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Subproject: Institutional Strengthening and
Capacity Development for the Ministry of
Construction (Myanmar)

HANDBOOK ON SOCIAL SAFEGUARDS: A WORKING DOCUMENT

Prepared by ADB Consultant Team

This consultant's report does not necessarily reflect the views of ADB or the Government concerned, and ADB and the Government cannot be held liable for its contents.

Asian Development Bank

A Working Document

Handbook on Social Safeguards

(August 2015)

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TA 7566-REG Strengthening and Use of Country Safeguard System

Subproject: MYA - Institutional Strengthening and Capacity Development for the Ministry of Construction

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Foreword

Introduction

Myanmar is the largest country in mainland Southeast Asia and is strategically located with its borders shared with the Peoples Republic of China (PRC), India, Bangladesh, the Lao People's Democratic Republic (Lao PDR), and Thailand. It also has a 2,800-kilometer (km) coastline along the eastern side of the Bay of Bengal. In addition to its strategic location, Myanmar has extensive energy and other natural resources. Since 2008, Myanmar has opened its economy to international investment and is undertaking significant reforms with an aim to build an inclusive society where its people will become participants of its economic development and on-going integration into the regional and global economies. As part of that process, the Asian Development Bank (ADB) has re-engaged with Myanmar and has commenced undertaking a number of projects with significant investment in the country.

Myanmar has a relatively modern environmental policy but lacks a social safeguards policy to address emerging social issues associated with the country's development agenda. Thus, as one of the initiatives to build safeguards understanding and awareness within the Government, ADB approved the **Subproject: MYA - Institutional Strengthening and Capacity Development for the Ministry of Construction** in July 2012. This is included under the Regional Technical Assistance: Strengthening and Use of Country Safeguards Systems (ADB TA-7566).

Purpose of this Social Safeguards Handbook

This Working Handbook on Social Safeguards (Involuntary Resettlement and Indigenous Peoples) has been prepared for use of staff of the Ministry of Construction (MOC) as part of the **Subproject: MYA - Institutional Strengthening and Capacity Development for the Ministry of Construction**. This handbook reflects comments and suggestions elicited from MOC staff during the conduct of trainings and workshops.

The first four sections on involuntary resettlement highlights the important social safeguards terminologies, good practices, and procedures to guide MOC staff during project identification, project preparation, and project implementation. The section on indigenous peoples provides a general overview on the (i) policy and principles, (ii) determining vulnerability, and (iii) activities and information needed during preparation of an indigenous peoples plan.

It is hoped that this Working Handbook will help MOC staff understand (i) the need to identify potential project impacts as early as project preparation; (ii) the steps to identify potential project impacts and how those impacts could be avoided, if not mitigated; (iii) the need to prepare safeguards documents as early as project preparation; (iv) importance of meaningful consultation, participation, and disclosure and, (4) the necessary steps and procedures in preparing safeguards documents in line with the ADB SPS. Examples used are specific to transport projects; however, this working handbook can be helpful for other sectors as well.



Abbreviations

ADB	Asian Development Bank
AP	affected person
COI	corridor-of-impact
CSO/NGOs	civil society organizations/non-government organizations
DMS	detailed measurement survey
GRM	grievance redress mechanism
IOL	inventory of losses survey
IP	indigenous peoples
IPP	Indigenous Peoples Plan
MOC	Ministry of Construction
ROW	right-of-way
SES	socio-economic survey
SPS	Safeguard Policy Statement
RP	Resettlement Plan



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References

Additional Information

Below is link to the ADB Safeguard Policy Statement and other helpful references from the ADB website that you can also download from the website.

- **Safeguards**
<http://www.adb.org/site/safeguards/main>
- **Safeguard Policy Statement**
<http://www.adb.org/documents/safeguard-policy-statement>
- **Involuntary Resettlement Safeguards: A Planning and Implementation Good Practice Sourcebook (Draft Working Document)**
<http://www.adb.org/documents/involuntary-resettlement-safeguards-planning-and-implementation-good-practice-sourcebook-d?ref=site/safeguards/publications>
- **Indigenous Peoples Safeguards: A Planning and Implementation Good Practice Sourcebook (Draft Working Document)**
<http://www.adb.org/documents/indigenous-peoples-safeguards-planning-and-implementation-good-practice-sourcebook>
- **Social Development and Poverty**
<http://www.adb.org/themes/social-development/main>
- **Gender and Development**
<http://www.adb.org/themes/gender/main>
- **Public Communications Policy**
<http://www.adb.org/site/disclosure/public-communications-policy>

1

Involuntary Resettlement: Terminologies

Some Useful Terminologies

1.1 Before we begin, any useful terminologies?

Below are the following terminologies that will be useful for the purpose of this resettlement handbook.

- **Corridor-of-Impact**

This is the area on both sides of the road, including the present roadway, which will be cleared of all structures and obstructions under the Project.

- **Cut-off Date of Eligibility**

This is usually the completion date of the census of affected persons. A cut-off date is normally established by the borrower/client based on existing laws/procedures on establishing the eligibility of affected persons to receive compensation and resettlement assistance. In the absence of existing procedures, the borrower/client will establish a cut-off date for eligibility. Once a cut-off date is officially established, any persons who build structures or move within the project boundary or corridor-of-impact after the cut-off date will not be eligible for assistance.

- **Displaced Persons**

As defined in the ADB SPS, are those who are physically displaced (relocation, loss of residential land, or loss of shelter) and/or economically displaced (loss of land, assets, access to assets, income sources, or means of livelihood) as a result of (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas.

Displaced persons are also referred to “**affected persons**” in the resettlement planning documents. Displaced persons or affected persons are: any person, household, firm, private or public institution. In the case of a household, the term “affected person” includes all members residing under one roof and operating as a single economic unit, who are adversely affected by a project or any of its components. For the purpose of this handbook, the term “affected persons” will be used.

- **Project Entitlements**

Refers to compensation and other forms of assistance (such as cash assistance, income restoration measures, relocation support, etc.) that are due to the affected persons, depending on the type and severity of their losses, to at least restore their “standards of living” to the levels prior to the project.

- **External Monitor**

Refers to experts (e.g. consulting firms, NGOs, individual consultants,) engaged by the Project to verify internal monitoring information and conduct its own assessment of the extent to which (i) the policies, procedures, and measures are being implemented as described in the Resettlement Plan, and (ii) resettlement objectives are being met. The external experts should be qualified professionals with relevant experience in similar activities who are not involved in day-to-day project implementation or supervision.¹

- **Host Communities**

These are communities that receive the affected persons who are physically displaced by a project.

- **Income Restoration**

This means re-establishing the livelihood of economically displaced persons so that they are able to earn income that is at least equal to or, if possible, better than what they earned prior to resettlement.²

- **Indigenous Peoples**

This refers to distinct, vulnerable, social and cultural group possessing the following characteristics in varying degrees:

- Self-identification as members of a distinct indigenous cultural group and recognition of this identity by others;
- Collective attachment to geographically distinct habitats or ancestral territories in the project area and to the natural resources in these habitats and territories;
- Customary cultural, economic, social, or political institutions that are separate from those of the dominant society and culture; and
- A distinct language, often different from the official language of the country or region.

Indigenous Peoples may be referred to in different countries by other terms, such as indigenous ethnic minorities, indigenous cultural communities, aboriginals, hill tribes, minority nationalities, scheduled tribes, or tribal groups.³

- **Involuntary Resettlement**

This is the full or partial, permanent or temporary physical displacement (relocation, loss of residential land, or loss of shelter) and economic displacement (loss of land, assets, access to assets, income sources, or means of livelihoods) resulting from (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas. Resettlement is considered involuntary when displaced individuals or communities do not have the right to refuse land acquisition that results in displacement. This occurs in cases where (i) lands are acquired through expropriation based on eminent domain; and (ii) lands are acquired through negotiated settlements, if expropriation process would have resulted upon the failure of negotiation.⁴

¹ ADB. 2012. Involuntary Resettlement Safeguards: A Planning and Implementation Good Practice Sourcebook Draft Working Document. Manila.

² *Ibid.*

³ ADB. 2009. Safeguard Policy Statement. Manila.

⁴ ADB. 2009. Safeguard Policy Statement. Manila.

- **Meaningful consultation**

Refers to a process that:⁵

- Begins early in the project preparation stage and is carried out on an ongoing basis throughout the project cycle;
- Provides timely disclosure of relevant and adequate information that is understandable and readily accessible to affected people;
- Is undertaken in an atmosphere free of intimidation or coercion;
- Is gender inclusive and responsive, and tailored to the needs of disadvantaged and vulnerable groups; and
- Enables the incorporation of all relevant views of affected people and other stakeholders into decision making, such as project design, mitigation measures, the sharing of development benefits and opportunities, and implementation issues.

- **Participation**

Refers to the processes through which stakeholders influence or contribute to designing, implementing, and monitoring a development activity.

- **Replacement cost**

This involves replacing an asset at a cost prevailing at the time of its acquisition.⁶ It includes:

- Fair market value,
- Transaction costs,
- Interest accrued,
- Transitional and restoration costs,
- Any other applicable payments

- **Stakeholders**

These are different groups that have an interest or stake in the Project, including government, civil society, and private sector actors. Relevant civil society stakeholders include civil society organizations (CSOs), key social groups, and affected people.⁷

- **Vulnerable groups / vulnerable households**

These are groups or households who may be differentially or disproportionately affected by the project because of their disadvantaged or vulnerable status. These include those below the poverty line, the landless, the elderly, women and children, indigenous peoples, and those without legal title to land.

⁵ *Ibid.*

⁶ *Ibid.*

⁷ ADB. 2012. Handbook on Poverty and Social Analysis: A Working Document. Manila.

2

Involuntary Resettlement: Project Identification Stage

Involuntary Resettlement Screening

2.1 What are considered “involuntary resettlement impacts” under the ADB Safeguard Policy Statement (SPS)?

Involuntary resettlement (IR) impacts include:

- “**Physical displacement**” (relocation, loss of residential land, or loss of shelter); and
- “**Economic displacement**” (loss of land, assets, access to assets, income sources, or means of livelihoods) as a result of (i) involuntary acquisition of land, or (ii) involuntary restrictions or limitations on land use or on access to legally designated parks and protected areas.

These impacts are covered by the ADB SPS, whether these are **full or partial, permanent or temporary**.

2.2 When screening for potential IR impacts, do we need to include persons who have no title or formal legal rights to their land?

YES, under the ADB SPS, a person does not need to own the land to be considered as an affected person. The types of affected persons considered under the ADB SPS and some examples are shown in the table below.

Table 1 – Type of Affected Persons

Types of Affected Persons	Examples
<i>Type 1: persons with formal legal rights to land lost in whole or in part</i>	Households with land titles or in the process of obtaining land titles Households with land use rights or in the process of land use rights certificates
<i>Type 2: persons who lost the land they occupy in whole or in part who have no formal legal rights to such land, but who have claims to such lands that are recognized or recognizable under national laws</i>	Indigenous peoples who have traditional claims
<i>Type 3: persons who lost the land they occupy in whole or in part who have neither formal legal rights nor recognized or recognizable claims to such land</i>	Illegal settlers, squatters, encroachers

2.3 How do we carry out the “initial screening of involuntary resettlement (IR) impacts?”

The ‘initial screening of IR impacts’ is the preliminary identification of potential impacts based on the proposed roads for construction, widening, or even maintenance works.

For example, if the Project requires widening of the existing road to 69.5 feet, initial screening will involve asking the following questions, and obtaining enough information to answer the following questions:

- Are there any households or users of land within the proposed road width?
- Will widening the road affect any public or private properties?
- Will the entire property be affected, or only part of it?
- Are these impacts likely to be permanent or temporary?
- Will there be loss of access, relocation, loss of income or livelihood?

See Sample Checklist in Annex 1 as a reference during initial screening.

