

VOLUME 4 – CHAPTER 4

ETHNIC MINORITY DEVELOPMENT PLAN FOR PROJECT LANDS

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4 ETHNIC MINORITY DEVELOPMENT PLAN FOR PROJECT LANDS

4.1 INTRODUCTION AND OVERVIEW OF ETHNIC GROUPS IN PROJECT LANDS

4.1.1 Approach and Overview of Ethnic Groups in Project Lands

The aim of this Ethnic Minority Development Plan for Project Lands is to ensure that consultations and mitigation plans take into consideration the concerns of ethnic minority groups in a culturally sensitive manner. Moreover, additional measures and support are outlined for the most vulnerable communities.

Ethnic minority issues have been addressed in detail in Volumes 2 and 3 of the SDP, including detailed socio-economic and cultural assessments that form the basis for resettlement and mitigation. Since Project Lands are located in the same areas or areas adjacent to the Plateau resettlement zone and the Xe Bangfai, only particular issues will be raised in relation to Project Lands and areas that have not been covered in Volumes 2 and 3 in sufficient detail.

Table 4-1 provides an overview of all ethnic groups in Project Land groups and potential impacts on these groups.

Table 4-1: Overview of Ethnic Groups in relation to Project Lands

PL Group	Description	Ethnic Groups and Impacts
1	Phou Pha Phet Quarry and access road and Road 8B upgrading from quarry to Lak Sao	Various ethnic villages along Road 8B, including Tai Meuy, Hmong and Vietic, as well as small groups of Tai Theng, Sek, Khmu and Bo near Lak Sao.
2	Dam Site, Dam Site Access road and road to Nam Nian	Access road exit near the Hmong/Vietic village of Phonsa-at. Insignificant impacts on forests.
3	Road 8B between Thalang and Nam Nian	Mixed ethnic composition of Thalang and Nam Nian, including Tai, Brou (Makong), Bo, Lao, Phou Thay – villages included in the Resettlement Plan (see Volume 2). Minor impacts on forests.
4	Road 8B between Oudomsouk and Thalang	Villages predominantly Tai Bo with smaller populations of Brou (Makong), Kaleung, Vietic, Lao and Tai groups – villages included in the Resettlement Plan (see Volume 2). Minor impacts on forests before COD.
5	Saddle dams 13A/14A and access road	No villages located in this isolated area. Minor impacts on forests before COD.
6	Saddle dams 12B, 1A, 2B, 4A, Intake Structure and Construction Camp SE of Oudomsouk	Oudomsouk town consists of many ethnic groups with Lao Loum groups dominant (Tai-Lao, Phou Thay, Lao Kaleung) but also Brou (Makong), Bo and Sek.
7	Saddle dams 5A, 6B, 7A, 8A, 9A, 10A, 11A, roads to saddle dams and Headrace channel & construction camp adjacent to west of Oudomsouk	Oudomsouk town – same as Group 6.
8	Surge Shaft area and access road	No villages located in this area
9	Headrace Tunnel Access portal, road and spoil area	No villages located in this area
10	Power Station Site, including camp areas, UXO area, Prelim works area, Construction period area, CP TL lines and Road 8B to the end of tailrace channel	No villages located in this area but land belonging to Brou (Makong) village of Koodphadang. Impacts include loss of land and production and resources.
11	Road 8B - Gnommalath to Regulating Pond and Dam, Downstream Channel and spoil locations, 115 & 500 kV Transmission Line from Regulating Dam to turnoff to Thakhek and access roads and Access Road to Downstream Channel North of Gnommalath	There are a number of Brou (Makong) villages with fields in this area as well as populations of Lao Kaleung and other Tai Lao ethnic groups that will be directly impacted. Loss of land, structures and production.
12	Camp areas and working area near Road 8B/12 Junction North and South of Downstream Channel Tunnel and on Road 8B before Xe Bangfai access road, Phou Phathoung Quarry area and access road, and Southern downstream Channel Tunnel Access Road & CW3 Work area.	Project features located in the vicinity of Brou (Makong) villages on the Gnommalath Plain. Loss of land and production.

PL Group	Description	Ethnic Groups and Impacts
13	Access Road to Xe Bangfai Confluence camp and work areas, entrance to XBF access road and junction of Roads 8 and 12	Project features located in the vicinity of Brou (Makong) villages on the Gnommalath Plain. Limited loss of land.
14	500 kV Transmission Line from turnoff to Thakhek to Savannakhet and access roads	Transmission Line passes through a number of fields belonging to villages of different ethnic groups, primarily Brou villages in Gnommalath and Mahaxai Districts and Tai Lao villages to the south. Loss of land, structures and production.

From the perspective of socio-economic and cultural aspects, the following Project Land groupings are described in some detail in below:

- PL Groups 1 and 2 along Road 8B in Bolikhamxai Province;
- PL Groups 6 and 7 in Oudomsouk Town;
- PL Groups 10-13 in Downstream Areas on the Gnommalath Plain; and
- PL Groups 14-15 along Road 12 and Transmission Lines.

Other project land groups result in minor impacts as a result of roads and other construction activities.

4.1.2 Ethnic Minorities and Vulnerability

WB and ADB policies on Indigenous Peoples (OD 4.20 and ADB 1998) apply to four main minority groups located in the Project Lands. These groups exhibit characteristics that qualify them under the policies, including:

- Self-identification by others as a distinct group
- A linguistic identity or indigenous language
- Social, cultural, economic and political traditions and institutions that differ from the dominant group
- Economic systems oriented toward traditional production systems
- Attachment to traditional habitats and ancestral territories and the natural resources in these territories

Table 4-2: Ethnic Minorities in Project Lands and Vulnerability

Ethnic Group	Characteristics	Potential Issues and Vulnerability
Vietic groups (To'e, Maleng and others) along NR8B (Mon-Khmer ethno-linguistic group or <i>Lao Theung</i>)	Exhibit all characteristics listed in the policies	Particularly vulnerable since they live in relatively small communities <ul style="list-style-type: none"> • Reliant on natural resources to a large extent – rights to use land and resources and protection from outsiders using these resources • Some have only recently settled from a hunter-gatherer lifestyle – special assistance for livelihood development • Many are dominated and exploited by other ethnic groups – separation from other groups and separate villages
Hmong along NR8B (Hmong-Yao ethno-linguistic group or <i>Lao Soung</i>)	Not indigenous but with minority culture, language and social organisation	Recent arrivals in the area <ul style="list-style-type: none"> • Present unsustainable utilisation of natural resources – development of livelihood options
Brou (Mon-Khmer ethno-linguistic group or <i>Lao Theung</i>)	Exhibit all characteristics listed in the policy but some have similar economic systems to the dominant groups	Indigenous to the area with a wide variety of livelihood systems and various level of integration into the socio-economic and cultural systems of the dominant Tai Lao groups <ul style="list-style-type: none"> • Livelihood support, health and education development and capacity building for the Brou to be relocated in Oudomsouk • Option of Plateau residents to return to their natal villages and qualify for the fully livelihood development package in those locations • Livelihood development options for impacted households in the downstream areas
Bo (Formerly Vietic or mixed, classified as Tai Lao or <i>Lao</i>)	Residents of parts of the Nakai Plateau and indigenous to the area	Indigenous to the Nakai Plateau <ul style="list-style-type: none"> • Livelihood support, health and education development and capacity building for the Tai Bo to be relocated in Oudomsouk

Ethnic Group	Characteristics	Potential Issues and Vulnerability
<i>Loum</i> but consider themselves as <i>Lao Theung</i> like other Plateau dwellers)	– exhibit all characteristics of minority groups	Option of Plateau residents to return to their natal villages and qualify for the fully livelihood development package in those locations

The Vietic groups are considered as particularly vulnerable since they live in small communities, are heavily reliant on natural resources, have less developed agricultural system and technology, have a history of involuntary relocation and are presently exploited by other groups.

4.1.3 Legal and Policy Framework

The Legal and Policy Framework for Project Lands is outlined in Chapter 5 of this volume, including relevant laws and legislation for all PAPs. The NT2 Compensation policy and entitlements states that all losses and project impacts will be compensated for and PAPs will participate in the planning and implementation of mitigation arrangements. The legal framework for Ethnic Minorities in Lao PDR is explained Chapter 3, Volume 1 of the SDP.

