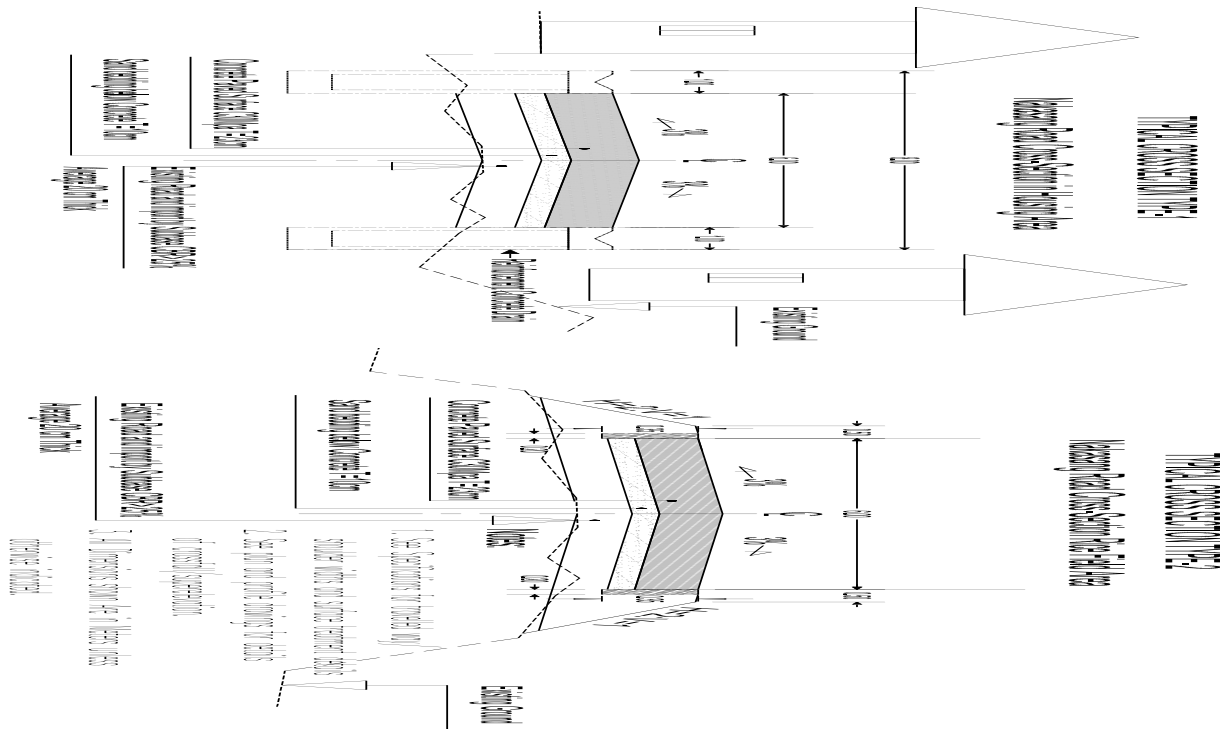
5. Due Diligence Findings

14. The international and national social safeguards specialists together with the PMCES TL and counterparts from the PIU from Pakse, Nakasang and DonDet/ DonKhone participated in a site visit on 2-3 September 2019. During the site visit the team visited all proposed road sections and cycling paths either by foot or by car.

15. **Nakasang Access Road and Port Rehabilitation** The following civil works components, at the detailed design, were reviewed for land acquisition and/or resettlement (LAR) impacts.

- 3.3km concrete road from NR13 to Nakasang

Figure 4: Typical Cross Sections Nakasang Road



Components. Rehabilitate 3.3 km access road with concrete paving (6 m carriageway) and side drains, including a turning area for buses; divert the main drainage outlet (1,000 mm diameter) 15 m downriver.

Figure 5: Images NR13 to Nakasang Road



Sample section towards NR13



Sample section towards Nakasang

Expected LAR Impact. No LAR impacts are expected. Road and drain works will be done within the existing well-defined alignment. The main drain diversions follow public, vacant land. No additional land will be required. The road passing through the built-up area has already concrete paving and existing drainage, hence disturbance during construction for local businesses will not be expected. During construction, the work schedule will be sequenced to avoid unnecessary disruption to local businesses.

should be used to avoid triggering of any social safeguards.

