

LAO PEOPLE'S DEMOCRATIC REPUBLIC
PEACE INDEPENDENCE DEMOCRACY UNITY PROSPERITY

Ministry of Public Works and Transport (MPWT)
The Department of Road (DoR) and
The Public Works and Transport Research Institute (PTRI)

**Draft Ethnic Groups Policy Framework
(EGPF)**

Lao Road Sector Project (LRSP2)

Project No. (P158504)

Vientiane, July20, 2016

Abbreviations and Acronyms

ARAP	Abbreviated Resettlement Action Plan	MoNRE	Ministry of Natural Resources and Environment
DMS	Detail Measurement Survey	MPWT	Ministry of Public Works and Transport
DoR	Department of Road	OP/BP	Operation Policy/Bank Procedure
DONRE	District Office of Natural Resources and Environment	PAPs	Project Affected Persons
DRC	District Resettlement Committee	PONRE	Provincial Office of Natural Resources and Environment
DPWT	Provincial Department of Public Works and Transport	PRO	Project Resettlement Office
EIA	Environmental Impact Assessment	PRC	Provincial Resettlement Committee
EG	Ethnic Groups	PTRI	Public Works and Transport Research Institute
EGPF	Ethnic Groups Policy Framework		
EGDP	Ethnic Groups Development Plan	RAP	Resettlement Action Plan
ESD/ PTRI	Environmental and Social Division of PTRI	RMF	Road Maintenance Fund
ESMF	Environmental and Social Management Framework		
ESOM	Environmental and Social Operations Manual	RoW	Right of ways
ESU	Environmental and Social Unit	RPF	Resettlement Policy Framework
FMC	Feedback and Mediation Committee	SA	Social Assessment
FPIC	Free, prior, and informed consultation	SIA	Social Impacts Assessment
GoL	Government of Laos	VRC	Village Resettlement Committee
GRC	Grievance Redress Committee	WB	World Bank
GRM	Grievance Redress Mechanism		
GRMS	Grievance Redress Mechanism Services		
IEE	Initial Environmental Examination		
Lao PDR	Lao People's Democratic Republic		
LAR	Land acquisition and resettlement		
LACR	Land acquisition and compensation report		
LRSP2	Lao Road Sector Project2		
LFNC	Lao Front for National Construction		
LRSP	Lao Road Sector Project		
LWU	Lao Women Union		

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I. Introduction

1. This document is the **Ethnic Groups Policy Framework (EGPF)** for the second Lao Road Sector Project (LRSP2 or the Project) prepared by the Ministry of Public Works and Transport (MPWT) through the Department of Planning and Cooperation (DPC), the Public Works and Transport Research Institute (PTRI), the Department of Road (DoR), and other departments for possible financing by the World Bank (WB) and other donors.

1.1 The Project

2. The proposed Lao Road Sector Project 2 (LRSP2) builds on the achievements of the Lao Road Sector Project (LRSP) and is being prepared to support the Government of Lao PDR (GoL) in the management of the Lao road network. The project will finance civil works in the form of routine and periodic maintenance and spot improvement to strengthen road climate resilient. The project will undertake a programmatic approach towards physical investments with counterparts identifying candidate projects using technical and social criteria. The project may also have parallel and complementary funding for civil works provided by other donors such as the Nordic Development Fund (NDF)¹, the European Investment Bank (EIB) and the European Union (EU). The project will also undertake technical assistance activities—including strengthening the capacity of the Ministry of Public Works and Transport (MPWT) to prepare and implement public-private partnerships²—with a particular focus on addressing the climate change challenges that the road network is facing.

The Project Development Objective (**PDO**) is to strengthen maintenance systems to improve reliable road connectivity in Lao PDR and, in the event of an Eligible Crisis or Emergency, to provide immediate and effective response to said Eligible Crisis or Emergency.

3. The project is envisaged to potentially be sector wide, with investments—particularly in routine maintenance—being expanded to all of the Lao PDR in the future. During the first phase, six provinces have been identified as candidates for piloting: Phongsaly (PSL), Oudomxay (ODX), Xayabouli (XBL) Houaphan (HP), Xiengkhouang (XK), and Bolikhamxay (BKX).

1.2 Project Component

4. **Component 1: Climate Resilient Road Maintenance:** (US\$46.3 million including contingencies). This component will pilot test maintenance approaches and contracting modalities in six provinces to increase the overall climate resilience of the road network.

1.1: Climate Resilient Periodic Maintenance and Spot Improvements: Many existing roads—especially gravel—are in too poor a condition for routine maintenance to be effective. The project will undertake periodic maintenance and spot improvements to bring the condition up to a point where the roads will be maintainable going forward with routine maintenance.³ Where required, climate resilience interventions may include elevating flood prone road sections, paving road sections with steep slopes and sections passing through large communities, drainage improvement or construction, and slope improvement and

¹ NDF has expressed interest in supporting TA on capacity building and development of tools necessary to address Climate resilience aspects of road network as well as some pilot testing of civil works to test solutions.

² In accordance with the “Interim Guidelines on the Application of Safeguard Policies to Technical Assistance (TA) Activities in Bank-Financed Projects and Trust Funds Administered by the Bank” the project has been classified as Category A for environment and safeguards since the PPP related activities arising from this technical assistance support in the future may lead to major environment and/or social impacts downstream when these activities are implemented. The PPP road investment itself is outside the scope of the project. Also preparation of Feasibility Study (FS) and safeguards instruments that meet Category A requirements for the NR13 PPP project is already underway under the on-going Lao Road Sector Project (LRSP).

³ Many of these roads require heavy periodic maintenance to reconstruction, and the outcome would be an ‘excellent’ road. Since there is insufficient budget to achieve this across the network, the objective would be to improve the road to ‘fair’ and then undertake regular routine maintenance to keep the road in that condition.

stabilization. Under this component road safety issues would be considered, such as improvements in road furniture.

1.2: Routine Maintenance: The project will implement routine maintenance contracts for national roads and introduce area wide contracts for provincial and district roads. The latter would entail grouping all maintainable non-national roads in an area, e.g., district or province, into one contract to undertake routine maintenance activities. The contract design, modalities, etc. will be confirmed at the onset of implementation, but it is envisaged that some form of performance based contracting would be carried out on a pilot basis. Activities will build on lessons from local experience with community-based road maintenance groups and micro-enterprises.

1.3: Design and supervision of civil works: The component will cover technical assistance and operating costs for design and supervision of investment activities, as well as quality assurance for maintenance and spot improvement works in the selected Provinces under 1.1 and 1.2.

5. **Component 2: Institutional Strengthening:** (US\$7.9 million including contingencies) to provide technical assistance, goods, training, and operating costs for:

2.1. Sector Strategic Planning: (a) provide high-level policy advice for updating and operationalizing the Sector Strategy to 2025 and Action Plan to 2020; and (b) develop the strategic planning framework for provinces, including assessment and optimization of the road sector financing and integration of climate change adaptation.