4.2 ETHNIC MINORITIES BASELINE FOR PROJECT LANDS

4.2.1 Project Land Groups 1 and 2: Bolikhamxai Province

There are a number of ethnic groups located along Road 8B and the surrounding areas. Table 4-3 provides an overview of these groups.

Table 4-3: Ethnic Groups along Road 8B

Village*	Pop./HH in 2003	Ethnic Groups	Comments
Chengsavang	765/120	Meuy (Pouak)	New Administrative Unit, combined with Nampan
Nam Thi	1015/143	Meuy (Hmong, Bo)	New village Adm Unit (3 years old), resettlement from Phonhong, Phonsouk, Phabang
Phonxai	439/74	Meuy	Old village site (20 years old), from Boungxang, Nahang
Ko Hai (Nam Kata)	1290/220	Hmong (Meuy)	New village site, From Viengthong District and Xiengkhuang Province
Phonsi	433/88	Meuy	Old village site
Phonsa at mai		Hmong	Combined with Phonsa At (New Administrative Unit)
Phonkeo		Hmong	Combined with Phonsa At (New Administrative Unit) Previously a Vietic village site, but Vietic groups moved out less than 10 years ago
Phonsa at	1016/172	Hmong	Combined new village site consisting of Hmong from outside the region
Pakkatan	212/34	Vietic – To'e	Combined with Phonsa At as New Administrative Unit but with separate village location

*Several villages have two names due to consolidation of villages and hamlets into large Administrative Units

Approximately half the villages along Road 8B between the dam access road and Lak Sao are Tai-Lao or *Lao Loum*, including Phou Thay and Tai Bo and various Upland Tai groups, such as Tai Moey, and Tai Pouak. There are also a few Sek families located in Namphao. Most of these groups are well established in the area and have some paddy cultivation. These groups are closest in terms of culture, language and traditions to the dominant Tai-Lao group and most integrated of the ethnic groups along Road 8B.

There are two main ethnic minorities in this area. The Vietic groups, represented by the To'e and other small groups, classified as Vietic II according to linguistic analysis and livelihood systems (cf. Care 1996; SEMFOP 2003). These groups are probably indigenous to this area but now represent a minority, having been replaced by other groups or forced to seek other village locations. They are dominant in only one village (Pakkatan), and there may be a few households present in other villages along the route. There may be some under-reporting of the number of Vietic households since some households may be identifying themselves as belonging to other ethnic groups.

These groups have been described as 'vulnerable' since most have only recently become sedentary and are still undergoing a transition from primarily a hunter-gather existence to agricultural production. The fact

that Pakkatan is now being incorporated into a New Administrative Unit with the larger village of Phonsa-At, where the Hmong are the majority, and may be considered for relocation closer to Phonsa-at, could lead to further integration and loss of cultural uniqueness. Other Vietic groups constitute small groups in larger villages dominated by the Hmong in Phonsa-At and the Phou Thay and Moey in Nam Phao in the past but in 2004 this does not appear to be the case. The Vietic groups are being marginalised due to the fact that other groups are settling in their traditional territory and competing for the available natural resources. This may have been one reason why some households have moved out of villages along the road. The Vietic groups are the least integrated into the mainstream economy (market economy), mostly illiterate and not represented in political organisations, except for some positions in local leadership.

The Hmong are concentrated in Phonsa-at, Phongsat Mai, Phonsuok and Ko Hai. Most of these Hmong are recent arrivals (within the last 15 years) from Viengthong District in Xaisomboun Province and from various Districts in Xieng Khouang Province. These are relatively large populations reliant on swidden agriculture supplemented by livestock production, gathering of NTFPs, fishing and hunting in nearby forested areas. The present harvesting of natural resources by these populations is putting considerable pressure on the environment and could threaten the biodiversity of the nearby Nakai-Nam Theun NPA as well as the long-term sustainability of their livelihoods (cf. Section 3.4.1.6 of the SEMFOP-1).

4.2.2 Project Land Groups 6 and 7: Oudomsouk Town

Oudomsouk Town or Nakai District Centre (often referred to as *Muang Nakai*) was established in 1992 and has grown in size considerably since then. Most of the present population is not indigenous to the area, either coming from Nihom 3 State Farm or from other parts of the province or country, consisting of former Royalist army officers and government officials from all over the country (Tai Lao, Lue, Phouane or Phuan, and other Tai-Lao ethnic groups). Nihom 3 was dismantled in the early 1990s with the majority of the population settling on the Nakai Plateau, primarily in Oudomsouk. Many have married local women and own shops, stalls and small business. The population of Nihom 3 formed the majority of the population in 1997 and in 2003-04 still represent about 40% of the population. In-migration to Oudomsouk from its establishment as a District Capital to 1996 is indicated in the table below.

Table 4-4: Origins of In-Migration into Oudomsouk, 1992-96

Place of Origin	No. of Households	Arrival Date	Type of Work
Nihom 3	109	1992-96	BPKP, labourers, restaurant owners
Khammouane Province	64	1992-96	Army, police, teachers, doctors, officials
Nakai Plateau villages	25	1995-96	Farmers living on the outskirts of town
Ban Lak Sao	23	1995-96	Labourers, shop owners
Pakse	2	1995	Merchants
Pakading	2	1996	Farmers and merchants
Savannakhet Province	3	1995	Shop owners
Mahaxai District	6	1995-96	Shop and restaurant owners
Total	234		

The population of Oudomsouk in 2002 was 289 households of approximately 1,500 people, and in the 2003 census there was 300 households of approximately 1,700 people. It is estimated that more than 100 households in Oudomsouk will be directly impacted by project construction activities and the reservoir inundation.

The ethnic population (male and female household heads) of Oudomsouk according to the 2002-03 ethnic surveys is summarised in Table 4-5.

The Tai Lao population, predominantly Phou Thay and Lao originally from outside the Nakai area, represent about 75% of the total population of the town. The Brou and Vietic Groups are mostly from the Nakai Plateau and represent less than 25% of the population of the town. A number of Brou and Vietic groups and Tai Bo have recently relocated to the town from outlying villages on the Plateau in

order to be closer to markets. Most of these households are still engaged in agriculture and have swidden fields near the town or back in their natal villages.

Table 4-5: Ethnic Population Male and Female Household Heads in Oudomsouk

Ethnic Groups	Male Household Heads	Female Household Heads
<i>Tai Lao Groups</i>		
Tai Men	3	5
Tai Moey	10	13
Other Upland Tai Groups	2	6
Phou Thay	46	50
Sek	4	4
Lue	4	4
Tai-Lao	51	40
Tai Bo	7	19
Lao Kaleung	10	13
Tai Nyaw (Ngo)	1	6
Tai Puan	5	9
Tai Yooy	2	6
Total Tai Lao	145	175
<i>Mon-Khmer Groups</i>		
Makong (Brou)	39	35
Other Kautic Groups	3	2
Vietic Groups	3	1
Total Mon-Khmer Groups	45	38
Others	2	1

4.2.2.1 Project Affected Ethnic Minorities in Oudomsouk (LPAs 16-19)

The census and socio-economic survey for impacted areas of Oudomsouk that are impacted by the existing road improvements (LPA 16 and 17) and saddle dams (LPA 18 and 19) in Oudomsouk town. Annex 3-1 (in Chapter 3 of this volume) lists all affected households by ethnic group for these areas. The majority of people residing in these parts of the town are Tai-Lao and related groups but there are also significant numbers of ethnic minorities, totaling about one fifth of the impacted households.

Table 4-6: Ethnic Groups Impacted by Project Construction Lands in Oudomsouk

Declared Ethnicity	No. of Persons	Declared Ethnicity	No. of Persons
Lao-Tai Groups		Mon-Khmer Groups	
Lao	126	Brou/Makong	34
Phou Thay	70	Khmu	11
Phouane	28	Souay	6
Lao Kaleung	16	Tri	2
Tai Bo	10		
Sek	10		
Tai Men	8		
Tai Moei	7		
Tai Yooy	5		
Tai Aek	4		
Tai Deeng	3		
Tai Pao	3		
Tai Xam	2		
Tai Vang	1		
Totals:	293		53

Most people declared that they were ‘ordinary citizens’, that is belonging to families that combine farming with other types of income, including wage labour, gathering NTFPs and other income-generating activities. The remaining groups were government staff, soldiers, skilled workers or involved in the service sector. Of the ethnic minorities, only the Brou/Makong are indigenous to the area. The Khmu, Souay and Tri and possibly many of the Brou/Makong are unlikely to be reliant on farming as a main source of

income but are rather involved in trade or have salaries as government servants. Many Khmu are originally from Nihom 3 and originally from Luang Prabang and other areas in northern Lao PDR.