19. Riverbank improvements will be on public land, and the improvement of the roads and footpaths will be built on along existing alignments. Work will be scheduled to ensure that the operation of the boats will not be interrupted, hence limiting the disturbance for the boat operators.

20. The PIU expressed whether it would be possible to remove 3-5 structures along the riverfront, arguing that they were not safe and that agreements had been signed between district authorities and the owners that they would be removed. The consultant advised the participants against removing any structures without following the proper procedures including the preparation of a Resettlement Plan. While the PIU was informed that removing these structures would involve compensation payments, the PCU has confirmed (See Annex 1) that the structures would not be removed and would provide instructions with the PIU and local stakeholders.

Figure 7: Nakasang Location of Parking Sites and River Side Structures



21. Business disruption is however not envisaged, because shops on landward side of riverbank can continue operating while footpaths are being resurfaced, and work will be scheduled to minimize disruption. There are also multiple entry points to multiple floating pontoons, and sequencing of the work will ensure uninterrupted access.

Figure 8: Nakasang Footpath/ Road



Buildings proposed to be removed

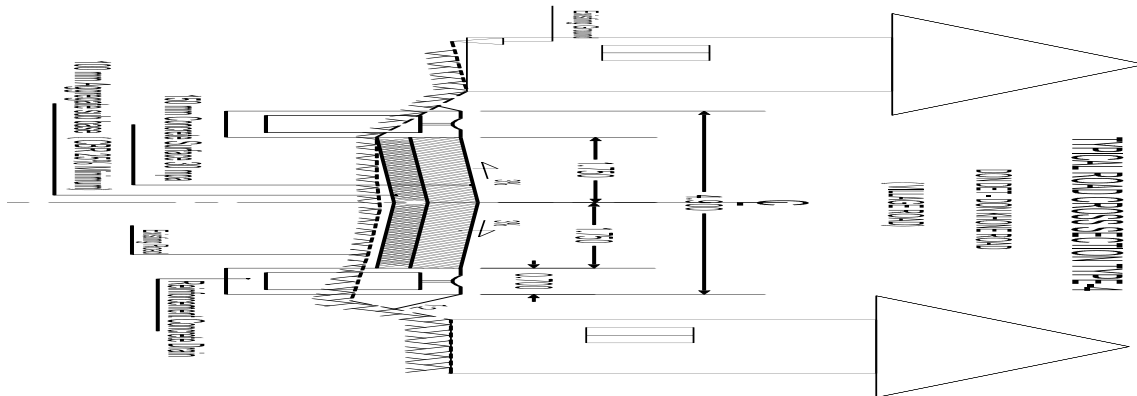


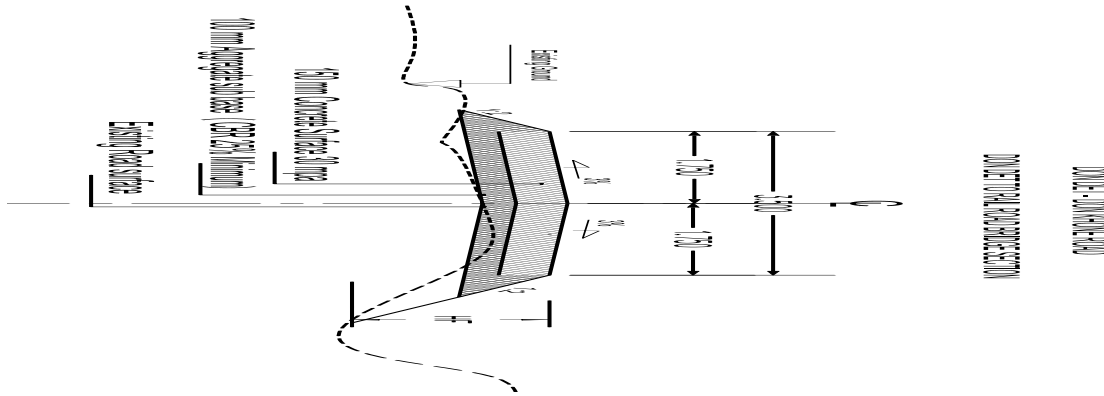
Buildings proposed to be removed

22. **Don Det-Don Khone Access Improvements.** The following civil works components, at preliminary design stage, were reviewed for potential LAR impacts.

