

APPENDIX 9. Ethnic Groups Planning Document

Ethnic Groups Development Framework: Lao PDR
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GMS: Biodiversity Conservation Corridors

The Ethnic Groups Development Framework is a document of the borrower. The views expressed herein do not necessarily represent those of ADB's Board of Directors, Management, or staff, and may be preliminary in nature.

ABBREVIATIONS

ADB	Asian Development Bank
BCI	Biodiversity corridors initiative
DAFO	Department of Agriculture and Forestry Office
DOF	Department of Forestry
EG	Ethnic group
EGDF	Ethnic Group Development Framework
EGDP	Ethnic Group Development Plan
EM	Ethnic minority
GMS	Greater Mekong Subregion
HH	Household
MAF	Ministry of Agriculture and Forestry
MDG	Millennium development goal
NPA	National protected area
NPMO	National project management office
NTFP	Non timber forest product
PAFO	Provincial Agriculture and Forestry Office
PPO	Provincial project office
R-PPTA	Regional project preparatory technical assistance
SPS	Safeguards policy statement
SR	Safeguards requirement
VDF	Village development fund
WGE	Working Group on Environment
WREA	Water Resource and Environment Administration

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GMS BIODIVERSITY CONSERVATION CORRIDORS: ETHNIC GROUPS DEVELOPMENT FRAMEWORK FOR LAO PDR

I. PROJECT DESCRIPTION

A. GMS Biodiversity Conservation Corridors

1. Lao PDR is part of the Greater Mekong Sub-region along with Cambodia, Myanmar, People's Republic of China, Socialist Republic of Viet Nam and Thailand. In 1992, the countries collaborated to form the GMS Economic Cooperation Program with assistance from the Asian Development Bank to facilitate "sustainable economic growth and reduce poverty by strengthening economic linkages among member countries. Further, it aimed to realize and enhance development opportunities, encourage trade and investment, streamline cross border arrangements, and meet common resource and policy needs. The cooperative initiative adopts the following strategies: (i) increasing connectivity through sustainable development of infrastructure and transnational economic corridors; (ii) enhancing competitiveness through efficient cross-border movements of goods and people, and integrated markets and production processes; (iii) building a greater sense of community that mutually recognizes and jointly addresses shared environmental and social concerns.
2. The proposed regional project represents an upscaling of the GMS Biodiversity Conservation Corridors Initiative (BCI) pilot phase endorsed by the GMS Summit of Leaders in 2005 in Kunming and implemented between 2006-2009 in 11 villages of Champasak Province of Lao PDR. The biodiversity corridor will maintain and consolidate forest ecosystem connectivity between Xe Xap National Protected Area (NPA) in Xekong with Dong Ampham NPA in Attapeu and Xepian and Dong Hua Sao NPAs in Champasak in southern Lao PDR (See Figure 1).
3. The Lao PDR requested ADB to follow up BCI Phase I with an investment framework (\$21.9 million grant project) to replicate positive results of BCI in target villages in the three provinces. *Biodiversity Corridors* are geographic areas within or cutting across the GMS Economic Corridors that need to be placed under sustainable management regimes to secure local livelihoods and investments and maintain ecosystem services for future generations.
4. The overall aim of BCI is to secure forest areas for the local communities against further outside pressure/economic concessions by delineating and demarcating community forest areas and protected forest areas and giving tenure instruments to communities and not resettle them or restrict access. Any restrictions on use of community forests will be made by them (local people). Capacity building leading to community empowerment is built in to address such and eventually, any activity will be the choice of participating communities. Connectivity between forest-blocks will be restored as a result of broad community support generated through appropriate consultation and participation modalities. Preference for BCI 2 is a linear design of the biodiversity corridor, but may resort to the stepping stone model anchored on decisions of target villages within the landscape.
5. The project has four components, (i) Institutional and community strengthening for biodiversity conservation management, (ii) Biodiversity corridors restoration, ecosystem services protection, and sustainable management by local resource managers, (iii) Livelihood improvement and small scale infrastructure support in target villages, and (iv) Project management and support services.
6. The Project will cover 69 villages in the provinces of Attapeu, Champasak, and Xekong as presented in Table 1.

Figure 1. Corridor Design and Coverage

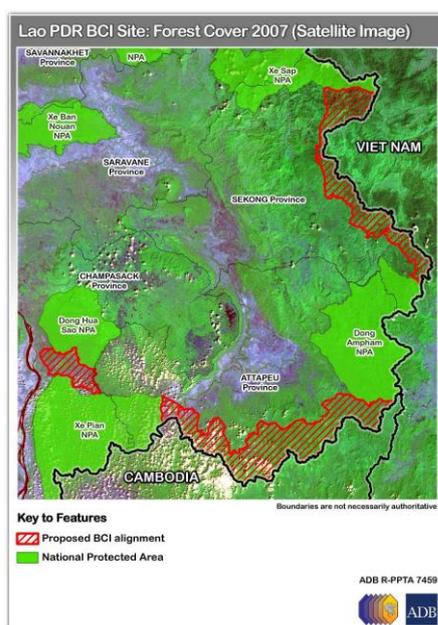


Table 1. BCI 2 Project Sites in Lao PDR

Province	District	Village	Total Population	# of Households		
Champasak	1 District Pathoumphone	21 Villages	13,241	2,309		
			13,241	2,309		
			1. Sanot	701	130	
			2. Thongpha	619	108	
			3. Thahou	519	83	
			4. Somsouk	494	74	
			5. Thopsok	557	85	
			6. Houayko	178	31	
			7. Nabon	489	84	
			8. Nakok	649	114	
			9. Laonga	687	99	
			10. Kiat Ngong	983	168	
			11. Namom	802	153	
			12. Kele Gnai	971	168	
			13. Ta Ong	267	53	
			14. Tavang	215	36	
			15. Phalay	1,424	258	
			16. Saming	988	164	
			17. Khonthout	674	135	
			18. Keng Na Am	710	134	
			19. Thongxai	453	87	
	20. Kala	645	115			
	21. Houayton	216	30			
Attapeu	Phouvuong	23	9,073	1,591		
		4	1,117	193		
			1. B. Lamong	300	61	
			2. B. Phougnang	313	30	
			3. B. Phoukeua	212	42	
			4. B. Namxouan	292	60	
		Sanamxai	19	1. B. Senkeo	145	29
				2. B. Hat-Oudomxai	381	70
				3. B. Sompoy	1,185	248
				4. B. Sivilai	358	65
5. B. Tangao	238			50		

Province	District	Village	Total Population	# of Households		
Xekong	Dakcheung	6. B. Boungkeo	413	72		
		7. B. Khanmaknao	334	54		
		8. B. Pakbo	513	71		
		9. B. Hatxay-Soung	473	70		
		10. B. Namkong	437	73		
		11. B. Don	349	58		
		12. B. Nongmouang	438	83		
		13. B. Pin-Dong	253	44		
		14. B. Bengvilai	319	46		
		15. B. Kaxe	568	98		
		16. B. Phonmani	259	45		
		17. B. Chanto	321	51		
		18. B. Matka	442	69		
		19. B. Phonsa-At	530	102		
			25	5054	789	
			15	3,219	487	
		Kaleum		1. B. Ayoun	232	14
				2. B. Dakman	157	29
				3. B. Dakta-Ok-Gnai	248	35
	4. B. Dakta-Ok-Noy			175	25	
	5. B. Dakdom			243	44	
	6. B. Daksiang			187	16	
	7. B. Daklu			147	26	
	8. B. Daklan-Deuy			219	38	
	9. B. Daksiang Bi			244	41	
	10. B. Kongnong			215	26	
	11. B. Tangpuang			71	17	
			190	41		
			305	44		
			190	36		
		396	55			
	10	1,835	302			
		1. B. Songkhon	450	78		
		2. B. Panon-Kaliang	108	15		
		3. B. Tavang-Bon	107	18		
		4. B. "Agnuang	170	41		
		5. B. Aching-Akeo	186	39		
		6. B. Chateu-Oung-Pale	104	17		
		7. B. Ka-Ouang-Ateng	185	27		
		8. B. Alot	166	19		
		9. B. Klo	225	33		
		10. B. Aloung-Laba	134	15		
3 Provinces	5 Districts	69	27368	4689		
LEGEND	Sample Villages					

B. Rationale for the EGDF

7. The 2009 ADB Safeguards Policy Statement (SPS) that cover affected ethnic groups (EG) is triggered if a project directly or indirectly affects the dignity, human rights, livelihood systems, or culture of EGs or affects the territories or natural or cultural resources that EGs own, use, occupy, or claim. Based on the sociodemographic and anthropological characteristics of Project site beneficiaries in the three provinces, an Ethnic Groups Development Framework (EGDF) is prepared and hereby presented. This EGDF is envisaged to provide guidance in the preparation and implementation of Ethnic Groups Development Plans (EMDP) based on the results of social impact assessment (SIA) conducted per village.

8. Technically and ideally, BCI 2 promotes a sequential and sector-like approach at implementation. The necessary land use and capability assessment, and participatory management planning have to be in place prior to subproject implementation. However, it is recognized that planning is an ongoing facet of natural resource management and as such, some subprojects may be ready for implementation within the whole planning phase for the landscape. Specifically under Component 1 (Institutional and community strengthening), the Project aims to secure forest areas for the local communities against further outside pressure/economic concessions by delineating and demarcating community forest areas and protected forest areas. It will provide tenure instruments to communities that are found peripheral to protected areas, which by law have defined uses. Communities will craft restrictions appropriate to their concerns and

needs in order to protect their rights to the land and the natural resources therein and in so doing, protect the biodiversity. Capacity building leading to community empowerment is built in to address the need for balancing resource use and protection and eventually, within this context, any activity will be the choice of participating communities.

9. While an indicative menu of options for Component 3 (Livelihood improvement and small scale infrastructure support in target communes) were identified by stakeholders, specific activities under Component 1 still have to be undertaken/processed. Technical inputs for land use planning together with executing and implementing agencies, local government units, relevant ethnic groups office within the Lao Front National Construction (LFNC), and the Lao Women's Union (LWU). Community ownership to subprojects is still subject to processing for and documentation of broad community support imperative not only for subproject investments, also to ensure sustainability towards biodiversity conservation and protection. All these are processed during Component 1 geared at strengthening local institutions for biodiversity conservation management. Thus, it was deemed premature to craft an EGDP during the regional project preparation technical assistance (R-PPTA) stage. This Framework document therefore is deemed sufficient to take into account the possibility of preparing and implementing an EGDP for later selected subprojects.

10. This EGDF takes into account the uniqueness of prevailing conditions in Lao PDR. Due considerations are made in the preparation of this framework document as follows: (i) a significant number of the population in the biodiversity corridor areas are ethnic groups, who generally have higher poverty rates compared to the nationally dominant groups, and (ii) impacts are expected to be positive as EG concerns have been incorporated in the overall project design.

II. OBJECTIVES OF THE EGDF

A. Principles and Objectives

11. **Objective.** The main objective of the BCI EGDF is to help ensure that subprojects are designed and implemented in a way that fosters full respect for EGs' identity, dignity, human rights, livelihood systems, and cultural uniqueness as defined by the EGs themselves to enable them to (i) receive culturally appropriate social and economic benefits, (ii) do not suffer adverse impacts as a result of the project, and (iii) can participate actively in the project. This EGDF safeguards the rights of EGs to participate and equitably receive culturally appropriate benefits from the project. For this purpose, an EGDP will be prepared in participating villages subject to results of a social impact assessment. The EGDP will be translated into Lao language to ensure the awareness on this documentation.

12. **Principles.** In pursuit of the abovementioned objective, BCI 2 and its subprojects will be governed by the following principles:

- (i) Early screening to determine EG presence and/or collective attachment to, the project area as well as potential project impacts on EGs.
- (ii) Conduct of culturally appropriate, gender-sensitive and technically backed-up social impact assessment where full consideration to EG-generated options as regards benefits and mitigation measures are taken into account and translated into EG plans that includes a framework for continued consultation and culturally appropriate disclosure modalities during project implementation, specifies measures to ensure EGs receive culturally matched benefits, identifies measures to avoid, minimize, mitigate, or compensate for any adverse project impacts, and includes culturally acceptable grievance procedures, monitoring and evaluation arrangements, and a budget and time-bound actions for implementing the planned measures.
- (iii) Undertake meaningful consultations with affected ethnic communities and concerned organizations to solicit their participation across project cycle to avoid adverse impacts or in cases when avoidance is not possible, to minimize, mitigate, or compensate for such effects by establishing culturally appropriate and gender inclusive capacity development modalities and grievance mechanisms.
- (iv) Ensure consent of affected ethnic communities to project activities that may introduce commercial development of cultural resources and indigenous knowledge, physical displacement from traditional or customary land, and commercial development of natural resources within customary lands that impact on livelihoods or cultural uses that define the identity and community of EGs. Consent refers to a collective

expression by affected ethnic groups, through individuals and/or their recognized representatives, of broad community support for project/project activities even if some individuals or groups object.

