Resettlement Policy Framework

The attached document sets out the process framework by which participating communities are to be engaged in collaborative and participative actions to better manage forests and related resources and to enhance their livelihoods through the participatory formulation of Community Action Plans (CAPs). In line with World Bank OP 4.12, on Involuntary Resettlement, the development of CAPs is based on the full collaboration of participating communities. Any impacts associated with restrictions or changes in access to, or the use of, resources will be precluded by viable livelihood or income-earning alternatives as developed in the CAP. In the unlikely event that private land is needed for community infrastructure, land owners or land users will be compensated for loss of crops or fixed assets and impacts on income streams.
1. Introduction

Lao PDR is one of the least developed countries in Southeast Asia. The country has considerable natural resources in forests, water resources, and minerals and these are significant for cultural development, environment protection, and economic development. Its forests cover about 40% of the country, the highest percentage in Southeast Asia, but the total area of forest has declined dramatically from 70% of the land area of 26.5 million ha in 1940, to 49% in 1982, and to only 40% or about 9.5 million ha in 2010. Data on changes in forest cover suggest that during the 1990s the annual loss of forest cover was around 1.4% annually, giving an average annual loss of forest cover of about 134,000 ha.

In addition to the declining forest area, there has been a steady fragmentation of forests and a decline in the average growing stock within the residual forest, which have both reduced carbon values and had a negative impact on biodiversity. Annual emissions from deforestation and forest degradation were estimated at 95.3 million tCO2e in 1982, declining to 60.6 million tCO2e by 2010. For the period from 2012-20, the average annual emission is estimated at 51.1 million tCO2e.

The Lao Forest Investment Program (FIP) to which this ESIA and subsequent safeguard frameworks (from ADB and IFC) relate, have been developed to support the national Forest Strategy 2020 (FS2020) and ongoing efforts to protect and restore forest cover and to reduce forest carbon emissions and implement a national REDD+ program. The program themes have been developed to directly address the primary drivers of deforestation and forest degradation. The underlying idea is that grassroots forest managers operating in any and all forest areas will become more active and vigilant in protecting the forests in their areas from the various agents of deforestation and degradation, and will rehabilitate degraded lands using land management systems that will provide them with livelihood benefits, while enhancing carbon stocks.

Overview of PSFM Implementation in PFAs. The current implementation of Participatory Sustainable Forest Management (PSFM) in Production Forest Areas (PFAs) has its roots in village forestry, which was piloted in the late 1990s at large scale covering two state production forests (Dong Sithouane in Savannakhet Province and Dong Phousoi in Khammouane Province). The piloting of village forestry was undertaken by the Forest Management and Conservation Project (FOMACOP) with technical assistance provided by the Ministry for Foreign Affairs of Finland (MFAF) and financial support by the International Development Agency (IDA) of the World Bank (WB). The appropriateness of the developed village forestry systems and procedures has been shown by the inclusion of Dong Sithouane and Dong Phousoi in the FAO List of Exemplary Managed Forests in Asia in the early 2000s, as well as by the certification as sustainably managed forests of forest management units (FMUs) in the two forest areas by the Forest Stewardship Council (FSC) in 2005-2010 with extension in 2010-2015.

The piloting of village forestry was followed by the institution of participatory management of production forests for nation-wide application as an official government policy in the early 2000s. Many of the current PSFM concepts, systems, regulations and operating guidelines have been formulated based on the pilot village forestry model. PSFM was first applied in 2004-2008 in 8 PFAs, which have a total area of 0.66 million ha and are located in 4 provinces in Southern Laos. This was
undertaken by the Sustainable Forestry and Rural Development Project (SUFORD), which like FOMACOP were provided with technical assistance support by MFAF and financial support by IDA. MFAF and IDA continued their support through an additional financing phase, SUFORD-AF, expanding the application of PSFM to cover a total of 16 PFAs, which have a total area of 1.28 million ha and are located in 9 provinces in Southern and Central Laos.

As the completion of SUFORD drew near, the Lao Government (GOL) proposed the Lao Investment Plan to the Forest Investment Program (FIP) of the Climate Investment Fund (CIF) with the core objective of reducing GHG emissions from forests by reducing deforestation and forest degradation, conserving and enhancing carbon stocks, and sustainable management of forests (five GHG emission-reducing activities that together constitute REDD+). The Lao Investment Plan includes components on managing five categories of forest areas, i.e. PSFM in three categories of state forest areas (production/conservation/protection), village forestry in village-use forests, and smallholder forestry in land allocated to villagers, and includes a component to strengthen the enabling environment. The proposal was favorably considered by the FIP Steering Committee with funding provided for three projects, namely: (a) Protecting Forests for Ecosystems Services with the Asian Development Bank (ADB) as the designated Multilateral Development Bank (MDB) partner, (b) Smallholder Forestry with the International Finance Corporation (IFC) as the designated MDB partner, and (c) Scaling up PSFM (SUPSFM or the Project) with WB as the designated MDB partner. During the design of the project it was deemed necessary to introduce a landscape approach to facilitate dialogue and coordination among forest managers at the local level, Provincial and District level authorities and to facilitate the inter agency support to improve local communities livelihoods and tenure security.

2. Project Objective

The objectives of the SUPSFM project are building and expanding on the progress made under SUFORD and SUFORD AF but are substantially broader in that SUPSFM explicitly includes reductions in forest carbon emissions, increasing forest carbon sequestration through forest restoration and inter agency coordination at the landscape scale.

The project development objective (PDO) is to contribute to national REDD+ efforts to reduce carbon emissions from forests by expanding the national program of Participatory Sustainable Forest Management in Production Forests and developing and piloting Landscape PSFM in at least 4 provinces by:

a) expanding areas under approved forest management plans
b) developing and agreeing on a Landscape approach to PSFM in Lao PDR
c) increasing the number of people with monetary and non monetary benefits from forest
d) decreasing the rate of forest cover loss in project areas
e) enhancing carbon storage from assisted natural regeneration and forest restoration
f) reducing emission from deforestation and forest degradation in project areas

3. Project Component

Component 1: Strengthening and expanding PSFM in Production Forest Areas

There are 34 PFAs with a total area of 1.91 million ha located in the 9 SUFORD provinces in Central and Southern Lao, but SUFORD provided support to only 16 PFAs with a total area of 1.28 million ha. The Project will continue to support activities in the 16 PFAs covered by SUFORD, but will expand
PSFM implementation to cover all 34 PFAs, while adding 7 more PFAs with a total area of 0.39 million ha located in 3 Northern Lao provinces. Thus the Project will support the implementation of PSFM in 41 PFAs with a total area of 2.30 million ha. Table 1 lists the 41 PFAs and provides some relevant information about them. Component 1 will have three sub-components, namely:

- **Sub-component 1A: Capacity Building and Partnerships**: The sub-component is aimed at establishing mechanisms to ensure the availability of adequate and effective capacity for project implementation. The Project will take advantage of increased capacity in the natural resources and civil society sectors, as well as utilize from the outside those skills that are not available in the country. The sub-component will include the following main activities:

- **Sub-component 1B: Community Engagement and PSFM Management Planning**: Investments in capacity and partnerships will permit the Project to engage effectively with communities and initiate PSFM management planning in PFAs. Approaches to strengthen tenure and expand sustainable livelihood options are embedded within the community engagement process. The sub-component will include the following main activities:

- **Sub-component 1C: Implementing PSFM plans in Production Forest Areas**: Capacity building and community engagement will provide the foundation to effective implementation of PSFM management plans. This sub-component will focus on PFA management, consolidation and expansion of forest areas under certification, and implementation arrangements for livelihoods. The sub-component will include the following main activities:

**Component 2: Piloting landscape PSFM**

Landscape PSFM offers a cross-sectoral and integrated approach to manage development activities, minimize negative environmental impacts, mitigate climate change, and reduce poverty. Although this approach has not yet been implemented in Lao PDR, interest and support for working at the landscape scale is growing, e.g. ADB and KFW work on biodiversity conservation and corridors using PSFM as a model. This component is aimed at developing frameworks for managing forests at landscape scale and will pilot the application of the framework a Northern Lao biodiversity corridor in cooperation with KfW and in a Southern Lao biodiversity corridor with ADB. LPSFM plan implementation will be limited only to PFAs within the forest landscapes in conjunction with Component 1.

- **Sub-component 2A: Developing Methodologies and Frameworks for LPSFM**
- **Sub-component 2B: Establishing Pilot LPSFM Models**

**Component 3: Enabling legal and regulatory environment**

This component will include sub-components on strengthening legal and regulatory frameworks, strengthening forest law enforcement and governance, and creating public awareness for climate change and REDD+. This component will cover the following sub-components:

- **Sub-component 3A: Strengthening Legal and Regulatory Frameworks**
- **Sub-component 3B: Strengthening Forest Law Enforcement and Governance**
- **Sub-component 3C: Creating Public Awareness for Climate Change and REDD+**

**Component 4: Project management**
Objective and Key Principles of this CEPF

This CEPF aims to ensure that all project beneficiaries, without regard to ethnic background, will be sufficiently consulted on and meaningfully participate in project implementation and any negative impacts that may occur will be adequately mitigated. CEPF aims to achieve this overarching objective based on the following four core principles:

1. All communities will be approached in the spirit of constructive collaboration and made aware of the option to refuse to participate in the project.
2. All project beneficiaries, regardless of their ethnic group or social status, shall be engaged in a culturally relevant way on the basis of a free, prior, and informed dialogue aimed at establishing broad-based and sustainable community support for the project.
3. The community engagement process will take account of minorities and ethnic differentiation to ensure that dialogue is inclusive and carried out in the appropriate language(s). Communication throughout the project cycle will use appropriate information, education, and communication (IEC) materials to respond to issues of language and ethnicity, literacy / illiteracy, gender, and social vulnerability.
4. All project-affected people will have the opportunity to participate and benefit from the project by providing input to the preparation of, and through participation in, the implementation of Community Action Plans (CAPs).

Since very minor, if any, land acquisition without physical relocation is anticipated in this project, a Resettlement Policy Framework (RPF) was developed and attached as an annex to this CEPF.

4. The Legal and Institutional Setting

Lao Peoples' Democratic Republic Laws and regulations

Constitutionally, Laos is recognized as a multi-ethnic society, and Article Eight of the 1991 Constitution states, “All ethnic groups have the right to preserve their own traditions and culture, and those of the Nation. Discrimination between ethnic groups is forbidden.” For the social safeguards, therefore, the constitutional framework is in place to ensure the rights of different ethnic groups are protected. Women’s rights to equality are also entrenched in the constitution and more recent legislation. Also, basic legal and policy frameworks exist to support social safeguards implementation in the Lao PDR.

The Letter on Forest Management Policy mentioned above contains specific policy intentions regarding “community participation in forestry”: ...the GOL has adopted the principle that villagers in forest areas, organized in village forestry associations or other forms of appropriate groupings, should participate in forestry planning and operations at the field level, within the dispositions of the Prime Minister’s Order on Decentralization, and share in the benefits derived from the forest. The Forestry Law (2007) also recognizes villagers’ customary rights to forest use, and the Land Law makes provision for communal titling of land.
The first Production Forest Areas (PFAs) were created under Prime Minister (PM) Decree 59 in 2002, and the total number and area of PFAs were increased under additional decrees issued in 2006 and 2008. Subsequently the Ministry of Agriculture and Forestry (MAF) issued regulations on forest management. A timber revenue benefit sharing decree was issued in 2012. The PM Order on Decentralization (2001) and the Law on Local Administration (2003) make the Province the strategic unit, the District the budget-planning unit, with villages as the implementation unit with, however, the village enabled to “formulate development plans.”

The Decree on compensation and resettlement of people affected by development projects (No. 192/PM, Vientiane, 07/07/2005) defines principles, rules, and measures to mitigate adverse social impacts and to compensate damages that result from involuntary acquisition or repossession of land and fixed or movable assets, including change in land use, restriction of access to community or natural resources affecting community livelihood and income sources. This decree aims to ensure that project affected people are compensated and assisted to improve or maintain their pre-project incomes and living standards, and are not worse off than they would have been without the project. This decree is followed by Regulations for Implementing decree 192/PM on compensation and resettlement of people affected by development projects (2010) and the Technical Guidelines on compensation and resettlement (2010).

Two key legislations on land and forestry are currently under revision in Lao PDR. The National Assembly has oversight over a process that will lead to a land policy followed by a land use master plan, and a revised land law. The current draft of the land policy provides recognition to customary land management rights, collective management and community management rights. The design of SUPSFM is based on the existing land and forestry laws but the project will update the design and implementation plan if required, depending on the opportunities presented by the revised laws on land and forestry.

Social Safeguard Policies of the World Bank

Two World Bank social safeguard operational policies, namely, OP 4.10 Indigenous People and OP 4.12 Involuntary Resettlement are triggered for this project. That the project could conceivably result in land acquisition or resettlement/relocation has triggered OP 4.12. Since the GOL has determined that none of the 49 ethnic groups living in the country is “indigenous” per se, the accepted terminology used in Lao PDR is “ethnic group”.

As many of the target communities belong to ethnic groups, the World Bank Policy on Indigenous People applies. The World Bank’s policy on Indigenous Peoples requires that free, prior and informed consultations would be conducted with affected indigenous groups leading to their broad community consent to participate in the project. It also requires that potential adverse effects on the Indigenous Peoples’ communities should be avoided, and when avoidance is not feasible, should be minimized, mitigated, or compensated. Indigenous Peoples should also receive social and economic benefits from the project that are culturally appropriate and gender and intergenerationally inclusive.