23. **Components.** Pave 11 km inter-island road network (3 m wide), passing bays and 780 m² parking area with concrete. The road follows an old railway alignment and existing village roads, passing through agricultural land, forest, and residential areas. The typical road cross sections is shown below

Figure 9: Typical Cross Section DonDet Roads





24. **Expected LAR Impact.** No LAR impacts are expected, since the public road right of way is 10m and the agreement is that the upgraded road will follow the existing alignment. No land additional land is envisaged because the resurfaced road will be narrower or the same width as the existing earth road. There is sufficient public land for intermittent passing bays, and locations will be chosen where there are no private structures, trees, farms or rice fields. The detailed design has not standardized the distance between passing bays hence land acquisition for such is not expected to be required. The public parking area is the old railway terminus. Business disruption is not envisaged because the works schedule will be sequenced to avoid this.

25. Where the road traverses Houa Don Det, Khone Tai, and Hang Khone villages the road-width and alignment will be adjusted to avoid even removal of trees and minor structural losses. There are several boat landings on the islands as well as public water access to both islands' residential and commercial areas, assuring uninterrupted access.

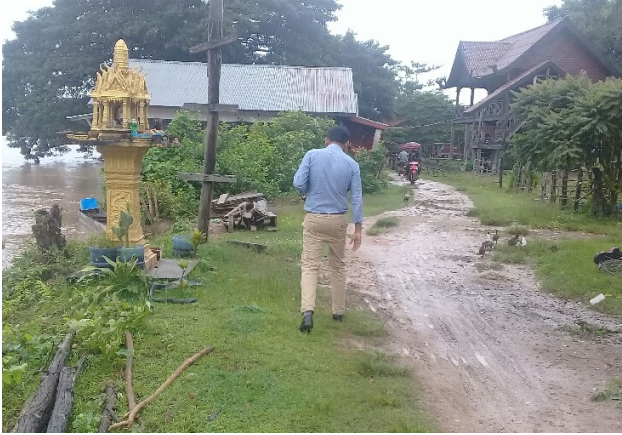
Figure 10: Images DonDet Roads



Access road through DonDet village



Access road through DonDet village



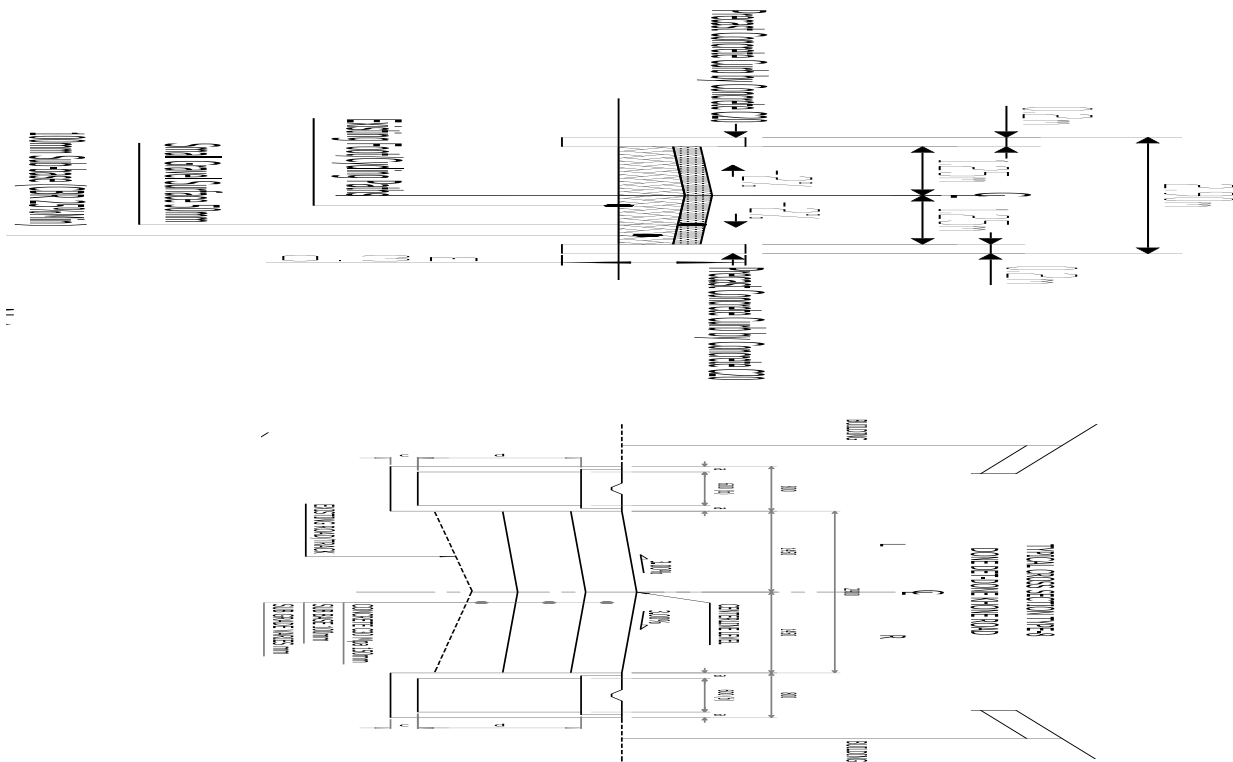
Access road through DonDet village



Access road through DonDet village

26. **Component.** Improve cycle track/footpaths with gravel and install public lighting and safety rails on the old railway bridge that connects Don Det and Don Khone islands.

Figure 11: Typical Cross Section DonDet Cycling Track



27. **Expected LAR Impact.** No LAR impacts are expected since only existing paths already used for cycling will be used. The cycle track/footpaths are currently 2.0–3.0 meters wide, and it is expected that no additional land will be required, since width and alignment will be adjusted to avoid even removal of trees and minor structural losses.

Figure 12: Images DonDet and DonKhone Cycling Track



Cycling track DonDet



Cycling track DonDet



Cycling track DonKhone



Cycling track DonKhone