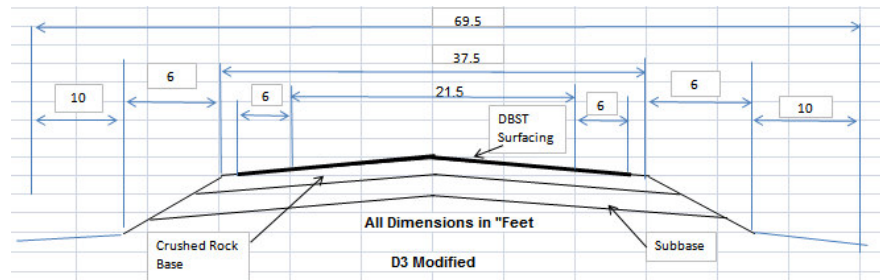


Figure 1 – Proposed road widening (total width: 69.5 feet)

2.4 The ADB SPS states “screen past, present, and future potential impacts”. Why do we need to know IR activities that already happened in the past, and IR impacts that may happen in the future?

During screening, it is important to know about the resettlement impacts and land acquisition activities that were carried out in the past for the road project or any portion of it: (i) if they were undertaken in anticipation of an ADB project or not, and (ii) if there are outstanding issues that are disadvantageous to those who have been affected by these past activities and could put ADB’s reputation at risk due to association.

It is also important to know if there will be any potential future impacts that may result from project activities, so that appropriate measures to compensate and assist future affected persons can be determined as early as project preparation.

2.5 The initial screening shows that the Project has potential IR impacts? What do we do next?

If initial screening shows that the project has potential IR impacts, then ADB’s Involuntary Resettlement Safeguards have been triggered. Therefore, preparation of a **resettlement plan** is required as part of project preparation.

Important

“For a project involving involuntary resettlement, a **resettlement plan will be prepared that is commensurate with the extent and degree of the impacts.** The degree of impacts shall be determined by (i) the **scope of physical and economic displacement**, and (ii) the **vulnerability of the affected persons.**”

ADB Safeguard Policy Statement (2009)

3

Involuntary Resettlement: Project Preparation Stage

Preparation of Resettlement Plan


3.1 What is a Resettlement Plan?

A **Resettlement Plan (RP)** is an action plan that

- discusses the resettlement objectives and principles; details of the project’s land acquisition and resettlement impacts based on social impact assessment; measures applied to avoid, if not minimize, IR impacts; compensation, assistance, and benefits for affected persons; grievance redress mechanism;
- schedule for implementing IR activities;
- responsibilities of concerned agencies; and
- budget needed to implement the IR activities.

It is prepared for projects with involuntary resettlement impacts in order to meet the objectives of ADB’s Involuntary Resettlement Safeguards.

Preparation of a Resettlement Plan is based on social impact assessment, participation, and meaningful consultation.



- The Resettlement Plan is a document of the Government (borrower).
- The Resettlement Plan is prepared in a **transparent manner** and with **active participation** of the potential affected households, local authorities, MOC staff, NGOs, civil society organizations, and other stakeholders
- **Key information in the Resettlement Plan should be disclosed** to the affected households in a form and manner understandable to them.

An outline of the Resettlement Plan is shown in Annex 2.

Resettlement Surveys and Participation Tools

3.2 What tools should we use when carrying out social impact assessment?

During Project Preparation Stage, assessment of social impacts should be carried out based on the following activities:

Status of Road Design: Preliminary Engineering Design:

- **Inventory of Losses (IOL):** The IOL is used to produce the preliminary list of affected persons (households, enterprises, and/or communities) and their potentially affected land and non-land assets.
- **Socio-economic survey (SES):** The SES is used to produce baseline data and assess socio-economic conditions and potential risks and impacts on affected persons due to IR impacts. The SES can be carried out in combination with the IOL.
- **Participation Tools.** Qualitative data gathering activities to supplement IOL and SES such as:
 - Key informant interviews
 - Focus group discussions
 - Community and public meetings
 - Direct field observations
 - Formal and informal interviews

Status of Road Design: Final detailed engineering design:

- **Census and Detailed Measurement Survey:** is used to produce the FINAL LIST of affected persons (households, enterprises, and/or communities) and FINAL RECORD of their affected land and non-land assets.
- **Socio-economic survey (SES):** The SES is used to produce baseline data and assess socio-economic conditions and potential risks and impacts on affected persons due to IR impacts. The SES can be carried out in combination with the DMS. If it cannot be combined, SES is carried out on a sample basis.
- **Participation Tools.** Qualitative data gathering activities to supplement DMS and SES such as:
 - Key informant interviews
 - Focus group discussions
 - Community and public meetings
 - Direct field observations
 - Formal and informal interviews

3.3 What is a Project cut-off date? How does it relate to resettlement surveys?

Prior to carrying out the preliminary record of affected assets or “inventory of loss”, a clear “cut-off date” should be established in order to determine who are eligible for compensation and assistance under the Project. Once a cut-off date is officially established and properly announced in public, any persons who build structures or move within the project boundary or corridor-of-impact after the cut-off date will not be eligible for assistance. It is important that the public announcement and dissemination of cut-off date is properly documented.

As good practice, the date of completion of the census can be used as cut-off date of the Project. However, the cut-off date is usually established based on the Government’s legal framework and procedures. Where there are no existing government requirements/procedures for establishing a cut-off date, the Government (borrower) should determine the Project’s cut-off date. For example, in the case of the Maubin Pyapon Road Rehabilitation Project, the cut-off date was set as the date when the results of the census and inventory of losses were presented to the affected households.

3.4 Is the information collected through IOL and SES considered “final”?

No. The inventory of affected assets (“inventory of losses”) carried out during project preparation is based on preliminary engineering design when the precise corridor of impact of the road works is not yet defined and that there has no established Project’s cut-off date. Thus, information in the resettlement plan may be tentative until a cut-off date has been established, and a census and detailed measurement survey of all affected persons and their assets have been completed based on the final engineering design. Soon after the completion of engineering designs, usually during project implementation stage, an update of the resettlement plan through the “detailed measurement survey” (final record of affected assets) has to be carried out.

The differences between asset inventory surveys carried out during Project Preparation Stage (based on preliminary engineering design) and Project Implementation Stage (based on detailed engineering design) are summarized in Table 2 below.

Table 2 – Social Impact Assessment during Project Preparation and Project Implementation

	Project Preparation Stage	Project Implementation Stage
Project’s Cut-off Date	Project’s Cut-off Date may not be established at the time of survey.	Project’s Cut-off Date established
Technical Information	Preliminary Engineering Design (Subject to final detailed engineering design)	Final Detailed Engineering Design
References prior to survey/inventory	Google map Cadastral maps as reference	Physical Demarcation (pegs/stakes on the ground). CAD maps
Activities carried out	<p>Inventory of Losses (IOL): Preliminary survey/estimate of affected persons, and Preliminary record of affected assets</p> <p>Socio-economic survey: Survey that focuses on income-earning activities of affected households and other socioeconomic indicators.</p> <p>Participation tools: Qualitative data gathering activities to supplement IOL and SES such as: Key informant interviews; Focus group discussions; Direct field observations; formal and informal interviews</p>	<p>Census and Detailed Measurement Survey (DMS) Final or Official count or survey of 100% of affected persons, and Final record of affected assets</p> <p>Socio-economic survey: Survey that focuses on income-earning activities of affected households and other socioeconomic indicators.</p> <p>Participation tools: Qualitative data gathering activities to supplement DMS and SES such as: Key informant interviews; Focus group discussions; Direct field observations; formal and informal interviews</p>

	Project Preparation Stage	Project Implementation Stage
Notes	<p>Since the survey of affected persons and inventory of affected assets are preliminary at this stage, the Resettlement Plan prepared during project preparation is based on estimates, and subject to “<u>RP updating</u>” following detailed design.</p> <p>Updating of the RP is done before any commencement of land acquisition and resettlement activities</p>	<p>The results of the census and DMS are considered “final”. RP updating is not required unless....</p> <p>.... there are changes in the detailed design that may result to impacts on persons not covered in the resettlement plan; and due to unanticipated impacts.</p>

Essential information to be collected during resettlement surveys in any given stage (i.e. project preparation or project implementation) are shown in Table 3 below.

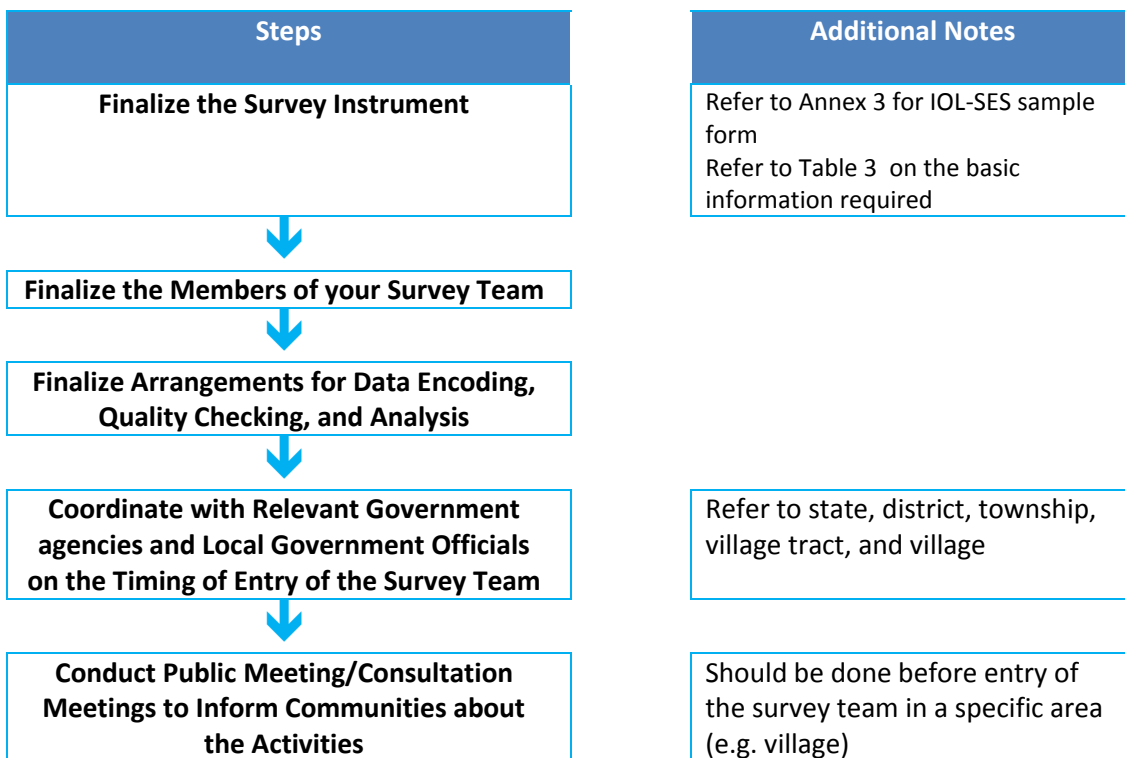
Table 3 – Information Collected during Surveys

Category of Information	Specific Information
Basic Demographic and Socio-Economic Information	<ul style="list-style-type: none"> + Name of household head + Address of household + Age, gender, ethnicity, civil status, educational attainment of household head and household members + Physical condition (disabled/not disabled) of household head + Occupation/source of livelihood and net income of household head and household members + Average monthly income + Status of savings, debts, and expenditure patterns + Amenities (e.g. ownership of appliances, and transportation) + Access to basic services (e.g. educational and health facilities, water supply, electricity) + For relocating and other severely affected households: preferences on relocation and rehabilitation based on available options
Land	<ul style="list-style-type: none"> + Type of land use (e.g., residential, commercial, forest land, agricultural, etc.) + Total area of land and affected area of land + Tenure status + Type of Impact (permanent, temporary, restricted access)
Structures (main and secondary)	<ul style="list-style-type: none"> + Type of structures (house, shops, buildings, fences, animal sheds, toilets, wells, etc.) + Total area of structure and affected area of structures + Tenure status (owner, house renter, shop renter) + Type of Impact (Partial/Total, Will require relocation)

Category of Information	Specific Information
Crops	<ul style="list-style-type: none"> + Type of Crops + Use of crops (for personal consumption or commercial use/business) + Quantity of crops affected (by number or by area, total Type of Land (e.g. residential, commercial, forest land, aquaculture, agricultural, etc.)
Trees	<ul style="list-style-type: none"> + Type of Trees + Quantity of trees affected (by number or by area)
Shops/Business	<ul style="list-style-type: none"> + Type of shop/business + Type of structure (if moveable/immovable; part of house or stand-alone shop) + Registration of shop (if registered or not) + Estimated monthly net income + Number of owners and number of workers/laborers + Duration of disruption (due to relocation or partial impacts on structure)

3.5 How do we carry out IOL (or DMS) and SES properly?

Figure 2 shows the steps in carrying out a proper IOL (or DMS) and SES. For the Maubin-Pyapon Road Rehabilitation Project, a combined IOL-SES survey form was used (See Annex 3).