2.2. Climate Resilient Road Asset Management: (a) support MPWT to (i) develop its climate change action plan as described in the Intended Nationally Determined Contribution (INDC), (ii) participate in the cross-ministerial National Disaster Management Committee, and (iii) implement the INDC; (b) operationalize the hazard maps into practical vulnerability maps for planning of infrastructure maintenance or investments; (c) review current planning tools (including RMS, PROMMS) to (i) include risk-based planning by identifying sections vulnerable to extreme weather, and (ii) operationalize the ICT platform to include hazard risks and links to provincial levels; (d) support annual field surveys for data collection and inputs in RMS and PROMMS for risk-based planning; (e) review current design, standards and guidelines in cooperation with other development partners in the sector to incorporate climate resilience aspects; and (f) further develop standards of operation for emergency repair.

2.3. Sector Governance: (a) improve the ICT platform (IRAM) to (i) support procurement, management, monitoring, and information disclosure and e-archive, (ii) cover local roads, and (iii) support roll out of the ICT platform to DPWTs; (b) upgrade the RMF and DPWTs' accounting system and development of expenditure tracking tools; and (c) strengthen internal controls through: (i) the rolling out of the road sector technical audit guidelines to provincial level, (ii) the strengthening of technical capacities of provincial level internal control units, and (iii) supporting the inspection tasks in six pilot provinces.

2.4. Sector Capacity Building: (a) provide technical training for MPWT, DWT, and OPWT on climate resilient design, repair and maintenance, improved road asset management systems and tools including data collection, PBC contract management, and PBC implementation training for contractors in collaboration with local institutions, regional twinning arrangements, and curricula development for tertiary education institutions in country; (b) provide technical assistance and training to MPWT, DPWT, OPWT and relevant government agencies including Ministry of Natural Resources and Environment (MONRE) for the future implementation of potential PBC and PPP projects in the road sector through development of environmental and social safeguards management and monitoring, and technical capacities to identify and prepare

investments using PPP modalities; and (c) update environmental documents including the Environmental and Social Operation Manual (ESOM).

2.5. Road traffic safety: Provide technical Assistance to the National Traffic Safety Council and Department of Transport (DoT), including update and implementation of the traffic safety action plan, and roll out of public awareness raising campaigns.

6. **Component 3: Project Management:** (US\$2.9 million including contingencies) to finance consulting services, goods, and IOC, for: (i) Project management and coordination for day-to-day implementation, and coordination among the implementing departments; (ii) Monitoring and Evaluation of activities including impact evaluation, and beneficiary satisfaction assessments; (iii) financial and technical audit; and (iv) procurement advisory support.

7. **Component 4: Contingency Emergency Response:** This ‘zero component’ (initially without any allocations of funding) will allow for the rapid reallocation of funds required for emergency recovery. An Emergency Response Operations Manual will apply to this component, detailing financial management, procurement, safeguards and any other necessary implementation arrangements.

8. The Project will be implemented using Government systems. MPWT will be the implementing agency with the overall management and coordination of the Department of Planning and Cooperation (DPC). DPC will also be responsible for ensuring that the implementation report of the Project comprise a section on safeguards implementation. The Department of Roads (DoR) will be responsible for planning and implementation of road related activities under Component 1. DoR will work in close coordination with and provide technical support to the provincial DPWTs in the Project provinces tasked with carrying out the works and supervision, and with PTRI tasked with road asset data collection and analysis and overall supervision and monitoring of the implementation of environmental and social safeguards.

9. The ESD/PTRI will be the lead agency on the implementations of the ESMF. The ESD/PTRI will also lead safeguards supervision and monitoring at the project level including six month and annual monitoring and preparation of the six month and annual safeguard monitoring report. The ESD/PTRI will be responsible for providing safeguard training, ensuring effective mainstreaming of safeguard requirements into the road development project cycle, and undertaking research activities including updating the ESOM in close consultation with MoNRE and other agencies and the WB. The DoR will be responsible for ensuring that safeguard requirements are mainstreamed in road maintenance planning, design and pre-construction works including tendering and contracting process. At subproject level, DPWT is responsible for implementation of safeguard activities including undertaking day-to-day monitoring of safeguard measures to be carried out by contractors. The DPWT of the Project provinces will establish the Environmental and Social Unit (ESU) specifically for the road sector to be responsible for safeguards. ESU/DPWT will be responsible for carrying out monthly monitoring of contractors and implementation of other safeguard measures including preparation of safeguard monthly monitoring report to be submitted to ESD/PTRI. The ESD/PTRI, and ESU/DPWTs will be responsible for keeping proper documentations for possible review by the WB. The Department of Transport (DoT) will be responsible for implementation of the road safety program to be implemented under the Project. More details of Roles and Responsibilities on Safeguards are described in the Environmental and Social Management Framework (ESMF).

1.3 Need for EGPF

10. Among the proposed Project activities, the road maintenance and climate resilient subprojects to be implemented under Component 1 might include subprojects involved with potential land acquisition and/or resettlement impacts and/or ethnic minority (such as Hmong, Khmu, Mien, Makong, Bru and others) who are known in Lao PDR as Ethnic Groups (EG) and meet WB eligibility criteria

under OP/BP 4.10. Other donors may have their own eligibility criteria. To mitigate these impacts, OP/BP 4.10 require that special planning measures be established to protect the interests of ethnic groups (i.e. social groups with a social and cultural identity distinct from the dominant society that makes them vulnerable to being disadvantaged in the development process). The EG are considered to be vulnerable ethnic communities in Lao PDR as their livelihood is heavily based on subsistence agriculture and forest. The presence and involvement of these EG triggers the WB operational policy on *Indigenous Peoples (OP/BP 4.10)*. As a prerequisite to WB support, the Project must meet the requirements of OP/BP 4.10.

11. The six pilot provinces are located in remote areas and mostly with limited road access it is likely that the subproject may be located in areas which are home to ethnic populations. Given that the Project aims to improve quality, stability, and safety of existing provincial and district roads and climate resilient all local population, including ethnic communities, will collectively benefit from the Project. However minor impacts may also occur and need special mitigation measures. OP/BP 4.10 requires for screening of EG community in the subproject area and if they are present as a group or community, preparation of an Ethnic Group Development Plan (EGDP)⁴ will be prepared and applied. *Free, prior, and informed consultation (FPIC)* will be required during the planning and implementation to establish ethnic community broad support for the project.

12. Given that all the subproject works and locations are not known before appraisal and thus ethnic people are still to be identified an Ethnic Groups Policy Framework (EGPF) has been developed describing the policy and procedures for consultation (FPIC) for the subprojects to ensure that the EG *can voice their concerns and their opinions are heard throughout the project preparation and implementation process*.⁵ Need for preparation of an EGDP will be identified during the safeguard screening to be conducted as part of the road maintenance investment plan which will be prepared annually. The EGPF is an integral part of the Environment and Social Management Framework (ESMF) prepared for the Project. Potential impacts due to TA activities on PPP investment will be addressed under ESMF.

II. Project Description Related to OP/BP 4.10

13. Under the Component 1, road maintenance and climate resilient works to be carried out under will potentially include periodic maintenance, spot improvement, and routine maintenance through performance-based contracts. Spot improvement of critical sections aims to improve the roads' climate resilience and may include elevating flood prone road sections, paving road sections with steep slopes and sections passing through large communities, drainage improvement/ construction, and slope improvement/stabilization. Given the limited size of the investment and low traffic volume, spot improvement activities would be carried out only on critical sections of the existing carriageway, not the whole road, within the existing right of way and may involve minor re-alignments to improve road safety and strengthening road climate resilience. Periodic maintenance would include re-gravelling and re-sealing of existing roads, and routine maintenance would include drainage cleaning, patching of potholes, clearing of roadside vegetation, light grading, etc.