It should also be noted that from the sample survey of 25% of affected households, that 10 households consisted of mixed marriages, that is either the husband or wife only being an ethnic minority. 13 households were recorded with both husbands and wives being minorities. This attests to the ‘cultural melting pot’ of the Nakai Plateau.

A full inventory of losses in terms of rice fields, gardens, fishponds, swidden plots (current and fallow) as well as communal grasslands, forests, wetland or swamp is provided in Table 3-12 of Chapter 3. A detailed account of fixed assets and impacted fixed assets is provided in Tables 3-13 and 3-14.

4.2.2.2 Socio-Economic Characteristics of Oudomsouk

A socio-economic survey of 25% of the affected population of Oudomsouk (73 households) was undertaken in December 2004. Results of this survey reveal that the population of Oudomsouk is semi-urban by nature since many families rely on the natural resources of the Plateau and engage in farming to some extent. Of the ethnic minorities in the 25% sample, there are three government employees, two soldiers, two merchants and one retired (government pension).

In terms of land holdings and productivity that will be impacted (see Tables 3-12-15), 20 households owned rainfed wet season rice fields, totalling 258 hectares (27% of the sample), 6 households with irrigated dry season paddy, totalling 4.45 hectares and only 3 households with irrigated wet season paddy, totalling 2.15 hectares. In addition, 26 households stated that they cultivated upland rice fields (35.6% of the sample) for household consumption. 38 households have vegetable gardens (52% of the sample) but only 10 households reported having fruit trees.

The socio-economic survey also reports that there is considerable harvesting of NTFPs (Annex Table 3-5). The gathering of bamboo shoots and fishing are the two most common sources of food and income. Collection of rattan, resin, wild vegetables and other sources are also important. Over half of the households own small livestock (mostly chicken) and there are relatively few households with large herds of cattle and buffalo (only three with 20 or more head).

In sharp contrast to the villages of the Nakai Plateau, the majority of households in Oudomsouk own televisions due to the recent installation of electricity (59 of 73 households, or 80.8%).

4.2.2.3 Income Differentiation in Oudomsouk

The average income from the 25% sample is 5,704,496 Kip. This is approximately three times the recorded income for rural communities on the Nakai Plateau recorded in 1998 but given the fact that there has been inflation over the last seven years. A comparison with the value in USD reveals that this income is about 15% higher than rural incomes: 449 USD for rural areas and about 560 USD for Oudomsouk.

There is a wide range of income levels from 55,000 to 66,700,000 but the majority of households are close to the average. There are seven households in the sample that have both husband and wife listed as ethnic minorities. The income levels for these are in the low to middle range from 1,000,000 to 7,000,000 Kip. Five of the seven households were under the average level, two being well under the average household income. All are below the Lao Poverty Line. All ethnic minority households, except one receiving a pension and relying on collection of NTFPs, were involved in small businesses or engaged in wage labour, and are not solely reliant on agriculture for survival. From the sample one can assume that the majority of ethnic minorities are not among the most resourceful groups in Oudomsouk.

4.2.3 Project Land Groups 10-13 on the Gnommalath Plain

The majority of the villages to be impacted as a result of the project activities and permanent and temporary features are Brou and related Mon-Khmer groups (Chalui, Salui, So, etc.). See Table 4-7.

Some villages require confirmation in terms of ethnic composition but it is clear from available data that the Brou are the majority in this project impact area. Some villages are mixed and others contain populations of Lao Kaleung and other Tai Lao groups. In terms of livelihood systems, these Brou villages

share a similar livelihood system to the Tai Lao based on irrigated and rain-fed paddy production as is described in some detail in Chapter 7 of Volume 3.

Table 4-7: Ethnic Groups in the Villagers close to the Downstream Channel Project Lands

No.	Village	District	HHs in village (2000)	Dominant Ethnic Groups
1	Keoivilai	Gnommalath	58	Brou
2	Laongarm	Gnommalath	122	Brou
3	Nongsaeng	Gnommalath	64	Brou (Lao Kaleung)
4	Thathot	Gnommalath	171	Brou
5	Phonlatkhuay	Gnommalath	113	Brou
6	Phonkhame	Gnommalath		Brou
7	Thongmang	Gnommalath	46	Brou
8	Donesavang	Gnommalath	25	Brou (Lao Kaleung)
9	Namkathang	Gnommalath	64(?)	Brou
10	Thamphuang	Gnommalath	78	Brou
11	Thamphong	Gnommalath	37	Brou
12	Thangbeng	Gnommalath		Lao Kaleung
13	Phathung	Gnommalath	59	Lao Kaleung/Brou
14	Phonkhene	Gnommalath		Lao Kaleung/Brou
15	Kuanphan	Gnommalath	176	Chali/Salui
16	Khok	Mahaxai		Brou
17	Phachumkhong	Mahaxai	51	Brou

4.2.3.1 Project Affected Ethnic Minorities on the Gnommalath Plain

The census of PAPs impacted by these project lands has been conducted. The results reveal that all households are listed as the Brou ethnic minority except for one household. The majority of these households have agriculture as the main source of income. A detailed inventory is presented in Annex 3-9 to 3-12 in Chapter 3. Eighty-two households are estimated to lose more than 10% of rice production and sufficiency. There is also considerable collection of NTFPs and TFPs as well as fish catches and limited hunting by these villages, up to 77% collection of the total NTFP collection, 84% of wildlife and 91% of fisheries in LPAs. As wealth index, there are few households with electrical appliances, such as TVs or refrigerators. A detailed account of losses for these LPAs has been given in the previous chapter in Section 3.4. Since the majority of impacted households are Brou, a consultation process and mitigation arrangements will be culturally sensitive, taking into consideration local needs and using the local language. The general strategy as outlined in Chapter three involves accessing loss in terms of production (rice, NTFPs, etc.) and replacement with alternative livelihoods, primarily improved irrigation systems.

For LPAs 38a and 38b a similar detailed census has been conducted with a 42% sample of income sources. This reveals that the majority of impacted households is also Brou and require a similar replacement strategy in terms of improved irrigation systems.

4.2.4 Project Land Groups 14-15 along Road 12 and Transmission Lines

There are a number of ethnic groups along Road 12 and transmission lines, including Brou and other *Lao Theung* ethnic minority groups. The tables below indicate some of these groups already identified. The remaining ethnic groups are in the process of being identified.

Villages along Road 12 (including the proposed 115 kV Transmission Line route) from the Thakhek to the turn-off south to Mahaxai can be classified into two groups. Ethnic minority villages, mostly Brou and Chali/Salui, and more newly established villages, usually mixed *Lao Loum* (Tai-Lao, Phou Thay and Tai groups) together with some Brou. There are also one Sek village. The villages in the vicinity of Thakhek have very mixed populations, as is often the case with villages located along the road since improved services, electricity, markets and infrastructure attract villagers from the surrounding area. Table 4-8 below provides an overview of the ethnic groups along the Road 12.