While no single definition can capture their diversity, in particular geographical areas, indigenous peoples can be identified by the presence in varying degrees of the following characteristics

- A close attachment to their ancestral territories and the natural resources in these areas;
- Self-identification and identification by others as members of a distinct cultural group;
• An indigenous language, often different from the national language;
• Presence of customary social and political institutions; and,
• Primarily subsistence-oriented production.

| Involuntary Resettlement (OP 4.12) | It is unlikely that the project will require significant acquisition of private land, if any. Local people affected by the project will benefit from more sustainable access to forest and other natural resources as well as project-supported actions for improved livelihoods. Nonetheless, short term loss in livelihood may be unavoidable since the development of alternative resource allocation and livelihoods are longer-term processes. In line with OP 4.12, any short term loss from changes in livelihoods will be mitigated in Community Action Plans which are developed in participation with project-affected communities. |
| Indigenous Peoples (OP 4.10) | Many project beneficiaries are known in Lao PDR as Ethnic Groups. In line with OP 4.10, the project has developed a Community Engagement Process Framework (CEPF) to facilitate community participation, will engage with communities. The CEPF is based on a process of free, prior and informed consultations with the goal of establishing broad community support. The CEPF ensures that Ethnic Peoples will receive benefits that are culturally appropriate and gender- and intergenerationally-inclusive. Potential risks or adverse effects on the communities will be identified, managed, and mitigated by means of Community Action Plans which are to be developed and implemented with the participation of communities that opt to be included in the project. This aim is consistent with GoL national policies that promote a multi-ethnic society, and seek to ensure the full participation of ethnic groups in the country’s development. |

5. Project Impact and Risks

The Environmental and Social Impact Assessment (ESIA) was conducted as part of the project preparation. The ESIA consisted of two parts: literature review of experience gained and lessons learnt under SUFORD and SUFORD AF projects; and field surveys conducted in new provinces where SUFORD or SUFORD AF was not implemented. The assessment of lessons learnt under previous projects provided important data and insights in the development of this CEPF because the new project aims to expand or extend the PSFM approach experimented under SUFORD and SUFORD AF.

ESIA did not find that SUFORD or SUFORD AF caused significant and irreversible negative impacts on affected people including ethnic groups. No significant land acquisition, if any, is anticipated. Potential negative impacts of the new project primarily concern the potential loss of livelihoods due to restrictions or changes in access to the current use of forest and related resources. It is anticipated that, with inclusive and gender-sensitive engagement with beneficiary communities aiming to improve in a participatory manner their income streams and living standards, while supporting sustainable management of forests and related resources, such temporary loss in livelihood can be more than mitigated. The assessment of experience under SUFORD, however, raised several challenges in achieving the objective, including:

• Free, prior and informed consultations (FPIC) was not adequately carried out leading to ambiguity whether broad community support (BCS) was ascertained.
• Engagement with project beneficiaries, especially ethnic groups and women, was often inadequate, leading to their lack of clear understanding of, and ownership to, project approach to PSFM.
Village Forestry Committees and Village Development Committees lacked clarity with regard to their expected roles and even members did not fully understand their rights and responsibilities under the law. Ethnic women’s roles in forest committees have not been supported, and they are largely kept absent from all forest-related activities despite their interest in, and use of, forest resources—both wood and non-wood.

SUFORD communities do not understand well about benefit sharing principles or their entitlements under the law. SUFORD Toolkits and Manuals prescribed that the timber revenue was to be shared among all villages in a SFMA, but the villages in a SFMA do not constitute an organic unit and this inter-village sharing has proven impractical during implementation.

Village development grant and Village Fund did not proved to be sustainable as their efforts to develop a revolving fund are financially and institutionally unsustainable. The revenue earned from interest on loans is low and unless commercial microfinance institutions step in there is no adequate support structure for VDF.

Ethnic villagers are seldom able to take advantage of training in the form of lecturing. Training was not usually provided by experienced trainer, and it often took the form of top-down lecturing of participants; training material not provided or not adapted to the capacity of participants.

Proper and effective grievance mechanisms have to be developed. In fact, there was even no formal mechanisms to acknowledge conflicts or grievance under SUFORD or SUFORD AF.

Recent field surveys have pointed out that village resettlement and merging, the takeover of land for concessions, ongoing policies to restrict villager access to land and timber resources plus the lack of adequate land tenure arrangements in the ethnic group villages with upland cultivation is resulting in confusion over forest and agricultural land management in some project areas and undermining both customary systems, as well as the statutory systems which are supposed to replace them.

Monitoring and Evaluation mechanisms developed under SUFORD and SUFORD AF were not fully utilized. Many formats prepared by central level were not shared until late in the project cycle, resulting in the lack of proper indicators to measure to which extent poor, women and ethnic minority participated in project activities. LFNC and LWU did not play sufficiently active role in monitoring and evaluation, and other neutral parties such as CSOs could also participate in project monitoring to improve the quality of M&E.

ESIA also found several risks that are external but relevant to the project.

Village Consolidation. The 8th Party Congress and Directive Order No. 9 of the Politburo, 8th June 2004, instructed that small villages\(^1\) should be merged in order to maximise the distribution of poverty reduction activities and accelerate economic development. The consequence has been an increase in land and natural resource disputes, as often than not, village merger did not take account of the ethnicity of villages, nor of pre-existing customary use rights. For example, of the ten villages in Luang Namtha surveyed under the ESIA, five

\footnote{1 The “small villages” are defined as those villages comprised of less than 200 persons in upland areas, and those with less than 500 persons in lowland.}
were consolidated in previous years. This has mixed ethno-linguistic groups such as Khmu, Akha, Tai Dam, Leu, Lao and Hmong into one village, with each having different languages, land use practices, perspectives on gender equity, property and inheritance practices, etc. Village headmen from one ethnic group appointed by local government may have no authority from the perspective of another group. Once a village has been consolidated, typically a more dominant group will see the land of the "new" village as legitimately theirs to use, leading to disputes between themselves and the previous users, as well as unwanted pressure on land productivity able to support a smaller population, but not a larger one.

The consolidation and relocation elements of the national policy are also problematic from the WB's perspective. The WB has stated policies which do not allow it to support this kind of relocation or loss of resource access, nor to permit project funds to be used to facilitate the national policy. In ongoing projects the WB has instituted exclusion criteria disallowing villages that have been consolidated in recent years (or slated for consolidation within the next several years) from being included in project financing..

6. Project participants

The project will involve the following participants as key actors:

a) Community members will be the primary participants in PSFM and VLD activities.

b) Village Forestry and Livelihood Committee (VFLC). Under SUPSFM, the Village Forestry Committee that was established under SUFORD and SUFORD AF will be strengthened to include both forestry and livelihoods development. VFLC will be headed by the Village Head as the Chairperson and will include a Deputy Chairperson, Secretary, and Treasurer, and it will serve as the main counterpart of the project at the village level. VFLC will be in charge of organizing village teams to work with the PSFM Team, organizing self-help groups and nurturing their development into production groups and eventually into associations to manage village enterprises, participatory formulation of beneficiary selection criteria, selection of beneficiaries of village livelihoods grants (VLG), supporting the development of livelihoods, and management of the VLG and forest restoration grants. VELC will play a main role in the village level monitoring of project implementation and participate, together with another villager selected by villagers at the village level meeting, in district level meeting for participatory M&E.

c) Village Mediation Units (VMU) were established in 1997 under a Decision of the Minister of Justice (No. 304/MOJ). New guidelines for the VMUs were issued by Decision No. 08/MOJ, dated 22 February 2005. The VMU is a village level institution which plays a role in resolving disputes which occur within the village. VMUs use peaceful means, based on both the state legal framework and acceptable local traditions. The VMUs have jurisdiction to resolve civil and family disputes, and minor criminal cases.

