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LAO PEOPLE'S DEMOCRATIC REPUBLIC
PEACE INDEPENDENCE DEMOCRACY UNITY PROSPERITY

Ministry of Energy and Mines
Electricite Du Laos



No...../EDL
Vientiane Capital, Date.....

RURAL ELECTRIFICATION PHASE II PROJECT (REP II)

And

GEF RURAL ELECTRIFICATION PHASE II PROJECT (GEF REP II)

ETHNIC GROUPS DEVELOPMENT FRAMEWORK

January 2011

Ethnic Groups Development Framework

Introduction

1. As a prerequisite to IDA support, EDL needs to meet the requirements of Operational Policy 4.10 (Indigenous Peoples). This policy requires that special planning measures be established to protect the interests of ethnic groups with a social and cultural identity distinct from the dominant society that makes them vulnerable to being disadvantaged in the development process.

2. As characterized in OP 4.10, ethnic groups can be identified in particular geographical areas by the presence in varying degrees of the following characteristics:

- (a) a close attachment to ancestral territories and to the natural resources in these areas;
- (b) self-identification and identification by others as members of a distinct cultural group;
- (c) an indigenous language, often different from the national language;
- (d) presence of customary social and political institutions; and

3. Based on the above characteristics, there are many ethnic groups in Laos. According to recent classification by Lao Front for National Construction (LFNC), the country could be classified into four linguistic groups with 49 ethnic categories. Different ethnic groups other than Lao account for over 40% of total population. They are Lao-Tai, Mon-Khmer, Hmong-Iumien, and Sino-Tibetan groups. The Bank has determined that OP 4.10 will apply to at least three linguistic groups except for Lao-Tai, who still maintain cultural and socioeconomic practices different than those practiced by the Lao national majority.

4. OP 4.10 requires the borrower to conduct free, prior and informed consultations with potentially affected ethnic groups. As a prerequisite for Bank project approval, this consultation process must establish a pattern of broad community support for the project and its objectives. In the context of this project, it is important to note that the OP 4.10 refers to social groups and communities, and not to individuals. The primary objectives of OP 4.10 are:

- to ensure that such groups are afforded meaningful opportunities to participate in planning that affects them;
- to ensure that opportunities to provide such groups with culturally appropriate benefits are considered; and
- to ensure that any project impacts that adversely affect them are avoided or otherwise minimized and mitigated.

5. Since both network development component and rural access improvement component will include subprojects across the whole country, they will benefit ethnic groups in different regions. This ethnic framework has been prepared in order to provide some general principles and procedures that will be applied during project implementation, if ethnic groups are reported in any of the subprojects. In the REP II project, and GEF REP II project when applicable, therefore, the purpose of the framework is one of *ensuring consultation, giving ethnic groups a voice, and an opportunity to participate in the project.*

Screening for ethnic people among beneficiary populations

6. The project design recognizes that ‘meaningful’ participation by poor and disadvantaged sections of society requires special focus that goes beyond routine project implementation management. In the operation manual for REP II, detailed guidelines on social assessment and resettlement aspects are included. Under these guidelines, the preparation of each grid-extension subproject will carry out preliminary social assessment during the preparation of project feasibility report, which will be prepared by experienced consulting team. Such effort is designed to understand the basic socioeconomic needs of the communities and support key activities aimed at empowering beneficiary populations to exercise their voices and choices.

7. The project is, therefore, committed to, and has the organizational instruments to, ensure that ethnic groups are (i) consulted in matter relating to each subproject, (ii) provided opportunities for participation in decision making related to the subproject, and (iii) provided opportunities for participation in project activities should they so desire.

8. Re-confirming that there are any ethnic groups among beneficiary populations will be undertaken in the social assessment process. By gathering both qualitative and quantitative data in the project areas through a range of PRA techniques, the basic social economic profile of beneficiary population or project affected people will be developed. Such procedures have already been used in the preparation of Ethnic Groups Development Plans in two subprojects to be implemented in the first year, which are aimed at ensuring that all ethnic voices and opinions are heard through the project preparation and implementation process.

Principles and procedures applied where the project involves ethnic peoples

9. The Environmental Office of EDL will ensure that free, prior and informed consultations are undertaken, in a language spoken by the ethnic groups. The views of ethnic groups are to be taken into account during preparation and implementation of subprojects, while respecting their current practices, beliefs and cultural preferences. The outcome of the consultations will be documented into the project documents. (See annex A for detailed procedures of such consultation efforts.)