- (v) Avoid restricted access to and physical displacement from protected areas and natural resources but when not possible, ensure that affected EM communities participate in all aspects of the project cycle and that their benefits are equitably shared.

B. Legal and Policy Framework

1. National Policies and Programs for Ethnic Groups

13. **Lao Constitution of 1991.** The Government of Lao PDR (GOL) officially acknowledged 47 main ethnic groups or categories, and 149 subgroups in 1995 as part of conducting the national census. This list was revised by the Lao Front for National Construction (LFNC) and now contains 49 categories, and over 160 subgroups. The official terminology for describing the diverse population of Lao PDR is 'ethnic groups'.

14. This terminology was introduced with the 1991 Constitution, where reference is often made to "citizens of all ethnic origin". Articles 8 and 22, guarantee that there will be no discrimination on the basis of ethnicity or gender. Inter alia, the Constitution makes specific mention of ethnic minorities:

- (i) Laos is a unified nation with indivisible ethnic groups.
- (ii) All power is of the people, by the people and for the use of the multi-ethnic population.
- (iii) The right to be owners of the nation is exercised by multi-ethnic people and is guaranteed by the political system.
- (iv) The mass organizations are the gathering point for solidarity and mobilization for citizens of all backgrounds and all ethnicities.
- (v) The state will provide a policy of unity and equality between different ethnic groups. All ethnic groups have the right to maintain their traditions and improve their culture and that of the nation. The state will use all means in order to improve the economic and social levels of all groups.
- (vi) The economic system is for the purpose of improving the living standard and spirituality of the multi-ethnic peoples.
- (vii) All of Lao citizens, regardless of their sex, social position, education, beliefs or ethnicity are equal before the law.

15. **Ethnic Minority Policy of 1992.** The term 'ethnic groups' is used by some to classify the non-Lao ethnic groups while the term 'indigenous peoples' is not used in Lao PDR. Most ethnic groups are upland and highland dwellers and most engaged in rainfed subsistence agriculture. In general they are more likely to live in poverty than the majority lowland Lao. This is reflected in higher levels of illiteracy, child and maternal mortality and other key indicators such as agricultural productivity.

16. In 1992 the Government announced a formal Ethnic Minority policy, the "Resolution of the Party Central Organization Concerning Ethnic Minority Affairs in the New Era". The policy contains three main objectives:

- (i) Strengthening political foundations at the community level to ensure Ethnic Minority loyalty and commitment to the national development,
- (ii) Increasing agricultural production and facilitating a shift away from subsistence agriculture to more market driven agriculture,
- (iii) Expand access and provision of social services such as health, education etc.

17. It is the cornerstone of current Lao PDR policy towards ethnic minorities. It identifies as a major task in the Lao PDR "to push strongly for increased production and open channels for distribution in order to change the 'natural' or 'semi-natural' economic system towards one of production of goods, promote and expand the strengths of uplands area, and improve the quality of life of the citizens". This policy resolution contains the basis for the policy of the 'stabilisation of shifting cultivation', implementation of agriculture and forestry policies and allocations. Policies for taxation, credit, and a working plan for the Lao Front for National Construction (LFNC).

18. The *Resolution* mandates that all government agencies create a targeted plan for the

development of rural, mountainous areas. It focuses on gradually improving the economic development opportunities and living conditions of ethnic groups, while promoting their distinct identities and cultural heritages.

19. The overarching goal of Government policies is to reduce poverty and to “free” Lao PDR from the status of least-developed country by 2020. The Government has used the approach to mainstream ethnicity into the Constitution and key policies.

20. **Lao Front for National Construction (1996).** The agency that manages affairs related to ethnic groups is the LFNC. It was established in 1996. The LFNC is designated as an advisor to the central committee of the Party and the State and at the local level, including the district level, the Party assists the LFNC in carrying out its duties. The LFNC is responsible for the following:

- (i) To promote the human development of all ethnic officials;
- (ii) To ensure that educational opportunities are made available to all ethnic groups;
- (iii) To promote and preserve cultural traditions
- (iv) To improve and expand healthcare, knowledge of reproductive health, traditional medicine and detoxification of opium addicted persons;
- (v) To enhance the administrative mechanism for all ethnic groups including their promotion in rural development activities by ensuring that other agencies are aware of the requirements for the participation of all ethnic groups. LFNC is represented at the provincial and district levels. It is also found at the village level in many villages.

21. **Other Laws.** Recent laws and decisions reflect the Government’s increasing awareness of the need to incorporate ethnic issues in the development process in all sectors:

- (i) *The 6th National Socio-Economic Development Plan 2006- 2010* confirms the commitment of the Government to poverty eradication within a framework of rapid and sustainable economic growth. Gender equality and equity for all ethnic groups are underlying principles of this Plan;
- (ii) *The Lao PDR Constitution 2001* (amended 2003) highlights the right of ethnic groups to protect, preserve, and promote their customs and heritage; and prohibits acts of division and discrimination (Article 8). *Decree No. 192/PM and Regulations No.*
- (iii) *Decree No. 192/PM and Regulation No.2432/STEA on Compensation and Resettlement (2005)* also recognizes the rights of ethnic groups with regard to social impact assessment and involuntary resettlement (Article 10).
- (iv) *Regulation No. 699/PMO.WREA on the Endorsement and Promulgation of Technical Guidelines on Compensation and Resettlement on People Affected Projects. Chapter 6 provides guidelines on Ethnic Minorities Development Plan.*

22. Ethnic groups are acknowledged in government poverty reduction strategies such as the National Growth and Poverty Eradication Strategy (NGPES) as well as in agriculture development. Agencies such as Health and Education make special arrangements to reach ethnic groups in remote areas although these efforts are too often constrained by lack of funds.

2. ADB’s Policy on Ethnic Groups

23. The Asian Development Bank (ADB) recognizes the rights of EGs to direct the course of their own development. Ethnic Groups do not automatically benefit from development, which is often planned and implemented by those in the mainstream or dominant population in the countries in which they live. Special efforts are needed to engage EGs in the planning of development programs that affect them, in particular, development programs that are supposedly designed to meet their specific needs and aspirations. Ethnic Groups are increasingly threatened as development programs infringe into areas that they traditionally own, occupy, use, or view as ancestral domain.

24. ADB’s safeguards policy for EGs under the SPS 2009 aims to: (i) Avoid adverse impacts of projects on the environment and affected people, where possible; (ii) Minimize, mitigate, and/or compensate for adverse project impacts on the environment and affected people when avoidance is not possible; and (iii) Assist in strengthening country safeguards systems and develop the capacity to manage environmental and social risks.

25. The SPS uses the term ethnic minorities/Ethnic Groups in a generic sense to refer to a distinct, vulnerable, social and cultural group possessing the following characteristics in varying degrees: (i) Self-identification as members of a distinct indigenous cultural group and recognition of this identity by others; (ii) Collective attachment to geographically distinct habitats or ancestral

territories in the project area and to the natural resources in these habitats and territories; (iii) Customary cultural, economic, social, or political institutions that are separate from those of the dominant society and culture; and (iv) A distinct language, often different from the official language of the country or region.

26. The ADB Policy on involuntary resettlement has been integrated with Ethnic Groups under the ADB SPS and shall likewise govern this EGDF. The social safeguards on involuntary resettlement are triggered by proposed BCI 2 subprojects as some may necessitate the acquisition of private land for road widening or improvements as well as any physical or economic displacement arising from the proposed subproject.

27. The ADB Policy on Gender and Development adopts gender mainstreaming as a key strategy for promoting gender equity, and for ensuring participation of women and that their needs are explicitly addressed in the decision-making process for development activities. For projects that have the potential to have substantial gender impacts, a gender plan is prepared to identify strategies to address gender concerns and the involvement of women in the design, implementation and monitoring of the project. The findings of a gender analysis are to be included in the EGDP, and at all stages: EG identification, planning, and management will ensure that gender concerns are incorporated, including gender-specific consultation and information disclosure. This includes special attention to guarantee women's assets, property, and land-use rights; and to ensure the restoration of their income and living standards.

28. The ADB Public Communications Policy seeks to encourage the participation and understanding of people and other stakeholders affected by ADB-assisted activities. Information on ADB-funded projects should start early in the preparation phase and continue throughout all stages of project development, in order to facilitate dialogue with affected people and other stakeholders. The Executing/Implementing Agency should, as necessary, develop a project communications plan and designate a focal point to maintain contact with affected people.

3. Equivalence and Gaps of the RGC and ADB Policy on Ethnic Groups

29. Table 2 summarizes policy equivalence and gaps between the Lao PDR and ADB. The 3rd column is observed as a means of harmonizing policies and regulations in the course of implementing BCI 2 in Lao PDR.

Table 2. Matrix on Equivalence and Gaps

ADB SPS 2009	Government Requirements	Implementation of the BCI 2 Project
1. Screen early on to determine (i) whether EGs are present in, or have collective attachment to, the project area; and (ii) whether project impacts on EGs are likely.	2432/STEA on Compensation and Resettlement (2005 and 2010 update) recognizes such procedures as screening, social impact assessment, consultations and involuntary resettlement.	Equivalence noted. Screening will be done.
2. Undertake a culturally appropriate and gender-sensitive social impact assessment or use similar methods to assess potential project impacts, both positive and adverse, on EGs. Give full consideration to options the affected EGs prefer in relation to the provision of project benefits and the design of mitigation measures. Identify social and economic benefits for affected EGs that are culturally appropriate and gender and intergenerationally inclusive and develop measures to avoid, minimize, and/or mitigate adverse impacts on EGs.	Cultural sensitivity and appropriateness of approaches and strategies upheld.	Equivalence noted. Social impacts assessment will be prepared and updated for all subprojects in areas with EGs under BCI 2 Project. The assessment will cover both positive and adverse impacts on the local EGs as well as to develop the measures to minimize the potential adverse impacts with fully participation of local EGs.
3. Undertake meaningful consultations with affected ethnic communities and concerned 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 ethnic communities in a culturally appropriate manner. To enhance EGs' 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 EGs' concerns.		Equivalence noted. <i>Under the Component 1 of the BCI 2, capacity building programs for EGs in the project area will be provided, including participation opportunities in the project activities.</i> <i>Meaningful consultations with local EGs will be carried in all stages of the project. The grievance redress mechanism has been developed and will be discussed and disclosed publicly in the communities.</i>
4. Ascertain the consent of affected ethnic communities to the following project activities: (i) commercial development of the cultural resources and knowledge of EGs; (ii) physical displacement from traditional or customary lands; and (iii) commercial development of natural resources within customary lands under use that would impact the livelihoods	2432/STEA on Compensation and Resettlement (2005 and 2010 update): Quiet on consent but procedural in consultation to ensure broad community support.	The BCI 2 Component 2 and Component 3 will ensure the rights of local EM to benefit from the use of their cultural resource and knowledge. Consent through broad community support will be observed.