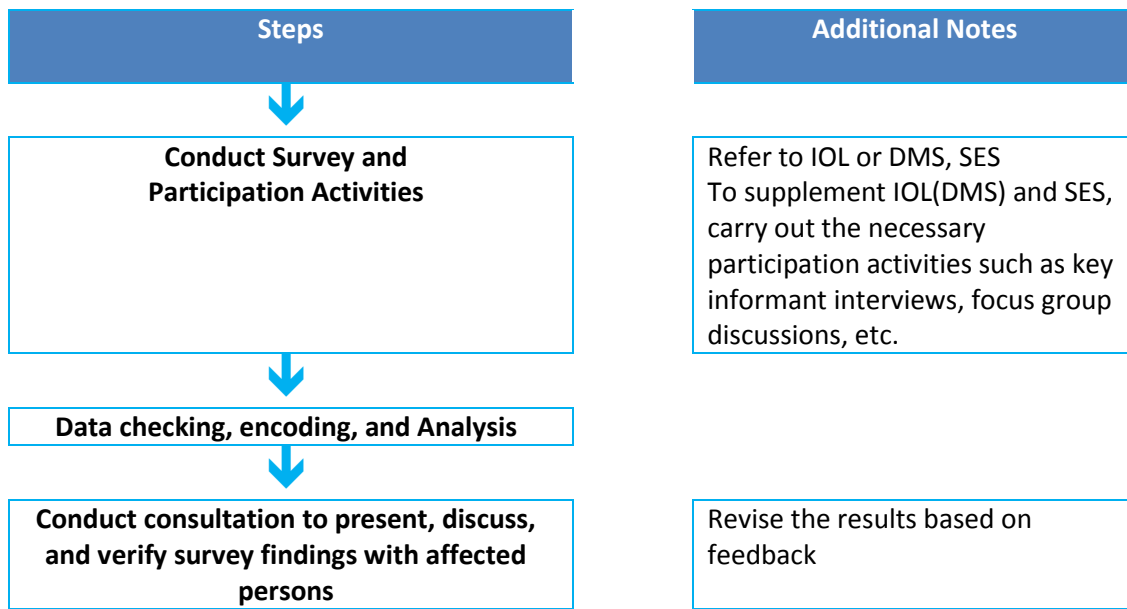



Figure 2 – Steps in Carrying Out IOL and SES



- The affected household should be informed of the exact time and date of survey activities.
- The project boundaries and corridor-of-impact should be clear and visible to the survey team and affected persons. In coordination with the project engineers, make every effort to revise the boundaries or alignment to avoid, if not minimize impacts on affected persons, provided that technical requirements and road safety of communities and road users are not compromised.
- The affected household should be present and should actively participate at the time of survey. Both husband and wife should participate in the case of married affected persons.
- The affected household should be given sufficient time to review the results of the survey before signing the IOL/DMS form. Both husband and wife should sign the form in the case of married affected persons.
- For their records and future reference, the affected household should be given a copy of the IOL/DMS form once all relevant parties sign it.
- The affected household should be informed about the project grievance redress mechanism to enable them to raise any questions or concerns they may have on the process and results of the survey.

3.6 When analyzing the IOL or DMS data, what is meant by viability of remaining land or remaining structure?

The following guidelines can be used to determine whether or not an affected asset is viable for continued use:

Table 4 – Determining Viability of Land and Structure

Type of Affected Asset	The affected asset is still viable for continued use if...	The affected asset is no longer viable for continued use if...
Residential land	<ul style="list-style-type: none"> ✓ The size of the remaining unaffected area is sufficient for the affected household to rebuild their house 	<ul style="list-style-type: none"> × The size of the remaining unaffected area is determined by the affected household and authorities as too small for the affected household to rebuild their house; hence, × The AH requests and/or authorities propose that the project to acquire the remaining unaffected portion of land
Productive land	<ul style="list-style-type: none"> ✓ The size of the remaining unaffected area is still economically viable – the affected household can continue to cultivate the area and earn income from it 	<ul style="list-style-type: none"> × The size of the remaining unaffected area is determined by the affected household and authorities as too small and no longer economically viable; hence, × The affected household requests and/or authorities propose that the project to acquire the remaining unaffected portion of land
Structures (e.g. house, warehouse, stand-alone kitchen and toilet, farmhouse, etc.)	<ul style="list-style-type: none"> ✓ The remaining area of the structure is large enough to continue being used for its original purpose ✓ It is determined by project engineers that the structural integrity is not affected. ✓ There is sufficient remaining land/space for the affected structure to be repaired/rebuilt 	<ul style="list-style-type: none"> × The remaining area is too small for it to be used for its original purpose × The structural integrity has been compromised × The structure can no longer be repaired/rebuilt due to limited remaining land area/space

3.7 Why do we need to know the socio-economic conditions of affected persons?

It is important to collect information on the existing “baseline” socioeconomic conditions of affected households as a reference point for assessment of how land acquisition and resettlement caused by the project may affect their socioeconomic conditions. This information will then help in determining what interventions (e.g. income/livelihood restoration support) should be put in place to restore the households to *at least* their pre-project conditions.

Furthermore, collecting socioeconomic information on affected households helps **identify “vulnerable households”**. These are households whose pre-existing conditions (such as being poor, landless or without legal title to land, headed by the elderly or women, and Indigenous Peoples) put them at risk of being further disadvantaged by the Project, even with compensation for their losses. Thus, appropriate measures can be included in the resettlement plan to assist these households *improve their incomes* compared to pre-project levels.

3.8 What is “participation” and who needs to “participate” in the preparation of the Resettlement Plan?

In the context of ADB-assisted operations, “participation” refers to “the processes through which stakeholders influence or contribute to designing, implementing, and monitoring a development activity.”⁸



The **core principles** of participation are:

- Promotion of **accountability and transparency**
- Participation of stakeholders at **all levels of decision-making** (policies, programs, and projects)
- Participation is **accessible to all stakeholders**: opportunities for participation are effectively communicated and barriers to the participation of particular groups are addressed.
- The **diversity** of stakeholders’ experiences, backgrounds, beliefs and skills are valued
- Participation is **voluntary**
- Stakeholders are encouraged to develop their **own ideas and solutions**

ADB. 2012. Strengthening Participation for Development Results:
An Asian Development Bank Guide to Participation. Manila.

⁸ ADB. 2012. *Strengthening Participation for Development Results: An Asian Development Bank Guide to Participation*. Manila.

There are various groups of stakeholders that participate in ADB-assisted operations. These groups are:

- **Affected persons, beneficiary groups, and host communities**
- **Government**
- **Private sector**
- **Civil society.** Civil society comprises the stakeholders outside government and the private sector. Civil society ranges from informal unorganized community groups to large international labor unions. Civil society organizations (CSOs) that are especially relevant to ADB are nongovernment organizations (NGOs), community-based organizations (CBOs) and people’s organizations, foundations, professional associations, research institutes and universities, labor unions, mass organizations, social movements, and coalitions and/or networks of CSOs, and umbrella organizations.⁹

Meaningful Consultation

3.9 What is “meaningful consultation”?


Meaningful consultation, as applied in ADB projects, generally has the **5 key elements** detailed in Column 1 of Table 5 below. Examples of strategies for meaningful consultation that were applied for Maubin-Pyapon Road Rehabilitation Project are also shown in the table.

Table 5 – Meaningful Consultation

5 Key Elements of Meaningful Consultation	Meaningful Consultation during Resettlement Planning
(i) Begins early in the project preparation stage and is carried out on an ongoing basis throughout the project cycle	Affected households, non-government organizations and other stakeholders were consulted from September 2013 to March 2014 to discuss about the Project, ADB SPS, and Resettlement Plan. Households were also informed that they will be updated on the progress of the Project and that further consultations will be undertaken to continue to elicit their views.
(ii) Provides timely disclosure of relevant and adequate information that is understandable and readily accessible to affected people	Meetings with the affected households were held in Myanmar language before and after the census, IOL, and SES; photos of census and IOL were presented to the affected people. Specific assistance to households were discussed.
(iii) Undertaken in an atmosphere free of intimidation or coercion	Meetings with the affected households were held in the Pagodas and village tract office; and affected households were encouraged to ask questions and provide suggestions.
(iv) Gender inclusive and responsive, and tailored to the needs of disadvantaged and vulnerable groups	Both men and women were encouraged to attend the meetings. Since all of the affected households were in the COI, discussions were mostly on where they could relocate, and how they could continue operating their shops once

⁹ *Ibid.*

5 Key Elements of Meaningful Consultation	Meaningful Consultation during Resettlement Planning
	the Project is completed.
(v) Enables the incorporation of all relevant views of affected people	Based on the concerns and suggestions raised by the affected households, the resettlement plan has identified strategies to encourage participation of the affected households (e.g. establishment of resettlement coordinating committee), and various assistance to affected households to address the affected households' concerns specific to relocation and possible loss of income due to relocation of shops, which are detailed in the project entitlement matrix.



Some helpful guidelines when carrying out meaningful consultation:

- Hold **meaningful and regular consultations**
- Conduct consultation meetings in the **language that is most easily understood by participants** (i.e., local dialect if the participants use this more frequently than the national language).
- Ensure that **affected vulnerable groups**, including the poor, women and ethnic minorities participate in consultation meetings by scheduling these at **times, dates and venues that are accessible** to these groups. For example, affected households may find it easier to participate in consultations held inside their village, compared to consultations held at township level.
- Hold separate, smaller meetings/discussions with vulnerable groups as needed, as they may be more comfortable asking questions or voicing out their concerns or suggestions in smaller settings.
- Prepare **detailed minutes (including attendance sheets and photos) of all consultation activities**. Refer to Annex 4 for sample template to document consultations.
- **Document** all suggestions, opinions, and concerns of affected persons regarding land acquisition and resettlement. Ensure that these are **reflected in the resettlement plan**.
- Prepare and provide **project information materials** to participants of consultation activities. Project information materials should be provided in the language that participants are most comfortable using.
- Use **media (TV, Radio) to disseminate information** about the project and about consultation activities
- Post **project information materials in areas that are accessible** to stakeholders, such as village boards and public markets.

3.10 Why are meaningful consultation and participation important in the planning process?

In general, ensuring the meaningful consultation and participation of different groups of stakeholders will:

- Help in minimizing adverse social and environmental impacts
- Increase stakeholder support and ownership of the project
- Strengthen project processing and implementation
- Strengthen sustainability of project outcomes
- Minimize confusion, confrontation or complaints from stakeholders

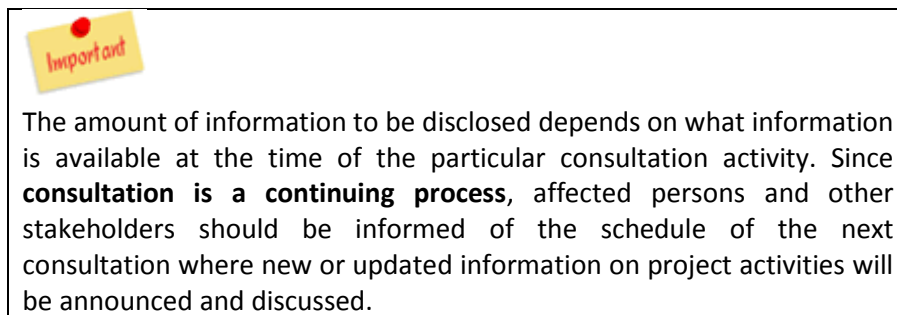
3.11 What information should we disclose during RP preparation?