a. In addition, VMU’s other functions are to assist the village administration authority to enhance knowledge of and compliance with State laws in the village. It acts as the disseminator of laws and regulations in the village, encouraging people of all ethnic groups within the village, to respect and strictly comply with laws and regulations. It closely coordinates with the judicial and other bodies involved (GRID, 2005: 25).
b. There are now 8,766 VMU throughout the country. In 2009, the VMUs processed 8,118 cases (of which 5,529 were civil cases and of those, 4,492 of which were solved) and 2,529 criminal cases (of which 1,150 were solved). 2,476 cases remain open representing 30.5% of the annual caseload².

c. The main strengths of VMUs are that they provide justice at a community level and use defined rules and procedures yet still provide a further opportunity for parties to re-negotiate and find mutual agreement to resolve the dispute. The Access to Justice Survey (2011) found that community use of VMUs is highest in peri-urban regions. Urban areas are more likely to use State Courts and rural areas more likely to use customary law mechanisms. While almost three quarters of participants in the study knew of the existence of VMUs, only between a third and a half, knew how to access them, believed they were effective, believed they were in accessible locations, and conducted proceedings in understandable languages. Nevertheless, they do succeed in resolving a very high proportion of disputes before them, (between 84-88%), with little notable variation between resolution rates between peri-urban and rural areas. Furthermore, while only 12.3% of respondents had used VMUs, those who had, generally had positive experiences.

d. The Access to Justice Survey (2011) also revealed that 74.3% % of the VMU users reported that someone in the VMU had explained to them how the resolution process works. 86.5% said that the VMU understood the issue they had submitted, 90.5% said that the VMU respected them, 77% said that they are satisfied with the outcome of the VMU resolution process, 86.5% thought that VMU members were fair and neutral in resolving disputes, and 87.8% of the VMU users would use the VMU again. These results suggest that VMUs are largely fulfilling their mandate and having a positive impact in the local justice sphere.

e. VMUs are not without their weaknesses and efforts to strengthen them are ongoing. Their impact remains impeded by a number of identified factors including; their lack of basic facilities and community education resources, their compromised levels of community trust, legitimacy and authority, delays in their decisions, variable fees, the lack of availability of their members, their non-representative composition (including of the poor and women), their susceptibility to corruption and their insufficient skill-levels and capacity to resolve conflicts and fulfill their mandate.

² Source: Access to Justice Survey in Lao PDR.

d) **Government staff** are divided into two types of teams (for PSFM and VLD), both of which will be housed in the same Technical Service Centers (TSC), and will report directly to the District Project Manager. The District Project manager will coordinate all project activities to be conducted in respective districts. TSCs that have been established in focal villages in several village clusters by the Department of Agricultural Extension and Cooperatives (DAEC) will be used by the Project, or will be established by the Project in village clusters where TSC is not yet established.

a. **PSFM Teams** will consist mainly of staff from the District Forest Office (DFO) who have been trained in community forestry management techniques. The Project will initiate the assignment of DFO staff as Forest Rangers, who will be based in Forest Ranger Stations to be established in a focal village in each village cluster as part of TSC. This will bring the services of the forestry sector closer to the villages. These DFO units will be monitored and evaluated periodically by villagers as the primary participants in the PSFM process and VLD activities.
b. **VLD Teams.** VLD Teams will be composed primarily of designated staff of from the District Agriculture and Forestry Office (DAFO) who will sit in TSCs and work closely with extension agents and other government officials providing agricultural and non-agricultural livelihood support to villagers. This will bring the government’s extension services closer to the villages.

e) **Development partners** will include staff of national and regional universities, non-profit associations (NPAs), and mass organizations like the Lao National Front for Construction (LNFC) and the Lao Women’s Union. These partners will be employed in roles that suit their specific strengths and capabilities. For example, partnership with national and regional universities will be explored to assist with identification of possible livelihood options, and to carry out feasibility studies, including market studies, of identified livelihood options. Partnership with LNFC and/or LWU will be explored to introduce and jumpstart the forest and livelihoods development activities in the village. NPAs that have proven expertise in effective community engagement in forestry will be involved to provide training and support to the PSFM and VLD teams. NPAs also will advise appropriate farmer organizations in the monitoring and evaluation of PSFM and VLD teams.

f) **The Technical Assistance Team** will work with the other project participants to provide capacity building and technical support in all stages of community engagement. Two Project Assistants will be hired: one with a PSFM background and another with VLD experience. They will be embedded at the district level for the duration of the project and backstop and provide technical advice to PSFM and VLD Teams by frequently participating in and providing hands-on support to community engagement. In parallel to the formal project monitoring and reporting mechanisms, they will also monitor and report directly to the project managers at the district level their findings from field visits and observed needs for further capacity development. Their monitoring reports will also be kept in the central monitoring databases.

7. Project approach to ensure Free, Prior and Informed Consultations (FPIC) and Meaningful Participation in project implementation, leading to Broad Community Support (BCS)

7.1 Home base of community engagement

The Project will identify village clusters to be involved in the project (see Section 6 for the criteria) by making use of already identified clustering of villages, as much as possible. The PSFM and VLD Teams will engage with individual villages in PSFM and VLD activities, including village-use forest management and smallholder agroforestry, but forest management units (FMU) for different state forest area categories that overlap with villages will be established at the village cluster level. This will be done to reduce to manageable levels the number of PSFM plans that will be prepared and submitted for government approval during the project period.

A focal village will be identified in each village cluster to serve as the home base of PSFM and VLD operations. Central location relative to the participating villages and forest areas in the cluster will be the main determinant in identifying the focal village. Location of TSCs also will be a factor to be taken into consideration. The focal village may or may not be the lead village previously identified in the past village clustering program of the government.
A TSC campus will be established by the Project (if a TSC does not already exist in the cluster) in identified focal villages. Technical services of the government to all villages in the cluster will emanate from government staff based in the TSC campus. The TSC campus will house the Forest Range Station and the Forest Rangers that will make up the PSFM Team. The TSC campus will also house the TSC Unit of DAEC and the DAFO staff that will make up the VLD Team. Occasional community services offered by other government agencies, such as participatory land-use planning (PLUP) and land management services of the District Office for Environment and Natural Resources (DONRE) will also be based in the TSC campus. It is anticipated that synergies will develop as a result of interaction among government staff from different units who make use of the TSC campus as their home base for provision of technical services.

7.2 Project Approach to community engagement

Each numbered items provided below will involve a sequence of activities to be undertaken by the PSFM and VLD Teams together with villagers, with support provided by development partners and the TA Team and participation of respective Project Assistants. Although PSFM and VLD supports will be provided by different teams specialising in respective areas of expertise, efforts will be made to coordinate their activities so that each will complement each other. A graphic model of the sequence of activities under PSFM and VLD has been developed, attached below, which will be shared with villages to allow them to better understand the project approach to community engagement and track project implementations.
Year 1 village engagements of the Livelihoods and Forestry Teams

Engagements of the Livelihoods Team

L1 Livelihoods Team
1. Participatory assessment of current resource use and livelihood sources (informed by baseline survey data).
2. Develop rules for customary forest use.
3. Participatory development of livelihood alternatives and changes in resource use.
4. Provide villagers technical advice to ensure viability of alternative livelihoods.
5. Assess external and community support needed.
6. Facilitate and mediate between villagers, TSC, DAFO, on livelihood options and provision of support.