ADB SPS 2009	Government Requirements	Implementation of the BCI 2 Project
<p>or the cultural, ceremonial, or spiritual uses that define the identity and community of EGs. For the purposes of policy application, the consent of affected ethnic communities refers to a collective expression by the affected ethnic 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.</p>		<p>The BCI 2 Component 2 particularly will protect local ethnic communities from commercial development of natural resources.</p>
<p>5. 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 ethnic 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.</p>	<p>2432/STEA on Compensation and Resettlement (2005 and 2010 update) also promotes EMDP preparation through consultations, implementation, and modes of disclosure.</p>	<p>Equivalence noted. The issues of access restriction and physical displacement from protected areas and natural resources will be avoided as much as possible by zoning and mapping exercises. Local EGs will participate in the zoning and mapping activities. Local EGs will be benefited by all three components of the projects.</p>
<p>6. Prepare an EG plan (EGP) 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 EGs. The EGP includes a framework for continued consultation with the affected ethnic communities during project implementation; specifies measures to ensure that EGs 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.</p>		<p>Equivalence noted. The EGDP shall be prepared and updated for each subproject. Under the BCI 2, consultants will be recruited to assist the EGDP preparation, implementation and monitoring.</p>
<p>7. Disclose a draft EGP, 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 ethnic communities and other stakeholders. The final EGP and its updates will also be disclosed to the affected ethnic communities and other stakeholders.</p>		<p>Equivalence noted. The EGDP and other project documents will be disclosed before project appraisal and in the languages of the local EGs.</p>
<p>8. 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 EGs have traditionally owned or customarily used or occupied, or (ii) involuntary acquisition of such lands.</p>	<p>2432/STEA on Compensation and Resettlement (2005 and 2010 update) also recognizes action plan preparation for EMs towards acquisition and resettlement but not dwell on recognition of ancestral territories or domains.</p>	<p>In full consultations with local ethnic communities, the zoning and mapping exercises will define the areas with customary rights of the local EG and reflect the issues in the updated EGDP with particular actions to protect or compensate the areas.</p>
<p>9. Monitor implementation of the EGP using qualified and experienced experts; adopt a participatory monitoring approach, wherever possible; and assess whether the EGP's objective and desired outcome have been achieved, taking into account the baseline conditions and the results of EGP monitoring. Disclose monitoring reports.</p>	<p>2432/STEA on Compensation and Resettlement (2005 and 2010 update) also recognizes EMDP monitoring.</p>	<p>Equivalence noted. Internal and external monitors of EGDP implementation will be carried out. Consultants shall be recruited for independent monitoring of EGDP implementation.</p>

C. Subproject Selection Criteria

30. Screening for subproject selection shall ascertain the following:
- (i) The Project will benefit or target EGs;
 - (ii) The Project will not impinge on EGs' traditional socio-cultural and belief practices (e.g. child-rearing, health, education, arts, and governance);
 - (iii) The Project will not affect the livelihood systems of EGs (e.g., food production system, natural resource management, crafts and trade, employment status) without the necessary mitigating measures;
 - (iv) The Project will be in an area (land or territory) occupied, owned, or used by EGs;
 - (v) The Project will not promote any of the following activities without free and prior informed consent or as initiated by them as well as the necessary mitigating measures:
 - Commercial development of the cultural resources and knowledge of EGs
 - Physical displacement from traditional or customary lands;
 - Commercial development of natural resources (such as minerals, hydrocarbons, forests, water, hunting or fishing grounds) within customary lands under use that

would impact the livelihoods or the cultural, ceremonial, spiritual uses that define the identity and community of EGs;

- Establishing legal recognition of rights to lands and territories that are traditionally owned or customarily used, occupied or claimed by EGs; and,
- Acquisition of lands that are traditionally owned or customarily used, occupied, or claimed by EGs.

31. Should results of screening identify potential impacts of the above statements, an EGD will be prepared. Any triggers corresponding to item (v) above shall necessitate compliance to the SPS-EG special requirements.

III. ETHNIC GROUPS IN THE PROJECT AREAS

32. The Project will cover 69 villages in three provinces of Lao PDR, with a total population of approximately 27,500 or 4,700 households of which about 35% are poor households and 53% affected ethnic groups.

A. Screening for Ethnic Groups

33. Villages that are deemed covered for BCI 2 subproject implementation will be consulted by the Executing/Implementing Agency and project consultants adhering to existing protocols of the LFNC and EG leaders at different levels. Qualified project social scientists will undertake a screening for the presence of EGs with the guidance of EG leaders and local authorities. The screening process will use the following guide questions in ascertaining the presence of EGs within each target commune:

- (i) Are there socio-cultural groups present in or use the project area who may be considered as "tribes" (hill tribes, scheduled tribes, tribal peoples), "minorities" (ethnic or national minorities), or "indigenous communities" in the project area?
- (ii) Are there national or local laws or policies as well as anthropological researches/studies that consider these groups present in or using the project area as belonging to "EGs", scheduled tribes, tribal peoples, national minorities, or cultural communities?
- (iii) Do such groups self-identify as being part of a distinct social and cultural group?
- (iv) Do such groups maintain collective attachments to distinct habitats or ancestral territories and/or to the natural resources in these habitats and territories?
- (v) Do such groups maintain cultural, economic, social, and political institutions distinct from the dominant society and culture?
- (vi) Do such groups speak a distinct language or dialect?
- (vii) Has such groups been historically, socially and economically marginalized, disempowered, excluded, and/or discriminated against?
- (viii) Are such groups represented as EGs in any formal decision-making bodies at the national or local levels?

34. Should results show that there indeed are EGs within the proposed subproject area, a social impact assessment will be planned and scheduled.

B. Ethnic Groups and BCI 2

1. Status of Ethnic Groups in Lao PDR

35. Lao PDR has a total population of about 6.2 million people. About 69% of the country's people are ethnic Lao, the principal lowland inhabitants and the politically and culturally dominant group. The Lao belong to the Tai linguistic group who began migrating southward from China in the first millennium AD. Approximately 8% belong to other "lowland" groups, which together with the Lao people make up the Lao Loum.¹

36. In 1975, a tripartite division (Table 3) reflected the intention of the government to place all ethnic groups in the national Lao context, even though most of the peoples had nothing in common with Lao history, language, religion, customs and traditions. Also from the geographic point of view, the tripartite division was not perfect at all, as it placed peoples at regional altitudes who had left those altitudes a long time ago, establishing villages at lower altitudes, and vice versa.

¹ Rural Poverty Portal, IFAD. 2008.

Table 3. Official Classification of Ethnic Groups in Lao PDR After 1975

Lao Loum (Lao below)	Lao Theung (Lao above)	Lao Soung (Lao high)
<p>Other Tai-speaking groups. Includes all the ethnic Lao, who were described as Lao proper, politically dominant Lao people or Lao-speaking group of the Tai-speaking peoples, inhabiting primarily lowland areas along the Mekong River and its tributaries, who can be found at elevations up to 400 masl, practicing wet rice cultivation in inundated fields and following predominately the Theravada Buddhist religion. Also included were other Tai-speaking groups who have a more tribal character, resisting absorption into the mainstream of Lao culture, such as the Tai Dam (Black Tai) and Tai Khao (White Tai), inhabiting upland localities in the northeast of the country, practicing dry rice cultivation with the slash-and-burn method and remaining animists.</p>	<p>Other Austro-Asiatic and Austronesian-speaking groups. Comprise mainly peoples of the Austro-Asiatic language stock, settling at altitudes between 800 and 1,400 masl. They accounted for 23% of the total population in 1995. But most of the Lao Theung groups are inhabitants of central and southern Laos, especially in the areas along the Laos-Vietnam border.</p>	<p>Tibeto-Burman-speaking groups. Occupy higher mountain elevations in northern Laos, more than 1,400 masl. They comprise linguistically two groups of languages: Hmong-Mien speakers and Tibeto-Burman-speakers. The Lao Soung account for little less than 10% of the total population. Most of this category only migrated from China and Burma over the past 150 to 200 years. Traditionally, many of the Lao Soung settled in remote areas at high altitudes, where they live undisturbed from the lowland Lao and especially from the authorities. Agricultural conditions in the mountains are not as good as in the lowlands and the hills. Rugged terrain and the lack of permanent water supply allow only the cultivation of mountain rice, maize, beans and opium. The hilltribes live there in self-sufficient villages, practice swidden agriculture and only have contacts with the lowlanders when they visit the Lao markets in the towns. The largest ethnic group of the Lao Soung category is the Hmong who numbered in 1995 more than 315 individuals.</p>

37. This oversimplified ethnic classification lost popularity within the central government slowly but is still alive and widely used, especially among the ordinary people. The simplicity of the tripartite classification was locally preferred compared to having to know 49 different ethnic groups.²

38. A total of 49 ethnic groups are officially recognized comprising more than 200 ethnic subgroups. Ethnic groups can be grouped (Table 4) into four broad ethno-linguistic categories—Lao-Tai, Mon Khmer, Hmong-lu Mien and Chine-Tibet. Most of the smaller ethnic groups live mainly in the northern uplands of Lao PDR near the borders with Thailand, Myanmar, People's Republic of China, and Viet Nam.

39. Although the smaller ethnic groups make up only one-third of the population, they constitute more than half of the country's poor due to (i) geographical remoteness; (ii) lack of farming knowledge and skills; (iii) traditional cultivation practices (i.e., shifting cultivation); (iv) limited access to cash and credit; (iv) environmental problems; and (iv) poor physical and social infrastructure. The Hmong and Yao people tend to be the poorest of all ethnic groups, followed by the Khmu and the Tai people.³

Table 4. Current Official Classification of Ethnic Groups in Lao PDR

Language Branch	No. of Ethnic Groups
1. Lao-Tai languages	8 ethnic groups
2. Mon-Khmer languages	32 ethnic groups
3. Chinese-Tibetan languages	7 ethnic groups
4. Hmong-Mien languages	2 ethnic groups
TOTAL	49 ethnic groups

2. Ethnic Groups within BCI 2 Sites

40. **Overview of BCI 2 Ethnic Groups.** Table 5 presents the summary characteristics of BCI-II sites in Lao PDR. It can be seen that of the total BCI-II beneficiaries, 53% belong to affected ethnic groups. Population density is 4 persons per km², much lower than the national figure of 26 persons/km². Of the total 4,689 households, 35% are considered poor. Female constitute 52% of the total BCI-II population.

Table 5. Summary Characteristics of BCI-II Sites

PARAMETER	ENTRY
BCI Area (km ²)	6980
BCI Population	27,368
Population Density	4
Covered Provinces	3
Covered Villages	69

² Joachim Schliesinger (2003). Ethnic Groups of Laos. Vol. 1. Introduction and Overview. ISBN 974-4800-32-1 pbk White Lotus Co., Ltd., Bangkok, Thailand.

³ Lao National Tourism Administration. 2008.

PARAMETER	ENTRY
Covered HHs	4,689
Covered Poor HHs	1,639
% Estimated Poor from BCI Population	35%
Covered Ethnic Groups	14,505
% Ethnic Group from BCI Population	53%
Female Population	14,341
% Female Population	52%

41. An estimated 4,700 households will benefit from BCI-II of which about 53% are affected ethnic groups within the 69 BCI-II villages, concentrated mostly in Xekong (85%), followed by Attapeu (68%) and Champasak with 7.2%. Different ethnic groups (Table 6) found within sample sites of seven villages during the social assessment are the Lavae (38.4%) of Champasak and Attapeu, followed by the Ngea (29.6%) and Ta Lieng (16.3%) of Xekong, and the Sedang (13.4%) of Attapeu. Mixed compositions (2.3%) of Lavae, Laveng, Ta-Auoy, Kaseng, Jeng, Oy, Tai-Dam, Sou, Auy, and Kha-mu are found in Champasak and Attapeu sample villages. All groups belong to the Mon-Khmer Language Group except for the Tai Dam belonging to the Austronesian group.

42. Ethnic groups of Xekong are more homogeneous compared to those from Champasak and Attapeu will be noted that where villages are composed of mixed ethnic groups. Most affected ethnic groups belong to the Mon Khmer language, except for the Ti-Dam group affiliated with the Austronesian language group.

Table 6. Distribution of Ethnic Groups within Lao PDR BCI-II Sites

Attapeu	Champasak	Xekong
Lavae	Lavae	Ngea
Sedang		Ta Lieng
Mixed: Lavae, Laveng, Ta-Auoy, Kaseng, Jeng, Oy, Tai-Dam, Sou, Auy, and Kha-mu		

43. The Mon Khmers are characterized as belonging to the very diverse group of indigenous inhabitants who lacked both writing system and formalized political organizations beyond the village. No sense of political, and little of ethnic unity. Their economy is based on dry hill rice in swiddens with the slash-and-burn method. The Tai-Dam on the other hand are said to have not received much influence from Indian culture hence most are animists, resisting absorption into mainstream Lao culture. Their economy is based on irrigated rice.

44. During consultations with select villages in the three provinces, farmers aver to the following constraints: (i) lack of farm implements/inputs and technical assistance; (ii) issues on food security, health, and sanitation, (iii) Poor rural infrastructure like roads that link to markets, and water supply, (iv) unemployment; (v) need for schools and electrification, (vi) land issues that limit shifting cultivation.

45. **Farm Households, Land Holdings, and Farming Systems in BCI-II Sites.** There are three types of farming systems: (i) paddy rice, (ii) upland shifting cultivation and (iii) combination of both paddy and upland rice production.

46. The Lavaes (belonging to the Mon Khmer) of Champasak generally engage in paddy rice production. Each household on the average farms a hectare of land planted to maize, chili, sweet-potato and other vegetables for their household consumption. Home gardens are located close to their paddy rice fields or places of residence. Rice and vegetable trading is in Pakse and takes about 40 to 50 minutes by truck. About 30% of the total population of BCI-II villages in Champasak reported rice shortage. However, they are able to purchase rice from the more progressive farmers in the village.