28. **Due Diligence Conclusion.** The proposed access infrastructure improvements and capacity building activities are not expected to cause involuntary resettlement impacts as all works will be carried out within existing alignments and on public land, without causing access or business disruption. Involuntary resettlement impacts could be foreseen, in case the selected parking site is placed as per the detailed engineering design, however it is recommended that the parking site is shifted to the original site. A Grievances Redress Mechanism will be established, with process explained to local stakeholders and contractors, which will ensure that any non-compliance is communicated and addressed through proper channels. Both subprojects have been assessed category C for involuntary resettlement per ADB's SPS 2009. Resettlement screening checklists are in Annex 2.

Annex 1 Confirmation of sites to Avoid Resettlement



Lao People's Democratic Republic
Peace Independence Democracy Unity Prosperity
=====000=====

Ministry of Information, Culture and Tourism
Tourism Development Department
GSM - Tourism Infrastructure for Inclusive Growth Project
Fax: (856-21 217 910) Vientiane Lao P.D.R

Ref No:.....169...../TIIGP2.19
Vientiane Capital, Date:1.2.SEP.2019.....

To: Mr. Mrityunjoy Ghosh
Co-Team Leader/International Civil Engineer
Project Management and Civil Engineering Support (PMCES)
GSM - Tourism Infrastructure for Inclusive Growth Project
Email: mrityunjoy.ghosh@yahoo.co.uk

Dear Mr. Mrityunjoy Ghosh,

Your letter dated 06.09.2019 with subject "Social Safeguards Due Diligence Report for Nakasang/DonDet/DonKhone Subprojects" with the main findings of the draft Due Diligence report, and recommendations.

We have reviewed the report, and would like to confirm the following:

- The PCU confirms that the parking spot should be located at the original locations as per the preliminary design. It is understood that there will be an initial variation of the BoQ once the civil works contracts are awarded, however since this justifies the potential delays the triggering of the social safeguards. Moreover, budget for compensation payments have not been allocated.
- Further, we would also like to confirm that the structures referred to about 50m upstream from the main road should not be removed under the project, and the Champasack PIU and local stakeholders will be instructed accordingly. Moreover, budget for compensation payments have not been allocated.