L2 Livelihoods Team
1. Assist villagers to develop livelihood components in CAP; implement priority actions identified in CAP
2. Assist villagers to develop self-help groups into production groups.
3. Liaise between villagers and TSC for extension services and other TA needed.
4. Support grievance mediation within and between villages.

L3 Livelihoods Team
1. Participatory assessment of current resource use and livelihood sources (informed by baseline survey data).
2. Develop rules for customary forest use.
3. Participatory development of livelihood alternatives and changes in resource use.
4. Provide villagers technical advice to ensure viability of alternative livelihoods.
5. Assess external and community support needed.
6. Facilitate and mediate between villagers, TSC, DAFO, on livelihood options and provision of support.

Engagements of the Forestry Team

F1 Forestry Team
1. Consult with resource users on land resources using aerial photographs.
2. Map current land uses based on aerial photographs and delineate various communally managed lands.
3. Participatory demarcation of village boundaries on the ground.
4. Identify state forest areas and delineate them on the current land-use map.

F2 Forestry Team
1. Identify village-use forests, farms, and other household-use land; delineate on the current land-use map.
2. Assess land and forest needs for future generations.
3. Map planned land uses.
4. Delineate communal and household-use land.
5. Prepare documentation for communal titling of village-use forests.
6. Help villagers develop rules to manage forest and other natural resources within and between villages, including conflict mediation mechanisms.

F3 Forestry Team
1. Partition state forest areas and village-use forests into forest zones and compartments.
2. Set forest management objectives for each forest zone and compartment.
3. Delineate High Conservation Value Forests.
4. Participatory forest inventory.
5. Support participatory M&E.

Community Resource Profile and Project Baseline

Livelihoods Team
1. Inform villagers of potential project benefits and possible negative impacts; ascertain their initial agreement to participate in the project.
2. Assess market conditions and relevant externalities for sustainable livelihoods.
3. Collect baseline demographic, livelihood, cultural and other relevant data for representative village groups at household level.
4. Assess community- and village-level social institutions needed to support implementation, including conflict resolution/mediation mechanisms.

Participatory Land-use Planning

Livelihood and Forestry Team
1. Preliminary screening of eligible villages
2. Team formation and orientation
3. Value chain analysis

Participatory Livelihood Assessment

Livelihoods Team
1. Participatory assessment of current resource use and livelihood sources (informed by baseline survey data).
2. Develop rules for customary forest use.
3. Participatory development of livelihood alternatives and changes in resource use.
4. Provide villagers technical advice to ensure viability of alternative livelihoods.
5. Assess external and community support needed.
6. Facilitate and mediate between villagers, TSC, DAFO, on livelihood options and provision of support.

Livelihoods and Forestry Team
1. Identify village-use forests, farms, and other household-use land; delineate on the current land-use map.
2. Assess land and forest needs for future generations.
3. Map planned land uses.
4. Delineate communal and household-use land.
5. Prepare documentation for communal titling of village-use forests.
6. Help villagers develop rules to manage forest and other natural resources within and between villages, including conflict mediation mechanisms.
Stage 0: Selection of participating villages and team formation

1. Selection criteria: The main criterion in selecting participating villages is their customary use of forest and land resources in the selected PFA. Those villages that have been consolidated under a government program in the previous four years or are scheduled for consolidation over the life of the project will not be included in order to avoid administrative and socio-organizational complexities associated with consolidation.

2. Team formation: Very early in the project period, and if possible before project start-up when the project is disclosed to the districts, the district authorities will be requested to start identifying the members for the PSFM and VLD Teams. Each team will be composed of four persons, whose members (as indicated in Section 4), should in principle be permanently assigned to the team throughout the life of the project. This will facilitate building rapport with villages since the same team members will be assigned to a permanent set of villages. PSFM and VLD teams will include 2 female members who will ensure inclusion of women in the participatory process of developing and implementing the CAP.

3. Orientation workshop: After team formation, a workshop will be held in each province with PSFM or VLD Teams in attendance. These workshops will serve to orient the teams and familiarize them with the forestry and rural development objectives and components, PSFM and/or forest-based livelihood development operations, and a forestry-oriented village work policy.

4. Value Chain Analysis. A value chain analysis will be conducted to assess major products produced inside and imported from outside the project areas, existing size of demands and potentials for growth, modes of production such as preference of contract farming and subsistence farming, availability of technologies and finance, and other opportunities and constraints that affect community livelihoods and allocation of natural resources. The value chain analysis will focus on data collection and analysis of externally determined market conditions and factors of production that will affect but go beyond the capacity of villagers to control. The result of the value chain analysis will be shared with villagers in the Stage 1 in a simplified form and using visual and graphical presentations rather than textual descriptions so villagers are able to discuss alternative resource allocations and livelihoods against the analysis of larger market conditions that they are not necessarily well aware of. VLD and PSFM team will carry out the value chain analysis in partnership with and under the support of technical assistance team embedded at the district level and staff of relevant Development Partners. They will form part of the baseline data for the project.

Stage 1: Community awareness and resources diagnostics

1. Initial community consultations on project aims and objectives: The main topics to be addressed during the first visit of the VLD Team to the village will be to disclose and inform people of the project, its purpose, and its potential benefits as a first step in establishing free, prior, and informed consent. The project team will meet with community leaders, any relevant sub groups, including women, (and ethnic minorities in mixed communities), and establish linkages needed to ensure participation of these groups. During this initial meeting, the team will seek community cooperation and acceptance with carrying out household surveys needed to take stock of current demographic, social, and economic factors related
to economic survival, living standards, and resource use on a gender- and age-differentiated basis. The team should explain that this information is essential for development of appropriate and sustainable interventions for improvement of living standards. Community agreement to cooperate on data collection will be understood as significant first step in community support and participation. (Refusal to cooperate would indicate non acceptance of the project by the community.) Some of the data collected based on household surveys will constitute project baselines, together with externally determined conditions that are assessed under Stage 0.

2. **Community Resource Profiles:** Beneficiary villagers will be assisted to develop Community Resource Profiles based on the assessment of data on external markets provided by VLD Team and demographic, socioeconomic and other relevant data collected under household survey. VLD team, under the assistance of the members of the Technical Assistance Team embedded at the district level and Development Partners with relevant capacities, will assist beneficiary communities in participatory assessment of available data. Such quantitative data are considered to provide useful inputs and broad bird view to communities to reflect upon their existing livelihood strategies and have clearer understanding on their strengths and weaknesses. The result of participatory assessment will be summarized in the Community Resource Profile which provide key data related to economic survival, living standards, and resource use on a gender- and age-differentiated basis. The participatory processes to be used in the process will provide basic platform for informed dialogue with the community and a basis for discussion of resource management issues as they affect the economic survival and social organization of potential participants.

Stage 2: Participatory planning: consultations, consensus, and agreement

1. **Participatory land-use planning (PLUP)** will be conducted as a joint activity with the PSFM and VLD Teams. This team will be further augmented on land management issues by a member from the District Office for Natural Resources and Environment (DONRE). Each team will attend to specific topic modules according to their expertise and training.