47. The Mon Khmer ethnic groups of Attapeu and Xekong within BCI-II sites trace their productive activities to swidden agriculture. They however practice the dual system of paddy rice and upland rice production. Household monthly income (cash) from farming and non-timber forest products range from USD 30.49 – USD 426.83 per household or an average of USD 211.96. Paddy land is limited thus there is concentration on upland swidden rice cultivation. Villagers freely occupy degraded forestlands for upland shifting cultivation with agreement from village headmen.

48. While modes of production revolve around subsistence farming, cash income is mostly derived through collection of NTFPs. Level of schooling ranges from Grades 1-4. Work hours among ethnic women exceed those of males at average of 3 hours.

49. Ethnic groups of Champasak and Attapeu are mainly paddy rice farmers as a result of GoL

efforts to limit swidden farming for the past four years. In Phoukeua, Phouvong, Attapeu, the Sedang still persist with upland shifting cultivation, particular to such mountainous areas. Furthermore, areas available for paddy rice production are extremely limited hence these groups are relegated to marginal lands. Households found in BCI areas are dependent on the GoL scheme of issuing Land Certificates, as they are found peripheral and in some cases within protected areas. Certificate issuances have been slow paced as averred by District Officials of the Land Management Office.

50. **Gender Concerns at the Site Level.** Consultations and interviews conducted with Women's Union at the village, district and national levels of Lao PDR as well as the Lao Front reveal the primary need of women to be provided access to social services. Issues and concerns are stipulated as follows:

- 1-(i) ~~Absence or lack of rural and social infrastructure. Inter-village roads are far and difficult to access. There is are no means of transportation. W, thus women walk, taking up much of their time, to undertake for household reproductive activities.~~
- 2-(ii) ~~Literacy and living conditions, though improved at current in recent times, still show marked illiteracy among women, especially from ethnic groups.~~
- 3-(iii) ~~Poor household credit performance.~~
- (+) (iv) ~~Low incomes, that result to resulting in increased labor migration, especially by the menfolk, leaving the womenfolk behind with the to care for children and farmlands agriculture production.~~

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51. ~~Thus, by the end of the consultations,~~ local stakeholders ~~expressed mirrored~~ their priority investments to enable them to address their plight. Responses are clustered by province and were strong on rural inter-village roads, water supply, and electrification. In Sompoy, Attapeu and Ta Ong, Champasak, the concern was the need for toilets. Such choices reflect the need to save on time and access markets and social services, most especially in relation to health, sanitation and education.

C. BCI 2 Benefits and Potential Impacts

1. Potential Positive Benefits

52. Potential benefits of BCI 2 to Ethnic Groups in the project area are:

- (i) Capacitation of local institutions that enable/ensure community participation in resource planning and management.
- (ii) Improved quality of life and food security among EGs through (a) provision of nondestructive livelihood opportunities, (b) improved availability of resources: water, timber, and other forest products, (c) improved soil fertility, decreased soil movement and reduced vulnerability to risks of climate change, and (d) enhanced biodiversity.
- (iii) Empowering EGs to legitimately utilize their natural resources, the framework for which will be spelled out by commune land use/development plans that the affected EGs themselves will design and agree on.
- (iv) Improved access to market and social and community services. Rehabilitation of farm-to-market roads will improve the local people's access to social services, like education and health.
- (v) The rehabilitation of farm-to-market roads and communal irrigation systems as well as technical assistance extended for appropriate nondestructive livelihood will improve farm productivity.
- (vi) Downloading of ~~commune-village~~ development funds to further allow for ethnic community empowerment in project activities as they address organizational, community and household needs. This will be most significant if the women's union at the ~~commune-village~~ level is further capacitated in fund and associated technology management.

2. Potential Negative Impacts

53. Notwithstanding the aforementioned benefits, the Project could also bring about or reinforce a number of adverse social impacts that can be mitigated, such as the ones outlined below.

- (i) Encroachment due to improved access. With the rehabilitation of rural infrastructure, there is potential for increasing access to conservation sites especially by outsiders or those not belonging to the same Ethnic Groups within a BCI 2-assisted area aggravating current resource use competition. Zoning and land use certification provide the necessary tools to regulate such threats.
- (ii) Social exclusion/elite capture. Protocols in a number of these communities require that project entry seek prior approval from commune/district heads, District Offices and other local governance structures. This includes how benefits are distributed, which have to be coursed through these entities. While protocols are imperative for project acceptability these can pose a challenge to ensuring that there is broad community support for the project and that members of the Ethnic Groups benefit from it, regardless of social status. Participatory, multistakeholder consultations and priority identification as well as project social and participatory monitoring tools will be used to mitigate this.
- (iii) Increase in value of land in project sites. Investments introduced through the project increase the likelihood of land speculation, which may increase selling of Ethnic Groups land rights to the likes of tree plantation investors. Benefits derived from such transactions will be transitory but their effects could be further marginalization of Ethnic Groups. BCI 2 therefore provides measures in mitigating such deals through collective land use certification.
- (iv) Increase developmental dependency. Commune development grant arrangements may further encourage dependency to donors and government institutions. Such livelihood grants if not handled sensitively may result in corruption; thus BCI 2 provides the necessary capacity building in funds management and financial auditing of CDFs. The CDFs are to generate self-sustaining projects and encourage villages to start their own enterprises and account for their own finances.

IV. SOCIAL IMPACT ASSESSMENT AND EM PLANNING

54. This section describes the essential steps in preparing an EGDP and provides suggested actions for inclusion in a BCI 2 EGDP. Through the SIA each subproject will identify key project stakeholders, beneficiaries and ethnic groups and undertake a culturally appropriate and gender-sensitive process for meaningful consultation. The Project will retain qualified and experienced experts to carry out a SIA for each subproject, to determine the impacts on EGs and prepare an EGDP in conjunction with the feasibility study. The subproject's potential social impacts and risks will be assessed against the findings and requirements presented in the SIA and EGDP.

A. Social Impact Assessment

55. Qualified and experienced experts will be contracted to conduct a full social impact assessment (SIA) in a gender-sensitive manner in consultation with EGs. The SIA will (i) establish the baseline socioeconomic profile of EGs in the project area and the project impact zone; (ii) assess access and opportunities to avail of basic social and economic services, (iii) determine the short- and long-term, direct and indirect, and positive and negative impacts of the project on each group's social, cultural, and economic status, (iv) assess and validate which Ethnic Groups will trigger the SPS principles, and (v) assess subsequent approaches and resource requirements for addressing the various concerns and issues of projects that affect them. An EGDP in conjunction with the subproject feasibility study will be prepared if impacts on EGs are established.

56. The social impact assessment concepts and methods are enclosed in Appendix 1. These provide guidance on the methods and the data need to be collected and analyzed.

57. **Data Collection and Analysis.** The SIA will be a field based exercise in which primary socio-economic data as well as the opinions and needs of the affected communities are collected through surveys, interviews, focus groups and participatory meetings conducted for each subproject feasibility study. The SIA will identify the project-affected Ethnic Groups and the potential impacts of the proposed subproject on them. Whether potential effects on Ethnic Groups are positive or negative, each subproject will prepare a SIA that will:

- (i) Provide a baseline socioeconomic profile of the ethnic groups in the subproject area. Baseline information will include ethnicity and sex disaggregated data on demographic,

social, cultural, and wealth status (poverty levels) characteristics of the affected EG communities.

- (ii) Identify the land and territories that EGs have traditionally owned or customarily used or occupied; and the natural resources on which they depend.
- (iii) Assess their access to and opportunities to avail themselves of basic social and economic services.
- (iv) Include a gender-sensitive assessment of the affected EG perceptions about the project and its impact on their social, economic, and cultural status. A gender-sensitive analysis is critical to the determination of potential adverse impacts, relative vulnerability and risks to the affected ethnic communities given their particular circumstances and lack of access to opportunities relative to those available to other social groups.
- (v) Assess the potential adverse and positive effects of the subproject. These should be assessed for the short- and long-term, direct and indirect, and positive and negative impacts of the project on each group's social, cultural, and economic status.
- (vi) Assess and validate which ethnic groups will trigger the EG safeguards requirements.
- (vii) Identify and recommend measures necessary to avoid adverse effects or, if such measures are not possible, identifies measures to minimize, mitigate, and/or compensate for such effects. Such measures must ensure that EGs receive culturally appropriate benefits under the project.

58. Below are BCI 2 suggested modalities for engaging EGs during the SIA:

- (i) Key informant interviews (KII) - A series of one-on-one interviews used to collect information from a wide range of people who have in-depth knowledge of selected development issues related to the project/subproject.
- (ii) Focus group discussions (FGD) - A group interview, usually conducted with a relatively homogenous group of 8–12 participants to understand their attitudes, feelings, beliefs, and perceptions about the project/subproject.
- (iii) Participatory Learning and Action - A broad array of participatory methods—such as community meetings and mapping activities—to identify development priorities and to catalyze learning and action, especially for the illiterate and semi-literate sectors in the commune.
- (iv) Consultative-workshop – Conduct of facilitated workshop used to reach consensus on priority problems, project/subproject design elements, and monitoring plans, create a common vision and commitment to address development challenges, and build group understanding of opportunities, challenges, and strategic options to focus and address project/subproject priorities.
- (v) Write shop—Conduct of facilitated workshop to review, create, and shape new development policies, strategies, or procedures. Ethnic Groups may choose legitimate representatives as resource persons to attend or if as participants, those who are capable of reading and writing among them.

B. Ethnic Groups Planning

59. By initial screening, if an EGDP is required for a subproject, it will respond to the issues identified in the SIA and through consultations and will set out the measures whereby the Provincial Project Office (PPO) will ensure that:

- (i) Affected EGs receive culturally appropriate social and economic benefits;
- (ii) When potential adverse impacts on EGs are identified, these will be avoided to the maximum extent possible; and
- (iii) Where this avoidance is proven to be impossible, based on meaningful consultation with ethnic communities, the EGDP will outline measures to minimize, mitigate, and compensate for the adverse impacts.

60. Qualified and experienced experts will prepare the planning documents through meaningful consultation with affected groups to ensure that affected EGs will receive culturally appropriate social and economic benefits and that when potential adverse impacts on them are identified, these will be avoided to the maximum extent possible. When avoidance is deemed impossible, the

EGDP will identify measures to minimize, mitigate, and compensate for adverse impacts. If EGs will be the majority of direct project beneficiaries, and when only positive impacts are identified, elements of the planning document may be included in the overall project design in lieu of preparing a separate EGDP. The planning document will establish requirements for meaningful consultation and how benefit sharing are fulfilled and integrated into the project design.

61. The level of detail and comprehensiveness of EGDPs will vary depending on the specific subproject and the nature of impacts to be addressed. If EGs are the sole or the overwhelming majority of direct project beneficiaries, and when only positive impacts are identified, the elements of an EGDP could be included in the overall project design rather than preparing a separate EGDP. In such cases, the project document will include a summary of about how the project complies with the EG safeguards. In particular, it will explain how the requirements for meaningful consultation are fulfilled and how the accrual of benefits has been integrated into the subproject design. Also where appropriate, combined resettlement and EG plans will be prepared.

62. Appendix 2 of this report provides an outline for an EGDP report, based on the subproject outputs and potential positive and negative impacts on local EGs arising from SIA.

63. Following the completion of detailed engineering design and detailed measurement surveys, the EGDP will be updated. Mitigating measures to avoid adverse impacts on EGs and measures to enhance culturally appropriate development benefits will be adjusted, but the agreed outcomes as specified in the draft EGDP will not be lowered or minimized. If new groups of EGs are identified prior to submission of the final EGDP, meaningful consultation will be undertaken with them also.

64. The PPO should ensure that the resources, including financial and human resources, are sufficient before implementing the EGDP. The PPO should also ensure that the LFNC, local authorities and EG leaders are fully informed the plan of EGDP implementation.

65. The PPO, in coordination with the LFNC, local authorities and EG leaders, implements the EG development activities and the potential negative impact mitigation measures that specified in the approved EGDP, following the plan that was already agreed with local people and EGs in the subproject area during the EGDP preparation. The activities and the outcomes of the EGDP implementation should be recorded and placed in communal, district levels, and provincial project management units.

66. An updated EGDP may be necessary to reflect mitigating measures to avoid adverse impacts on EGs as well as measures to enhance culturally appropriate development benefits following the completion of detailed engineering design and detailed measurement surveys. These may be adjusted, but agreed outcomes as specified in the developed framework documents will not be lowered or minimized. If new groups of EGs are identified prior to submission of the final planning document to ADB, meaningful consultation will likewise be undertaken with them.