Sincerely yours,



Phaypheth OULA
Deputy Director for Tourism Development Department
Project Manager, GSM-Tourism Infrastructure for Inclusive Growth Project

Annex 2. Lists of Key Persons Met

PICTD, Pakse, Champasack
02/09/2019

No.	Name and Surname	Organization	Position	Phone
1	Mr. Khamchanh Singsouvong	PAFO(D)	DDG	020 55835470
2	Mr. Khamkone Souliyavong	PWTO(D)	DDG	020 55432109
3	Mr. Nils Gardek	PMCES/Ramboll/TIIGP2	Int.Social Safeguatrds	020 22647855
4	Mr. Mrityunjoy Ghosh	PMCES/Ramboll/TIIGP2	Co-Team Leader	020 59308957
5	Mr. Khamtanh Bounmany	PMCES/Ramboll/TIIGP2	Nat.Social Safeguards	020 55510402
6	Mrs. Mala Vannasan	PICTO(D)	DRG/Project Manager	020 55635461
7	Mr. Aloun Thongmany	PoNREO(D)	Environment	020 22271692
8	Mr. Anousone Keoboupphananh	PICT Department	Project Financial	020 91945991

Nakasang Village, Khong District, Champasack
02/09/2019

No.	Name and Surname	Organization	Position	Phone
1	Mr. Bandith Singhatham	Khong District AF Office	Director General	020 98407575
2	Mr. Somhack Thepbouasy	Khong District PWT Office	Reputy Director General	020 28063632
3	Mr. Mrityunjoy Ghosh	PMCES/Ramboll/TIIGP2	Co-Team Leader	020 59308957
4	Mr. Nils Gardek	PMCES/Ramboll/TIIGP2	Int.Social Safeguatrds	020 22647835
5	Mr. Khamtanh Bounmany	PMCES/Ramboll/TIIGP2	Nat.Social Safeguatrds	020 55510402
6	Mr.Khamdaeng Bounnavong	Khong District Cabinet	General Summary	020 77169470
7	Mrs. Somphoud	Village Women's Union		030 5495782
8	Mr. Khamphone	Nakasang market		020 52975629
9	Mr. Khamfone	Nakasang	LFNC Neohome	020 23991385
10	Mr. Khamsing Kaenmany	Nakasang	Village Vice Head	020 95139082
11	Mr. Boualy Vongsavath	Nakasang	Village Vice Head	020 92238227
12	Mr. Khampho Sombandith	Nakasang	Village Vice Head	030 9523099
13	Mr. Khamsing Bounchaleun	Khong District ICT Office	Director General	020 97730993
14	Mr. Phonesavanh	Nakasang	Village Head	0030 9751830

Don Khone Village, Khong District, Champasack
02/09/2019

No.	Name and Surname	Organization	Position	Phone
1	Mr.Bandith Singhatham	Khong District AF Office	Director General	020 98407575
2	Mr.Khamsing Bounchaleun	Khong District ICT Office	Director General	020 97730993
3	Mr.Khamdaeng Bounnavong	Khong District Cabinet	General Summary	020 77169470
4	Mr.Somhack Thepbouasy	Khong District PWT Office	Reputy Director General	020 28063632
5	Mr.Khamtanh Bounmany	PMCES/Ramboll/TIIGP2	Nat.Social Safeguards	020 55510402
6	Nils Gardek	PMCES/Ramboll/TIIGP2	Inet.Social Safeguards	020 22147835
7	Mrityunjoy Ghosh	PMCES/Ramboll/TIIGP2	Co-Team Leader	020 59308957
8	Mr.Banh Inthalangsy	Village Head	Don Khone	020 59103440
9	Mr.Anousone Keoboupphananh	PICT Department	Project Financial	020 91945991