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

Reporting, Monitoring and Documentation

11. The proposed screening, social assessment and consultation process will provide comprehensive baseline data on social, economic and technical aspects of each subproject. This includes also participatory mapping of community access to road and other key services. If the social assessment confirms that no ethnic minority populations exist in the project areas, no further action is necessary. If the social assessment indicates that there are potential social issues because of ethnic group populations in such subproject, it will be ensured that the responsible project sponsor will undertake specific measures to consult with, and give opportunity for ethnic group populations in participating decision making related to the subproject, should they so desire.

12. Besides specific attention to ethnic group issues in supervision and monitoring, the EO of EDL will include these matters in their progress reporting. The IDA supervision missions will periodically pay special attention to ensure that that the subproject affords benefits to vulnerable groups and ethnic minorities.

Annex A: Consultation Framework for Ethnic Group Issues under REP II and GEF REP II

1. The consultation framework aims to ensure that ethnic groups are well informed, consulted and mobilized to participate in the grid-extension sub-projects to be supported under REP II. Their participation can either provide them benefits with more certainty, or protect them from any potential adverse impacts of sub-projects to be financed by the Project. The main features/process of the consultation framework includes a preliminary screening process, then a social impact assessment to determine the degree and nature of impact of each grid-extension subproject to be supported by REP II, and an action plan will be developed if warranted. The GEF REP II will only support technical assistant activities linked to reduction of technical losses of EDL system and energy efficiency at government office buildings and possibility hospitals and major shopping areas in Vientiane City. Consultations with and participation of ethnic groups, their leaders and local government officials will be an integral part of the overall Ethnic Group Development Plan (EGDP), which should be prepared along with the project feasibility report. The EGDP consist of the following sections:

1. preliminary screening
2. social assessment
3. mitigation measures
4. development assistance
5. monitoring

2. The Project will provide a series of training to all implementers and local agencies preparing and implementing EGDPs.

Preliminary Screening

3. All grid-extension subproject areas which have ethnic group communities and are candidates for REP II support will be visited (at the time of first consultation with communities) by project sponsor, relevant local authorities, and consultants. Prior to the visit, respective project sponsor will send a letters to the communities informing their leaders that they will be visited by the respective project sponsor and local authorities and consultation will be conducted on the subproject. The letter will request that the communities invite to the meeting representatives of farmers, women associations and village leaders for discussion on the subproject. During the visit, the community leaders and other participants will present their views with regards to the subproject.

4. At this visit, the social scientists (consultants) will undertake a screening for ethnic minority population with the help of ethnic group leaders and local authorities. The screening will check for the following:

- (a) names of ethnic groups in the affected village
- (b) total number of ethnic groups in the affected villages
- (c) percentage of ethnic people in affected villages
- (d) number and percentage of ethnic households along the zone of influence of the proposed sub-Project.

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

Social Assessment

6. The social assessment (SA) will be undertaken by the social scientists (consultants). The SA will gather relevant information on the following: demographic data; social, cultural and economic situation; and social, cultural and economic impacts - positive and negative.

7. Free, prior and informed consultations will be conducted through a series of meetings, including separate group meetings: ethnic village chiefs; ethnic men; and ethnic women, especially those who live in the zone of influence of the proposed work under subproject. Discussions will focus on subproject impacts, positive and negative; and recommendations for design of subproject. If the SA indicates that the potential impact of the proposed sub-project will be significantly adverse or that the ethnic community rejects the project, the subproject will not be implemented in that locality; no further action is needed in this case. If the ethnic group supports the subproject implementation an EGDP will be developed to address any concerns or negative impacts by the proposed subprojects.

Ethnic Groups Development Plan

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

- (1) legal Framework
- (2) baseline data;
- (3) land tenure information;
- (4) local participation;
- (5) technical identification of development or mitigation activities;
- (6) institutional arrangement;
- (7) implementation schedule;
- (8) monitoring and evaluation; and
- (9) cost and financing plan.

Implementation Arrangement

9. Consultants will also be responsible for training respective project sponsor or local authorities to undertake the work of consultation, screening, social impact assessment, analyses and preparing EGDPs.

10. Project sponsors of individual subprojects and local authorities are responsible for implementing EGDP (arrange adequate staff and budget).

Monitoring

11. Implementation of the EGDPs will be regularly supervised and monitored by EO of EDL. The findings and recommendations will be recorded in quarterly reports and to be furnished to IDA.

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

Schedule

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

Budget

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

Reporting/Documentation

15. The EGD^Ps will be prepared and submitted by the EDL Branch Office (BO) to EO of EDL and then the IDA at the same time that respective BO submit their subproject applications to EDL and the IDA for review.