III. Policy, Legal, and Institutional Settings

⁴ In Lao PDR, the term Ethnic Groups is used for ethnic minority and the term Ethnic Groups Development Plan is used for the Indigenous Peoples Development Plan (IPDP) as required by OP/BP 4.10.

⁵ The consultation procedure is in line with the National Guidelines on Consultation with Ethnic Groups in Lao PDR which was established in 2013 by the Lao Front for National Construction (LFNC) which is responsible for overseeing all matters related to ethnic communities in Lao PDR.

3.1 Government Policy, Plan, and Program

14. *GOL policy and plan for poverty reduction:* In Lao PDR, the Five Year Plan from 2005-2010 aimed to eradicate the poverty with a target of reducing 50% of the poverty households by 2010 and 0% by 2020. To achieve this objective, a number of policies, plans, and programs have been implemented and those related to ethnic communities include: support for food security, commercial agriculture production, rural development, infrastructural development, external economic relations, and improve access to services. Since 2000, villages are responsible for data collection on the living condition of families. Data suggested that Mon-Khmer and Hmong-Mien and Sino-Tibetan ethnic communities are the poorest in the country and identifies several causes of poverty including problems pertaining in land availability for food production and income generation. The National Socioeconomic Development Plan (NSED 2001-2005) focused on poverty reduction in the poorest areas and links poverty reduction to stop “pioneer shifting cultivation or slash and burn new forest area”, however, the “rotational cultivation” may still be maintained. The sustainable land and forestry development programs are promoted by the GoL.

15. *GOL Policy and Legislative Framework on Ethnic Community:* The 1991 Constitution defined Lao PDR as a multi-ethnic state, with “equality among all ethnic communities” as described in the Constitution and the party policy as follows:

- The Constitution of Lao PDR (1991) defines that all "citizens of all ethnicity" have rights in education, health, land use and ownership, domicile of choice, and economic development regardless of sex, religion, social status, education, or ethnicity; as well as freedom of religion, freedom of speech; freedom to peacefully assemble and to protest. All citizens have the right to work and carry out their chosen livelihoods. Articles 8 and 22, guarantee that there will be no discrimination on the basis of ethnicity or gender. Articles in the Constitution where ethnic People are specifically mentioned are as follows: Article 1 – Lao PDR is a nation unified and indivisible of all ethnic communities; Article 2 - all power is of people, by people, and for the use of the multiethnic people; Article 3 - the right of a multi-ethnic people to be owners of the nation is exercised and guaranteed by the political system; Article 7 - mass organizations are the focal point for the solidarity and mobilization for citizens of all backgrounds and ethnicity as participating members in the safeguarding and edification of their rights and interests; Article 8 - the State will carry out a policy of unity and equality among the various ethnic communities. All ethnic communities have the right to preserve and improve their own traditions and culture and those of the nation. Discrimination between ethnic communities is forbidden. The state will carry out every means in order to continue to improve and raise the economic and social level of all ethnic communities; Article 13 - the economic system is for the purpose of improving the standard of living, materially and spiritually, of a multi-ethnic people; Article 19 - the State and the people will collaborate to build schools of all levels in order that a complete education system will be available to all, especially areas inhabited by ethnic People; and Article 22 - all Lao citizens, regardless of their sex, social position, education, beliefs or ethnicity, are equal before the law.
- The 1992 ethnic policy, *Resolution of the Party Central Organization concerning Ethnic Affairs in the new Era*, focuses on gradually improving the living conditions of the ethnic communities, while promoting their ethnic identity and cultural heritage. The general policy of the Party concerning the ethnic communities include: Build National Sentiment (national identity); Realize Equality among ethnic communities; Increase the Solidarity Level among ethnic communities as members of the greater Lao family; Resolve Problems of Inflexible and Harmful thinking, as well as economic and cultural Inequality; Improve the living Conditions of the ethnic communities step by step; Expand, to the greatest extent possible, the good and beautiful Heritage and ethnic Identity of each group as well as their Capacity to participate in the affairs of the nation.

16. *Other GoL related policy and legislation:* Given that most of ethnic minorities depends on subsistent agriculture and natural resources, they are also affected by other policies, and legislation related to land use and management of natural resources and the key ones are highlighted as follows:

- *The 1997 Land Law:* The GoL considers Land as the National Community Property that is administered by the State for use and as a mean for all Socio-Economic Development. All the lands must be used effectively and to be based on the macro-level and micro-level development planning. There is no personal ownership of land, but the citizens are allowed to use it and have a customary right to its resources. The Land Law also stipulates that, in case of public infrastructure development projects cause damages to trees, crops or buildings of the private owners, the land owners have the rights to be compensated for the damages. Ethnic communities maintain land tenure user rights equal to all Lao citizens with certain specifications and even preferential access and customary user rights to certain forest products (Forestry Law, Article 30; MAF Regulation 535; MAF Orders 54 and 377). Customary rights on land use among the ethnic communities are passed down from generation to generation. Traditionally, no land titles were involved and no boundaries were officially demarcated. In remote rural areas, these customary rights are still practicing to the acceptance of the local authorities widely. Many ethnic communities have traditionally recognized certain areas of forest as sacred forest sites. In addition, among ethnic communities, individuals or households were considered to be the owners of specific trees, such as those used for resin-tapping or that may have ancestral spiritual significance. These are important aspects of village cultural and economic life that need to be investigated and strictly respected.
- However, as part of GoL efforts to allocate the land to individuals and to demarcate the village forest and land boundaries for proper land use planning and forest management in a sustainable way and the establishment of MoNRE and promulgation and/or revision of several legislations, it is expected that there may be some changes in ways to manage and uses land, forest, and other natural resources. MoNRE is revising the land law, water law, and promulgated a number of decrees to manage protected areas and protection forest.
- *Compensation and resettlement (Decree 192/PM):* this decrees aims to protect the right of affected peoples by investment projects include ethnic minorities. The decree aims at ensuring that the losses incurred by affected people are redressed such that Affected Persons share project benefits, are assisted to develop their social and economic potential in order to improve or at least restore their incomes and living standards to pre-project levels. The decree however being revised in line with the current institutional arrangement and improve implementation effectiveness. . The Project may involve minor or temporary land acquisition for road maintenance work in some areas where ethnic minority groups or communities reside. No major loss of land is anticipated because the work will be carried out within existing roads and may involve minor realignments without expansion, which may affect trees and other roadside private assets. A separate Compensation and Resettlement Policy Framework (CRPF) designed and applied under the LRSP2 to ensure that the ethnic groups are not adversely affected and their livelihood is not worst off as a result of project implementation.