The following information should be disclosed to the affected persons and other stakeholders:

- Project objectives and components
- Proposed project implementation schedule
- Project implementation arrangements
- Details of civil works to be carried out in the area
- Why land acquisition and resettlement are required for the project
- Details of the resettlement planning and implementation process (e.g . IOL/DMS, SES)
- Cut-off date for eligibility to compensation and entitlements under the Project
- Project policies on compensation and entitlements for affected persons
- Consultation and participation activities that will be carried out during project preparation
- Why meaningful consultation and participation of stakeholders are important
- Grievance Redress Mechanism
- Arrangements for monitoring resettlement implementation
- Results of the resettlement surveys, once these are collated and analyzed.

At the very least, consultation and information disclosure activities with affected households should be held on the following occasions:

- **Prior to conducting resettlement surveys.**
- **After the findings of resettlement surveys are collated and analyzed**, in order to discuss and verify these together with the affected households
- **When the draft RP has been prepared.** The draft RP, including documentation of the consultation process should be disclosed to affected persons and other stakeholders before project appraisal, in an accessible place and in understandable form(s) and language(s). Note that the final resettlement plan and its updates should likewise be disclosed to affected persons and other stakeholders.



Determining Project Entitlements and Principles of Replacement Cost

3.12 How do we determine Project entitlements for affected persons?

Entitlements are based on the types and degree of resettlement impacts that will be experienced by the different types of affected persons as identified through the Inventory of Losses (IOL) / Detailed Measurement Survey (DMS), Socioeconomic Survey (SES), and additional information from qualitative data-gathering activities (e.g. focus group discussions).

In the RP, project entitlements are presented in the Entitlement Matrix, which includes the following information:¹⁰

- Compensation for land and other affected assets based on “replacement cost”
- Assistance during transition (e.g. transportation allowance for relocating households, transition allowance, relocation assistance)
- Resettlement assistance such as provision of housing plots, houses or apartment units for relocating households;
- Income restoration measures (e.g. training, livelihood support)
- Additional support / Special assistance to vulnerable groups

A sample entitlement matrix for an ADB-financed project in Viet Nam is provided in Annex 5.

3.13 Why do we need to give additional support or special assistance to vulnerable groups?

As mentioned previously, some affected persons are considered “vulnerable” and may experience adverse impacts from a proposed project more severely than others because of their vulnerable status.¹¹ Thus, it is important to develop targeted measures, including additional assistance that is appropriate to the specific conditions of vulnerable affected persons, to **ensure that they do not experience the project’s adverse impacts disproportionately** and that **they are able to equally benefit and access opportunities** from the Project.

3.14 What is replacement cost?

“Replacement Cost”, is the **cost prevailing at the time of acquisition**. Replacement Cost includes the following:

- Fair market value of the affected asset
- Transaction costs and any other applicable payments
- Interest accrued
- Transitional and restoration costs that the household may experience after acquisition and before they are able to re-establish themselves

¹⁰ ADB 2012. Strengthening Participation for Development Results: An Asian Development Bank Guide to Participation. Manila.

¹¹ ADB. 2012. *Involuntary Resettlement Safeguards: A Planning and Implementation Good Practice Sourcebook – Draft Working Document*. Manila.

Important

- When determining replacement cost, **depreciation of assets and structures should not be taken into account.**
- In areas where there are no active markets that can be used as basis for determining replacement cost, this is then equivalent to (1) the delivered cost of all building materials; (2) labor cost for construction; and, (3) transaction and relocation costs.

ADB. 2012. *Involuntary Resettlement Safeguards: A Planning and Implementation Good Practice Sourcebook – Draft Working Document*. Manila.

3.15 How do we determine replacement cost?

The “replacement cost” for affected assets can be determined through a “**Replacement Cost Study**”, which involves collecting and analyzing data on the costs. In Viet Nam for example, a qualified appraiser is hired to carry out a replacement cost study. In determining replacement cost, the following information in the table below are obtained in the study.

Table 6 – Determining Replacement Cost

Type of Affected Asset	Information Required	Source of Information
Land	<ul style="list-style-type: none"> ✚ Market price of land ✚ Transaction costs, ✚ Taxes and other administrative costs 	<ul style="list-style-type: none"> ✚ Documents on compensation rates for land applied for recent projects implemented in the area. ✚ Interviews with: <ul style="list-style-type: none"> ○ Affected households <i>and</i> non-affected households in the area on the price of land within and around the project area; ○ Households that have recently bought or sold land within and around the project area ○ Households who are looking for lands to sell or buy in the project area ○ Local residents and officials of the concerned district/township and village general administrations, on the taxes and administrative costs when transferring land from one party to another
Houses and other structures	<ul style="list-style-type: none"> ✚ Current market price for materials and labor ✚ Transaction costs, 	<ul style="list-style-type: none"> ✚ Documents on compensation rates for houses and structures applied for recent projects implemented in the area. ✚ Interviews with:

Type of Affected Asset	Information Required	Source of Information
	including construction permit fees, if any	<ul style="list-style-type: none"> ○ Owners of structures to determine (i) the construction materials usually used for each type of affected structure; (ii) sources of construction materials used; (iii) the unit costs of these materials, including the costs of transporting the materials to the area; and, (iv) the cost of labor for constructing each type of structure. ○ Building contractors to determine (i) the construction materials usually used for each type of affected structure; (ii) the cost of construction materials for each type of structure; (iii) the cost of transporting construction materials to the area; (iv) the cost of labor for constructing each type of structure; and, (v) the unit cost per meter square of each type of affected structure. ○ Local residents and officials of the concerned district/township/village general administrations on the administrative costs, construction permit fees and other transaction costs for structures
Crops and Trees	<ul style="list-style-type: none"> + Crops: current market value + Tree: market value based on type, age, productive value or diameter at breast height of each tree 	<ul style="list-style-type: none"> + Documents on compensation rates for crops and trees applied for projects recently implemented in the area. + Interview owners, market vendors and seedling suppliers to determine the current buying and selling rates for crops in the area. + Interview owners, buyers and market vendors on the prices of trees by type, age, productive value or diameter at breast height of each tree, including labor cost to cut the trees and also transportation cost.

Relocation and Income Restoration Measures

3.16 Who are considered as relocating households?

Relocating households include the following:

- Households who can move back in the remaining land
- Households who opted to receive cash compensation for the totally affected land/structure and choose to find an area to relocate to on their own
- Households who opted for “land-for-land” and will either (i) move to a relocation site developed by the Project; or, (ii) move to a government relocation site.

3.17 How do we determine the appropriate form of compensation for affected households – cash or land-for-land?

In general, land-based resettlement strategies (“land-for-land”) are applied when affected livelihoods are land-based (for example, the affected household’s primary source of income is farming, while cash compensation at replacement cost is applied when the loss of land does not undermine the livelihood of the affected person. However, the preference of the affected household and availability of replacement land in a location acceptable to the affected household should also be considered.

Land-based strategies are also applied to assist affected households to improve their security of tenure. For example, offering a plot of land “at no cost” or “instalment basis with low or zero interest” for affected households who are poor and landless or those who have no title to land (squatters/encroachers). For a big number of affected households who will be required to relocate, a relocation site is often developed for the affected households.

3.18 What should we consider when selecting and designing the relocation site?

When selecting a relocation site, the following consideration should be kept in mind:

- The site should have basic infrastructure (electricity, water, road, sewage system, etc.)
- Public services (health services, schools, head-offices of local government) should be accessible at an acceptable distance
- The location should provide opportunities for income generation activities/business or the conditions to maintain/restore the affected livelihoods
- In rural areas, the site should have access to farming areas and the land should be suitable for cultivation so that relocating households can restore and maintain their livelihoods. The site should have adequate space for drying and storing the agricultural products as well as for raising farm animals
- Impacts of the relocation site on host populations should be considered, including acquisition of land for the relocation site, the production resources, basic infrastructure, and community services that will need to be shared, as well as different ethnic or cultural beliefs and behaviors
- There should be no adverse environmental impacts due to development of relocation site
- Relocating households should be involved in determining the appropriate location of the relocation site, the layout of the site, and house construction.
- The size and areas of house-plots/homesteads in the relocation site should take into consideration the urban/rural context and land requirements.
- There should be a common area in the relocation site to carry out community activities

- Relocating households should be provided with secure tenure in the relocation site. Documents on land tenure should be in names of both husband and wife¹²
- Facilities in the relocation site should be based on the needs of the relocating and host populations and consider future increases in demand due to natural population growth

A number of sites should be identified during project preparation and the feasibility of each site should be assessed. This way, during RP updating, the selection of sites may be finalized based on feedback from the relocating households.

3.19 What are income restoration measures / income improvement strategies?

Income restoration measures are usually developed for households who are:

- Severely affected (i.e., lose 10% or more of their productive assets and relocating households whose income/livelihoods will be affected), and
- Vulnerable households

Asking (and answering) the following questions¹³ can help understand the needs of affected households and opportunities in the project area, and develop appropriate strategies for income restoration and improvement:

- How will the project affect sources of income and livelihood?
- What are the income levels of the displaced persons?
- Are there other non-monetary sources of livelihood?
- What are the constraints and opportunities for income generation in the relocation sites?
- Is replacement agricultural land available?
- Will it be possible to continue with agricultural activity?
- How many economically displaced persons cannot be absorbed back into their previous occupations?
- What are the existing skills of the displaced persons?
- What type of training do the displaced persons need and is there capacity to provide it?
- How many displaced persons would like to start their own businesses?
- Are there any opportunities for employment or income generation in the main investment project?
- Is project management committed to income restoration beyond compensation?
- Are there any ongoing income-generating or livelihood development programs (e.g., poverty alleviation) in the project area?

¹² In Lao PDR, in line with the Family Law, land titles will automatically be issued to both the husband and wife if the land was acquired after marriage. If the wife or husband inherited or acquired the land prior to marriage, the land title or land use right certificate to be issued will be registered to the owner of the land, unless the owner of said land opts to make the property conjugal.

¹³ ADB. 2012. *Involuntary Resettlement Safeguards: A Planning and Implementation Good Practice Sourcebook – Draft Working Document*. Manila

Table 7 – Income Restoration/Improvement Strategies and Good Practice

Types of Income Restoration / Improvement	Strategy /Good Practice
Land-based income restoration	<ul style="list-style-type: none"> ✚ Replacement of lost land with new land of equal or better productive potential. ✚ Supplement land-based activities through provision of training for new farm techniques and farm inputs to make remaining land more productive
Employment-based income restoration	<ul style="list-style-type: none"> ✚ Takes advantage of employment opportunities generated by the project (e.g. in construction sites, offices) ✚ Can be combined with skills training programs for jobs that require qualifications and experience that eligible affected persons do not yet have
Enterprise-based income restoration	<ul style="list-style-type: none"> ✚ Objective is to support established entrepreneurs who have been resettled, or encourage new small businesses ✚ Requires assessment of the need for particular products, services, and skills ✚ Small businesses and entrepreneurs also need the following support: <ul style="list-style-type: none"> ○ Training to upgrade existing skills and learn new ones, including skills for business management ○ Advice on technical matters ○ Access to credit ○ Assistance in marketing

ADB. 2012. *Involuntary Resettlement Safeguards: A Planning and Implementation Good Practice Sourcebook – Draft Working Document*. Manila

Grievance Redress Mechanism

3.20 What is a Project’s Grievance Redress Mechanism?

A Project Grievance Redress Mechanism (GRM) is the process to receive and facilitate resolution of affected persons’ concerns and complaints about physical and economic displacement and other project impacts, with particular attention to impacts on vulnerable groups.

Table 8 summarizes ADB SPS requirements for the Project Grievance Redress Mechanism and provides examples from the GRM of the Maubin-Pyapon Road Rehabilitation Project.