V. INFORMATION DISCLOSURE, PARTICIPATION, CONSULTATION

A. Information Disclosure

67. **Information disclosure.** Disclosure modalities will be in accordance with prevailing customs and traditions, ~~communication mechanisms to be written in the ethnic group language as authorized developed to be relevant to different context of the ethnic groups in the subproject areas in-by consultation with~~ community elders/ leaders, delivered and posted in conspicuous places or if lengthy, copies provided to community elders/leaders and the LFNC. Popular forms of printed materials include: fact sheets, flyers, newsletters, brochures, issues papers, reports, surveys etc. Popularized materials aim to provide easily read information. These materials should be in the local language enhanced with drawings, to inform a wide range of ethnic groups about the planning and assessment processes and activities.

68. **Documents disclosure.** For ADB, the following are required: (i) draft EGDP and/or EGDF as well as the social impact assessment, as endorsed by the LFNC before appraisal; (ii) final EGDP and/or EGDF; (iii) new or updated EGDP and/or EGDF; and (iv) monitoring reports. These documents will be generated and produced in a timely manner, in both the ADB/BCI-II website or any locally accessible place in a form and language understandable to the affected ethnic groups and other stakeholders.

69. For affected ethnic communities, pertinent information for disclosure are: (i) notices of meetings/consultation, (ii) BCI-II concept and implementation arrangements, (iii) results/minutes/agreements made during meetings/consultations, grievance redress mechanisms, results

of assessment studies, EGDF and/or EGDP, and M&E results.

70. The ADB SPS requirements (SR 2 & 3) as well as the ADB Public Communication Policy will serve as guide. The documents listed above will be uploaded in the BCI-II website as well as the ADB website.

B. Consultation and Participation

1. Consultation Across Project Cycle

71. Meaningful consultation with EGs will be ensured through harnessing of culturally appropriate communication strategies and use of local language. Table 7 (Consultation and Participation Plan (C&P) presents the definitive points for stakeholder participation across within the project cycle under BCI 2, specific to subproject preparation and implementation. The Plan will be undertaken to ensure informed participation in all facets of the project cycle such that project benefits that accrue to them shall be in a culturally appropriate manner. Timely disclosure of relevant and adequate information will be made that is understandable and readily accessible to affected people/gender, in an atmosphere free of intimidation or coercion.

Table 7. Consultation and Participation Plan: Summary Chart

ITEM	Stakeholder Group				
	Executing/ Implementing Agency	Lao Front for National Construction	Ministries: Planning & Investments	Vulnerables: EGs, Farmers & Women (Village Level)	Civil Society (i.e., Academe, &NGOs)
A. Project Cycle: Task/Objective of Stakeholder Participation					
1. Project identification	Prepare sectoral development framework plans and guidelines/strategies for programming & prioritization of subprojects requiring assistance			Prepare and prioritize community needs/ plans/ programs/ projects	Participate in consultations within mandated areas
	Subproject screening			Participation to free & prior informed consultations	
2. Project Preparation	Identify subproject proposals for possible foreign and local assistance in close coordination with implementing units and other appropriate government agencies	Coordinate and oversee all consultations to project preparation in areas with EGs.	Provide technical staff support to subproject coordination & review	Participation to free & prior informed consultations (resulting in EGDP & RP)	Consultation and participation
	Recommends criteria and system for evaluating projects; and	Coordinate preparation of appropriate social safeguards			Preparation of Social Assessment
	Information disclosure				Preparation of EGDP (if applicable)
					Preparation of Resettlement Plan (if applicable)
3. Appraisal	Coordinate the conduct of subproject appraisal;	Ensure preparation of appropriate social safeguards;	Monitor status of proposed subprojects for possible funding assistance by BCI 2;	Participation to free & prior informed consultations (resulting in issuance of consent document)	Participate in validation of safeguards documents
		Verify adequacy of the policy and legal framework; adequacy of allocated technical, financial, & human resources.			
		Examines whether EGs have participated in EGDP formulation			
4. Project Implementation (including inception, detailed engineering,	Provide basic policies, systems and procedures for the effective & efficient implementation of subproject;			Spearhead preparation of detailed engineering design of subprojects	Conduct external M&E and performance/impact assessment
	Provides technical assistance in detailed design, project monitoring and assessment;			Implement & manage subproject	Develop & implement IEC plan (to include

ITEM	Stakeholder Group				
	Executing/ Implementing Agency	Lao Front for National Construction	Ministries: Planning & Investments	Vulnerables: EGs, Farmers & Women (Village Level)	Civil Society (i.e., Academe, &NGOs)
monitoring, & review)					disclosure measures), materials and/or training
	Monitor performance and impact of project in coordination with donor and oversight government agencies;			Involvement in participatory monitoring	
	Coordinate with funding/donor/ oversight agencies in project programming and monitoring;			Attend to capacity building activities	
	Oversee & coordinate subproject, EGDP & RP implementation;		Ensure project compliance to loan agreements/ commitments;		
	Prepare, conduct and attend (depending on nature of capacity building)subproject capacity building initiatives				
5. Completion & post evaluation	Evaluate project performance and impact in coordination with donors and oversight government agencies;			Participate in project & subproject impact assessment/post project completion	Conduct impact assessment/post project completion
	Document, disseminate lessons learned, & when applicable mainstream experiences gained and technologies generated from the subproject, and provide policy recommendations with reference to development initiatives and implications to future projects;			Ensure operation and maintenance/ sustainability of subproject	
	Coordinate with funding/donor/ oversight agencies in project evaluation;				
	Conducts post project evaluation and impact analyses.				
		Coordinate project evaluation in EG project areas.			

72. The approach is anchored on improving development outcomes for EGs through their informed participation and decision-making. Culturally sensitive social participation modalities are central to BCI 2 operations. The approach involves building on peoples' knowledge and capacities. Safeguarding the rights and interests of EGs are basic elements to the main activities of the BCI 2 development process.

73. Every aspect of the subproject idea is subject to systematic and comprehensive evaluation hence a project C & P plan is prepared. Inasmuch as the ADB-SPS is operational under BCI 2, the consultation processes must address the following: (i) EG customary rights pertaining to lands and resources, and access issues in regard to sustainability of their cultures and livelihood systems; (ii) protection of lands, and resources against illegal intrusion or encroachment; (iii) cultural and spiritual values that EGs attribute to such lands and resources; (iv) indigenous knowledge systems and practices viz long-term sustainability of such practices; and (v) rehabilitation of EG livelihood systems especially among those who may be restricted from their lands.

74. Since BCI 2 involves activities that are contingent (BCI 2 Components 2 and 3) on establishing legally recognized rights to lands and territories that EGs have traditionally owned or customarily used or occupied, an action plan for the legal recognition of customary rights to such lands and territories shall be integrated in the EGDP, prior to actual implementation.

75. BCI 2 implementers will conduct consultation during the project planning process and preparations phases to initially commence with a social assessment where stakeholder identification and analysis is made. Records of consultation will be kept in particular those identities of recognized community representatives, respected key informants, and legitimate representatives of subgroups (i.e., women, farmers, and youth).

76. Individuals or groups identified to be vulnerable to adverse project impacts and risks will be consulted as regards mitigative measures to the satisfaction of these groups. It is imperative that vulnerable ethnic groups are consulted in (i) identifying potential impacts and risks; (ii) assessing the consequences of these impacts and risks for their lives and (iii) providing input into the proposed mitigation measures, the sharing of development benefits and opportunities and implementation issues. If new impacts and risks are foreseen or shall crop up during the planning and assessment process, then appropriate consultative measures are made and taken into account in the overall project and subproject designs.

77. **Free, Prior and Informed Consultations.** Executing/Implementing agencies will conduct

consultations with recognized community representatives, respected key informants, and legitimate representatives of sectoral groups. Consultations are characterized as follows:

- (i) Consultation mechanisms must not have manifestations of coercion or intimidation;
- (ii) Lead time is made for the following: a) project information to be interpreted/translated in the prevailing language common to the commune/village; b) consideration for local inputs to subproject siting, location, routing, sequencing, and scheduling); and c) attempts at consensus building for the choice and design of mitigation measures and sharing of development benefits and opportunities; and
- (iii) Consultation with EGs will be scheduled and conducted based on adequate and relevant disclosure of project information.

78. The executing/implementing agency will be assisted by qualified consultants who will disseminate information about the project, in a manner appropriate for the EGs in the project area. Special efforts will be made to ensure that all sectors of the communities will have equal opportunities to express their respective issues and concerns. Consultations may be iterative to ensure affected groups understand the project thus they are able to form and express an opinion about the project.

2. Stakeholder Participation

79. Participation under BCI 2 will involve the transferring of power to EGs at the commune level enabling them to negotiate with development delivery systems, and deciding and acting on what is essential to their development. There are several types or forms of stakeholder participation that could range from shallow, or simply being informed, to deep, or actively participating to be responsible for their own actions and development pathways. Of these, BCI 2 shall adopt combinations of these participation types for EGs, summarized as follows:

- (i) Collaboration/Decision-Making. While EGs or their legitimate representatives are invited about a pre-determined objective, problems or issues are identified and discussed, and solutions are collaboratively made. Ethnic Groups or their legitimate representatives may not have initiated the collaboration, but they significantly influence the results. Their ideas may change the project design or implementation plan, or contribute to a new policy or strategy. A development professional or organization engaged to solicit stakeholder involvement takes the EGs' perspectives seriously and acts on them.
- (ii) Joint Empowerment/Shared Control. Shared control involves deeper participation than collaboration. Ethnic Groups or their legitimate representatives are empowered by accepting increasing responsibility for developing and implementing action plans. They become accountable for either creating or strengthening local institutions. Development professionals are mere facilitators of the locally driven process. Ethnic Groups assume control and ownership of their subproject component, and make decisions accordingly. Participatory monitoring is enabled where EGs assess their own actions using procedures and performance indicators they selected when finalizing their plans thereby reinforcing empowerment and sustainability.

3. Documentation of the Consultation Process and Broad Community Support

80. Process documentation⁴ is a process-oriented data-gathering tool that aims to enhance understanding of the relationship between process and structure. It is used to capture group dynamics, issues and concerns affecting decisions in support or against the project/subproject. It identifies the facilitating and constraining factors and eventually the consensus building process.

81. Process documentation therefore will serve as BCI 2 documentation for broad community support. It will focus on dimensions that are most likely to affect or influence the decision making and consensus building among EGs and their perceptions, roles and relationships, decisions and trade-offs, strategies, priorities, activities and events, investments and accomplishments, factors that shape the context in which any focus of the project/subproject is operating including factors

⁴ Botengan, MP and DM Cacha. (2005) *Multi-Stakeholder Participation Handbook*. Strengthening the Environmental Performance Monitoring and Evaluation System of the Philippine Environmental Impact Statement System (SEPMES-PEISS). EMB-DENR and The World Bank. Institutional Development Facility (IDF) Grant No. TF050534.

that help explain outcomes, implications, and lessons.

82. Documentation for broad community support will observe the following:
- (i) Context of the gathering (consultation or any activity initiated by or for BCI 2 - reason for the activity, where, when, who are present.
 - (ii) Involved stakeholders - note how actors or key players relate to one another (protagonist, antagonist, supporting roles, pro, anti, etc.) within the context of the activity.
 - (iii) Identify what is being said; how it is said and may include for non-verbal actions.
 - (iv) Note if politics or the ability to influence others come into play. Determine and document the tactics employed.
 - (v) Identify the major forces reckoned with, if any, and consider the possible entry points to deal with such force.

83. Results of process documentation should provide information sufficient enough to support decisions about the project/subproject C&P process. Reports should therefore be easy to read/use, and attached to all technical reports to capture broad community support. The process documentation per village/ethnic group will be validated and endorsed by the LFNC observing inherent institutional protocols across levels (village to district and province).

VI. GRIEVANCE REDRESS MECHANISMS

84. The mechanism to receive and facilitate resolution of the affected ethnic groups' concerns, complaints, and grievances is provided and ethnic communities will be appropriately informed about such mechanism. A culturally appropriate, gender responsive, and accessible mechanism is formulated but shall not impede access to the country's judicial or administrative remedies.

85. The Lao PDR judicial system at the local level is based on Village Mediation Committees normally used for grievances against local government agencies, civil actions and minor criminal matters. Should issues not be resolved at the village level, an appeals process at district and provincial levels are made available. The districts are often grouped into a sub-Provincial region. In the participating provinces land issues are the dominant issue that Committees deal with both in terms of individuals vs. individuals and individuals vs. government agencies. As this structure and mechanism exists the proposed project will utilize the Committees for grievance redress.