3.2 Institutional Arrangements

17. Key organizations responsible to implement the above policies are as follows while GoL agencies and provinces are responsible for compliance of the policy, plans, and regulations related to ethnic communities established by these organizations:

- The “Ethnic Communities Committee” under the National Assembly, is in charge of drafting and evaluating all legislation concerning ethnic communities, lobbying for its implementation and the implementation of its socio-economic development plans.
- The “Institute for Cultural Research” under the Ministry of Information and Culture, is responsible for carrying out all ethnic research activities.
- The “Lao Front for National Construction (LFNC)” as the mass (political) organization, is the lead institution for ethnic affairs focusing on training and capacity building
- The “Department of Ethnic and Religions” under the responsibility of Ministry of Interior which is responsible for development and dissemination of information related to rules, and regulations on ethnic peoples.

3.3 World Bank Policy on Indigenous People (OP/BP 4.10)

18. *Indigenous Peoples (OP/BP 4.10)*: These instruments represents the World Bank’s commitment to poverty reduction and sustainable development by enshrining respect for the cultures, environments, economies and rights of indigenous peoples. The OP/BP 4.10 requires that the projects affecting indigenous peoples (IP) must ensure: (a) IPs are engaged in an a process of free, prior and informed consultation; (b) The consultation process results in broad community support for the project; (c) Social analysis is undertaken to ensure potential impacts on IPs are identified; and (d) An IP plan is developed to ensure IPs receive culturally appropriate project benefits, and that adverse impacts are avoided, minimized, mitigated, or compensated. It also mentions that where IPs are the sole or overwhelming majority of project beneficiaries, a separate IP Plan is not required, and that requirements outlined above be integral to the project documents as appropriate. The “Indigenous Peoples” as described by World Bank is not commonly used in Lao PDR, but after discussion it has been agreed that the official terminology “Ethnic Group” (EG) can be used to represent small groups of ethnic communities and the term “Ethnic Group” will be used throughout this report.

IV. Social Assessment and Potential Impacts

19. A quick social assessment was conducted by reviewing reports and documents related to EG and potential impacts due to road development in Lao PDR during the past 10 years and discussion with WB specialists on EG issues. Key findings are briefly summarized below.

4.1 Ethnic Community National Profile and Classification

20. Lao PDR is a cultural diverse country. Although the Lao language is the official language, other ethnic languages are still used among different ethnic groups. Most ethnic groups do not have the written language and their traditional customs and religious beliefs vary according to the ethnic groups they belong to. Buddhists form the big majority and they mainly belong to the general Lao peoples.

21. In order to adapt to the new changes and bring forth unity among various ethnic communities in Lao PDR, the LFNC identified 49 ethnic categories and more than 160 ethnic sub-categories. The official terminology uses in the Constitution for describing the diverse population of the Lao PDR has been “Bunda Chon Phao” or “all ethnic communities”, while the name of the groups is normally used to classify the EG. According to LFNC, the Lao ethnic communities are categorized into four ethno-linguistic communities as below:

- The “Lao-Tai” (also referred to as “Tai-Kadai”), which includes the dominant “Lao ethnic communities” and the “lowland Tai” speaking communities. The “Lao-Tai” consists of 8 ethnic sub-communities as in *Table 1*.

Table 1: List of Ethnic Community under Lao-Tai Linguistic Group

	Sub-Ethnic		Sub-Ethnic		Sub-Ethnic
1	Lao	4	Tai	7	Phutai
2	Leu	5	Nhuane	8	Yang
3	Xaek	6	Tai neua		

- The second linguistic group is “Austro-Asiatic, also called Mon-Khmer” group, which consists of 32 ethnic sub-groups (*Table 2*).

Table 2: List of Ethnic Groups under Mon-Khmer Linguistic Family

	Sub-Ethnic		Sub-Ethnic		Sub-Ethnic
1	Khmou	12	Phong	23	Bid
2	Pray	13	Thene	24	Lamed
3	Xingmoon	14	Eudou	25	Samtao
4	Katang	15	Makong	26	Taoey
5	Yru	16	Triang	27	Katu
6	Yae	17	Brao	28	Kriang
7	Hahak	18	Oey	29	Suay
8	Jeng	19	Kadang	30	Pako
9	Nhaheun	20	Lavy	31	Nguane
10	Kmer	21	Toum	32	Tri
11	Moy	22	Kree		

- The “Hmong-Iomien” group which consists of 2 ethnic subgroups: Hmong and Lomien (Lomien is also called Yao) (*Table 3*).

Table 3: List of Ethnic Group under Hmong-Lomien Linguistic Family

	Sub-Ethnic		Sub-Ethnic		Sub-Ethnic
1	Hmong	2	Iomien		

- The “Chinese-Tibetan” (also referred to as “Sino-Tibetan”), which includes the Chinese and Tibeto-Burman Ethnic Community and consists of 7 ethnic subgroups (*Table 4*).

Table 4: List of Ethnic Groups under Chinese-Tibetan Linguistic Family

	Sub-Ethnic		Sub-Ethnic		Sub-Ethnic
1	Akha or Ko	4	Phounoy	7	Lolo
2	Sila	5	Lahou		
3	Hor	6	Hayi		

22. Only those ethnic groups under the Lao Tai ethnolinguistic family are not defined under the Bank policy (OP/BP 4.10) and thus not covered by this EGPF.

4.2 Ethnic Groups in Project Provinces

23. **Challenges:** Most Ethnic Groups in Lao PDR are poor and disadvantaged. Despite the efforts made by the GoL institutions to improve the socioeconomic conditions of these peoples, many of them still lag behind other Lao peoples especially in terms of poverty rates, literacy and health. Many ethnic groups still cannot speak and read Lao language and thus unable to effectively make use of schools

and health clinics, which have only Lao speaking staff. Most of the ethnic groups are staying in the remote areas of the country and difficult to reach for proper village development. Most of these peoples live on subsistence agriculture while efforts are being made by GoL and development partners to promote additional practices on handicrafts and local trade. Background information on the Project provinces is presented in ESMF Annex 1 and those related to ethnic communities are briefly summarized in Appendix 1).

24. However, although it is well accepted that Hmong, Khmu, Mien, Makong, Bru and others are considered as an EG and most of them living in and around national protected areas of the target provinces, detailed information on ethnic communities and ethnic groups in the Project provinces is lacking. It is expected that detailed information for other provinces will be collected when preparation of EGDP for the subproject is required. Nonetheless review of the EGDP prepared for Phongsaly⁶ suggested the following ethnic structure:

- Survey suggested that there were 28,946 households in Phongsaly province, with average household (5.7 persons/HH) of which around 89% are ethnic communities of which 48% belonging Sino-Tibetan language communities; 23.4% being Mon-khmer language group, and 7.2% as Hmong-mien language group. Among 557 villages in 7 districts, there are 458 villages (82%) with at least over 79% of population as ethnic communities. Most of them (269 villages) belong to Sino-Tibetan language communities, and remaining 189 villages belonging to Mon-khmer and Hmong-mien language communities. Among those 99 villages of Lao-Tai language communities, 79 villages (80%) are ethnic communities other than Lao. There is a high concentration of poverty households in Phongsaly Province, and about 60% of villages were considered as poor villages and over one quarter of households is considered as poverty households. There is similar proportion of poverty villages and poverty households in the LRSP project affected areas.