Table 4-8: Villages along Road 12

Village	Province	District	No. HH and Pop. in 2004	Ethnic Groups (Approximate Year of being Established)
Keovilay	Khammouane	Gnommalath	58/ca. 300 in 2000	Brou village (a few mixed HHs)
Nong Seng	Khammouane	Gnommalath	71/333	Brou village
Somsanook	Khammouane	Gnommalath	98/608	Brou and Kaleung mixed village
Gnommalath Town (Tay and Neua)	Khammouane	Gnommalath	282/1438	Mixed population of Brou/Makong, Lao Kaleung, Lao and a few Sek, Tai and other HHs
Thang Beng and Thamphuang	Khammouane	Gnommalath	91/522	Lao, Sek and Brou/So (7 HHs) (1988) – originally a Brou/So village and area
Pha Thung and Phone Khene	Khammouane	Gnommalath	67/374	Sek and Tai Moci (1927)
Kuanphan	Khammouane	Gnommalath	180/924	Old Chalui village and new Mixed new site (Lao, Chalui, Katak, Kapong, etc.) (1985)
Phit	Khammouane	Mahaxai	19/80	Lao Kaleung (1988)
Khok	Khammouane	Mahaxai	77/397	Old Brou (Makong) – some recent Lao arrivals
Phachumkhong	Khammouane	Mahaxai	57/302	Lao and Brou/So (9 HHs)
Lak Hok and Phonsa-at	Khammouane	Mahaxai	295/1519	Phou Thay, Lao Kaleung and Makong/Brou and other groups
Lak Chet and Nakok	Khammouane	Mahaxai	144/735	Three Section in one Admin Unit 1) Lak Chet – Lao and Brou (30%) (1990) 2) Nakok (old) – Brou (1920s) 3) Nakok (new) – Lao (2 Brou HHs) (1985)
Lat Kau	Khammouane	Mahaxai	33/178	Phou Thay and a few mixed Lao/Brou (1978)
Na Tung	Khammouane	Mahaxai	75/252	Old Brou/Makong village site (1918) and new mixed village of Lao/Makong (1983)
Phonsavanh	Khammouane	Mahaxai	111/493	Brou/Makong and a few Lao and mixed HHs (1990)
Tene	Khammouane	Mahaxai	33/178	Old Brou/Makong site (ca. 1908)
Na Di	Khammouane	Mahaxai	43/215	Brou/Makong (1974)
Kuan Khuai	Khammouane	Mahaxai	34/187	Brou/Makong (1974) with a few Lao HHs
Phon Lai	Khammouane	Mahaxai	37/198	Two sections of Brou/Makong with 10 Lao and mixed HHs (1974 and 1991)
Na Dou	Khammouane	Mahaxai	42/240	Lao and mixed and about 25 Brou/Makong HHs (1990)
Na Kham	Khammouane	Mahaxai	84/512	Brou/Makong with a few Lao and mixed HHs (1970)
Lao	Khammouane	Mahaxai	78/410	Brou/Makong village with some Lao and mixed HHs (22 HHs) (1919 and 1976)
Phin	Khammouane	Thakhek	33/137	Brou/Makong and Lao (approx 50-50) first established as a Brou village in 1919
Oudom Vilay and Ban Mai	Khammouane	Thakhek	41/222	Lao village established in 1973 with some Brou/Makong (ca. 8 HHs)
Kuanphavang	Khammouane	Thakhek	41/230	Old Brou/Makong village site (19th century) 50% and new Lao site (1982) 50%
Song Khone/ Xieng Liep	Khammouane	Thakhek	22/134	Lao village established in 1972 with 2 mixed HHs
Tane	Khammouane	Thakhek	210/1203	Lao village est. in 1965 – 3 Brou/So HHs
Dongsavang	Khammouane	Thakhek	65/347	Lao village (1997) with some mixed – Phou Thay and Brou/Makong
Tham	Khammouane	Thakhek	153/574	Old Lao village site

As with villages along Road 8B discussed in Section 4.2.1, there have been a number of consolidation and voluntary and involuntary resettlement along the road. The area was subjected to considerable bombardment during the Second Indochina war and a number of villages were abandoned and many re-established after the war. About half of the villages were post 1975. There is evidence of considerable immigration of Lao and other Tai Lao dominant ethnic groups in areas that were inhabited by Brou/Makong/So.

A list of villages along the proposed 500kV Transmission Line is provided in Table 4-9 below. The identification of ethnic groups is ongoing at present and should be completed shortly. Some groups are listed. In general, most of the villages in Gnommalath and Mahaxai as well as some in the middle sections of the XBF (XBF District) are ethnic minorities, predominantly Brou while Tai-Lao or *Lao Loum* groups will dominate other districts, mostly Lao and Phou Thay. Volume 3 of the SDP provides an overview of livelihood systems and cultural characteristics for these groups.

Table 4-9: Villages in the vicinity of the 500kV Transmission Line Easement

No.	Village	Province	District	HHs in Village (2000)	Ethnic Groups
1	Keovilay	Khammouane	Gnommalath	104	Brou
2	Nongseng	Khammouane	Gnommalath	64	Brou
3	Siboonhueng	Khammouane	Gnommalath	46	Brou
4	NaMixay	Khammouane	Gnommalath	86	Brou
5	Gnommalath	Khammouane	Gnommalath	132	Brou, Lao Kaleung, Sek, Tai
6	NongPing	Khammouane	Gnommalath	104	Lao Kaleung
7	Thamphuang	Khammouane	Gnommalath	78	Lao (a few mixed HHs)
8	Thamphong	Khammouane	Gnommalath	37	Lao (a few mixed HHs)
9	Thangbeng	Khammouane	Gnommalath		Lao (7 Brou HHs)
10	Phathung	Khammouane	Gnommalath	59	Sek and Tai Moei
11	Phonkene	Khammouane	Gnommalath		Sek and Tai Moei
12	Kuaphan	Khammouane	Gnommalath	176	Chalui and some mixed HHs
13	Khok	Khammouane	Mahaxai		Brou
14	Phachoumkhong	Khammouane	Mahaxai	51	Lao and Brou/So (9 HHs)
15	Phonsaart	Khammouane	Gnommalath	61	Mixed: Phou Thay, Lao Kaleung and Brou
16	Phonkham	Khammouane	Mahaxai	48	Lao Kaleung
17	Koktong	Khammouane	XBF	67	Lao Kaleung
18	Some	Khammouane	XBF	154	Lao Kaleung
19	Thamlai	Khammouane	XBF	89	Lao Kaleung
20	Khokkengkhe	Khammouane	XBF	50	Tai-Lao, Tai and Brou
21	Tung	Khammouane	XBF	227	Phou Thay (3 Brou HHs)
22	Dongsavang	Khammouane	XBF	38	Brou
23	Bunghouananeua	Khammouane	XBF	55	Brou
24	Bunghouanatai	Khammouane	XBF	120	Brou
25	Nongbone	Khammouane	XBF	136	Tai-Lao/Phou Thay
26	Manilad	Savannakhet	Xaybouly	66	Tai-Lao/Phou Thay
27	Natong	Savannakhet	Xaybouly	42	Tai-Lao
28	Houaythong	Savannakhet	Xaybouly	22	Tai-Lao
29	Nadeng	Savannakhet	Xaybouly	80	Tai-Lao
30	Namouang	Savannakhet	Xaybouly	98	Tai-Lao
31	Kachou	Savannakhet	Xaybouly	140	Brou
32	Khaokat	Savannakhet	Xaybouly	47	Tai-Lao
33	Laopai	Savannakhet	Xaybouly	65	Tai-Lao/Phou Thay
34	Phosanh	Savannakhet	Xaybouly	17	Tai-Lao
35	Kengherd	Savannakhet	Xaybouly	92	Tai-Lao
36	Khamnonsoung	Savannakhet	Xaybouly	80	Tai-Lao

4.3 ETHNIC ISSUES, CONSULTATIONS AND MITIGATION

4.3.1 Particular Concerns

There are a number of particular concerns relating to ethnic minorities that need to be addressed as part of the overall approach to compensation for Project Lands. Most of the impacts relate to the loss of land and production as well as potential impacts on cultural heritage, including graves, religious buildings and aspects of the landscape that relate to rituals, myths and local beliefs. Most of these issues to be described are shared by all ethnic groups throughout the project area, but many are of particular importance to minorities.