86. In each subproject area, an awareness campaign will be conducted to ensure that all community members (women and men of all ethnic groups) are made to understand the roles, responsibilities and processes of the Village Mediation Committee.

87. Affected EGs shall be exempted from all administrative and legal fees incurred pursuant to the grievance redress procedures. All complaints received in writing from affected EG beneficiaries will be documented and shall be acted upon immediately according to the procedures detailed above.

VII. INSTITUTIONAL ARRANGEMENTS

A. National Level

88. The Executing Agency will be the Ministry of Agriculture and Forestry (MAF) who will delegate responsibility for overall project management and coordination to the DOF. Under the Department of Forestry (DOF), a National Project Management Office (NPMO), led by a full time Project Coordinator to manage project implementation at the national level will be established. The Water Resource and Environment Administration (WREA) will maintain links with the GMS through the Working Group for Environment (WGE). It will also be responsible for environmental safeguards.

89. Steering Committees will be established at national and provincial levels to provide overall guidance and interagency coordination.

B. Provincial Level

90. At the provincial level, the Provincial Agriculture and Forestry Office (PAFO) will be the implementing unit and will in turn put up a PPO in each province to be taken on day to day implementation and management of provincial level project activities. The responsibility for preparing and implementing the EGDPs will be the PPO of the participating province. The EGDP will have an implementation schedule that is coordinated with project/subproject implementation. A

capacity building on EGDP preparation and monitoring for EA/IA at national, provincial, and district levels will be considered. Specifically, the PPO shall:

- (i) Undertake preliminary screening to determine the categorization of EG impacts arising from the Project;
- (ii) Implement the SIA and undertake the participatory consultation with EGs.
- (iii) Use feasibility study socio-economic surveys, including ethnicity and sex disaggregated data, to understand local EG development issues;
- (iv) Undertake and document consultation with communities and local ethnic groups to determine the appropriate interventions;
- (v) Design interventions to address identified issues relevant to the overall subproject.
- (vi) Recruit experienced local consultants as required to assist with social assessments, and prepare the relevant documentation; and
- (vii) Supervise the implementation and monitoring of the EGDPs, or the enhancement measures.

C. District and Village Level

91. District teams consisting of technical staff of the District/Department of Agriculture and Forestry Office (DAFO) will be responsible for subproject or subsector activities. At the district and commune levels, District Teams (DT) will be established in each participating district. The DTs will be responsible for ensuring coordination of day-to-day activities at the district and commune level between the Project and district and commune authorities. This will include assisting the PPO with data collection, undertaking the SIA and organizing public consultations with EGs. The DTs will involve technical personnel from the district line agencies, including the [Provincial Committee for the Advancement of Women](#), Lao Women's Union and the LFNC.

VIII. MONITORING AND REPORTING ARRANGEMENTS

92. There will be two monitoring mechanisms: internal monitoring and external monitoring that will determine if the EGDP is being carried out in accordance with this EGDF. The Executing/Implementing agency shall conduct the supervision and in-house monitoring of implementation of the EGDP. The procedure for monitoring will be guided by the monitoring, evaluation, and reporting arrangements set forth in the EGDP. An external monitoring organization (EMO) will verify internal monitoring reports. Prescribed indicators for internal and external monitoring are presented in Appendix 3.

93. **External Monitoring.** External Monitoring will be commissioned by the Executing agency to undertake independent external monitoring and evaluation. The EMO for the Project will be either a qualified individual or a consultancy firm with qualified and experienced staff.

94. The Terms of Reference for the EMO shall be prepared by the Executing agency and shall be acceptable to ADB prior to engagement. The Executing agency is responsible for the engagement of the EMO and ensures that funds are available for monitoring activities, and submits monitoring reports to the ADB.

95. Specifically, the activities of the EMO are as follows:

- (i) Verify results of internal monitoring;
- (ii) Coordinate with the relevant EG Office regarding the monitoring and evaluation of the situation of affected EGs;
- (iii) Verify and assess the results of the Project IEC for EGs;
- (iv) Assess efficiency, effectiveness, impact and sustainability of EGDP implementation;
- (v) Suggest modification in the implementation procedures of the EGDP, if necessary, to achieve the principles and objectives of this EGDF;
- (vi) Review of the handling of compliance and grievances cases.

96. **Schedule of Monitoring and Reporting.** The Executing agency shall establish a schedule for the implementation of the EGDP taking into account the project's implementation schedule. It is expected that one month prior to the start of subproject implementation, internal and external monitoring key actors shall have determined all EGDP activities.

97. **Compliance Monitoring.** This is the first activity that both internal and external monitoring people shall undertake to determine whether or not the EGDP is implemented out as planned and

according to this policy. The EMO will submit an Inception Report and Compliance Monitoring Report one month after receipt of Notice to Proceed for the engagement. The engagement of the EMO is scheduled to meet this Policy's requirement of concluding EGDP implementation activities at least one (1) month prior to the start of zoning and/or civil works.

98. Semi-annual Monitoring. The EMO will be required to conduct semi-annual monitoring of EGDP implementation activities.

99. Final Evaluation. Final evaluation of the implementation of the EGDP will be three months after its completion. The EMO shall coordinate with the Executing agency, LFNC as well as the affected EGs on the dates of the final evaluation of the EGDP.

100. Post-Evaluation. This activity will be undertaken one year after the completion of the project/subproject in order to determine whether the social and economic conditions of affected EGs have improved or have been restored to pre-project levels.

101. Internal and external monitoring reports will be made available to all implementing units, including the ethnic communities. The EMO is accountable to the Executing agency as they submit copies of internal and external monitoring reports to ADB. Costs of monitoring requirements will be reflected in project budgets.

IX. BUDGET AND FINANCING

102. The EGDF provides the line item costs that will be subject to detailed planning and budgeting during implementation at the project and subproject levels.

103. The CPCU is responsible in the provision of necessary financing of all EGDF and EGDP activities. The EGDP will specify funding requirements for each of the actions in the plan. Cost estimates provided in the plans must be as detailed as possible, linked to specific activities. The EGDP will focus on costs involved in mitigating adverse socio-cultural impacts.

104. As such, BCI 2 has allocated funds for planning and implementing EGDPs (budget has been included in implementing Components 1, 2 and 3). EGDP planning and budgeting shall observe and adhere to prevailing cultural practices. Table 8 provides the line item costs that will be subject to detailed planning and budgeting during implementation at the project and subproject levels.

Table 8. Budget Items for Activities in Support of Ethnic Groups

ACTIVITY	DESCRIPTION	DURATION
1. Social Assessment	All villages with EGs Conduct social impact assessment and benchmarking	3 months: before any subprojects are implemented
2. Processing of ancestral lands or land use certificates for EG HHs	Land delineation and certification/titling	Variable but before subprojects are implemented. May be during landuse planning and delineation
3. Preparation of EGDP and RP		Cost and duration generally same for Social Assessment per study
4. Monitoring for EGDP as built into the project design.	<u>Quarterly Monitoring.</u> The EMO will be required to conduct quarterly monitoring of EGDP and RP implementation activities. <u>Final Evaluation.</u> Final evaluation of the implementation of the EGDP will be three months after its completion. The EMO shall coordinate with the Project Implementation Unit and the affected ethnic community on the dates of the final evaluation for the EGDP. <u>Post-Evaluation.</u> This activity will be undertaken one year after the completion of a project/ subproject in order to determine whether the social and economic conditions of the affected EGs have improved or have been restored to pre-project levels.	Contracted to independent body/entity. Built into implementation arrangements for consulting/ contractual services
7. Preparation of IEC materials	Aside from those enumerated in this Table, refer to GAP and coordinate activities/costs	Print materials
8. Capacity building for Gender Mainstreaming	Annual. Targets are beneficiaries, implementers and local government officials; integrate with GAP and RF costs/activities.	Annual for project as a whole and specific to subprojects separate.
9. Sensitivity to EG Culture	Target is project implementers and local government officials/staff	Project onset, mid and post project
10. Capacity building for ethnic communities	Organizational/Financial development and management, Biodiversity Conservation, climate change etc.	
11. Hiring of National Consultant for Social		36 person-months

ACTIVITY	DESCRIPTION	DURATION
Safeguards		
12. Hiring of International Consultant for Social Safeguards		3 person-months

Appendix 1: Social Impact Assessment Concepts and Methods

I. SOCIAL DEVELOPMENT AND SOCIAL ANALYSIS

1 Inclusive social development” is considered essential to the reduction of poverty and achievement of development goals. In this Social Impact Assessment (SIA) outline, “social development” refers to equitable and sustainable improvements in the physical, social, and economic well-being of individuals and social groups, especially those that are socially or economically disadvantaged. Social development also has an institutional dimension, in that social variables such as gender, ethnicity, race, and age often shape the formal and informal rules and norms that influence people’s access to services, resources, opportunities, and decision making economic well-being of individuals and social groups, especially those that are socially or economically disadvantaged.

A. Social Development Goal and Outcomes

2. SIA assists in promoting inclusive social development by helping to achieve development outcomes that are equitable and sustainable, thereby contributing to poverty reduction and development goals. The social development outcomes sought through this approach to SIA are as follows:

- Greater inclusiveness and equity in access to services, resources, and opportunities;
- Greater empowerment of poor and marginalized groups to participate in social, economic, and political life; and
- Greater security to cope with chronic or sudden risks, especially for poor and marginalized groups.

3. Participatory processes in which poor and excluded people can find a voice are especially important. More inclusive processes create a more positive environment in which poor and marginalized groups can make choices and pursue their interests. Effective social safety net programs and other mechanisms are also needed to cushion poor and vulnerable households from economic or other shocks so that they can make more steady progress in improving their quality of life.

B. Key Social Dimensions

4. The scope and depth of the social analysis will vary depending on the sector, the focus and complexity of the project, and the social context in which it will be implemented. Nevertheless, the thematic areas that a social analysis will cover generally includes the following key social dimensions and strategies:

- Participation;
- Gender and development;
- Social safeguards; and
- Management of other social risks and vulnerabilities.

5. These social dimensions are interrelated and crosscutting and while they capture the main types of social issues that arise in development projects, they are not exclusive and can take on different attributes and significance depending on the local context.

C. Key Social Analysis Outputs

6. Social analysis is an integral part of project design process and should contribute to the technical and economic analyses, stakeholder consultations, consideration of alternative design options, and preparation of the final design, including monitoring and evaluation indicators. The overall results of the social assessment will provide the following key outputs:

- Socioeconomic profiles of relevant population groups;
- Social action or mitigation plans, or other measures incorporated in the project design; and
- Social development targets and indicators.

II. DATA COLLECTION

7. This section describes some main tools and data collection methods for social analysis that are useful in designing projects. Data collected for the social analysis should provide a basis for setting appropriate targets, a baseline for monitoring social impacts of the project during implementation and for any social action or mitigation plans. Although there are several data collection methods available for carrying out the social analysis, in all cases, the social analysis should be organized and sequenced so as to:

- (i) Address the significant social issues identified;
- (ii) Provide relevant social development inputs to the technical, economic, and other analyses;
- (iii) Incorporate appropriate measures in the project design, including any social action or mitigation plans; and
- (iv) Provide relevant benchmark data for monitoring social impacts of the project during implementation.

A. Data Collection Methods

8. Various methods for data collection that can be used in the social analysis to investigate the poverty and/or social issues and to identify and clarify the expected impact of the project on different groups, including the poor and excluded. Based on the data collected, poverty, social, and/or risk analysis can be carried out and appropriate design measures, including action or mitigation plans, can be developed.

9. For most projects, the data collection process will include both primary and secondary data, and a combination of qualitative and quantitative methods. Qualitative approaches are particularly relevant to social analysis because they identify issues and capture variables not obtainable through quantitative surveys, particularly relating to social inclusion/exclusion, empowerment/disempowerment, and security/insecurity.

A1. Qualitative Methods

10. Some main methods for collecting qualitative (i.e., nonnumerical) data include:

Direct Participant Observation. Under direct observation, the researcher observes individual, group, or community activities as unobtrusively as possible. Under participant observation, the researcher observes these activities while living and participating in the relevant community.

Interviews. Depending on the circumstances, interviews can be structured (i.e., fairly formal and closely following a written interview guide), semi-structured (i.e., partially directed by a written interview guide, but open and conversational enough to allow interviewees to introduce and discuss other topics of interest), or unstructured (i.e., organized around a few general questions or topics, but generally informal and open-ended).