4.3 Potential Project Impacts on the Ethnic Groups

25. *Potential Positive Impacts:* Implementation of the Project will be positive. As road maintenance will benefit rural residents by improving access and serviceability, and reducing road closures due to slope failure or flooding. The closures directly affect access to basic services, and markets, and negatively affect incomes and livelihoods. In addition, strengthening central-local coordination and the capacities of MPWT for strategic planning, integration of climate change adaptation into sector strategies, enhanced coordination between central and local levels, governance and accountability, monitoring and evaluation, and coordination with development partners will enhance sustainability of road access. Ethnic communities and ethnic groups will benefit from improving quality of road maintenance and served by the roads. In area where surfacing is made, dust generation will be significantly reduced and improve health of local residents. Results from the consultation with local authorities and communities in pilot project areas of Bolikhamxay and Xayabouly confirmed the appreciation of local peoples and local support.

26. *Potential negative impacts:* Potential negative impacts of the Project will be minor, short term and temporary. Results from consultation suggested that key concerns are increased dust, noise, wastes, local traffic, road safety, and nuisance during construction and road safety during operation. Road construction works may disrupt the communities in the vicinity of the right of way as there will be an influx of workers, increased traffic of heavy machinery, potential damages to private property, and conflicts with the local population. These impacts will be mitigated through effective management and supervision of contractors, improvement of road safety signs, and implementation of road safety

⁶Phongsaly Province is located in the north part of the country bordering with China and Vietnam. Preparation of an EGDP was conducted for the National Road 1 B as part of an upgraded road including paving of road surface.

measures by local communities. Implementation experience under the on-going LRSP suggested that these impacts during construction could be adequately mitigated through close supervision and monitoring of contractors.

V. EGPF Principles and Procedures

5.1 Basic Principles of the EGPF

27. The basic principles of the EGPF to be applied to the LRSP⁷ will be as follows:

- **Scope:** Ethnic group peoples can be identified in particular geographical areas by the presence in varying degrees of the following characteristics: (a) a close attachment to ancestral territories and to the natural resources in these areas; (b) self-identification and identification by others as members of a distinct cultural group; (c) an indigenous language, often different from the national language; (d) presence of customary social and political institutions; and (e) primarily subsistence-oriented production.
- Based on the above characteristics, there are many ethnic groups in Laos. According to LFNC classification, four linguistic groups with 49 ethnic categories (see section 4.1) will be applied. They are Lao-Tai, Mon-Khmer, Hmong-lomien, and Sino-Tibetan groups. The Bank has determined that OP/BP 4.10 will apply to at least three linguistic groups except for Lao-Tai, who still maintain cultural and socioeconomic practices different than those practiced by the Lao national majority.
- In the context of this Project, it is important to note that the OP/BP 4.10 refers to social groups and not to individuals. The primary objectives of OP/BP 4.10 are: (a) to ensure that such groups are afforded meaningful opportunities to participate in planning that affects them; (b) to ensure that opportunities to provide such groups with culturally appropriate benefits are considered; and (c) to ensure that any project impacts that adversely affect them are avoided or otherwise minimized and mitigated.

28. To ensure that all communities are consulted properly, the following principles will be considered during the data collection and FPIC process of the subprojects (see Section 5.3)

- All communities will be approached in the spirit of honest and constructive collaboration, and clearly explained about the rationale for road safety, and of the subproject's purpose, activities, potential benefits and potential losses.
- All communities, regardless of their ethnic group or social status, will be engaged in an inclusive and culturally relevant manner on the basis of a free, prior and informed consultation aimed at establishing broad-based and sustainable community support for the subproject.
- All communities will be informed by the responsible DPWT throughout the subproject implementation through appropriate means of information, education and communication. If needed, communication throughout the subproject cycle will use appropriate information,

⁷ The principles are similar to the EGPF being applied to the on-going LRSP.

education, and communication materials to respond to issues of language and ethnicity, literacy/illiteracy, gender, and social vulnerability.

- All communities will have the opportunity to participate in and benefit from the subproject as well as take on the responsibility to adhere to road safety rules and sustainable road maintenance.
- Subprojects will give sufficient attention to encourage women to play an active role in the consultation process. During implementation, the women will be: (a) consulted and their concerns addressed; (b) given the opportunity to participate in community group meetings, focus group discussions, planning and implementation; and (c) represented equally in the Grievance and Redress Committees (GRCs).

5.2 EGPF Objective and Procedure

29. This EGPF has been prepared in order to provide some general principles and procedures that will be applied during project implementation, if ethnic groups are reported in any of the subprojects. Therefore, the purpose of the framework is *for ensuring that FPIC is allied and that ethnic groups is given a voice and an opportunity to participate in the Project*. To achieve this objective, the key 4 steps will be carried out below.

Step 1: Screening for ethnic people among beneficiary populations

30. The Project has been designed to recognize that a ‘meaningful’ participation by poor and disadvantaged groups of people in a society requires special focus that goes beyond routine project implementation management. In the Environment and Social Operation Manual (ESOM) for MPWT, detailed screening criteria and guidelines on social assessment and resettlement aspects are included. Under the Project, the subproject will be subject to safeguard screening in accordance with the ESMF during selection of subprojects stage which will be carried out as part of the annual work plan preparation.

31. However since the investments will be limited to road maintenance (periodic and routine) of the existing national, provincial and district roads and spot improvement to address climate resilient and/or safety the activities will be carried out mostly within the existing right-of-ways (RoW), a quick assessment will be undertaken to identify and/or re-confirm the following:

- The local agencies especially the provincial and district PONRE/DONRE, LFNC, and LWU are aware of the subproject and willing to actively participate during the subproject implementation;
- The local community located within 100 m from the RoW are informed/consulted and majority support the subprojects;
- The number of local communities and/or individual to be negatively affected by the subproject activities due to land acquisition, relocation of assets/trees, and/or restriction of road access;
- The safeguard screening and consultation process will provide guidance on scope of data collection on social and economic and technical aspects of each subproject. If the social screening and consultation confirms that no ethnic group populations exist in the project areas, no further action is necessary. If the safeguard screening and consultation indicate

that there are potential social issues because of ethnic group populations in such subproject, DPWT will consult ESD/PTRI and/or donors for guidance;

32. The Project is committed and will ensure that local communities are (i) consulted in matter relating to each subproject, (ii) provided opportunities for participation in decision making related to the subproject, and (iii) provided opportunities for participation in subproject activities should they so desire.

Step 2: Principles and procedures applied where the subproject involves ethnic groups

33. If the ethnic groups is among beneficiary populations and/or will be negatively affected by the subproject, a basic social economic profile of beneficiary population or project affected people will be developed by collecting both qualitative and quantitative data in the project areas from local authorities and consultation with the ethnic groups with an aim that *all ethnic groups can voice their concerns and their opinions are heard throughout the project preparation and implementation process*. Special attention will be given to hear voices from women and disadvantages peoples. Consultation with the ethnic groups will also be in line with the national guideline on ethnic group consultation issued in 2013 by the LFNC.

34. The DPWT of the with technical guidance from the ESD/PTRI of MPWT will ensure that full consultation, in a language spoken by the ethnic groups, and invite participation of ethnic groups are fully taken into account during preparation and implementation of subprojects, while respecting their current practices, beliefs and cultural preferences. The outcome of the consultations will be documented into the project documents. Section 5.3 provides more details on the consultation framework and procedures.