2. The project teams (VLD and PSFM) will work with the community to establish an organizational basis for collaboration and participation going forward. This will likely make use of existing social institutions, but roles, responsibilities, and plans going forward will be made explicit to facilitate implementation.

3. The PLUP will involve:

   a. Use of high resolution aerial photographs or remote sensing images adequate to facilitate understanding and appreciation by villagers of community land and forest resources.

   b. Village engagement through participatory analyses to better understand the opportunities, benefits, and risks involved that result from village land-use decisions: such as effects on the economic development of the village, changes in the roles and daily work of men, women, and children, constraints of labor availability, rice self-sufficiency, livestock carrying capacity, threats to village resources, culturally or spiritually significant areas, and other impacts of land and forest use decisions.
c. The team will formalise village boundary demarcation with signed agreements between adjacent villages concerning their common village boundaries. Areas will be delineated where state forest areas overlap with the community’s customary resource use.

d. Assessment of current and customary land and forest use areas and their management.

e. Mapping and zoning future land and forest uses in the village. Demarcating boundaries of use zones and signed agreements within villages and between adjacent villages agreeing on boundaries and uses.

f. Negotiating future land tenure and forest use allocation to communities; including community land titles such as for village-use forests in undesignated areas, and community leasehold agreements with the state for village-use forests in designated state forest areas.

g. Formulation and agreement of village land and forest management rules and getting the agreement of the village for those rules and their district endorsement.

4. Community Action Plan. The PSFM and VLD Teams will separately tackle two planning processes with the village which will be consolidated in the Community Action Plan: the PSFM planning with the PSFM Team and livelihood development / income stream enhancements with the VLD Team. The CAP will be finalized and endorsed by the community with the aid of locally recognized leaders. Endorsement of women’s groups and, where relevant, by ethnic minorities will be essential.

   a. PSFM. A full comprehension of the significance of forest resources to economic survival is basic for the effective participation of villagers in setting PSFM objectives and priorities for forest management units (FMU) that overlap with the village, in zoning forest land for management, and in planning realistic and sustainable forest management activities for each zone.

   b. VLD. Participation of villagers will be essential in analyzing potential livelihood opportunities; deciding on the livelihood developments to be undertaken, and the beneficiaries to be selected following a set of criteria developed in consultation with the community that includes the poorer and vulnerable members, including female-headed households. Livelihood development plans must take account of gender, the role of children, and ethnicity to ensure inclusion in benefits.

Stage 3: Implementation of CAP

1. Implementation of the CAP’s PSFM and VLD components. The PSFM/VLD Teams will facilitate the implementation of the CAP together with the village with the aid of an institutional and organizational structure which is compatible with local social organization. The project will provide livelihood grants in the amount of $8,000 per village for the implementation of CAP. VLD will provide continuous and hands-on technical advice to villagers with regard to livelihood development. Villages will also be eligible for Forest Restoration Grants in the amount of $2,000 per village to help villagers strengthen the management capacity for, and support the assisted natural regeneration of, Community
Forests as per CAP. Forest Restoration Grants will also be available for the assisted natural regeneration of state forests from which Communities will benefit from benefit sharing mechanisms, as described in CAP and agreed with DAFO by their signing of CAP. Leaseholder agreement to be made for use of State forests under benefit sharing mechanism will also define the rights and responsibilities of villagers with regard to the use of state forests.

2. **Participatory Monitoring and Evaluation (M&E).** The project will carry out an annual meeting at the district level where village representatives, including both a representative of VFLC and another villager nominated by villagers, will present their perspectives and opinions collected through the village self-monitoring process. If the VFLC representative is a male, then the second village representative should be a female, or the vice versa. If a village consists of multiple villages that have been consolidated, at least one representative of each hamlet will also participate. Village level meetings will precede the annual district level meeting, in participation of Village Grievance Units, where perspectives of villagers will be discussed and outstanding grievances or issues that are raised to VGU frequently will be reported. The PSFM teams and VLD teams supporting respective villages will support the village level meetings, paying particular attention to ensure vulnerable people and the minority ethnic groups from each hamlet will meaningfully participate in the village level meetings.

This district level meeting will be organized by DAFO and supported by the project Forest team and the Livelihood team as well as the consultants embedded at the district level. At the meeting, village representatives will be encouraged to share their perspectives on project performance, suggestions for improvement, outstanding grievances, and other relevant issues. Measures to improve project performance and resolve outstanding grievances will be also discussed and agreed. Minutes will be taken and kept in the project file, and progress on agreed actions will be discussed in the meeting to be held in the following year.

3. **Project Monitoring.** Project implementation will be regularly supervised and monitored by the relevant Technical Service Centers. The consultants hired by the project and embedded at the district level will prepare a quarterly progress report and describe their observations in project performance including on issues related to safeguards, which will be kept in the project file for possible review by the World Bank. The National Project Management Office (NPMO) will supervise and monitor the process at least one time per year and include the results in the Project annual reports to be furnished to the World Bank. The Project staff in close consultation with local government and project beneficiaries will establish a set of practical monitoring indicators in line with the project objectives. Indicators will cover at least the following aspects of the project:

- Budget and time frame of implementation
- Delivery of project activities (project inputs)
- Project achievements in developing alternative natural resource use and livelihoods (project outputs and outcome)
- Consultation, Grievance and Special Issues
- Monitoring of benefits from project activities.
8. **Grievance Redress Mechanisms**

Grievances may result from project activities. They will be resolved following a grievance mechanism that is based on the following key principles:

a. Rights and interests of project participants are protected.

b. Concerns of project participants arising from the project implementation process are adequately addressed and in a prompt and timely manner.

c. Entitlements or livelihood support for project participants are provided on time and in accordance with the above stated Government and World Bank safeguard policies.

d. Project participants are aware of their rights to access and to realize access to grievance procedures free of charge.

e. The grievance mechanism will be in line with existing policies, strategies, and regulations on redressing village grievances as defined by GOL.

f. The grievance mechanism will be institutionalized in each village by a selected group of people, involving ethnic minorities, women, and representatives of other vulnerable groups in the village.

Project grievance redress mechanisms will consist of five step procedures.

a) **Step 1. Village level.** The first step in case of a grievance would be to report to the Village Mediation Unit. The VMU will be in charge of documenting the grievance by using the form provided and signed/fingerprinted by the Grievant for processing. The project will develop grievance registration forms, similar to the Form 1 developed under NT2 project, for use by complainants and record by VMU.

The VMU should be required to provide immediate confirmation of receiving a complaint and should complete an investigation within x days of receipt. Then, within 5 days after receipt of the grievance the VMU should meet the Complainant to discuss (mediate) the grievance and will advise the complainant of the outcome. If the grievance is either a valid SUPSFM grievance that requires investigation and action/compensation or if the Complainant is not satisfied with the response, the issue is transferred within one month to the next level, led by the District Grievance Committee, for further action.

b) **Step 2. District level.** Grievances that cannot be resolved at the village level will be brought to the District Steering Committee that will have 30 days after the receipt to review all available information from the investigation by both VMU and TSC, and analyze / investigate each case. Within 30 days, the DSC invite the Complainant to discuss the grievance and the Grievant is informed of the outcome of the investigation and the decision.