Table 8 – Grievance Redress Mechanism

ADB SPS Requirements for GRM	Maubin-Pyapon Road Rehabilitation Project GRM
The borrower/client will establish a mechanism to receive and facilitate the resolution of affected persons’ concerns and grievances about physical and economic displacement and other project impacts, paying particular attention to the impacts on vulnerable groups.	A Resettlement Coordinating Committee (RCC), an ad hoc body, will be set-up in each township. Apart from representatives from the Public Works (PW), village tract officials and village elders are also members since they are very familiar with the socio-economic situation and needs of the affected households in their village.
The grievance redress mechanism should be scaled to the risks and adverse impacts of the project.	The RCC is set up at the project level with representatives from PW, general administrative office, village elders, NGOs, and affected households
It should address affected persons’ concerns and complaints promptly, using an understandable and transparent process that is gender responsive, culturally appropriate, and readily accessible to the affected persons at no costs and without retribution.	The village tract chief will be “point of contact” in the village. All RCC members will be provided with training and guidance by the construction supervision consultants in order to handle grievances.
The mechanism should not impede access to the country’s judicial or administrative remedies	The RCC aims to receive and address concerns and grievances at the project level as part of the Project’s good management; and it does not impede with the Government’s judicial and administrative remedies
The borrower/client will inform affected persons about the mechanism”	The affected households have been informed during resettlement planning and the GRM is reflected in the resettlement information booklet.

3.21 What are the components of an effective Grievance Redress Mechanism?

In general, an effective Grievance Redress Mechanism has the following characteristics:

- Clear roles and responsibilities for all parties involved
- Staff of relevant agencies/offices have been trained on how to fulfill their roles and responsibilities
- Adequate budget allocated and available in a timely manner
- Easily accessible to households, especially those from vulnerable groups
- Reporting requirements are clear and formalized

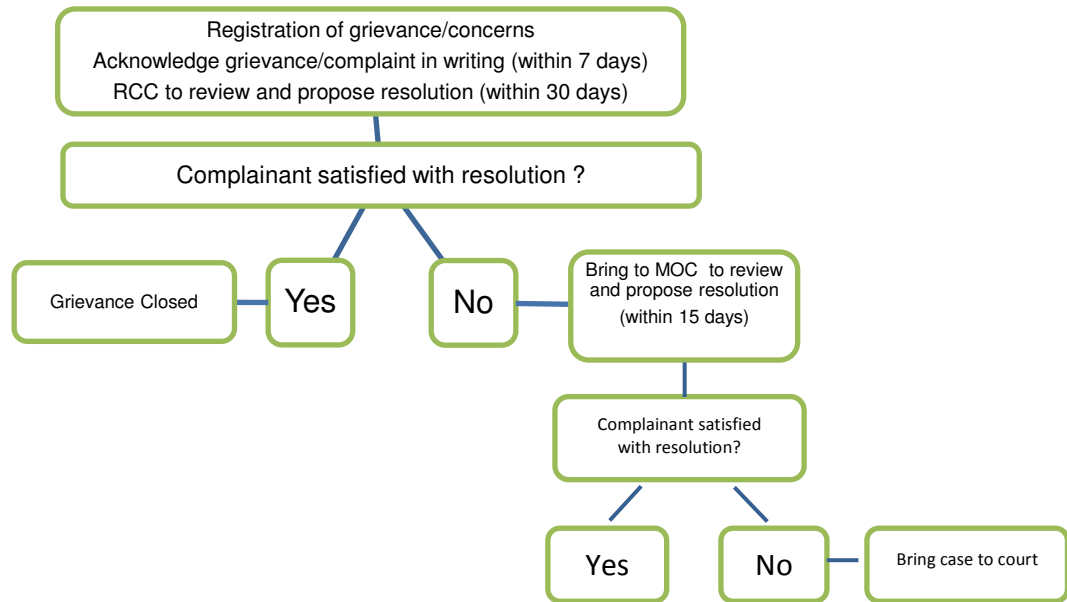


Figure 3 – Maubin-Pyapon Road Rehabilitation Project Grievance Redress Mechanism

Resettlement Budget

3.22 What should be included in the Resettlement Budget?

To ensure that implementation will be carried out as indicated in the Resettlement Plan, it is important to cover the following in the RP budget:

- Cost for RP updating activities (census, detailed measurement survey, socio-economic survey, engagement of qualified appraiser for the replacement cost study, conduct of participation and meaningful consultation and disclosure activities)
- Cost of compensation for affected assets and assistance, additional support for vulnerable households
- Relocation costs (purchase of replacement land and development of relocation site)
- Income restoration costs (design and implementation of detailed income restoration program which may include training, provision of farm inputs, replacement land)
- Administration costs (salary, per diem, transportation costs for staff; office space, vehicle,
- Cost for training/capacity building for project staff (eg. MOC, local authorities)
- Cost for monitoring and reporting
- Contingency (e.g. usually 10% contingency is applied in the Resettlement Plan)

Resettlement Implementation Schedule

3.23 Why is resettlement implementation schedule important?

Resettlement implementation schedule is important because:

- It helps project authority to prepare the required resources and properly carry out the activities within the scheduled time frame before commencement of any construction activities.
- It helps the affected people to be fully informed and to enable them to plan ahead.

In the implementation schedule, the indicative activities and time frame are detailed below.

Table 9– Sample of Indicative Implementation Schedule

Activities	Time Frame
Project Preparation	
Resettlement Plan preparation	Jan – Jun 2015
Government discloses key information in the RP to the affected persons	Jun 2015
Government submits Resettlement Plan to ADB	Jun 2015
ADB reviews and sends its concurrence on the RP	Jun 2015
ADB uploads Resettlement Plan on ADB website	Jun 2015
Project Implementation	
Detailed Design	Jul 2015 – Nov 2015
Updating of Resettlement Plan	
Establishment of the Resettlement Coordinating Committee	Jul 2015
Engagement of External Monitoring Agency	Jul 2015
Carry out meaningful consultation and participation	
Information campaign before DMS	Jul 2015
Conduct of Replacement Cost Survey by qualified appraiser	Aug-Nov 2015
Detailed Measurement Survey	Aug-Nov 2015
Update Resettlement Plan and disclose key information to the affected persons	Nov-Dec 2015
Submit Updated RP to ADB for review and concurrence	Dec 2015-Jan 2016
ADB to upload updated RP ADB website.	Dec 2015-Jan 2016
Disbursement of Payment, Clearance of Land	Feb 2016 - onwards
Issuance of Notice-to-Proceed (NTP) for specific sections to civil works contractors	Apr 2016 - onwards
Monitoring (internal and external) semi-annual basis	Jul 2015 - onwards
Grievance Redress	Jul 2015 - onwards

Institutional Arrangements

3.24 What is needed to have an effective institutional arrangement for the Project?

It is very important that the institutional arrangements are clearly defined with focus on staff and their capacity, including logistical arrangements. Capacity building interventions should be put in place following the training needs assessment during resettlement planning.

In the Maubin-Pyapon Road Rehabilitation Project, a Resettlement Coordinating Committee (RCC) was set-up as an ad-hoc body in each township to carry out resettlement planning and implementation. The RCC was also tasked to set-up a mechanism wherein grievances are logged and resolved at the RCC level.

The RCC is composed of the following representatives from the Public Works Township Office, government administrative office; civil works contractor, construction supervision consultants, village tracts, land records, other stakeholders such as village elders and non-government organizations; and affected households (male and female representatives).

4

Involuntary Resettlement: Project Implementation Stage

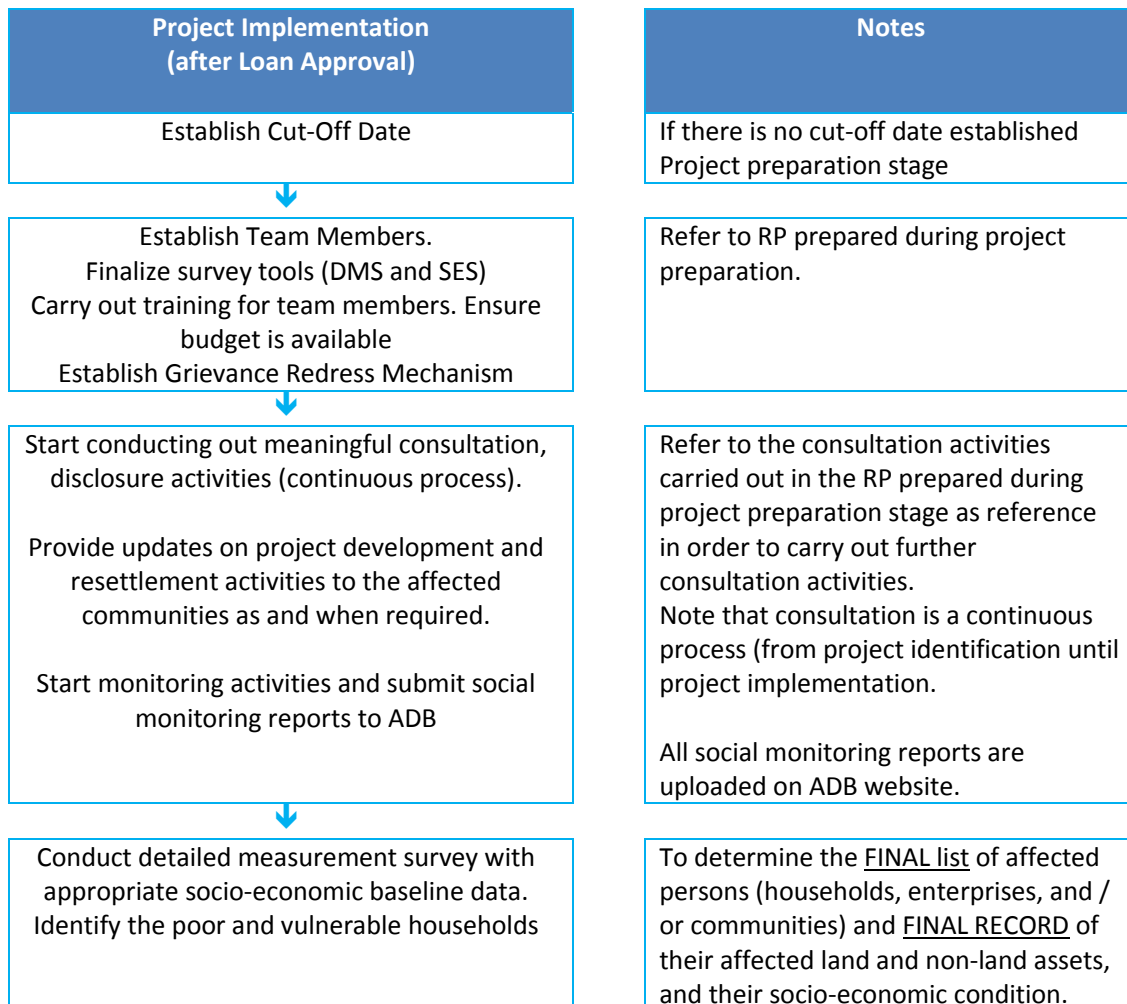
Resettlement Plan Updating and Implementation

4.1 Do we need to update the Resettlement Plan during Project Implementation (after Loan Approval)?

Yes, updating of the Resettlement Plan is required if:

- the RP prepared during project preparation was based on preliminary design and preliminary survey of potentially affected persons.
- the RP prepared during project preparation was based on final detailed engineering design but there are changes in the scope of project work or unanticipated impacts found during project implementation.

RP implementation begins once you start carrying out RP updating activities. In the figure below, activities to be carried out during RP updating are presented. It should be noted that monitoring of resettlement activities should also start once RP updating activities begin.