35. If the ethnic people conclude that the project will be beneficial, or non-harmful to their way or life or cultural beliefs, and the adverse impacts are minimal measures and assistance will be developed based on consultation with ethnic groups and local LFNC. The community should also be consulted to ensure that their rights and culture are respected. The assistance may also include institutional strengthening and capacity building of ethnic villages and community groups working with the subproject.

Step 3: Reporting, Monitoring, and Documentation

36. ESU/DPWT will keep all documents related to safeguard screening, consultation, and social assessment (if warranted) in the subproject file for possible review by EST/PTRI and/or donors. ESD/PTRI will monitor the implementation of the safeguard screening, quick social impact assessment, and consultation process of the subprojects periodically and include the results in the six month and annual monitoring reports. The donor supervision missions will periodically pay special attention to ensure that that the subproject affords benefits to vulnerable groups and ethnic minorities.

5.3 Consultation Framework for Ethnic Groups under EGPF

37. The consultation framework aims to ensure that ethnic groups are well informed, consulted and mobilized to participate in the subprojects so that clarity could be provided regarding the potential benefits as well as potential negative impacts. Consultation with EG will be made during the preliminary screening process and the development and implementation of an EGDP if needed. Consultations with and participation of ethnic groups, their leaders and local government officials will be an integral part of the EGDP. Scope of the EGDP should include preliminary screening, social

assessment, mitigation measures, development assistance, and monitoring and ESD/PTRI will provide training to ESU/DPWT if preparation of an EGDP is needed.

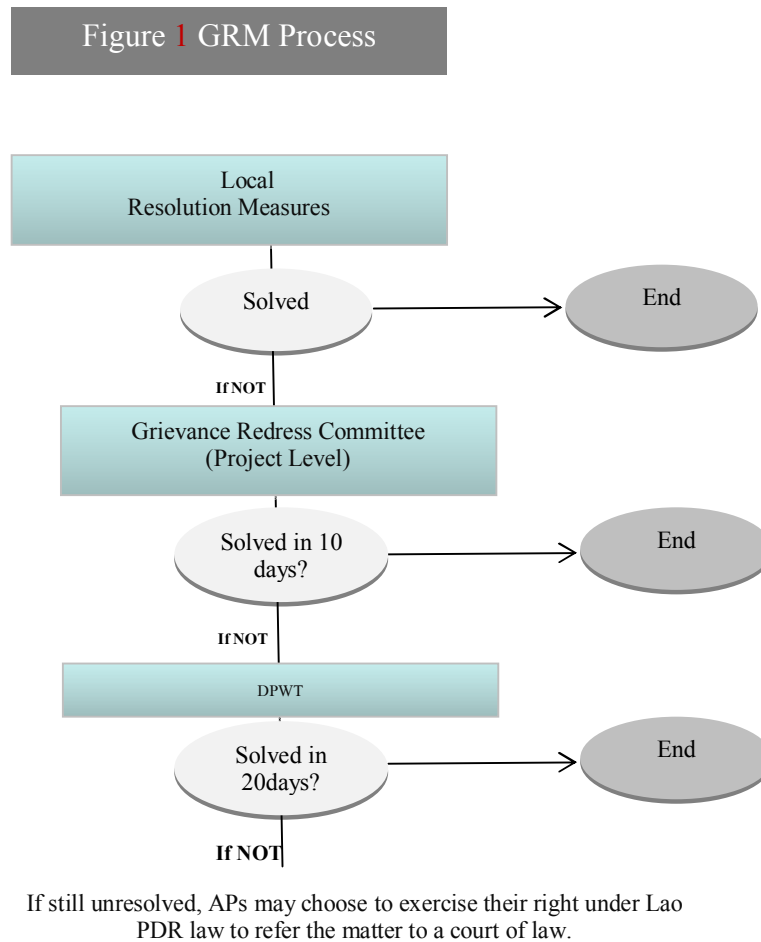
38. ***Preliminary Screening:*** As mentioned above (Step 1) that safeguard screening form being used under ESOM is provided in ESMF. Specific procedure for consultation during the preliminary screening is highlighted as follows:

- All subproject areas which have ethnic group communities and are candidates for the Project support will be visited (at the time of first consultation with communes) by DPWT and ESD/PTRI, relevant local authorities, and consultants (if any).
- Prior to the visit, respective DPWT and/or ESD/PTRI will send a letters to the communities informing their leaders that they will be visited by the respective DPWT and/or ESD/PTRI and local authorities and consultation will be conducted on the subproject. The letter will request that the communities invite to the meeting representatives of farmers, women associations and village leaders for discussion on the subproject. During the visit, the community leaders and other participants will present their views with regards to the subproject.
- At this visit, the social scientists (ESD/PTRI and/or consultants) will undertake a screening for ethnic minority population with the help of ethnic group leaders and local authorities. The screening will check for the following: (a) names of ethnic groups in the affected village; (b) total number of ethnic groups in the affected villages; (c) percentage of ethnic people in affected villages; (d) number and percentage of ethnic households along the zone of influence of the proposed sub-Project.

39. If the results show that there are ethnic group communities in the zone of influence of the proposed subproject, a social impact assessment will be planned for those areas.

5.4 Grievance Redress Mechanism (GRM)

40. The ESMF describes the GRM in detail. Grievances related to environmental and social issues from ethnic groups that result from Project activities will be resolved by the Grievance Redress Committee (GRC) through the Project GRM presented in *Figure 1* in general. However, the complainant also retains the right to bypass this procedure and can address a grievance directly to the ESD/PTRI Office or the National Assembly, as provided for by law in Lao PDR. At each level grievance details, discussions, and outcomes will be recorded in a grievance logbook. The status of grievances submitted and grievance redress will be reported to DPWT management through the monthly report.



The communities and individuals who believe that they are adversely affected by a WB supported project may submit complaints to existing project-level grievance redress mechanism or the WB's Grievance Redress Service (GRS). The GRS ensures that complaints received are promptly reviewed in order to address project-related concerns. Project affected communities and individuals may submit their complaints to the WB's independent Inspection Panel which determines whether harms occurred, or could occur, as a result of WB non-compliance with its policies and procedures. Complaints may be submitted at anytime after concerns have been brought directly to the WB's attention, and Bank Management has been given an opportunity to respond. For information on how to submit complaints to the World Bank's corporate Grievance Redress Service (GRS), please visit www.worldbank.org/grs. For information on how to submit complaints to the World Bank Inspection Panel, please visit www.inspectionpanel.org.

5.5 EGDF Consultation and Information Disclosure

41. The ESD/PTRI and DoR in cooperation with DPWTs of the Project provinces conducted public consultation two times with key stakeholders including relevant government agencies, local NGOs in Vientiane Capital as well as local authorities and communities in some of pilot provinces (Bolikhamsay and Xayabouly) in a free, prior and informed consent manner to seek their views and establish their broad support for the project implementation. The first consultations were made in

Vientiane capital and Bolikhamxay and Xayabouly on February 25, 2016 and during March 6-11, 2016, respectively, focusing on the project scope and draft TORs for the ESMF, EGPF, and RPF. The results were taken into consideration during the drafting of the ESMF, EGPF and RPF. The Draft ESMF including RPF and EGPF were disclosed on the MPWT website and the World Bank's Website on April 11, 2016. The second set of consultations were conducted on the drafts (English and Lao) in Bolikhamxay and Xayabouly and in Vientiane in late April 2016. Additional consultations with relevant stakeholders, including ethnic groups, on the draft ESMF, RPF, and EGPF will be conducted in 2 more provinces in the north (Houaphan and Oudomxay) where are home to multiethnic groups. The final ESMF, EGPF and RPF will be re-disclosed in MPWT website and in the six pilot project provinces as well as on the World Bank's Website before appraisal.