If the Complainant is satisfied with the outcome, the issue is closed, and the Complainant provides a signature as acknowledgement of the decision. If the Complainant is not satisfied with the outcome, the Complainant may submit an appeal to the DSC if there is additional relevant information for reconsideration.

Within 14 days the DSC will both collect facts and reinvestigate and will invite the Complainant to discuss the appeal and the Complainant is informed of the outcome of the
investigation and the decisions made. If the Complainant is still dissatisfied with the outcome, he/she can then submit his/her complaint to the Provincial Steering Committee. The DSC will also be in charge of compiling all grievances into a District Grievance logbook.

c) Step 3. Provincial level. In case of strong or unresolved grievances such as land grabbing cases will be referred to the Provincial REDD+ Steering Committee (PRSC) that will be chaired by the Vice Governor of the province. Members of this committee will include the District Governors of participating districts, division heads of participating line agencies, and representatives of LWU and LNFC. The Provincial National Assembly should also be involved in acknowledging the grievance and advocating for suitable resolution.

PRSC will both collect facts and reinvestigate and will invite the Complainant to discuss the outcome of the investigation and the decisions made. If the Complainant is still dissatisfied with the outcome, he/she can then submit his/her complaint to the National Steering Committee. The PRSC will also be in charge of compiling all grievances into a Provincial Grievance logbook.

d) Step 4. Central level. Grievances that cannot be solved at the provincial level will be sent to the National Project Steering Committee (NPSC) chaired by the Vice Minister of MAF at the central level and members will include DG/DDG level representatives of participating agencies in various ministries (MAF, MONRE, MOIC, MPI, etc.), as well as national leaders of mass organizations like LWU and LNFC. The World Bank TT may participate as an observer.

Step 5 is not only the ultimate level and end of the process that can only be reached after having gone through each of the previous steps; this means that a Grievant\(^3\) can directly contact the central level NPSC or national assembly.

9. Measures to address external risks.

- In order to address the risks related to village consolidations and relocations, the general approach adopted in projects in Lao PDR supported by the WB will also be adopted under the project, which is to exclude villages from project consideration if they have been relocated or administratively consolidated in the four years prior to date of screening in an area, or if they are planned to be relocated or administratively merged in the next four years of project implementation.

- Regarding concession risks, the inventory of concessions provided in project provinces will periodically updated and discussion will be had with participating provincial governments to avoid overlap between concession areas and project areas. The national land management authority developed a report under the assistance of GIZ in 2009/10 on existing state lease and concessions with a map indicating the locations where leases and concessions have been granted. The project will utilize the map and monitor the any new change that may occur during project implementation.

10. Capacity Development of Project Implementation Agency

Each community engagement event of the PSFM or VLD Teams will be preceded by a capacity building exercise specifically covering the processes to be involved in the PSFM or VLD operations to follow. A Training Team consisting of international and national consultants, which may include invited resource persons (such as those from NGAs), will deliver the training modules in each of three Lao regions: North, Central, and South, combining the participants from 3 provinces in each training event. The number of participants will be limited and training may be carried out in batches.

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\(^3\) Grievant: an individual or group that has an issue, concern, problem, complaint, or claim [perceived or actual] that he, she, or they want addressed and/or resolved.
to ensure quality and preclude training of large unmanageable groups. Training in Northern Lao will involve the PSFM or VLD Teams coming from Bokeo, Louangnamtha, and Oudomxai and will normally be held at Louangnamtha because of its central location. Training in Central Lao will cover the participants from Xaiyabouly, Vientiane, and Bolikhamsai and will usually be held in Vientiane. Training in Southern Lao will cover the participants from Champasack, Xekong, and Attapeu and will usually be held in Champasack. The PFA's in the provinces of Khammouane, Salavan, and Savannakhet have already been completely covered during SUFORD, but certain operations related to raising PSFM standards will be conducted covering those provinces and will normally be held in Savannakhet.

Each training event will typically take about five days. The training will follow a demonstration workshop format as much as possible to enhance the learning experience, rather than consisting mainly of lectures. After each training event, the participants will return to each of their provinces and immediately proceed to a demonstration village for application of lessons learned under the supervision of a national consultant for PSFM or VLD, as the case may be. A demonstration village will be selected for each province, where all teams from the province will experience first-hand how the modular PSFM or VLD operations are to be conducted. After the demonstration, each team will revert to their assigned villages to continue and complete the given set of village work modules. Seven villages, on average, will be assigned to each PSFM or VLD Team.

Project Assistants, who will provide hands-on and on-site support to PSFM and VLD team while they engage with villagers, will also participate in the training. How they will link with PSFM and VLD teams during and after the village engagements that follow the given training will be explicitly defined as part of the action plan of each PSFM/VLD Team. The action plans will be formulated as the last module of each training event. The action plan will also include post-village engagement follow through actions that will be undertaken by the Team supported by the Project Assistants so that expected outputs are delivered, for example, analysis of forest inventory data provided by village inventory teams, printed draft CAP based on CAP drafted in the villages, etc.

11. Implementation Arrangements and Budget

This CEPF will be pilot tested in selected villages of Oudomxai province prior to the commencement of the project. The experience gained and lessons learnt will be used to further strengthen the community engagement processes set out under the CEPF. During the implementation, CEPF will be continuously modified based on the result of Project monitoring as well as the participatory M&E.

Since the project recognizes the importance of successful community engagement and participation to achieve project objective, a large amount of budget is allowed for activities related to community engagement. The budget largely consists of two types of activities: (i) support necessary for successful participatory processes including technical assistance; and (ii) community grants for communities to implement Community Action Plan and Participatory Forest Management Plan.

Estimated budget for the implementation of CEPF

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount (US$)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Staff capacity building</td>
<td>2,386,064</td>
</tr>
<tr>
<td>2. Village engagement (PSFM)</td>
<td>2,962,149</td>
</tr>
<tr>
<td>3. Village engagement (VLD)</td>
<td>1,802,405</td>
</tr>
<tr>
<td>4. Village livelihood grant</td>
<td>3,892,000</td>
</tr>
<tr>
<td>---------------------------</td>
<td>-----------</td>
</tr>
<tr>
<td>5. Forest restoration grant</td>
<td>2,108,000</td>
</tr>
<tr>
<td>5. Forest inventories</td>
<td>2,035,206</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>15,185,824</strong></td>
</tr>
</tbody>
</table>
Annex 1 Resettlement Policy Framework

Introduction and objective of the RPF

The Project aims to develop the sustainable use of forest and other natural resources. No major civil works will be carried out under the Project. The Project will support the new construction of office buildings of Technical Service Centers (TSC) in public lands within villages, where TSC need to be newly established. Where TSC already exist, the project may support the rehabilitation of their buildings within the existing premises. The project will also rehabilitate existing office buildings of District Agricultural and Forestry Office (DAFO) and Provincial Agricultural and Forestry Office (PAFO) within their office compounds. Some small offices may be built for DAFO, within the existing premises. All such constructions of office buildings will be limited in scale, and will not require acquisition of private land.