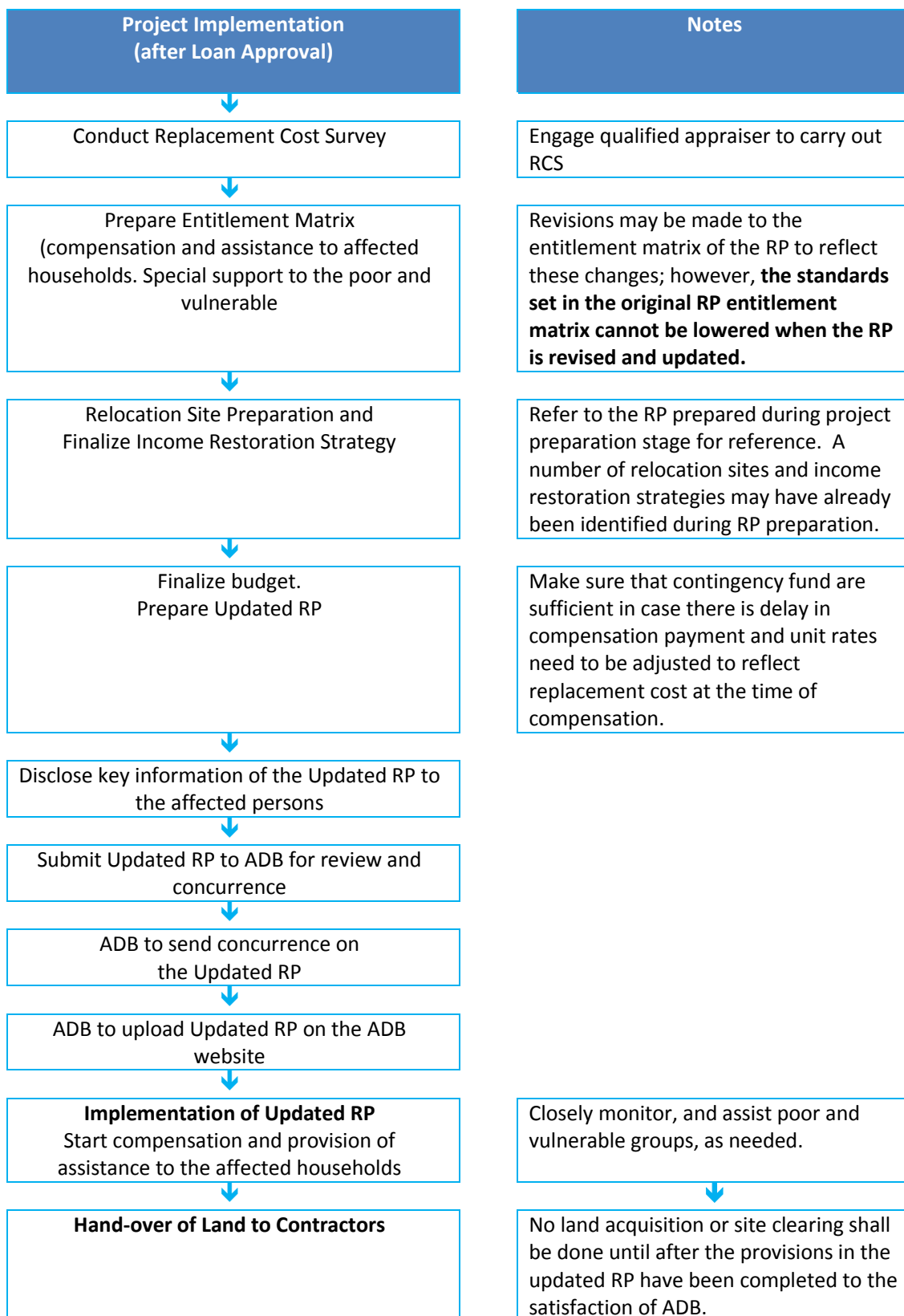


Figure 4 – Project Implementation – Resettlement Activities



The guiding principle for **RP implementation** is that **all key resettlement plan activities, such as land acquisition, compensation payment, and relocation of people to the new site**, should be completed far in advance of the start of construction of the civil works.

- ADB. 2012. Involuntary Resettlement Safeguards: A Planning and Implementation Good Practice Sourcebook – Draft Working Document

More helpful guidelines for Resettlement Implementation

4.2 When can we start paying compensation and providing assistance to the affected households?

When MOC and ADB have agreed on the final RP (or updated RP), provision of compensation and providing assistance to affected households can commence.



- Announce in advance the schedule of payment of compensation and cash assistance to the community and affected households, as well as the venue for payment of compensation
- The venue for payment should be convenient for affected households and should minimize or eliminate travel costs for them
- Pay compensation at full replacement cost for affected land, housing and other assets and provide assistance to affected households before physical and/or economic displacement takes place.
- For married affected persons, both husband and wife should be present during payment of compensation.
- Give copies of compensation receipts which details the impacts and corresponding payments to the affected household.
- Compensation is considered “paid” when the amount in cash or in cheque has been physically provided to affected persons or deposited into their bank account, or in an escrow account*.

*Escrow accounts can be established for the deposit of compensation payment in cases where land acquisition is delayed or cannot be completed due to factors beyond the control of a project, such as ownership disputes, inheritance processes, or when owners cannot be located

*ADB. 2012. Involuntary Resettlement Safeguards: A Planning and Implementation Good Practice Sourcebook – Draft Working Document. Manila)

4.3 When can we start relocating the affected households

You can start relocating households when (i) compensation has been fully paid; (ii) assistance has been provided; and (iii) development of the relocation site has been completed.

Important

- Determine and agree on the schedule of relocation in consultation with local authorities and relocating households.
- Ensure that all relocating households, host communities and local authorities are informed about the agreed schedule. Post the agreed schedule in public places.
- Water and electricity connections should already be in place prior to relocation
- Agree on the schedule of issuance of land title or certificate.
- Adequate staff should be assigned during relocation to assist relocating households, especially the vulnerable groups.
- Closely monitor the relocation activities

Monitoring

4.4 Why is internal monitoring important?

The objective of internal monitoring is to check the progress and efficiency of RP implementation in order to:

- Check if the objectives of the RP are being met
- Identify any problems or issues as they arise
- Determine how best to address these issues
- Ensure the availability of the human and financial resources you will need to address these issues

In sum, regular and efficient monitoring will help ensure satisfactory implementation of the RP.

Prepare regular monitoring reports that discuss the findings of monitoring activities. These reports will be submitted to ADB. All social monitoring reports are uploaded on the ADB website.

4.5 What is an external monitor?

The tasks of an external monitor are:

- To verify the results of internal monitoring reports prepared by Government
- To examine whether provision of compensation and other agreed forms of assistance complies with the agreed RP
- To assess the effectiveness, impact and sustainable level of resettlement management agencies and procedures;
- To propose necessary adjustments in the implementation of RPs and IRPs to improve implementation effectiveness.

External monitor are engaged when the Project has significant involuntary resettlement impacts.

An external monitor should be a qualified professional with relevant experience and who are not involved in the day-to-day project implementation or supervision. The external monitor can be a consulting firm, NGO, or individual consultants engaged by the Project.

5

Indigenous Peoples: An Overview

This section provides an overview of ADB’s Indigenous Peoples Safeguards as described in the ADB Safeguard Policy Statement.

5.1 Who are considered Indigenous Peoples under ADB SPS?

There is no “universal definition” for Indigenous Peoples (IPs). Different terms may be used in different countries to refer to IPs, including “indigenous ethnic minorities, indigenous cultural communities, aboriginals, hill tribes, minority nationalities, scheduled tribes, or tribal groups.”¹⁴

However, for operational purposes, the term Indigenous Peoples is used in a generic sense to refer to a distinct, vulnerable, social and cultural group that possessed the following characteristics in varying degrees:

- Self-identification as members of a distinct indigenous cultural group and recognition of this identity by others;
- Collective attachment to geographically distinct habitats or ancestral territories in the project area and to the natural resources in these habitats and territories;
- Customary cultural, economic, social, or political institutions that are separate from those of the dominant society and culture; and,
- A distinct language, often different from the official language of the country or region.

In considering the characteristics stated above, national legislation, customary law, and international conventions to which the country is a party will also be taken into account.


5.2 What are ADB’s Indigenous Policy Safeguards Principles?

The ADB Indigenous Peoples Safeguards policy principles are:

- **Screen early** on to determine (i) whether Indigenous Peoples are present in, or have collective attachment to, the project area; and (ii) whether project impacts on Indigenous Peoples are likely.
- Undertake a **culturally appropriate and gender-sensitive social impact assessment** or use similar methods to assess potential project impacts, both positive and adverse, on Indigenous Peoples. **Give full consideration to options the affected Indigenous Peoples prefer** in relation to the provision of project benefits and the design of mitigation measures. **Identify social and economic benefits** for affected Indigenous Peoples that are culturally appropriate and gender and intergenerationally inclusive and develop measures to avoid, minimize, and/or mitigate adverse impacts on Indigenous Peoples.

¹⁴ ADB. 2009. Safeguard Policy Statement. Manila.

- Undertake meaningful consultations with affected Indigenous Peoples communities and concerned Indigenous Peoples organizations to solicit their participation (i) in designing, implementing, and monitoring measures to avoid adverse impacts or, when avoidance is not possible, to minimize, mitigate, or compensate for such effects; and (ii) in tailoring project benefits for affected Indigenous Peoples communities in a culturally appropriate manner. To enhance Indigenous Peoples' active participation, projects affecting them will provide for culturally appropriate and gender inclusive capacity development. Establish a culturally appropriate and gender inclusive grievance mechanism to receive and facilitate resolution of the Indigenous Peoples' concerns.
- Ascertain the **consent** of affected Indigenous Peoples communities to the following project activities:
 - commercial development of the cultural resources and knowledge of Indigenous Peoples;
 - physical displacement from traditional or customary lands; and
 - commercial development of natural resources within customary lands under use that would impact the livelihoods or the cultural, ceremonial, or spiritual uses that define the identity and community of Indigenous Peoples.



Consent of affected Indigenous Peoples communities refers to a collective expression by the affected Indigenous Peoples communities, through individuals and/or their recognized representatives, of broad community support for such project activities. Broad community support may exist even if some individuals or groups object to the project activities.

- Avoid, to the maximum extent possible, any restricted access to and physical displacement from protected areas and natural resources. Where avoidance is not possible, ensure that the affected Indigenous Peoples communities participate in the design, implementation, and monitoring and evaluation of management arrangements for such areas and natural resources and that their benefits are equitably shared.
- Prepare an Indigenous Peoples plan (IPP) that is based on the social impact assessment with the assistance of qualified and experienced experts and that draw on indigenous knowledge and participation by the affected Indigenous Peoples communities. The IPP includes a framework for continued consultation with the affected Indigenous Peoples communities during project implementation; specifies measures to ensure that Indigenous Peoples receive culturally appropriate benefits; identifies measures to avoid, minimize, mitigate, or compensate for any adverse project impacts; and includes culturally appropriate grievance procedures, monitoring and evaluation arrangements, and a budget and time-bound actions for implementing the planned measures.
- Disclose a draft IPP, including documentation of the consultation process and the results of the social impact assessment in a timely manner, before project appraisal, in an accessible place and in a form and language(s) understandable to affected Indigenous Peoples communities and other stakeholders. The final IPP and its updates will also be disclosed to the affected Indigenous Peoples communities and other stakeholders.

- Prepare an action plan for legal recognition of customary rights to lands and territories or ancestral domains when the project involves (i) activities that are contingent on establishing legally recognized rights to lands and territories that Indigenous Peoples have traditionally owned or customarily used or occupied, or (ii) involuntary acquisition of such lands.
- Monitor implementation of the IPP using qualified and experienced experts; adopt a participatory monitoring approach, wherever possible; and assess whether the IPP's objective and desired outcome have been achieved, taking into account the baseline conditions and the results of IPP monitoring. Disclose monitoring reports.

5.3 When do we consider Indigenous Peoples as vulnerable?


Below are a number of indicators that can help in when determining vulnerability of indigenous peoples:

- Demographic
 - Live in remote or isolated areas
 - Live in areas with poor natural resource base
 - Live in areas that are prone to adverse climatic events (e.g. flooding, drought, typhoon)
 - At risk of being overwhelmed in numbers by in-migration or by other groups
- Social
 - Lack of access to basic social services
 - Marginalized / Disadvantaged by discriminatory practices
 - Disadvantaged in social indicators (e.g. poor health, low literacy rate)
- Economic
 - Poorer than the mainstream group
 - Lack of access to economic opportunities as compared to mainstream
 - At risk of being overwhelmed in numbers by in-migration or by other groups
 - Lack of resources to or control over assets and resources
 - Insufficient livelihoods
- Political
 - Lack of representation in the formal decision-making bodies at the national or local level
- Participation
 - Poor participation due to lack of access to information
 - Unable to participate due to indigenous peoples' distinct language or culture

5.4 When is ADB’s Indigenous Peoples Safeguards triggered by a Project?

A project has triggered the ADB Indigenous Peoples Safeguards if:

- The project directly or indirectly affects the dignity, human rights, livelihood systems, or culture of Indigenous Peoples
- The project affects the territories or natural or cultural resources that Indigenous Peoples own, use, occupy, or claim as their ancestral domain.