- Compensation is to include all types of land usage, including rotating swidden fields presently under cultivation and those fields that are lying fallow
- Compensation is to include all losses of production on all land, including lands without documentation
- Avoidance of religious sites if possible and full presentation of options, such as removal of structures or replacement, bank protection, etc.
- Detailed consultations with male and female religious leaders and ritual specialists in relation to the possible impacts on gravesites (types of rituals, removal of urns, stupas or contents, etc.)
- Detailed consultations with male and female religious leaders and ritual specialists about the removal or replacement of religious structures (stupas, temples, churches and other monuments)
- Detailed consultations with male and female religious leaders and ritual specialists in relation to possible impacts on landscape of cultural importance (e.g. spirit areas)
- Indirect impacts from the transportation corridor extending from Lak Sao (Vietnamese Border) over the Nakai Plateau and on to Thakhek and Thailand – gender-sensitive awareness and prevention programmes will include HIV/AIDS awareness, traffic safety, trafficking and illegal wildlife trading

4.3.2 Consultation Process

As is the case in other project impacted areas, a culturally sensitive approach to planning and implementation will be undertaken. Central to this approach is an open and transparent consultation process involving all affected groups, including special provisions for ethnic minorities. These include:

- Conducting consultations in ethnic minority languages (in Brou on the Gnommalath Plain) if the Lao language is not understood by villagers and language checks of women and elderly before the consultations commence.
- Attention will be paid to local traditions and customs that relate to beliefs, gender values and particular concerns of ethnic minority groups that are raised.
- During consultations measures will be taken to include all groups in a village in the consultation process. It is imperative that small minority groups participate in discussions on a par with majority groups in mixed villages – division of the village along ethnicity lines will be undertaken for focus group discussions, unless deemed inappropriate by the respective ethnic minorities.
- Consultations should consist of male and female focus discussion groups with male and female facilitators respectively. Training will be provided to male and female facilitators, including the LWU among other mass organizations.
- Consultations will aim at identifying particular issues and concerns of minority and vulnerable groups that are impacted by Project Lands in relation to proposed compensation schemes.
- Programmes to mitigate indirect impacts due to the upgrading of roads should target the different ethnic groups in terms of language and specific content.

The consultation process is explained in detail in Chapter 6 of Volume 4. Consultations have been carried out for key areas in the Downstream in Gnommalath, Oudomsouk and selected villages in other areas of the downstream, and a sample of villages downstream of the dam and along the Transmission Line. In addition, consultations are planned to commence along Road 8B. Disclosure of impacts and initial

feedback as part of the consultation process is ongoing for the transmission lines and the reminding project lands.

4.3.3 Vietic Groups along Road 8B

Vietic Groups along Road 8B represent a group that has been described as ‘vulnerable’ in other project documents and reports. This is due to their reliance, or previous reliance, on natural resources and the relative lack of integration in the mainstream economic system and low degree of political representation. This vulnerability may be increased due to integration into larger village units where the Vietic are or may become small minorities in their original territories, as is the case with the Vietic on parts of Road 8B and on the Nakai Plateau. Certain steps will be undertaken to ensure that Vietic Groups and their concerns are properly addressed and they become project beneficiaries:

Table 4-10: Interventions for Vietic Villages

Impacts and Interventions	Responsibility and References
Language specific consultations – most Vietic speak and understand Lao but not all women and elderly do so	Consultations for Project Lands (road upgrade) and interventions in the SEMFOP-1 (including Vietic populations in the Peripheral Impact Zone)
Separate consultations and focus groups discussions if Vietic groups are in an ethnically mixed village	Consultation approach as outlined in SDP recommends this approach – it has already been undertaken in the case of Sop Hia with important results: the splitting of the village along ethnic lines for two separate relocations.
Compensation for loss of land to include loss of swidden fields and areas used in swidden rotation	Project Lands Policy
Compensation for any loss of houses or structures – in most cases back-resettlement outside of the road wayleave	Project Lands Policy
Ethnic-specific livelihood development programmes if these groups are directly impacted, and efforts to secure support for specific programmes for these villages.	Linkage between proposed interventions or compensation as part of Project Lands and interventions by the SEMFOP-1 for long-term sustainable development necessary.
Shared cultural exchange programme among the existing Vietic groups in terms of livelihood and social development.	SEMFOP-1 consultations, livelihood development and local capacity building.
Halt to GoL resettlement plans in the Project Impact Zone (PIZ) and NPA areas that involve village consolidation and relocation of Vietic groups and their incorporation into larger villages of other ethnic groups	Notification from the Prime Minister’s Office
In-depth consultations with existing Vietic in the Nakai-Nam Theun NPA and Peripheral Impact Zone to determine best options for these communities, including returning to their traditional territories.	SEMFOP-1 consultations and livelihood development for PIZ villages, including Vietic villages along Road 8B. Participatory approach to livelihood development and conservation management explained in detail in Part 3 of the SEMFOP-1.
Awareness programmes on trafficking to prevent any potential trafficking in the area	Budget allocation for Human trafficking covered in the Construction Phase Social Management Plan. See Consultations Plan for Road 8B
Awareness programmes on HIV/AIDS prevention, taking into account the gender and cultural context	The PHAP outlines a general approach to STD prevention and this will be divided into different programmes for the different ethnic groups along the transportation corridor. An NGO with ethnic minority experience in public campaigns and service provision to be engaged by PHAP to support District. See Consultations Plan for Road 8B
Road safety programme will include signposting, information distribution, awareness meetings and material for local schools	Budget allocation for Traffic Safety covered in the Construction Phase Social Management Plan. See Consultations Plan for Road 8B

These elements should form part of an overall approach and plan to address Vietic Group issues within the area as a whole, including project impacted areas and adjacent areas given the fact that these groups are small, vulnerable and lacking control of their own development process.

General activities and concerns regarding Vietic groups will be incorporated into the various site specific mitigation plans as needed and in the specific plans such as for public health, human trafficking and road safety.

The plan providing additional support to Vietic communities along Road 8B and in and near the National Protected Area will be undertaken jointly by WMPA, NTPC and RC/RMU as part of the SEMFOP and SDP, and will be implemented primarily by an NGO or consultants experienced in working with Vietic or similar groups.

4.3.4 Hmong Villages along Road 8B

There are several Hmong along Road 8B and adjacent to the Nakai-Nam Theun NPA. The SEMFOP –1 addresses the issue of the unsustainable utilisation of natural resources and possible threats to wildlife. Upgrading of Road 8B may provide better access to markets to some degree, and this will facilitate the livelihood improvements that are required to offset continued unsustainable exploitation of natural resources. The proposed interventions are presented in Table 4-11.

Table 4-11: Interventions for Hmong Villages

Impacts and Interventions	Responsibility and References
Language specific consultations – most Hmong speak and understand Lao but not all women and elderly do so	Consultations for Project Lands (road upgrade) and as part of Buffer Zone interventions in the SEMFOP-1
Compensation for loss of land to include loss of swidden fields and areas used in swidden rotation, if required	Project Lands Policy
Compensation for any loss of houses or structures – in most cases back-resettlement outside of the road way-leave, if required	Project Lands Policy
Resource restriction on hunting and gathering in the Nakai-Nam Theun NPA to be compensated by alternative livelihood developments	SEMFOP-1 describes possible interventions to develop sustainable livelihoods. Technical assistance in developing potential irrigated and rain-fed paddy and cash crops as well as income generation schemes are recommended.
Awareness programmes on trafficking to prevent any potential trafficking in the area	Budget allocation for Human trafficking covered in the Construction Phase Social Management Plan. See Consultations Plan for Road 8B
Awareness programmes on HIV/AIDS prevention, taking into account the gender and cultural context	The PHAP outlines a general approach to STD prevention and this will be divided into different programmes for the different ethnic groups along the transportation corridor. An NGO with ethnic minority experience in public campaigns and service provision to be engaged by PHAP to support District. See Consultations Plan for Road 8B
Road safety programme will include signposting, information distribution, awareness meetings and material for local schools	Budget allocation for Traffic Safety covered in the Construction Phase Social Management Plan. See Consultations Plan for Road 8B

General activities and concerns regarding Hmong groups will be incorporated into the various site specific mitigation plans as needed and in the specific plans such as for public health, trafficking and road safety. Additional support and interventions to Hmong communities along Road 8B and in the Peripheral Impact Zone of the NPA will be provided as part of the plan providing additional support to Vietic communities in these areas, described above.

4.3.5 Ethnic Issues in Oudomsouk (PL Groups 3-5)

There is a considerable mix of ethnic groups in Oudomsouk with about 25% representing ethnic minorities. To address ethnic issues properly it will be necessary to take into consideration the following issues:

- Ethnic mapping of Oudomsouk - locations of the different ethnic groups will be identified;
- Compensation for the loss of communal property and resources;

- **Resettlement** of ethnic minorities, clans and smaller kinship units as groups to be included in the Town Planning arrangements; and
- **Options** for recent arrivals from Plateau villages to return to natal villages for resettlement that is allowing family members to rejoin households as a resettlement option.

Town Planning will form an important element in the resettlement plan since the parts of the town that are impacted will be relocated to form a functioning urban area that will have a proper road network, land use designation, services and community and government buildings.