Nonetheless, there is a slim possibility that the detailed designs to be developed based on field surveys on-site may find that some private land has to be acquired to accommodate parts of office space of TSC, DAFO or PAFO. This Resettlement Policy Framework (RPF) was therefore developed to set out policies and procedures to be applied when private land has to be acquired, so that the Project complies with existing regulations of Lao PDR, in particular the Prime Minister Decree 192, and the World Bank Operational Policy 4.12. Other impacts that may trigger OP 4.12 are addressed in the main body of this CEPF.

Project Principles on land acquisition

- Under the project, all efforts will be made to avoid, or minimize if unavoidable, involuntary resettlement.
- Where it is not feasible to avoid resettlement, resettlement activities should be conceived and executed as sustainable development programs, providing sufficient investment resources to enable the persons affected by the project to share in project benefits. Affected persons should be meaningfully consulted and should have opportunities to participate in planning and implementing resettlement programs.
- Affected persons should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.
- Affected land, or assets such as structures, trees and standing crops, will be compensated at their replacement values.
- No physical relocation of households or existing businesses is allowed under the project. No major land acquisition that may affect more than 10% of the total productive lands owned by affected households is allowed. Detailed designs will be adjusted to avoid such impacts.

Project procedures

- Project Management Office (PMO) at the central level that is in charge of reviewing detailed designs and hiring contractors for civil works will confirm that all civil works would be conducted within public land and that no private land would need to be acquired.
- Villagers will be assisted to assess potential impact on privately owned or used lands through the community engagement processes to be carried out under the project.
- If it is found that private land has to be acquired for any activities to be supported under the Project, the DAFO will, under the support of the livelihood team and guidance of the Bank task team, will develop an abbreviated Resettlement Action Plan (RAP) and seek for clearance from the Bank task team prior to the commencement of civil works. In an extremely unlikely event where some households have to relocate or more than 200 people are affected by a civil work contract, a full Resettlement Action Plan will be developed.
Abbreviated Resettlement Action Plan

The Abbreviated RAP will include, at minimum,
- Inventory of project impact
- Description of project affected people,
- Applicable compensation policy and estimated budgets
- Implementation procedure and schedule
- Institutional arrangement
- Detailed Entitlement Matrix

Consultations and participation

The Project will employ participatory approaches to develop a sustainable use of forest and other natural resource, which will be utilized for the monitoring of negative project impact and allowing a meaningful participation of affected people in the development of mitigation measures. The detailed processes and procedures to be used under this project are described in this CEPF. The Village Forestry and Livelihood Committee, who is the main counterpart of the project at the village level, will be sensitized for the safeguard requirements so they can self-monitor any minor impact that may occur under the project. The project will also employ participatory Monitoring and Evaluation (M&E) and put in place grievance redress mechanisms which build on but expand existing village leadership structures, so that any outstanding grievances will be addressed.

Generic Entitlement Matrix

The detailed Entitlement Matrix will be developed when the exact scope and scale of impacts are known, but the following provides the principles that will be used.

<table>
<thead>
<tr>
<th>Type of Losses</th>
<th>Entitled Persons</th>
<th>Entitlements</th>
<th>Implementation Issues</th>
</tr>
</thead>
<tbody>
<tr>
<td>Loss of private land</td>
<td>Legal owners or occupants identified during census</td>
<td>Cash compensation at replacement cost which is equivalent to the current market value of land within the village, of similar type, category and productive capacity, free from transaction costs (taxes, administration fees)</td>
<td>Village Forestry and Livelihood Committee will endorse the abbreviated RAP before implementation of civil works</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>No land acquisition affecting more than 10% of total productive lands is allowed</td>
</tr>
<tr>
<td>Loss of trees, structures</td>
<td>Owners of affected structures</td>
<td>Cash compensation at replacement cost</td>
<td>If remaining parts of the structures are not sufficient for use, compensation will be paid for the entire affected buildings</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Salvage materials will be handed over to affected people</td>
<td>Transportation of salvage materials will be assisted by the project</td>
</tr>
</tbody>
</table>
Table 1: Example of village engagement of PSFM and VLD Teams

<table>
<thead>
<tr>
<th>Activity code</th>
<th>Village engagements in the first year</th>
<th>Days in village</th>
<th>Time period of village work, Year 1</th>
</tr>
</thead>
<tbody>
<tr>
<td>VLD-1</td>
<td>District staff team building; Orientation to PSFM and livelihoods; VLD flow chart; Village work policy</td>
<td>0</td>
<td>7 8 9 10 11 12 1 2 3 4 5 6</td>
</tr>
<tr>
<td>VLD-2</td>
<td>Disclosure of the Project to the village; Initiate prior/free/informed consent; Group formation; Mobilize VFLC</td>
<td>3</td>
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<tr>
<td>VLD-3</td>
<td>Community demographic and resource profiles; Problem census; Current livelihoods and land use</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>VLD-4</td>
<td>(Same time with PLUP) Village land management rules; Village agreement; Community Action Plan drafting</td>
<td>7</td>
<td></td>
</tr>
<tr>
<td>VLD-5</td>
<td>Priority livelihoods; Data collection for livelihoods feasibility study; Monitor group evolution</td>
<td>4</td>
<td></td>
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<tr>
<td>PSFM-1</td>
<td>District staff team building; Orientation to PSFM and livelihoods; PSFM flow chart; Village work policy</td>
<td>0</td>
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</tr>
<tr>
<td>PSFM-2</td>
<td>Image familiarizing; Village boundary demarcation; Land-use mapping; Delineating state forest areas</td>
<td>4</td>
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<tr>
<td>PSFM-3</td>
<td>Participatory land-use planning; Village cadastre; Technical description; Tenure application</td>
<td>7</td>
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</tr>
<tr>
<td>PSFM-4</td>
<td>FMUs identification; FMUs zoning and compartment mapping; FMUs management objectives</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>PSFM-5</td>
<td>HCVs assessment and delineation; Participatory forest inventory (variable days for actual forest work)</td>
<td>4</td>
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</tbody>
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<table>
<thead>
<tr>
<th>Village engagements in the second year</th>
<th>Days in village</th>
<th>Time period of village work, Year 1</th>
</tr>
</thead>
<tbody>
<tr>
<td>VLD-1</td>
<td>3</td>
<td>7 8 9 10 11 12 1 2 3 4 5 6</td>
</tr>
<tr>
<td>VLD-7</td>
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<td></td>
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<tr>
<td>VLD-8</td>
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<tr>
<td>VLD-9</td>
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<td>VLD-10</td>
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<tr>
<td>PSFM-6</td>
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<td>PSFM-8</td>
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<td>PSFM-9</td>
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</table>

<table>
<thead>
<tr>
<th>Village engagements in the third year</th>
<th>Days in village</th>
<th>Time period of village work, Year 1</th>
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</thead>
<tbody>
<tr>
<td>VLD-11</td>
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<tr>
<td>VLD-12</td>
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<td>VLD-13</td>
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<tr>
<td>VLD-14</td>
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<tr>
<td>PSFM-10</td>
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<td>PSFM-11</td>
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<td>PSFM-12</td>
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<td>PSFM-13</td>
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<tr>
<td>PSFM-14</td>
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