- Impacts on IPs is not only within the fixed boundaries of the project area (i.e. corridor-of-impact) but should also consider the whole project impact zone
- Impacts on IPs can be positive or negative
- Impacts on IPs can be long term or short term
- Impacts on IPs can be direct or indirect

IPs who “lost collective attachment to geographically distinct habitats or ancestral territories in the project area because of forced severance remains eligible for coverage” under the ADB’s IP safeguards policy.

Preparation of an IPP is not required if...

- IPs are the only or the **great majority of direct project beneficiaries**, AND
- Only **positive impacts** are identified

Under the above conditions, the elements of an IPP can be included in the overall project design instead of preparing a separate IPP.

5.5 What information needs to be included in an IPP?

The level of detail and comprehensiveness of the IPP must match the significance of potential impacts on Indigenous Peoples. An outline of an IPP is presented in Table 10 below

Table 10 – IPP Outline

Outline of an IPP	Substantial Information
Executive Summary	✚ Summary of key findings on project impacts on Indigenous Peoples, as well as recommended actions
Description of the Project	✚ Description of the Project area ✚ Description of Project components and activities that may affect indigenous peoples
Social Impact Assessment	✚ Discussion of legal and institutional framework applicable to Indigenous Peoples in the project context. ✚ Baseline information on: <ul style="list-style-type: none"> ○ Demographic, social, cultural, and political characteristics of the affected IP communities; ○ The land and territories that the affected IP

Outline of an IPP	Substantial Information
	<p>communities have traditionally owned or customarily used or occupied;</p> <ul style="list-style-type: none"> ○ The natural resources that the affected IP communities depend on. <ul style="list-style-type: none"> ✦ Identification of key project stakeholders ✦ Description of the culturally appropriate and gender-sensitive process for meaningful consultation with IPs at each stage of project preparation and implementation ✦ Analysis of the potential adverse and positive effects of the project on IP communities, <ul style="list-style-type: none"> ○ Analysis should be based on meaningful consultations with the affected IP communities ○ Analysis should be gender-sensitive ○ Analysis should consider the vulnerability of the IP communities, given (i) how dependent they are on land and other natural resources; and (ii) their access to services and opportunities compared to the general population ✦ Analysis of the IPs' views on the project and the project impacts on their: <ul style="list-style-type: none"> ○ Social status ○ Economic status ○ Cultural status ✦ Discussion of recommended measures to avoid adverse impacts on IP communities; or, where adverse impacts cannot be avoided, measures to minimize, mitigate and compensate for these impacts <ul style="list-style-type: none"> ○ Recommended measures should be based on meaningful consultation with affected IP communities ✦ Discussion of measures that will be taken to ensure that IPs receive culturally appropriate benefits from the project <ul style="list-style-type: none"> ○ Recommended measures must be based on meaningful consultation with affected IP communities
<p>Information, Disclosure, Consultation and Participation</p>	<ul style="list-style-type: none"> ✦ Description of activities that were carried out during project preparation related to information disclosure, consultation and participation with affected IP communities. ✦ Summary of comments of affected IP communities on results of the social impact assessment ✦ Summary of concerns raised by IP communities during consultations and description of how these concerns were addressed in the project design

Outline of an IPP	Substantial Information
	<ul style="list-style-type: none"> ✦ For project activities that required “broad community support” <ul style="list-style-type: none"> ○ Documentation of process and outcomes of consultations with affected IP communities that were carried out to obtain broad community support ○ Documentation of the outcome of these consultations ✦ Description of consultation and participation activities that will be carried out during project implementation ✦ Confirmation of disclosure of the draft and final IPP to the affected IP communities
Beneficial Measures	<ul style="list-style-type: none"> ✦ Identification and discussion of measures to ensure that IPs receive social and economic benefits that are culturally appropriate and gender responsive
Mitigative Measures	<ul style="list-style-type: none"> ✦ Identification and discussion of measures to avoid adverse impacts on IPs; ✦ For adverse impacts that cannot be avoided, identification and discussion of measures to minimize, mitigate and compensate for these impacts
Capacity Building	<ul style="list-style-type: none"> ✦ Description of measures that will be taken to strengthen the social, legal, and technical capabilities of the following offices/organizations to address IP issues and strengthen their ability to support the participation of IPs: <ul style="list-style-type: none"> ○ Government institutions; ○ IP organizations in the project area
Grievance Redress Mechanism	<ul style="list-style-type: none"> ✦ Process to be used by the project to receive and efficiently resolve the concerns and grievances of affected IP communities. ✦ Explain how the grievance redress mechanism is accessible to IPs, and that it is culturally- and gender-sensitive.
Monitoring, Reporting and Evaluation	<ul style="list-style-type: none"> ✦ Description of process and indicators that will be used to monitor and evaluate the implementation of the IPP ✦ Schedule of preparation and submission of monitoring reports ✦ Discussion of arrangements to ensure that the affected IP communities participate in preparing and validating the monitoring and evaluation reports.
Institutional Arrangements	<ul style="list-style-type: none"> ✦ Institutional responsibilities for implementing the IPP; ✦ Role of relevant local organizations in implementing the IPP
Budget and Financing	<ul style="list-style-type: none"> ✦ Itemized budget for all activities in the IPP

6

Annexes

Annex 1 – IR Initial Screening

Initial Screening Checklist	Remarks/Additional Notes (Quantify if information is available)
What works will be done? (may have multiple answers) <input type="checkbox"/> construction of new road <input type="checkbox"/> road widening <input type="checkbox"/> maintenance works <input type="checkbox"/> Others : _____	
Is the site of land acquisition known? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Known	
Is the ownership of land site of land acquisition known? (e.g. government ROW, private land) <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Known	
Are there users or owners of land within the proposed road works? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Known	
Will there be loss of houses within the proposed road works? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Known	
Will there be loss of small shops, kiosks, businesses within the proposed road works? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Known	
Will there be loss of crops and trees within the proposed road works? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Known	
Will there be loss of income sources and means of livelihood within the proposed road works? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Known	
Will people lose access to natural resources, community facilities and services? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Known	
If land use is changed, will it have a negative impact on social and economic activities? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Known	
Will access to land and resources owned communally or by the state be restricted? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Known	
INITIAL IR ASSESSMENT	
Any estimate of the likely number of households that will be affected? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Known : If yes, approximately how many?	
Any estimate of the likely number of vulnerable households (the poor, the landless, the elderly, women and children, ethnic minorities, and those without legal title to land) that will be affected? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Known : If yes, approximately how many?	
Any estimate of the likely number from ethnic minorities? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Known : If yes, can you identify which ethnic group they belong to?	
Are there any past IR Impacts associated with any of the project components?	
Are there any potential future IR Impacts because of the proposed project?	
Additional Information:	

Annex 2 – Sample RP Outline

Sections of the Resettlement Plan	Specific Information Required
Executive Summary	<ul style="list-style-type: none"> ✦ Summary of the project scope and components ✦ Summary of the land acquisition and resettlement impacts of the project ✦ The total number of affected households and affected persons, and total number of households and persons who are “severely affected”¹⁵ ✦ Short description of the entitlements of affected persons ✦ Summary of the consultation and participation activities that were carried out during preparation of the RP ✦ Brief information on implementation arrangements, grievance redress mechanism, monitoring, schedule, and budget
Project Description	<ul style="list-style-type: none"> ✦ General description of the project impacts, outcome and outputs, and the project area. ✦ Description of project components that result in land acquisition, involuntary resettlement, or both ✦ Description of measures taken to avoid or minimize resettlement.
Scope of Land Acquisition and Resettlement	<ul style="list-style-type: none"> ✦ Description of the surveys and other activities you carried out to determine the land acquisition and resettlement impacts of the project ✦ Details of the project’s land acquisition and resettlement impacts ✦ Number of “severely affected” households and persons, if any ✦ Maps of the project impact areas
Socio-economic Conditions of Affected Households <i>*Remember: Socio-economic information on affected households should be disaggregated by the gender of the household head and other relevant social groupings (e.g. ethnic group)</i>	<ul style="list-style-type: none"> ✦ Description of people and communities who will be affected; ✦ The likely impacts of land and asset acquisition on the people and communities, considering their social, cultural, and economic conditions; ✦ The likely impacts on the poor, indigenous and/or ethnic minorities, and other vulnerable groups; and, ✦ Likely impacts on women, considering their socioeconomic situation, needs, and priorities.
Information, Disclosure, Consultation and Participation	<ul style="list-style-type: none"> ✦ Identification of project stakeholders; ✦ Description of consultation and participation strategies to be used during the different stages of the project cycle; ✦ Description of activities already undertaken to engage stakeholders and disseminate project and resettlement information; ✦ Summary of the results of consultations with affected persons (including host communities); ✦ Discussion of how concerns and recommendations of affected persons have been addressed in the resettlement plan;

¹⁵ “Severely affected households” are those who: (i) being physically displaced from housing, or (ii) losing 10% or more of their productive (income generating) assets (ADB. 2012. *Involuntary Resettlement Safeguards: A Planning and Implementation Good Practice Sourcebook Draft Working Document*. Manila.)

Sections of the Resettlement Plan	Specific Information Required
	<ul style="list-style-type: none"> ✦ Confirmation of disclosure of the draft resettlement plan to affected persons and arrangements to disclose any subsequent plans; ✦ Description of planned information disclosure measures (including the type of information to be disclosed and the methods that will be used); ✦ Description of the process and strategies that will be used for consultation with affected persons during project implementation.
<p>Grievance Redress Mechanism</p> <p><i>* Remember: In this section, you should explain how the project Grievance Redress Mechanism is accessible to affected persons, and is culturally- and gender-sensitive.</i></p>	<ul style="list-style-type: none"> ✦ Process to be used by the project to receive and efficiently resolve the concerns and grievances of affected persons.
<p>Legal Framework</p> <p><i>* Remember: In this section, you should clearly describe the legal and policy commitments of MOC for all types of displaced persons and all types of losses due to land acquisition and resettlement under the Project.</i></p>	<ul style="list-style-type: none"> ✦ National and local laws and regulations that apply to the project; ✦ Description of the gaps/differences between local laws and each of ADB's IR safeguards policy principles; ✦ Description of how gaps/differences between local laws and ADB's policy requirements will be addressed; ✦ Description of the Resettlement Policy Principles that will be applied for the Project; ✦ Description of the principles and methods used to determine the value of affected assets, incomes and livelihoods; ✦ Description of the principles and methods used to determine compensation at replacement cost for these affected assets, incomes, and livelihoods; ✦ Description of how and when compensation and assistance will be provided to affected households
<p>Entitlements</p> <p><i>*Remember: You should include an entitlement matrix that shows how each type of impact for the different types of affected persons will be addressed.</i></p>	<ul style="list-style-type: none"> ✦ The entitlements and eligibility of affected persons, ✦ Description of all resettlement assistance measures ✦ Description of all assistance that will be provided to vulnerable groups; and, ✦ Description of opportunities for affected persons to derive development benefits from the project.
<p>Relocation of Housing and Settlements</p>	<ul style="list-style-type: none"> ✦ Options for relocating housing and other structures ✦ Description of alternative relocation sites considered, community consultations conducted; and justification for selected sites, including details about location, environmental assessment of sites, and development needs of relocating households; ✦ Timetables for site preparation and transfer; ✦ Description of legal arrangements to regularize tenure and transfer titles to resettled persons; ✦ Measures to assist displaced persons with their transfer and establishment at new sites; ✦ Plans to provide civic infrastructure; and ✦ Discussion of strategies to ensure integration with host populations.