4.3.5.1 Compensation for Loss of Livelihood and Production in Oudomsouk

Compensation for the loss of livelihood and production for PAPs in Oudomsouk will be determined by the Baseline Study, which will provide detailed information at the household level. This study has recently been completed and will be compiled by mid-February 2005. The loss of structures and potential sites for business activities will form part of the relocation and urban development plan for Oudomsouk. Loss of land or production, be it paddy fields, upland fields, vegetable gardens, fruit trees, NTFPs or grazing areas for livestock will be addressed as part of the livelihood restoration plan for the Nakai Plateau. The same range of livelihood options, dependent on technical feasibility, will be offered to affected households in Oudomsouk.

4.3.5.2 Vulnerable Groups in Oudomsouk

The existing baseline data sample indicated considerable income differentiation for households in Oudomsouk, with ethnic minorities representing lower than average income levels. As with the Nakai Plateau households that will undergo relocation and rehabilitation, there will be a need for additional assistance for relocation for Potentially Vulnerable Households (PVHs). Additional assistance for livelihood restoration is covered in the livelihood restoration plan as outlined in Volume 2 (Section 26.5).

In terms, of additional assistance for the relocation and building of houses and other structures, the factor that makes households ‘vulnerable’ in this process is the lack of manpower. Additional manpower will be provided if necessary to elderly, female, widow single-person and juvenile head-households. The Baseline Study for Oudomsouk will identify PVHs, and from this figure a budget allocation to cover additional labour costs for relocation will be provided.

4.3.5.3 Construction Activities in the north-western parts of the Nakai Plateau (Project Land Group 3, 4, 5 and 7)

Some forest areas on the Nakai Plateau will be disturbed during the building of saddle dams, access roads, a bridge and upgrading of existing roads in the north-western parts of the Plateau.

- 62.60 hectares of forest will be disturbed for upgrading and building of existing roads (Group 3: LPAs 8a-b)
- 693 hectares of forest will be disturbed during the building of roads, a bridge and upgrading of existing roads (Group 4: LPAs 10a-12)
- 19.17 hectares of forest will be disturbed due to the construction of access roads and saddle dam 13A and 14A (Group 5: LPAs 13-15)
- 10.63 hectares of forest will be disturbed because of construction activities (Group 7)

These activities will commence, at least partially, prior to relocation and continue during the transitional period. Most households in this area rely to some extent on NTFPs. However, these areas represent only a very small area of the Plateau and adjacent areas. Moreover, villages will already be engaged in preparation for relocation (site clearing, construction of houses and other structures and preparing fields) and will have alternative sources of income from these activities. Therefore, no compensation will be paid in cash or kind for disturbance due to construction in these areas. Alternative income during the transition period will more than compensate for any potential loss from NTFP collection.

4.3.6 Compensation / Resettlement Action Plans

Compensation and Resettlement Action Plans have been developed or are in the process of being finalised for impacted areas in the downstream (See Sections 7.2.3-7.2.5). Ethnic minority issues have been addressed or are being addressed in these plans and include the following issues:

- Number of ethnic minorities (persons and communities) covered in the plan;
- The gender-sensitive consultation process with these communities;
- Any particular issues, needs and concerns raised;
- How these issues, needs or concerns are being addressed, including any particular measures; e.g. particular institutional arrangements (e.g. additional representation of ethnic minorities in working groups, involvement of LFNC, Institute for Cultural research, NGOs or other experts, etc.), specific resettlement or livelihood options, and additional support to ethnic minorities and other vulnerable communities (e.g. training and capacity building);
- Budget implications, if any, for addressing ethnic minority issues; and
- Specific monitoring and evaluation arrangements concerning ethnic minorities (ethnic differentiation).

4.3.6.1 Resettlement and Livelihood Restoration for Ethnic Minorities

Ethnic minorities are included in the resettlement and livelihood restoration strategy for the downstream areas as outlined in Chapter 7. The key element in the restoration is the development and enhancement of irrigation systems on the Gnommalath Plain but alternative sources of income and cash compensation are other options for affected households. Since the majority of impacted villages and households are Brou, the plan shall include ethnic-specific needs and priorities in relation to livelihood restoration. Consultations have already indicated concerns and requests (see Section 6.6), which are included or will be included in the plan if technically and economically feasible.

4.3.6.2 Compensation for Impacts along Transmission Lines

36 structures, a very small number of rice fields (0.06 ha) and possibly crops or plantations over a height of 2 m will be impacted along the 500kV transmission line in LPA 52a. The impacts the remaining sections of the transmission line are being calculated but impacts are expected to be minor in terms of disturbance and loss of land and production. The compensation procedure as outlined in Chapter 7 should be applied to all groups along the transmission line corridors. Consultations, however, will be conducted in minority languages if groups are not fully bilingual. Focus groups discussions should be held in minority languages if so desired.

4.4 INSTITUTIONAL ARRANGEMENTS AND MONITORING

4.4.1 Institutional Arrangements

The RMU and RO will be responsible for implementing the above measures in relation to Project Lands, and will be responsible for ensuring the appropriate skills and expertise among project staff implementing the requirements under the Project Lands Resettlement and Ethnic Minorities Development Plans (See Chapter 8 in this Volume).

Training of project staff will include awareness raising concerning ethnic minorities and their particular circumstances will be carried out as part of the overall training and awareness for GOL project staff. This will consist of orientation workshops for RMU, RO, DRWG and VRC staff (see Section 7.5). In addition, ADB Technical Assistance will address the issue of Ethnic Awareness with the goal of mainstreaming ethnic issues in decision-making, implementation and monitoring.

The Ethnic Development Officer (possibly seconded from the Institute of Cultural Research) of the Social Services Development Unit of the RMU, the NTPC Consultation and Ethnic Affairs Officer (Lao) and the Community Development and Ethnic Minority Specialist (international) will provide assistance to project staff and will supervise the activities as they relate to ethnic minority communities, including interaction and support for the Lao National Front at the local level.

4.4.2 Monitoring and Evaluation

Baseline data will be disaggregated by ethnicity and gender to allow monitoring and evaluating impacts on different ethnic minority communities and male and female issues. Both the internal and external (independent) monitoring exercises will assess the implementation of the approach and requirements of the Ethnic Minority Development Plan, and assess any particular impacts or concerns of ethnic minority communities (see Chapter 9 for overall monitoring approach and social indicators for Project Lands). Particular issues to be covered in relation to Project Lands include:

- Detailed monitoring of impacts on Vietic communities, including wealth ranking, institutional representation and resource usage in villages of mixed ethnic composition
- Identification of vulnerable households and additional interventions, training or support required to reach restoration targets
- Monitoring of consultations in order to ensure that vulnerable groups and ethnic minority concerns are expressed and considered in project planning

4.4.3 Conflict Resolution

Conflict resolution mechanisms have been discussed in detail in the EMDPs for the Nakai Plateau and the Downstream (see corresponding sections in Volume 2 and 3). This approach covers traditional and customary conflict resolution mechanisms of the councils of elders and local leadership. The same procedures will be followed if any conflicts arise from impacts and proposed mitigation of project construction activities.

The grievance redress mechanism is described in Section 8.8 of this volume, including the different stages in the mechanism (see Figure 8-2). An external monitoring organisation would play a key role in ensuring grievances are properly, fairly and promptly addressed.

4.5 SCHEDULING AND FINANCING

4.5.1 Scheduling and Financing for Interventions along Road 8B

The funds for these plans will be shared equally by the SEMFOP and SDP budgets. The table below indicates the budget amounts and sources as well as implementation arrangements and timing for interventions for the Vietic and Hmong groups along Road 8B (see Table 4-12 on the following page).

4.5.2 Scheduling and Financing for Oudomsouk Urban Planning

A full account of the compensation and urban development plan for Oudomsouk is presented in Section 7.2 of this volume. Activities have already commenced, including consultations with PAPs and preparations of technical design of alternative urban layouts (Table 7-6 and 7-7). The main relocation activities will occur in the 2006 and 2007 dry seasons but a few households and fix assets will be impacted during PCA. Indicative budget for the plan is 1,930,000 USD, including replacements of structures.

4.5.3 Scheduling and Financing for Gnommalath Irrigation Development

Section 7.3.4 provides a development scenario and indicative budget for the Gnommalath Irrigation Development scheme in Thathot. This builds on existing irrigation system in the area and is estimated to cost 391,300 USD. Almost all of the beneficiaries for this scheme are Brou ethnic minorities in the downstream area.