Don Det Village, Khong District, Champasack
02/09/2019

No.	Name and Surname	Organization	Position	Phone
1	Mr. Banh Inthalangsy	Village Head	Don Khone	020 59103440
2	Mr. Khamsing Bouchaleun	Khong District ICT Office	Director General	020 97730993
3	Mr. Kham Chanthavong	Village Head	Don Det	030 5328966
4	Mr. Sayaphone	Vice Head of Village	Don Det	020 54181171
5	Mr. Phonevilay	Vice Head of Village	Don Det	020 22722730
6	Mr. Somhack Thepbouasy	Khong District PWT Office	Reputy Director General	020 28063632
7	Mr. Bandith Singhatham	Khong District AF Office	Director General	020 98407575
8	Mr. Khamdaeng Bounnavong	Khong District Cabinet	General Summary	020 77169470
9	Mr. Anousone Keoboupphananh	PICT Department	Project Financial	020 91945991
10	Mr. Mrityunjoy Ghosh	PMCES/Ramboll/TIIGP2	Co-Team Leader	020 59308957
11	Mr. Nils Gardek	PMCES/Ramboll/TIIGP2	Inet.Social Safeguatrds	020 22647855
12	Mr. Khamtanh Bounmany	PMCES/Ramboll/TIIGP2	Nat.Social Safeguatrds	020 55510402
13	Mrs. Mala Vannasan	DDG/Project Manager	DRG/Project Manager	020 55635461

Annex 3. Involuntary Resettlement Impact Categorization Checklist

Tale A2 1: Nakasang Access Road and Port Rehabilitation

Involuntary Resettlement Effects	Yes	No	Not Known	Remarks
Involuntary Acquisition of Land				
1. Will there be land acquisition?		X		
2. Is the site for land acquisition known?				No land acquisition is expected.
3. Is the ownership status and current usage of land to be acquired known?				
4. Will easement be utilized within an existing Right of Way (ROW)?		X		
5. Will there be loss of shelter and residential land due to land acquisition?		X		
6. Will there be loss of agricultural and other productive assets due to land acquisition?		X		
7. Will there be losses of crops, trees, and fixed assets due to land acquisition?		X		
8. Will there be loss of businesses or enterprises due to land acquisition?		X		
9. Will there be loss of income sources and means of livelihoods due to land acquisition?		X		
10. Will people lose access to natural resources, communal facilities and services?		X		
11. If land use is changed, will it have an adverse impact on social and economic activities?		X		
12. Will access to land and resources owned communally or by the state be restricted?		X		
Information on Displaced Persons:				
Any estimate of the likely number of persons that will be displaced by the Project?				
[x] Not applicable				
[] No				
[] Yes				
If yes, approximately how many? No one will be displaced.				
Are any of them poor, female-heads of households, or vulnerable to poverty risks?				
[x] Not applicable				
[] No				
[] Yes				
Are any displaced persons from indigenous or ethnic minority groups?				
[x] Not applicable				
[] No				
[] Yes				

Tale A2 2: Don Det-Don Khone Access Improvements

Involuntary Resettlement Effects	Yes	No	Not Known	Remarks
Involuntary Acquisition of Land				
1. Will there be land acquisition?		X		
2. Is the site for land acquisition known?				No land acquisition is expected.
3. Is the ownership status and current usage of land to be acquired known?				
4. Will easement be utilized within an existing Right of Way (ROW)?		X		
5. Will there be loss of shelter and residential land due to land acquisition?		X		
6. Will there be loss of agricultural and other productive assets due to land acquisition?		X		
7. Will there be losses of crops, trees, and fixed assets due to land acquisition?		X		
8. Will there be loss of businesses or enterprises due to land acquisition?		X		
9. Will there be loss of income sources and means of livelihoods due to land acquisition?		X		
10. Will people lose access to natural resources, communal facilities and services?		X		
11. If land use is changed, will it have an adverse impact on social and economic activities?		X		
12. Will access to land and resources owned communally or by the state be restricted?		X		
Information on Displaced Persons:				
<i>Any estimate of the likely number of persons that will be displaced by the Project?</i> <input checked="" type="checkbox"/> Not applicable <input type="checkbox"/> No <input type="checkbox"/> Yes If yes, approximately how many? No one will be displaced.				
<i>Are any of them poor, female-heads of households, or vulnerable to poverty risks?</i> <input checked="" type="checkbox"/> Not applicable <input type="checkbox"/> No <input type="checkbox"/> Yes				
<i>Are any displaced persons from indigenous or ethnic minority groups?</i> <input checked="" type="checkbox"/> Not applicable <input type="checkbox"/> No <input type="checkbox"/> Yes				