Sections of the Resettlement Plan	Specific Information Required
Income Restoration and Rehabilitation	<ul style="list-style-type: none"> ✦ Description of income restoration activities, including multiple options for restoring all types of livelihoods (examples include project benefit sharing, revenue sharing arrangements, etc.); ✦ Measures to provide social safety net through social insurance and/or project special funds; ✦ Special measures to support vulnerable groups; ✦ Gender considerations for livelihood restoration; and ✦ Training programs.
Resettlement Budget and Financing Plan	<ul style="list-style-type: none"> ✦ Itemized budget for all resettlement activities, including for the resettlement unit, staff training, monitoring and evaluation. ✦ Description of the flow of funds ✦ Justification for all assumptions made in calculating compensation rates and other cost estimates (including contingencies). For example, include results of the replacement cost survey. ✦ Information about the source of funding for the resettlement plan budget.
Institutional Arrangements	<ul style="list-style-type: none"> ✦ Institutional responsibilities for implementing the resettlement plan; ✦ Assessment of institutional capacity for implementing the resettlement plan, and description of capacity building activities (including technical assistance), if required; ✦ Role of NGOs, if involved, and organizations of affected persons including women in resettlement planning and management
Implementation Schedule <i>* Remember: The implementation schedule should show how land acquisition and resettlement activities relate to the schedule of civil works for the project.</i>	<ul style="list-style-type: none"> ✦ Detailed timeline to implement all key resettlement and rehabilitation activities.
Monitoring and Reporting	<ul style="list-style-type: none"> ✦ Strategies and indicators that will be used for monitoring and evaluating the implementation of the resettlement plan. ✦ Arrangements for participation of affected persons in the monitoring process. ✦ Reporting procedures, including schedule for submission of monitoring reports

Annex 3 – IOL-SES Survey Form
Source: Maubin Pyapon Road Rehabilitation Project Resettlement Plan

INSTRUCTION: To be accomplished for all persons/households and organizations/institution with affected assets (e.g., houses, shops, waiting sheds, and crops) located within construction area or corridor of impact (COI) specified in the TA Consultants' preliminary road designs.

Survey Code of AP/AH: _____

I. Location of the affected asset of the affected person (AP), affected household (AH), or organization

A. Location of affected asset(s): District:	Township:	Village	Mile/kilometer post:
B. Name* of Occupant/Owner of the Affected Asset(s):			

**NOTE: If a single-person household, write the name of the AP; if an AH, write the name of the head of the AH; if an institution or organization, write the name of the institution or organization. A person who lives alone by himself/herself is considered a single-person household.*

II. Affected Assets (This section **WILL BE** filled-up for all AHs and organizations or institutions affected by the loss of assets)

A.1 Land: no private land affected; civil works will be confined within the existing 150 feet ROW.

--

B.1 Main structures* found in the occupied Project construction area/limit:

Type or use of the affected main structure	Structure classification**	Total area (m ²) of the structure	Area (m ²) of the affected portion of the structure	State whether the structure will have to be acquired/affected PARTIALLY or TOTALLY

**Main structures: Regardless of structural condition and construction materials used, these are buildings that are fixed on the ground with at least four posts, with roof, and used as residence, shop or place of commerce, residence and shop at the same time, etc..*

*** Specifics of classification: Use structure classification system of the local government (district or township).*

B.2 Tenure status over the affected main structures:

Main Structure	Tenure (check the appropriate box below)			
	Owner	Tenant/renter	Occupying WITH permission of owner	Occupying WITHOUT permission of owner
	[]	[]	[]	[]

B.3 If the affected house/store/building does not belong to the AP/AH:

A. Name of owner of affected main structure	Address of owner of affected main structure	Paying Rent? Check appropriate box below		If Paying Rent, How much is Monthly Rent? (Indicate in Kyat)
		No	Yes	
U/Daw _____		[]	[]	
B. Does the tenant AH own a house/building elsewhere? [] No [] Yes, location: _____				

C. Secondary structures* found in the occupied Project construction area/limit:

Type of affected secondary structure	Structure classification**	Total area (m ²) / length (lm) of the structure	Affected area (m ²) / length (lm) of the structure
1.			
2.			
3.			

**Secondary structures: Structures that are not moveable and not part of the main structures, such as fence, driveway, waiting sheds, farm sheds, irrigation canal, etc..*

*** Specifics of classification: Use structure classification system of the local government (district or township).*

D. Annual crops found in the occupied Project construction area/limit:

Name / type of annual crops*	Actual area planted to the crop (m ²)

Name / type of annual crops*	Actual area planted to the crop (m ²) by Category**		
	A	B	C

**Examples of annual crops: rice, corn, sugarcane, cassava, etc.*

E. Type and number (count) of perennials found in the occupied Project construction area/limit:

Name of perennial	Young and not yet bearing fruit	Bearing fruit (within age of peak production)	Bearing fruit (old)
1.			
2.			
3.			
4.			
Total			

F. Count of timber trees of commercial value found in the occupied Project construction area/limit:

Name of tree	Count
Total	

G. Loss of business and income:

Nature of Business*	Net Monthly Income (Kyat)	Duration of Disruption in Business Operation (Check appropriate box)	
		Permanent	Temporary
		[]	[]

**Examples of business: motor vehicle repair shop, grocery store, eatery*

III. Socioeconomic information: (This section **WILL NOT** be filled-up if the affected asset belongs to an organization or institution)

A. Basic information about the head of the AH

1. Name:		2. Home address: Village: _____ Township: _____ District: _____	
3. Gender: a. Male b. Female		4. Age: _____	5. Physical condition: a. Normal b. Disabled
6. Civil status: a. Single b. Married c. Widow/Widower d. Divorced			7. Religion: _____
8. Ethnic affiliation: a. Bamar/Burman b. Shan c. Rakhine d. Karen e. Chinese f. Mon g. Indian h. Other (specify) _____			
9. Educational attainment: _____		10. Main livelihood activity of the head of AH: a. _____ (specify) b. No work/looking for work c. Retired/not looking for work	

B. Socioeconomic information on the AH

1. Number of persons presently living with the household: 1 2 3 4 5 6 7 8 Other (specify number) _____					
2. Basic information on persons presently and actually living with the AH:					
Household member	Relationship with head of AH	Age	Gender	Educational attainment	Livelihood activity
1					
2					
3					
4					
5					
6					
7					
8					
3. Average monthly income of the AH (combined from all members): Kyat _____				4. Average monthly savings: a. Kyat _____ b. None	
3. By percentage, how much of the average monthly income of the AH go to the following expense items (total should not exceed 100%): a. Food: _____% b. Clothing: _____% c. Health: _____% d. House maintenance: _____% e. Education: _____% f. Productive asset: _____%					
6. Health concerns: a. Most common ailments (sickness) that afflicted members of the AH the past one year: i. _____ ii. _____ b. For ailments of members of the AH the past year that required professional help, did you go to a doctor, medical clinic, or hospital? i. Yes ii. No Why not? _____ c. Where is the nearest medical clinic or hospital located from where you live? i. Same village of the AH ii. In another village in the same township iii. In the district/town center					
7. Sanitation concerns: a. Source(s) of water for drinking: i. Ground well belonging to the AH ii. Pump well belonging to the AH iii. Piped water from public provider iv. Public/neighbor's open well v. Public/neighbor's pump vi. River/canal vii. Buy from retailers viii. Other (specify) _____ b. Source(s) of water for washing: i. Ground well belonging to the AH ii. Pump well belonging to the AH iii. Piped water from public provider iv. Public/neighbor's open well v. Public/neighbor's pump vi. River/canal vii. Buy from retailers viii. Other (specify) _____ c. Toilet facility used by the AH: i. Simple water sealed (use pail for flushing) ii. Water sealed with flushing mechanism iii. Open pit iv. Closed pit v. None					

7. Sanitation concerns: (continuation)				
d. Bathing facility used by the AH:				
i. Enclosed bathroom in the house		ii. Open bathing area beside the house		iii. River/canal
e. Garbage disposal practice:				
i. Bury by the AH		ii. Collected by local government		iii. Burn by the AH
8. Main fuel/power used for lighting:				
i. Electricity from public provider		ii. Kerosene		iii. Rechargeable battery
iv. Own generator		v. Other _____		
9. Main fuel/power used for cooking:				
i. Electricity	ii. Kerosene	iii. LPG	iv. Wood	v. Other _____
10. Owner of home appliances:				
i. Television	ii. Refrigerator	iii. Radio/cassette recorder	iv. Telephone/cellphone	
v. DVD/CD player	vi. Oven/stove	vii. Electric fan	viii. Others (specify) _____	
11. Ownership of transportation				
i. Car	ii. Pick-up	iii. Truck	iv. Motorcycle	v. Bicycle
vi. Other (specify) _____		vii. None		
12. Availability of social facilities/services				
a. Primary school:	i. Same village of the AH	ii. In another village in the same township	iii. In the district/town center	
b. Elementary school:	i. Same village of the AH	ii. In another village in the same township	iii. In the district/town center	
c. High school:	i. Same village of the AH	ii. In another village in the same township	iii. In the district/town center	
d. Vocational school:	i. Same village of the AH	ii. In another village in the same township	iii. In the district/town center	
e. College/University:	i. In the district/town center		ii. In another district/town center	
f. Place of worship:	i. Same village of the AH	ii. In another village in the same township	iii. In the district/town center	
g. Market:	i. Same village of the AH	ii. In another village in the same township	iii. In the district/town center	
13. Other landholdings of the AHs that are away from (outside of) the road right-of-way (ROW):				
	Area of land in m²			
Tenure/Proof of Ownership	Residential/Commercial	Farmland	Forestland	Pond
Land use certificate				
Freehold				
Gay-an				
La Na 39				
TOTAL LAND AREA				

IV. Reconstruction option of AH losing entire house and/or store (This section **WILL NOT** be filled-up if the affected asset belongs to an organization or institution):

1. Build in the remaining area of ROW outside of the COI
2. Build on land of another person outside of the ROW
3. Relocate on another land owned by the AH outside of the ROW
4. Landless informal settler

V. Public Participation and perception about the Project (This section **WILL NOT** be filled-up if the affected asset belongs to an organization or institution):

1. Are you aware of the proposed rehabilitation of the road in your village?
 - a. Yes Where or how did you learn about the proposed rehabilitation of the road in your village?

b. No

2. What are your positive and/or negative views, if any, about the proposed rehabilitation of the road in your village?
 - a. Positive:

b. Negative:

3. What are your suggestions, if any, on how to ensure that local residents, especially those whose assets are affected, are adequately informed and their suggestions and complaints are considered by the authorities during the whole time that the road rehabilitation Project is carried out in your village?

a. _____

b. _____

4. What are your suggestions, if any, on how to ensure that local residents will derive benefit from the Project, during the construction of the road and after the road has been rehabilitated road is already operational?

a. _____

b. _____

VI. Grievance redress (This section **WILL NOT** be filled-up if the affected asset belongs to an organization or institution):

1. If you have any complaint or concern regarding any aspect related to the rehabilitation of the road in your village, such as accuracy of the inventory of your affected assets; amount or level of compensation for your affected assets; construction activities of the civil works contractor; etc.

a. To whom do you think your complaint or concern should be brought to? _____

b. In what way should you bring forward your complaint or concern?

b.1 Verbal

b.2 Written

2. In the event that you are not satisfied with the action taken by the person or office where you first brought your complaint or concern, to whom do you want to bring your complaint or concern next for appropriate action? _____

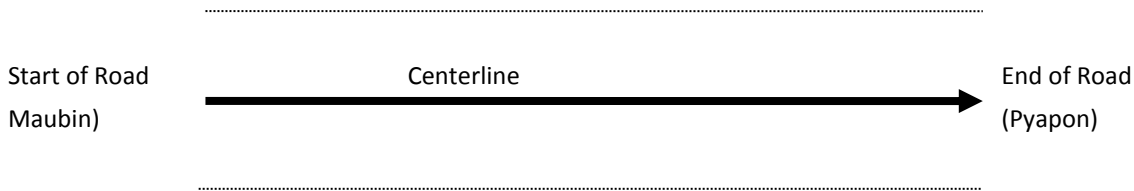
Name and Signature of AH or Representative

Relationship of representative with the AH

Name and Signature of Enumerator

Date accomplished: _____

VII. Sketch of affected assets relative to their location in the ROW: (Stationing: mile)



Annex 4 – Minutes of Consultation Meeting

Name of Project: _____
Minutes of Consultation Meeting
1. Date and Time (*time start and time end):
2. Venue:
3. Total number of participants: _____
4. Number of female participants: _____
5. Description of participants <ul style="list-style-type: none">- Name and positions of government officials- Name and positions of project staff- Number of affected households
6. * Attach signed attendance sheet
7. Purpose of meeting * For example, to inform AHs about proposed project, discuss results of the IOL, etc.)
8. Detailed minutes, highlighting questions raised by participants and project response:

Prepared by:

Notes: Attach signed attendance sheets and photos from the meeting.