4.5.4 Compensation Costs for Loss of Fixed and Productive Assets (LPA 33-36)

There is a strategy for compensation and livelihood restoration of the loss of common property (Section 7.5). This outlines a number of options, including alternative sources, alternative livelihood options (Thathot Irrigation scheme, being one of them) or cash compensation. Ongoing consultations will determine which options are acceptable to these ethnic minority Brou villagers and other groups for the loss of NTFPs, TFPs, fish and wildlife. Strategy for compensation for the loss of fixed assets and gardens is replacement land of at least equal productivity. Indicative cost is 108,500 USD for fixed assets and 132,105 USD for productive assets.

Table 4-12: Budget Allocation and Responsibilities for Interventions along Road 8 B

Activity	Budget	Schedule/timing	Responsible parties
Livelihood Improvement	PIZ village under the SEMFOP-1 – allocation for technical assistance and support. Budget amount to be determined depending on continued surveys and consultations.	SEMFOP-1 activities have commenced and will target Vietic and Hmong villages in PIZ (Land use planning issues)	Technical staff from the WMPA Khamkeut District Unit with support from national and international experts
Cultural exchange and development (part of consultations and participatory approach in the SEMFOP-1)	PIZ village under the SEMFOP-1. Actual budget allocation to be determined during first phase of implementation.	SEMFOP-1 activities will commence in early 2005 and will target Vietic villages specifically	Ethnic Minorities Advisor with support from national Social and Ethnic Development Advisor and other technical staff. Need for coordination with Social Division in NTPC.
Consultations concerning construction impacts and mitigation	Consultation budget directly under NTPC – project development costs	Consultations for Project Lands ongoing as required. Consultations along Road 8B commenced in Feb 05 and to be completed by March 05	NTPC responsible for coordination while the RMU with support from Khamkeut District will be the implementing agent. Supervision by a qualified anthropologist required for Vietic groups (Social Division of NTPC – Community Development and Ethnic Minority Advisor).
Human trafficking	Under Construction Phase Social Management Plan	Programmes to commence in early 2005	PMS Task Force - see Social Construction Management Plan
HIV/Aids prevention	Under PHAP – education and awareness	Programmes to commence in early 2005	NGO with experience in working in EM communities, with good communication skills and health prevention. Necessary to link up and work with the Provincial Committee for the Prevention of Aids (CPPA).
Road safety	Under Construction Phase Social Management Plan	Programmes to commence in early 2005	GOL and Social Division in NTPC – Social Construction Management Plan

4.5.5 Other Project Lands

For the remaining project land impacts, impacts are considered minor. Budget items for preventative measures along Road 8B are included in the Construction Phase Social Management Plan, Components 5-8. Compensation for the loss of assets and paddy along the transmission line corridors is estimated at 12,750 and 927 USD respectively. Presently, a detailed asset survey is being conducted to finalise these estimates.

4.5.6 Institutional Arrangements and Capacity Building

Funding for TA and capacity building of staff is included in the compensation plans for the Downstream Areas for fisheries compensation, domestic water supply, irrigation and other measures (see Chapter 9 of this Volume). An Ethnic Minority Advisor from the Institute of Culture will be advising the RMU, and EM issues will be monitored by NTPC staff. In addition, there will be funds available from the TA and Capacity Building budget for the Downstream as required and determined during implementation.

4.6 PHYSICAL AND CULTURAL RESOURCES IN PROJECT LANDS

A consolidated summary of the Earth System Australia Physical and Cultural Resources (PCR) Survey (2004) forms part of the EAMP and investigates all issues related to prehistoric and historic sites as well as present day spirit and religious sites, cemeteries and other cultural sites in the Project Lands.

4.6.1 Prehistoric and Historical Sites

There is evidence of Neolithic and Palaeolithic human occupation in a number of limestone rock shelters and caves within the Pha Phen area have been identified. Four historic, and potentially historic sites, were identified on the Nakai Plateau. The most significant of these sites is the abandoned temple in Ban Nakai Tai which is believed to be approximately 200 years old and may have been the centre of Buddhist influence on the Nakai Plateau. The temple location is just outside the inundation zone but close to the planned resettlement and improved infrastructure.

Sixteen historic, and potentially historic sites, have been identified in the Downstream Channel area. In the seventeenth century the Gnommalath and Mahaxai region was a prosperous society and had numerous Buddhist temples. The most significant sites identified are Kouan Ku, Wat Tha Pha and the abandoned temple of Wat That. All of the historic sites are located outside Project Lands. However, theft may be a problem.

In total nine *sema* stones (18th century) were identified in a linear arrangement near Ban Na Nouang and adjacent to the Transmission Line Corridor. Traditionally *sema* stones were located at temple sites and as border markers for political territory and were given offerings for protection against invaders. More than 50 abandoned limekilns are located on the Xe Bangfai embankments, both upstream and downstream of Mahaxai. It is believed that these kilns are from the mid 1800s with production ceasing in the 1950s. Lime was traded with settlements along the Xe Bangfai and as far as the confluence with the Mekong River in Nakon Phanom.

4.6.2 Cultural Sites

In total 39 territorial spirit sites were identified, often comprising a spirit hut within a sacred forest. Twenty-nine spirit sites were also identified as comprising unique natural features such as groundwater springs, caves and grasslands. On the Nakai Plateau a number of the spirit sites identified are located inside or in close proximity to Project Lands, the most significant being ten territorial spirit (*phi meuang*) sites and two salt licks. In the Downstream Channel area eight territorial spirit sites were identified outside Project Lands but there are other sites near the quarry site of Phou Phathoung. In the Impact Corridors, nine spirit sites including six territorial spirit sites were identified that are located inside or in close proximity to Project Lands that could be disturbed during construction.

A total of 44 religious sites were identified, typically comprising of Buddhist temples and stupas but also a number of Christian churches, the former often containing moveable Buddha images and manuscripts. Twenty-four of these religious sites were identified as being located within or in close proximity to the Project Lands and thus may be subject to land loss, disturbance to religious amenity, physical damage to religious structures and/or theft of movable objects. Important sites include Wat Sibounheuang in Gnommalath Tai, Wat Sen Sayalarm in Mahaxai Kang, Wat Sibounheuang in Oudomsouk, and Wat Sen Sayalarm in Nakai Neua.

A total of 81 cemeteries were identified, of which 41 are located within or partially inside Project Lands and may be subject to loss of land, 26 being located inside the inundation area and one on the bank of the Xe Bangfai.

A total of 26 other cultural sites were identified, most of which comprise of unique natural features, such as groundwater springs or caves some of which are located inside or partially inside Project Lands and may be subject to loss or increased access.

4.6.3 Impacts on Physical and Cultural Resources

Project construction or operations may impact PCR sites (see PCR Annex in the EAMP for a full account of these impacts). Impacts associated with construction activities include loss of land, alteration of air quality, noise, vibration, aesthetic degradation of landscape, change of water quality and restriction of access. Influx of construction workers and associated in-migration could result in some damage, deterioration and unacceptable exposure to historic sites, spirit sites, temples, and cemeteries. There are three main types of impacts to be considered:

1. Identified physical and cultural resources that will be directly impacted due to project construction activities.
2. ‘Chance finds’ – physical and cultural resources that have not been identified by surveys and studies but are discovered during construction activities.
3. Physical and cultural resources that are not directly impacted by construction activities but could be vulnerable to damage or theft due to their proximity to camps and project activities.

4.6.4 Mitigation and Management for Identified Impacts

The PCR plan has been developed to address or minimise any adverse impacts the Project may have on these physical and cultural resources. This includes:

- Conduct awareness programmes in advance of construction activities to prepare communities for the potential impacts on PCR sites and to identify further site-specific mitigation measures;
- Impacted PCR land and assets, most of which are communal, will be replaced, compensated or moved as identified;
- For spiritual and religious sites, compensation shall also include the provision of support for the conduct of ‘appeasement’ ceremonies and other rituals;
- Ensure that movable PCR artefacts located in publicly accessible places (i.e. temples and rock shelters) are secured from theft and vandalism prior to the construction period, in a manner that does not adversely affect their religious / spiritual amenity of these artefacts;
- Give the communities primary responsibility, with support from NTPC and the MIC, for the relocation of movable structures such as stupas, and burial urns since they have the required knowledge of local rituals and procedures for moving such objects;
- Engage a Lao PCR expert specialising in cultural anthropology to conduct the community awareness programme, and to oversee mitigation measures where required;
- Engage a Lao PCR expert to work with the Head Contractor;
- Ensure that all construction workers receive a PCR induction programme upon arrival at site; and
- No cave or rock-shelter area should be disturbed without conducting an archaeological investigation, and if required, an archaeological salvage.