Questionnaires. Similar to interviews, these can include formal, closed questions (e.g., multiple choice), semi-structured questions, open-ended questions, or a combination of these.

Focus Group Meetings. These semi-structured consultations with a small group (generally 5–10 participants plus 1–2 facilitators) are used to explore people's attitudes, concerns, and preferences. Focus groups are particularly useful to elicit the views of members of a community who may be reluctant to speak in a more public setting (such as women, Ethnic Groups, or disadvantaged castes; the disabled, or poor individuals; and households).

Workshops. These consultations, which can be highly structured or semi-structured, are generally conducted over 1–2 days and bring together a wide range of stakeholders to analyze a particular problem, identify alternative ways to address the problem, and endorse a particular solution or set of actions to be taken. Experienced facilitators are essential to the success of a workshop.

Town/Village Meetings. Community-level meetings can be organized for a variety of purposes, including information sharing, consensus building, prioritizing of issues, planning of interventions, and collaborative monitoring and evaluation.

Mapping. This exercise involves the creation of a pictorial description of a local area by the local inhabitants, usually in a focus group or larger group setting. Common types of maps created through this participatory process include resource maps, health maps, and institutional maps. The maps provide baseline data for further participatory analysis and planning.

A2. Quantitative Methods

11. The quantitative data relevant to social analysis can include both primary and secondary data. Primary data can be collected through such instruments as a sample survey (discussed further in appendix 3.3), a project-specific census (covering all relevant individuals or households), or land/asset inventory (also covering all relevant individuals/households). It is important to structure these instruments so that the data collected are disaggregated by gender, ethnicity, age, income level, and other relevant factors. Sources of secondary data that may be relevant include the following:

Population Census. A national census can usually provide basic data on employment, household size, housing, and access to basic services, including data disaggregated by region or state/province.

Living Standard Measurement Surveys (LSMS) and Other Existing Household Surveys. LSMS and other multi-topic surveys can provide data on household income and expenditures, employment, health, education, ownership of land and other assets, and access to basic services and social programs.

Demographic and Health Surveys. These surveys generally include data on (a) health, infant mortality, fertility, contraceptive practices and family planning, antenatal care, type of facility and care used by women for childbirth, feeding practices, vaccination, health center use by mothers and children, satisfaction with health services, and cost of treatment; (b) educational attainment; (c) occupations of men and women; (d) migration; (e) access to water, sanitation, and energy services; and (f) ownership of durable goods. These surveys can be used to calculate household wealth and are particularly relevant to gender analysis.

Employment Surveys. These surveys provide data on (a) employment, unemployment, and underemployment patterns; (b) wages and other household income; (c) demographics; and (d) housing features. However, the surveys are unlikely to provide information on microenterprises and other informal business activities, or on the unpaid labor of household members involved in agriculture or household businesses.

B. Profile of Beneficiaries

12. Socioeconomic profiles are key inputs to the design of a project, and provide baseline data for monitoring the social impacts of the project on relevant groups. The purpose of these profiles is to:

- Identify the relevant client/beneficiary population and any other populations likely to be affected by the project;
- Identify subgroups with different needs and interests; and
- Assess the relevant needs, demands, constraints, and capacities of these groups and subgroups in relation to the proposed project.

13. These profiles provide a basis for further analysis of significant social issues (e.g., related to gender, Ethnic Groups, involuntary resettlement, labor, affordability, or health/trafficking risks related to large infrastructure projects). They also aid the project design team in framing project components, selecting technologies, and devising implementation arrangements that are appropriate, feasible, and responsive to local needs and capacities.

C. Content of Socioeconomic Profiles

14. Socioeconomic profiles are generally based on secondary data (such as existing census, household surveys, demographic and health surveys, country poverty analysis, and other sources), supplemented as needed by project-specific surveys and/or PRAs. A sample outlines of socioeconomic profile addressing social issues in agriculture and rural development is provided below.

C1. Outline of Profile for Agriculture or Rural Development Project

(i) Location and physical characteristics:

- Map (showing roads, land use, rivers, bridges, major settlement areas); and
- Description of location.

(ii) Economic (including disaggregation of data by gender, ethnicity, and income level):

- Ownership of assets;
- Land (e.g., amount, type, distribution, security of tenure);
- Other (e.g., livestock, equipment, buildings);
- Type of livelihood (e.g., subsistence, commercial, or both);
- Household income/expenditures;
- Skills;
- Employment and allocation of labor;
- Use of and access to credit;
- Use of and access to marketing service; and
- Use of and access to commercial inputs.

(iii) Social infrastructure (including disaggregation of data by gender, ethnicity, and income level):

- Access to health services;
- Education (primary, secondary, informal);
- Water and sanitation;
- Housing;
- Roads and communications; and
- Energy.

(iv) Demographic (including disaggregation of data by gender, ethnicity, and income level):

- Age/sex/family size;
- Birth/death rates;
- Health and nutrition (of adults and children);
- Migration (in and out); and
- Number of single-parent households.

(v) Social organization (including evidence of differences based on gender, ethnicity, or income level):

- Family structures;
- Social structures in the community;
- Information on how collective decisions are made;
- Local institutional structures;
- Nongovernment organizations (NGOs) or community-based organizations (CBOs) in the area; and
- Level of social cohesion, social respect, and initiative.

C2. Surveys

15. Surveys provide important data to project design teams, especially in constructing a socioeconomic profile of the intended clients/beneficiaries and other groups likely to be affected by the project, and in analyzing significant social issues, such as involuntary resettlement or affordability. Much of the relevant data may already be available from the latest population census, living standards measurement survey, or demographic and health surveys. However, project-specific surveys may also be needed to investigate particular social issues in depth, especially if the issues pertain to a specific region or social group. .

D. Designing a Sample Survey

16. In designing a sample survey to inform the design of a project, the project design team will need to specify:

- Objectives of the survey;
- Target population (including relevant subgroups based on gender, ethnicity, income level, location, or other factors);
- Data to be collected (keeping in mind that the survey should be as focused as possible);
- Type of measurement instrument and survey technique;

- Sample frame (keeping in mind that the definition of “project-affected person” will vary depending on the project and on the social issue being investigated, and that some survey questions may be more appropriately directed to individuals rather than households);
- Sample size (which will also vary depending on the type of project, its location, and the social issues involved—discussed further below); and
- Sampling method.

E. Participatory Rapid Assessments

17. Participatory rapid assessment (PRA) is an approach and range of techniques that enable stakeholders to analyze their problems and then plan, implement, and evaluate agreed-upon solutions. PRA allow timely analysis of sufficient accuracy and accepted validity to ensure stakeholder commitment to outcomes. This is best achieved by an astute combination of inclusive group discussions, individual interviews, and analysis of background information.

F. PRA Techniques

18. PRA techniques emphasize visual and verbal analyses (e.g., observing, interviewing, mapping, sketching, ranking) to ensure that data collection and discussion processes can be public, transparent, and group oriented. Commonly applied PRA techniques include:

- Key informant interviews;
- Semi-structured interviews;
- Transect walks;
- Participatory mapping and modeling;
- Wealth ranking and matrix ranking;
- Oral histories;
- Trend analysis;
- Development of seasonal calendars;
- Storytelling;
- Critical incident analysis; and
- Problem census, among others.

III. CONSULTATION AND PARTICIPATION

A. Stakeholder Analysis

19. Stakeholders are people, groups, or institutions that may be affected by, can significantly influence, or are important to the achievement of the stated outcome of a project. They include government, civil society, and the private sector at national, intermediate, and local levels. Stakeholder analysis identifies key project stakeholders, their project-related interests, and the ways they affect project risk and viability. The stakeholder analysis seeks to answer questions like:

- Who depends on the project?
- Who is interested in the outcome of the project?
- Who will influence the project?
- Who will be affected by the project?
- Who may work against the project?
- Who can or should be included in the planning of the project?

B. Steps in Undertaking Stakeholder Analysis

20. Broadly speaking, stakeholder analysis consists of four steps:

(i) Identifying major stakeholder groups:

- The main population groups that may be affected—positively or negatively—by the project and their social characteristics;
- Relevant subgroups that may be affected differently (such as women or girls; ethnic groups, or disadvantaged caste groups; youth or the elderly);
- Key informants, such as community leaders or local government officials;
- Executing or implementing agency staff likely to be involved in the project;

- Civil society organizations (CSOs) in the project area; and
- Private sector firms likely to be involved in or affected by the project.

- (ii) Determining stakeholders' importance and influence on project planning;
 (iii) Analyzing their interests, resources/capacities, and mandates; and
 (iv) Selecting representation among stakeholders to be included in the participatory processes of the project.

21. A variety of participatory techniques, including PRA, may be used to collect data relevant to stakeholder information. Care should be taken to ensure that stakeholders with less voice and influence, such as women, Ethnic Groups, and poor households and communities, are fully represented. For example, in most cases, the assessment should include separate consultations with women and men to ensure that those women's views are heard.

C. Communication and Participation Plan

22. Developing a Communication and Participation Plan (C&P Plan) is recommended for most projects. A C&P plan involves systematically deciding on whom to engage, in what manner, and when. Its purposes are to promote transparency, success, and sustainability, and to prevent delays and manage conflict. It builds on stakeholder analysis and aims to create a systematic plan of action for each phase of activity.

23. For projects in which beneficiary participation is important to the project's overall success, appropriate C&P mechanisms for project implementation should be identified and incorporated in the project design. These could include:

- Targets for the participation of particular groups in project activities;
- Engagement of community mobilizers;
- Provisions for special training or outreach activities (e.g., to facilitate women's participation);
- Inclusion of beneficiary representatives in project review missions and workshops;
- Engagement of NGOs or local research institutes to carry out independent monitoring of the project.

24. Every development situation is different, so each C&P plan is, to some extent, unique. It must balance short- and long-term objectives with both resource and time considerations and concerns over possible project delays or complaints if stakeholders feel they have been not sufficiently included in decision making. The relative importance of stakeholders varies in sector and project work.

D. Checklist for Preparing a Consultation and Participation Plan

25. The following points provide a checklist of questions for preparing a C&P plan.

- Which stakeholder groups will be engaged in consultation and participation (C&P) processes based on the initial stakeholder analysis?
- What decisions need to be made through C&P? And how?
- What is the anticipated breadth and depth of stakeholder engagement at each stage of the project cycle?
- How will C&P be linked to summary poverty reduction and social strategy and safeguards requirements?
- How will C&P be used during implementation?
- What C&P methods will be used?
- What is the time line for C&P activities?
- How will C&P methods be sequenced?
- How have roles and responsibilities for conducting C&P activities been distributed among the executing agency, consultants, nongovernment organizations, and others?
- Are C&P facilitators required?
- What will the C&P plan cost to implement and what budget will be used?

IV. ADDRESSING GENDER DISPARITIES

26. Important differences in roles between women and men, or other gender norms, may have a significant bearing on the project. Because gender disparities usually result in women and men having different needs, demands, and constraints, it is crucial to identify them early in the design process before key decisions are made. If these differences are ignored, the prospects for success of the project may be adversely affected, and women may not have the opportunity to benefit from the project on equal terms with men. Social norms related to gender roles frequently result in:

- Gender-based inequality in access to and control of key resources;
- Unequal opportunities for women and men in areas such as education, mobility, and public decision making; and
- Formal or informal discrimination against women in areas such as inheritance, ownership and registration of land, access to credit, and employment.

A. Gender Analysis

27. The purpose of conducting gender analysis is to determine if significant gender issues related to the proposed project are present. Significant gender issues will be present if:

- Women are substantially involved in the relevant sector;
- The proposed project has the potential to directly improve women's or girls' access to opportunities, services, assets, or resources; or
- The project could have a negative impact on women or girls. Based on this analysis, appropriate measures need to be identified and included in the project design to ensure that women and/or girls can participate in and benefit from the project.

28. Gender analysis identifies:

- Gender differences and disparities that may affect the feasibility and success of the program/project;
- Opportunities within the program/project to improve women's and/or girls' access to basic services, economic opportunities, assets, resources, or decision making; and
- Specific components, activities, or other mechanisms to ensure that both women and men (or girls and boys) participate in and benefit from the program/project.

B. Gender Checklist for Project Design

29. The project's gender analysis should be documented to allow a full assessment of the project design. The following checklist describes the details questions that should be answered as part of the project design documentation.

(i) Do project objectives explicitly refer to women and men (or girls and boys)?

- Have the needs of both men and women (or boys and girls) in the project sector been defined?
- Do the project objectives state the benefits for men and women (or boys and girls)?
- Will women and/or girls be direct beneficiaries in all project components?

(ii) Do project documents describe project consultation and participation (C&P) strategies?