Appendix 1: Summary of Ethnic Groups in the Pilot Project Provinces

Information regarding ethnic communities and ethnic groups are briefly presented in this appendix. Map below show locations of the provinces and key ethnic groups known to be present in the provinces.




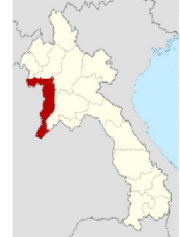
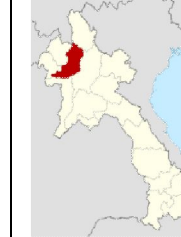
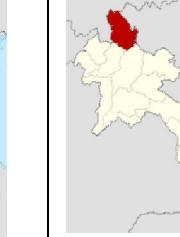

Bolikhamsay	Xiengkhouang	Houphanh	Xayabouly	Oudomxay	Phongsaly
					
Ethnic Group					
Hmong, Khmu, Phong, Toum, etc.	Khmu, Hmong.	Hmong, Khmu, Lao Fong, Singmoun, Iumien or Yao, Moy or Meuang, and Chin or Hor.	Khmu, Htin, Phai, Kri, Akha, Malabri	Khmu, Akha, Ly, Yang, Ikho, Hor	Khmu, Yao, Leu, Hor, Hmong, Akha, Yang, Bid, Lolo
Ethnic Community					
22 communities of which major Lao is about 60% of total population (see Table A6.1)	3 communities Lao Tai (Tai Dam, Tai Daeng, Phuan), Khmu, and Hmong. Majority Laos, is over 50% of the total population in the province (see Box A6.1).	9 communities Lao Tai, Hmong, Khmu, Lao Fong, Singmoun, Iumien or Yao, Moy or Meuang, and Chin or Hor. Lao majority is about 80% of total population. Table A6.2	Tai Lue. Other communities are the Khmu, Tai Dam, Htin, Phai, Kri, Akha, and Malabri	14 communities comprising <u>Khmu</u> (60–80%), <u>Lao Loum</u> (25%), <u>Hmong</u> (15%). Others include <u>Akha</u> , Phouthai (Thai Dam & Thai Khao), Phou Noy (Phou Xang, Phou Kongsat, Phou Nhot), Lao Houy (also “Lenten”), Phouan, Ly, Yang, Ikho and Ho.	13 communities with independent language and culture identity: Khmu, Tai Dam, Tai Daeng, Yao, Leu, Hor, Hmong, Akha, Yang, Bid, Lolo and others.
					

Table A1: Number of ethnic group households (HH) in Bolikhamsay (provincial data 2014)

	EC	Total			Households (HH) by districts (see names in Note below)						
		HH	Person	Female	01	02	03	04	05	06	07
1	Lao	12,091	114,900	57,339	6,671	3,963	4,315	2,350	2,728	578	272
2	Tai	6,913	68,240	33,969	1,594	711	2,884	1,422	3,429	1,315	116
3	Hmong	4,068	49,360	23,598	10		562	1,683	2,467	1,476	347
4	Khmu	2,075	13,374	6,553	11		653	2,115	2,129	40	61
5	Phong	1,389	9,071	4,284	6		135	257	50	674	311
6	Toum	770	5,037	2,502	8		211		59	51	509
7	Thainuea	145	635	301		96	1				
8	Phouthai	391	7,567	3,854	228	15	132	16	704		
9	Katang	31	141	73		24	1	16			
10	Saek	6	1,046	499	1		3		167		
11	Leu	16	307	147	6		1		33	10	
12	Youan	6	147	69	4		1		15		
13	Phounoi	5	81	38	1		4		9		1
14	Makong	10	51	21	7						
15	Yae	2	6	4	1						
16	Taoy	2	21	8	1						
17	Samtao	2	10	7	1						
18	Souay	10	66	33	3						
19	Yru	18	90	50					15		
20	Akha	28	140	78					23		
21	Singmoon	12	100	52					17		
22	Kee	231	1,155	563					186		
23	Viet kaew	20	64	36	14						
24	Chinese	12	47	28							
	Total	47,930	271,656	134,106	8,557	4,809	8,903	7,859	12,031	4,144	1,617
Note: (01) Pakxan, (02) Thaphabath, (03) Pak Kading, (04) Bolikhan, (05) Kamkert, (06) Viengthong, and (07) Xaychamphone.											

Table A2 Number of ethnic group households (HH) in Houaphan (provincial data in 2014)

	EC	Total			Population by districts (see names in Note below)								
		H H	Person	Female	01	02	03	04	05	06	07	08	09
1	Lao		70,749	34,856	23,635	4,551	7,293	5,048	4,903	8,322	2,796	7,691	6,510
2	Tai		77,069	36,946	4,780	9,930	5,041	19,708	408	12,080	13,034	10,426	1,662
3	Hmong		82,958	41,149	18,989	4,436	6,546	4,662	6,841	15,876	7,287	4,491	13,830
4	Khmu		33,723	16,415	6,407	338	8,426	2,981	8,371	553	1,170	2,631	2,846
5	Laofong		14,826	7,431	3,279	0	25	0	11,522	0	0	0	0
6	Singmun		7,980	3,883	13	5,980	0	0	0	0	127	1,860	0
7	Iumien		3,489	1,742	38	710	391	767	0	0	1,210	373	0
8	Moy		528	237	528	0	0	0	0	0	0	0	0
9	Chinhor		151	78	146	0	5	0	0	0	0	0	0
	Total		291,473	142,737	57,815	25,945	27,727	33,166	32,045	36,831	25,624	27,472	24,848
Note: 01 XamNeua, 02 Xiengkhuangkhor, 03 Viengthong, 04 Viengxay, 05 HouaMeuang, 06 Xam Tai, 07 Sop Bao, and 08 Et, 09 Kuan, 10 Xone													