The locations of the PCR will be provided to the HC for making possible adjustments to the Project design and, where practical and possible, to minimize impacts and risks to identified PCR. If disruption of known sites is considered unavoidable, permission from GoL will be requested to implement the management strategy **before** any activity is undertaken in respect of the sites concerned. After gaining approval from the GOL, NTPC will implement the management strategies in the PRC Plan.

4.6.5 Chance Finds

During construction it is recognized that new discoveries, or “chance finds”, of items or sites may be found. To address this, the HC is required to prepare a Physical Cultural Resources Management Plan, including the following:

- Documentation and identification of any new locations of any objects or sites of physical cultural resources newly found;
- Notification to the construction workforce of the need to be vigilant in the detection and reporting of, and the prevention of disturbance and damage to, objects and sites of physical cultural resource;
- In relation to previously identified locations of objects and sites of physical cultural resources, notification of the HC’s intention to commence construction activities at the locations should be given to the NTPC at least 28 days prior to the disturbance of such locations;
- Notification to the NTPC of any objects or sites of physical cultural resources uncounted by the HC within the Construction Area; and
- Stopping work and securing the areas adjacent to the objects and sites of physical cultural resources to prevent damage to such objects and sites.

A chance finds procedure has been developed to assist in the detection, reporting and prevention of damage to currently unidentified PCR. To facilitate the implementation of the procedure, a Lao PCR specialist will be deployed at strategic construction areas to (i) assist the HC in his identification of PCR; (ii) to report the findings to NTPC; and (iii) where appropriate, conduct the mitigation measures to ensure the safety of the PCR item, but at the same time, prevent any unnecessary delays in construction.

The Resettlement Management Unit and Resettlement Office will incorporate the PCR Survey results into the resettlement programme for those areas that are not related to the HC's construction activities. Physical cultural resources of value, such as village monasteries, temples, stupas, grave sites and historical artefacts will be relocated to the new village or new buildings on the Nakai Plateau. During resettlement new discoveries of items or sites of physical cultural resources may be identified. Those working with resettlement activities will be required to stop work immediately if any new item is discovered during works. NTPC will then seek guidance from GoL, and the District Information and Culture Office and MIC to develop an appropriate management strategy. The same procedure will apply along the Xe Bangfai during the operating phase.

4.6.5.1 Archaeological Salvage of LPA 1, Phou Pha Phet

The procedure for chance finds was following in relation to the discovered of a skeleton and other archaeological items at the Phou Pha Phet Quarry. Work was temporarily halted while an investigation by Dr. Thongsa Sayavongkhamdy of the Department of Museums and Archeology. A salvage operation in accordance with WB guidelines on cultural heritage was carried out in August-September 2004. Consultations were held with local communities to ensure that appropriate measures were taken. Remains and items were eventually removed to the National Museum for preservation and further study.

4.6.6 PCR Vulnerable to Damage

For sites identified outside a construction area, but are in close proximity, those items may need to be visibly marked or active preservation measures, such as fencing-off sites and relocation of items, may need to be undertaken. It will be the responsibility of the Head Contractor, and included in the Head Contractor's plan, to make workers and staff aware of any PCR items or sites nearby construction areas. Items and sites should be clearly marked in advance of construction and the HC made aware of these sites in order for workers to be properly informed.

4.6.7 Rituals Conducted for PCR Sites

A number of rituals have been conducted by Nakai Plateau villagers for PCRs in affected areas or close by impacted sites. NTPC has supported these events by contributing funds for the purchase of materials and items. A list of requests is presented in Section 6.5 of Chapter 6. The following rituals have been carried out as of February 1, 2005. This has not only fulfilled the demands of local people but has improved relations and established mutual trust and respect since spiritual aspects are highly important in the lives of local people and their understanding of the cosmos.

On December 18, 2004 offerings were presented to the spirits (*sieng phi*) of the rapids near the dam site (Kengnon), the territorial spirit of Sop Hia and the ancestral spirits of the Ahoe (Vietic) ethnic group. The ritual was conducted by the clan leader of the Ahoe group, Maethao Khamson, who is also a medium for the spirits. The ritual consisted of presenting offerings to the various spirits, possession and answering questions by the spirits about the changes the project will bring to the area and the Ahoe people. Contacting the spirits before moving a village is common practice for the Ahoe, and this ritual was considered a requirement prior to deciding on relocation and site choice.

On January 18, 2005 a ritual was held for appeasing the spirits of the cemetery for Phonphanpek that is located close to construction activities (*phi thi thang satsana nai pasa*). This ritual was arranged through discussions with Brou elders at Phonphanpek village. Funds were provided by NTPC for materials and items and the monks from the Nakai temple were invited to conduct the ritual on behalf of the villagers at the cemetery. After making merit for departed souls according to Buddhist tradition, the life essences of the living were reassured and their wrists tied with holy thread.



Offerings for the spirits of the Aho



Medium dancing and communicating with spirits

Offerings were presented to the territorial spirit and departed souls at the Nakai Temple on January 26, 2005 to appease and inform them about the events in the area and the start of construction activities. Arrangements were made with town authorities, ritual leaders and the monks at the temple for a combined ritual for the territorial spirit (*phi muang*) as well as making merit for the souls of the deceased located in stupas and urns on the temple grounds.



Making merit at Phonphanpek cemetery



Offering to the Territorial Spirit of Nakai

In addition to these rituals, NTPC staff together with Italian Thai contractors arranged a merit making and presenting of robes ceremony for the monks of Nakai Temple (*mabakathin*) on 18 November 2004. Such merit-making ceremonies are important contribution to local religious institutions and are carried out so that those starting a new venture are blessed by the monks. Remaining ceremonies and rituals for Thalang and villages in the downstream areas will be carried out prior to or at the start of construction activities. Consultations with ritual specialists and elders will determine requirements and detailed arrangements.

4.6.8 Overview of Roles and Responsibilities

Table 4-13 shows the roles and responsibilities for the three types of PCR mitigation procedures.

Table 4-13: Roles and Responsibilities for PCR Mitigation

PCR Impact	Owner's Plan (NTPC)	Head Contractor's Plan
Identified PCR Impact	<ul style="list-style-type: none"> The locations of the PCR to be provided to the HC for making possible adjustments to the Project design After gaining approval from the GOL, NTPC will implement management strategies in the PRC Plan Conduct awareness programmes in advance of construction activities to identify mitigation Replace, compensate or move PCR assets with participation of communities Support for 'appeasement' ceremonies Ensure movable PCR artefacts are protected from theft Engage a Lao PCR expert to oversee mitigation measures where required 	<ul style="list-style-type: none"> HC is to minimize impacts and risks to identified PCR that have been identified If disruption is unavoidable, permission from GoL to be sought before any activity is undertaken Work with Lao PCR expert in carrying out mitigation measures Ensure that all construction workers receive a PCR induction programme No cave or rock-shelter area should be disturbed without conducting an archaeological investigation
'Chance Finds'	<ul style="list-style-type: none"> Lao PCR specialist to assist in identification of PCRs and mitigate to ensure the safety of the PCR item while preventing any unnecessary delays in construction The Resettlement Management Unit and Resettlement Office to incorporate the PCR Survey results into the programme NTPC with guidance from GoL and the District Information and Culture Office and MIC to develop an appropriate management strategy 	<ul style="list-style-type: none"> Required to prepare a Physical Cultural Resources Management Plan for 'Chance Finds' Documentation and identification of PCRs for 'Chance Finds' Awareness programmes for construction workforce to prevent damage Notification 28 days prior to the disturbance of PRC locations Notification to NTPC of any uncounted finds within the Construction Area Stoppage of work to prevent damage to PCR objects and sites
PCR Vulnerable to Damage	<ul style="list-style-type: none"> The locations of PCR in near proximity to construction sites to be provided to the HC Lao PCR expert to ensure that appropriate measures are taken to protect PRC items and sites 	<ul style="list-style-type: none"> Construction workforce to be made aware of important PRC sites close to construction sites Ensure that all construction workers receive a PCR induction programme

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