- Have local women been consulted during data collection and design?
- Have local women's nongovernment organizations (NGOs) been consulted?
- Have any constraints to the participation of men and women (or boys and girls) in the project been identified (e.g., cultural, social, religious, economic, legal political, or physical constraints)?
- Have strategies and activities been formulated to address these constraints during project implementation?
- Has a C&P plan for men and women been developed?

(iii) Has gender division of labor been considered?

- Have sex-disaggregated data been collected on the gender division of labor, including household and social responsibilities (i.e., who does what, where, when, and for how long)?

- (iv) As to who has access to and control over resources (including land, forests, waterways, markets, energy/fuel, equipment, technology, capital/credit, and training) been considered?
- Will project activities adversely affect access to and control over resources (e.g., through loss of land, reduced access to markets) of women or men?
 - Will new technologies introduced under the project benefit both women and men?
 - Are women and men equally involved in training opportunities offered?
 - Are project-supported organizations, such as farmer, user, or credit groups, equally accessible to women and men?
 - Are separate activities or components for women (or girls) required to ensure equal access to project resources?
- (v) Have gender concerns in the project design and scope been addressed?
- Does the project design include components, strategies, design features, or targets to promote and facilitate involvement of women (or girls) in the project?
 - Are these design features sufficient to ensure the equitable distribution of project benefits between men and women (or boys and girls)?
 - Does the project document describe these features and design mechanisms?
- (vi) Does the executing agency have the capacity to implement gender-sensitive projects?
- Does the executing or implementing agency have the capacity to deliver services to women and/or girls?
 - Does the executing or implementing agency have female field staff, e.g., female extension workers?
 - Have strategies been identified to strengthen counterpart gender analysis, gender planning, and implementation capacity; and have these strategies been cosseted?
- (vii) How will gender impacts on men and women (or boys and girls) and on the relationships between them be monitored?
- Are there indicators to measure progress in achieving benefits for men and women (or boys and girls)?
 - Will there be a collection of sex-disaggregated data to monitor gender impacts?
- (viii) Are project resources adequate to deliver services and opportunities to both men and women (or boys and girls)?
- Are strategies to promote the participation of men and women (or boys and girls) and equal access to benefits budgeted?
 - Does the budget include allocations for activities to facilitate the participation of women and/or girls?
 - Are strategies and any targets for the participation of and benefits for men and women (or boys and girls) included in the logframe?
 - How is gender expertise to be provided during project implementation?
 - Is responsibility for gender issues included in the terms of reference for the project implementation consultants?
 - Does a covenant/s in the financing documents for the project support the project gender strategies?

C. Gender Action Plans

30. For projects in which significant gender issues have been identified, a priority task of the social analyst or gender specialist is to prepare a Gender Action Plan (GAP) during the design phase. The GAP will follow from detailed gender and is developed to identify project design strategies, mechanisms, and components for addressing gender concerns. The project's gender plan is essentially a summary (no more than 5 pages, including a summary table of actions) that provides information on:

- The preparatory work undertaken to address gender issues,

- The features or mechanisms included in the project design to promote women's involvement,
- Mechanisms to ensure implementation of the gender design elements, and
- Gender monitoring and evaluation.

31. The gender plan should also note what budget provision has been made for these components or design features. Without the allocation of adequate resources, it is unlikely that any separate provisions for the involvement of women or girls will be implemented. Any provision for a gender specialist to help in project implementation should also be noted.

V. SOCIAL RISKS AND VULNERABILITIES

A. Social Safeguards

32. Social safeguard policies⁵ on Ethnic Groups and involuntary resettlement are intended to identify, minimize or avoid, and if necessary mitigate potential adverse impacts that may be introduced by a project. Because of the nature of the potential adverse impacts, and the procedural requirements of the social safeguard policies themselves, it is important to identify and categorize these risks as early as possible in the project cycle

B. Other Social Risks and Vulnerabilities

33. It is important to identify other risks and vulnerabilities that could undermine the project's objectives or affect the project's benefits to clients/beneficiaries. In addition to the social safeguard issues discussed above, other risks may be directly linked to a project, such as

- Poor labor conditions for workers involved in project activities;
- Policy reforms supported by the project that could lead to loss of jobs or benefits through restructuring;
- Policy reforms under the project that could reduce access to services (e.g., through increases in user fees or other charges), or increase prices of essential commodities through tariff increases;
- Risks of HIV/AIDS transmission or human trafficking associated with large infrastructure projects; or
- Risks or vulnerabilities related to caste, age, disability, or a combination of these factors.

34. Depending on the severity of the risks and vulnerabilities, further social analysis and the development of social protection measures or full mitigation plans may be required at the design stage. The project should identify whether any significant social risks or vulnerabilities may be introduced or exacerbated by the project. If so, the project team should determine the scope of social analysis to be undertaken and mitigation measures or plans to be developed during the project design phase.

⁵ ADB's social safeguard policy for Ethnic Groups and categorization of risk (A, B or C) are described in the main text of the EMPF and further information may be found in ADB's *Ethnic Groups' Policy Handbook*, 2007. Information related to social safeguards for Involuntary Resettlement may be found in ADB's "Safeguard Policy Statement 2009" and in ADB's *Handbook on Resettlement*, 1998.

Appendix 2. Outline of an EGD

This outline is part of the Safeguard Requirements 3. An EGD is required for all projects with impacts on Ethnic Groups. Its level of detail and comprehensiveness is commensurate with the significance of potential impacts on Ethnic Groups. The substantive aspects of this outline will guide the preparation of EGDs, although not necessarily in the order shown.

A. Executive Summary of the EGD

This section concisely describes the critical facts, significant findings, and recommended actions.

B. Description of the Project

This section provides a general description of the project; discusses project components and activities that may bring impacts on Ethnic Groups; and identify project area.

C. Social Impact Assessment

This section:

- (i) Reviews the legal and institutional framework applicable to Ethnic Groups in project context.
- (ii) Provides baseline information on the demographic, social, cultural, and political characteristics of the affected Ethnic Groups communities; the land and territories that they have traditionally owned or customarily used or occupied; and the natural resources on which they depend.
- (iii) Identifies key project stakeholders and elaborate a culturally appropriate and gender-sensitive process for meaningful consultation with Ethnic Groups at each stage of project preparation and implementation, taking the review and baseline information into account.
- (iv) Assesses, based on meaningful consultation with the affected Ethnic Groups, the potential adverse and positive effects of the project. Critical to the determination of potential adverse impacts is a gender-sensitive analysis of the relative vulnerability of, and risks to, the affected Ethnic Groups given their particular circumstances and close ties to land and natural resources, as well as their lack of access to opportunities relative to those available to other social groups in the communities, regions, or national societies in which they live.
- (v) Includes a gender-sensitive assessment of the affected Ethnic Groups' perceptions about the project and its impact on their social, economic, and cultural status.
- (vi) Identifies and recommends, based on meaningful consultation with the affected Ethnic Groups, the measures necessary to avoid adverse effects or, if such measures are not possible, identifies measures to minimize, mitigate, and/or compensate for such effects and to ensure that the Ethnic Groups receive culturally appropriate benefits under the project.

D. Information Disclosure, Consultation and Participation

This section: (i) describes the information disclosure, consultation and participation process with the affected Ethnic Groups that was carried out during project preparation; (ii) summarizes their comments on the results of the social impact assessment and identifies concerns raised during consultation and how these have been addressed in project design; (iii) in the case of project activities requiring broad community support, documents the process and outcome of consultations with affected Ethnic Groups and any agreement resulting from such consultations for the project activities and safeguard measures addressing the impacts of such activities; (iv) describes consultation and participation mechanisms to be used during implementation to ensure ethnic group participation during implementation; and (v) confirms disclosure of the draft and final EGD to the affected Ethnic Groups.

E. Beneficial Measures

This section specifies the measures to ensure that the Ethnic Groups receive social and economic

benefits that are culturally appropriate, and gender responsive.

F. Mitigative Measures

This section specifies the measures to avoid adverse impacts on Ethnic Groups; and where the avoidance is impossible, specifies the measures to minimize, mitigate and compensate for identified unavoidable adverse impacts for each affected Ethnic Groups.

G. Capacity Building

This section provides measures to strengthen the social, legal, and technical capabilities of (a) government institutions to address Ethnic Groups issues in the project area; and (b) Ethnic Groups organizations in the project area to enable them to represent the affected Ethnic Groups more effectively.

H. Grievance Redress Mechanism

This section describes the procedures to redress grievances by affected Ethnic Groups. It also explains how the procedures are accessible to Ethnic Groups and culturally appropriate and gender sensitive.

I. Monitoring, Reporting and Evaluation

This section describes the mechanisms and benchmarks appropriate to the project for monitoring, and evaluating the implementation of the EGDP. It also specifies arrangements for participation of affected Ethnic Groups in the preparation and validation of monitoring, and evaluation reports.

J. Institutional Arrangement

This section describes institutional arrangement responsibilities and mechanisms for carrying out the various measures of the EGDP. It also describes the process of including relevant local organizations and NGOs in carrying out the measures of the EGDP.

K. Budget and Financing

This section provides an itemized budget for all activities described in the EGDP.

Appendix 3. Suggested Internal and External Monitoring Parameters

Appendix Table 3-1. Internal Monitoring Indicators

Monitoring Indicators	Basis for Indicators
1. Budget and timeframe	<p>Have capacity building and training activities been completed on schedule? Are EGDP activities being implemented and targets achieved against the agreed time frame? Are funds for the implementation of the EGDP allocated to the proper agencies on time? Have agencies responsible for the implementation of the EGDP received the scheduled funds? Have funds been disbursed according to the EGDP? Has social preparation phase taken place as scheduled? Have all clearance been obtained from the LFNC? Have the consent of the ethnic community in the affected area been obtained?</p>
2. Public Participation and Consultation	<p>Have consultations taken place as scheduled including meetings, groups, and community activities? Have appropriate leaflets been prepared and distributed? Have any APs used the grievance redress procedures? What were the outcomes? Have conflicts been resolved? Was the social preparation phase implemented? Were separate consultations done for EGs? Was the conduct of these consultations inter-generationally exclusive, gender fair, free from external coercion and manipulation, done in a manner appropriate to the language and customs of the affected EGs and with proper disclosure? How was the participation of ethnic women and children? Were they adequately represented?</p>
3. Benefit Monitoring	<p>What changes have occurred in patterns of occupation, production and resources use compared to the pre-project situation? What changes have occurred in income and expenditure patterns compared to pre-project situation? What have been the changes in cost of living compared to pre-project situation? Have APs' incomes kept pace with these changes? What changes have taken place in key social and cultural parameters relating to living standards? What changes have occurred for EGs? Has the situation of the EGs improved, or at least maintained, as a result of the project? Are ethnic women reaping the same benefits as ethnic men? Are negative impacts proportionally shared by EG men and women?</p>

Adapted from ADB's Handbook on Resettlement: A Guide to Good Practice. 1998.

Appendix Table 3-2. External Monitoring Indicators

Monitoring Indicators	Basis for Indicators
1. Basic information on AP households	<ul style="list-style-type: none"> Location Composition and structures, ages, education and skill levels Gender of household head Ethnic group Access to health, education, utilities and other social services Housing type Land use and other resource ownership and patterns Occupation and employment patterns Income sources and levels Agricultural production data (for rural households) Participation in neighborhood or community groups Access to cultural sites and events Value of all assets forming entitlements and resettlement entitlements
2. Levels of AP Satisfaction	<ul style="list-style-type: none"> How much do EGs know about grievance procedures and conflict resolution procedures? How satisfied are those who have used said mechanism? How much do the affected EGs know about the EGDP? Do they know their rights under the EGDP? How much do they know about the grievance procedures available to them? Do they know how to access to it? How do they assess the implementation of the EGDP?
3. Other Impacts	<ul style="list-style-type: none"> Were there unintended environmental impacts? Were there unintended impacts on employment or incomes?
4. Ethnic Group Indicators	<ul style="list-style-type: none"> Are special measures to protect EG culture, traditional resource rights, and resources in place? How are these being implemented? Are complaints and grievances of affected EGs being documented? Are these being addressed? Did the project proponent respect customary law in the conduct of public consultation, in EGDP implementation, in dispute resolution? Did the project proponent properly document the conduct of public consultations, the formulation and implementation of the EGDP? Were the public consultations inter-generationally inclusive? Were women and children proportionally represented? Were representatives of the LFNC present in the public consultations? During the monitoring of EGDP implementation?

Adapted from ADB's Handbook on Resettlement: A Guide to Good Practice. 1998.