Box A1 Key characteristics of main ethnic groups

- *Tai Dam*: The Tai Dam migrated from northern Vietnam to Laos 80–300 years ago. They are not Buddhists, instead they practice a form of ancestor and spirit worship. Tai Dam is well known producers of fine quality silk and cotton textiles and many women export directly to markets in Japan and the USA. Old Tai Dam women still wear the traditional blue indigo cotton shirt, skirt and a black turban woven with colored patterns. They produce rice alcohol, called ‘laolao’, that is consumed socially and used for ritual purposes. Tai Dam settles in upland valleys near streams and irrigable and accessible plains scattered among Lao and Phuan villages. They built rectangular symmetric houses on piling, foot pounder and rice granary are under the house. The villages are composed of 15–60 houses and are not fenced. The people mainly live on wet rice, vegetables, poultry, weaving, sewing and hunting.
- *Khmu*: Being part of the Mon-Khmer branch of the Austro-Asiatic linguistic family, the Khmu present one of the largest ethnic groups in Laos. They settled in the area several thousand years ago. The Khmu did a rapid acculturation and there is now little in their clothing that distinguishes them from the surrounding Lao, although they speak a completely different language. Khmu houses are built on stilts; each village has a communal house where men gather for political discussions, or work together on basket making and other crafts. Like many ethnic groups in Lao the Khmu practice their own form of animism. The Khmu are well-known for their skill at making baskets, fish traps, and other objects from bamboo. Their material culture, their tools, utensils, baskets and netbags reflect their continued reliance on the forest. Growing rice, hunting, gathering forest products and producing handicrafts provide some cash income. Take a taste of their famous brew ‘laohai’(jar alcohol) while visiting one of the many Khmu villages.
- *Hmong*: The Hmong present 6-10% of the total population of Laos and remain most numerous and concentrated in the east of Xiengkhuang. In the province the White Hmong, the Striped Hmong and the Green Hmong can be distinguished. The easiest way to differentiate these groups is by looking at the women’s dress. Hmong live in forested mountains between 800 to 1,500 meters of altitude and in Laos they are categorized as Lao Soung -the highland people, although today there are a more and more villages located in the low lands. Hmong live in villages ranging in size from 15 to over 60 houses. They are not fenced and organized by clan. The rectangular houses are beaten on soil, have one room without windows. The walls are made of vertical wood planks and bamboo and a thatch roof. Hmong are known for their knowledge of the forest, herbal medicines and expertise in raising animals. Their agricultural system is based on rain fed slope cultivation with slash and burn techniques. They live on ordinary rice, corn and vegetable production, swine and poultry, gathering, hunting, embroidery and basket work. Their religion is a form of shamanistic animism with cult of ancestors and spirits, and belief in three souls. Certain spirits protect the people within the village boundaries while others maintain their influence over the plant and animal kingdom outside the village.

Appendix 2: Rapid Social Assessment and Preparation of EGDP

1. As mention in the main text that if the safeguard screening and preliminary consultation suggested that an EG community is present in the subproject area, preparation of an Ethnic Groups Development Plan (EGDP) will be required. This appendix provides scope and content of the EGDP which should comprise Scope of the EGDP should include preliminary screening, social assessment, mitigation measures, development assistance, and monitoring. Below provides scope of these features.

Preliminary Screening

2. All subproject areas which have ethnic group communities and are candidates for the Project support will be visited (at the time of first consultation with communes) by DPWT and ESD/PTRI, relevant local authorities, and consultants (if any). Prior to the visit, respective DPWT and/or ESD/PTRI will send a letters to the communities informing their leaders that they will be visited by the respective DPWT and/or ESD/PTRI and local authorities and consultation will be conducted on the subproject. The letter will request that the communities invite to the meeting representatives of farmers, women associations and village leaders for discussion on the subproject. During the visit, the community leaders and other participants will present their views with regards to the subproject.

3. At this visit, the social scientists (ESD/PTRI and/or consultants) will undertake a screening for ethnic minority population with the help of ethnic group leaders and local authorities. The screening will check for the following: (a) names of ethnic groups in the affected village; (b) total number of ethnic groups in the affected villages; (c) percentage of ethnic people in affected villages; (d) number and percentage of ethnic households along the zone of influence of the proposed sub-Project.

4. If the results show that there are ethnic group communities in the zone of influence of the proposed subproject, a social impact assessment will be planned for those areas.

Rapid Social Assessment

5. A rapid social assessment (SA) will be undertaken by the social staff of ESD/PTRI and/or consultants. The SA will gather relevant information on the following: demographic data; social, cultural and economic situation; and social, cultural and economic impacts (positive and negative) as followings:

- *Information will be gathered from separate group meetings:* ethnic village chiefs; ethnic men; and ethnic women, especially those who live in the zone of influence of the proposed work under subproject. Discussions will focus on subproject impacts, positive and negative; and recommendations for design of subproject.
- If the SA indicates that the potential impact of the proposed sub-project will be significantly adverse or that the ethnic community rejects the project, the subproject will not be implemented in that locality; no further action is needed in this case.
- If the ethnic group supports the subproject implementation an EGDP will be developed to address any concerns or negative impacts by the proposed subprojects. However, if the concerns are similar to those raised by other groups of people (such as compensation and typical impacts due to construction and/or works implementation) and the mitigation measures can be incorporated into mitigation measures using other safeguard instruments such as resettlement action plan (RAP), specification for contractor (ECoP), preparation of EGDP will not be necessary.

Ethnic Groups Development Plan (EGDP)

6. The EGDP will consist of a number of activities and will include mitigation measures of potentially negative impacts, modification of subproject design, and development assistance. Where there is land acquisition in ethnic minority communities, the Project will ensure that their rights will not be violated and that they be compensated for the use of any part of their land in a manner that is culturally acceptable to them. The

compensation and rehabilitation will follow the Resettlement Policy Framework (RPF) of the Project. An EGDP will include:

- legal Framework
- baseline data;
- land tenure information;
- local participation;
- technical identification of development or mitigation activities;
- institutional arrangement;
- grievance mechanism and disclosure arrangement;
- implementation schedule;
- monitoring and evaluation; and
- cost and financing plan.

7. The EGDP will also provide evidence that the results of consultations have been taken into account.

Implementation Arrangement and Grievance Mechanism

8. ESD/PTRI and/or consultants will also be responsible for training respective DWPT or local authorities to undertake the work of consultation, screening, social impact assessment, analyses and preparing EGDPs. DWPT of individual subprojects and local authorities are responsible for implementing EGDP (arrange adequate staff and budget). The Grievance Redress Committee will be responsible for implementation of the subproject grievance mechanism. The EGDP will also describe how different grievance mechanisms (i.e. general project-level grievance mechanism and EG grievance mechanism) will work together, if appropriate.

Monitoring

9. Implementation of the EGDPs will be regularly supervised and monitored by the ESU of PTRI of MPWT. The findings and recommendations will be recorded in quarterly reports and to be furnished to donors.

10. If warrant, an independent agency which would be used by MPWT to undertake external monitoring and evaluation of the implementation of resettlement action plans for the Project will also be tasked with monitoring the activities for EGDP. While, the external monitoring agency will visit a sample of affected households for resettlement in each relevant province on an annual basis, it will also visit a sample of at least 10% of ethnic minority households in the Project affected areas.

Schedule

11. The EGDP should have an implementation schedule that is coordinated with the subproject implementation. Logically, social assessments and group meetings should be undertaken before subproject designs are prepared. Compensation for land acquisition should be satisfactorily completed at least one month prior to start of civil work. Monitoring should take place at the recommended times during and after civil work.

Budget

12. The EGDP will include information on detailed cost of mitigation measures and other rehabilitation entitlements for ethnic minority in the affected areas. Sources of funding for the various activities and financing plans will be clearly specified in the cost tables.

Reporting/Documentation

13. The EGDPs will be prepared and submitted by DPWT to MPWT and then the donors at the same time that respective DPWT submit their subproject applications to MPWT and the donors for review.