



**大唐(老挝)北本水电有限公司**  
Datang (Lao) Pak Beng Hydropower Co., Ltd.

## PAKBENG HYDROPOWER PROJECT



EGDP - Ethnic Group Development Plan



**KUNMING ENGINEERING CORPORATION LIMITED**

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**LIST OF ABBREVIATIONS AND ACRONYMS**

AIDS	Acquired Immunodeficiency Syndrome
ANC	Antenatal care
AP	Affected Person
ARI	Acute Respiratory Infection
°C	Degree Celsius
CA	Concession Agreement
CDB	Convention on Biological Diversity
CDR	Crude Death Rate
CHAS	Center for HIV, AIDS and STI
CIA	Cumulative Impact Assessment
CITES	Convention on International Trade in Endangered Species
DHO	District Health Office
DOE	Department of Electricity
D/S	Downstream
EA	Environment Agency
EIA	Environmental Impact Assessment
EM	Environmental Manager
EMMP	Environmental Management and Monitoring Plan
EMO	Environment Management and Monitoring Office
EMU	Environmental Management Unit
ESMI	Environmental/Social Monitoring and Inspection Unit
EPL	Environmental Protection Law
FDI	Foreign Direct Investment
GOL	Government of Lao People's Democratic Republic
ha	Hectares
HPP	Hydroelectric Power Project
IMR	Infant Mortality Rate
IPD	In Patients
HC	Health Center

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HIV	Human Immunodeficiency Virus
IEE	Initial Environmental Examination
km	kilometers
km <sup>2</sup>	Square kilometers
kpm	Kip per person per month
LB	Left Bank (of the Mekong River)
LNFC	Lao National Front for Construction
LWU	Lao Women's Union
MAF	Ministry of Agriculture and Forestry
masl	Meters above sea level
MIC	Multiple Indicator Cluster Survey
MOH	Ministry of Health
MONRE	Ministry of Natural Resources and Environment
MRC	Mekong River Commission
MW	Megawatts
NBCA	National Biodiversity Conservation Areas
NCG	National Consulting Group
NMRC	National Mekong River Commission
NSC	National Statistical Center
NCHS	National Center for Health Statistics
PAP	Project Affected People
PESMC	Provincial Environment and Social Management Committee
RAP	Resettlement Action Plan
RB	Right Bank
RS	Resettlement Section
SMO	Social Management and Monitoring Office
SDS	Social Development Section
SIA	Social Impact Assessment
STI	Sexually Transmitted Infection
TB	Tuberculosis
TOR	Terms of Reference
NTFP	non-timber forest products

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TWh	Terawatt Hour
UCQ	Upstream, Construction/Quarry
UN	United Nations
UNICEF	United Nations Children's Fund
WB	World Bank
WHO	World Health Organization
WREA	Water Resource of Environmental Administration

# 1 INTRODUCTION

## 1.1 PROJECT DESCRIPTION

The Lancang-Mekong River is an international river which originates on the Qinghai-Tibet Plateau and flows through China's Yunnan Province, Lao PDR, Myanmar, Thailand, Cambodia and Vietnam where finally it flows into the South China Sea in Ho Chi Minh City; the total length of the river is 4,881 km of which 2,162 km is in China's territory where it is called the Lancang River; beyond China it is called the Mekong River.

Annual average flow discharge of the river at the estuary is 15,060 m<sup>3</sup>/s and the annual average runoff is about 475 billion m<sup>3</sup>. The Annual average flow discharge and annual average runoff of the Lancang River in China is 2,410 m<sup>3</sup>/s and 76 billion m<sup>3</sup>, accounting for 16% of the runoff at the Mekong estuary.

Currently, the proposed development of 5 cascade run-of-the-river dams on the mainstream of the upper Mekong River is in the territory of Lao PDR. These include Pak Beng, LuangPrabang, Xayabury, Pay Lay and Sanakham.

The planned capacity of these 5 hydropower projects is 5,417 MW. The details are shown in Table 1.1-1

**Table 1.1-1: Hydropower Development in Upper Mekong within Lao PDR**

Project	Distance to estuary (km)	Operating level (m)	Installed capacity (MW)	Annual power generation (GWh/yr)
1. Pak Beng	2,189	340	912	4,846
2. LuangPrabang	2,036	310	1,122	5,321
3. Xayabury	1,930	275	1,341	6,160
4. Pak Lay	1,818	245	1,282	6,255
5. Sanakham	1,737	220	660	3,696

## 1.2 PROJECT LOCATION

Pak Beng is located in the upper reaches of the Mekong River in Pak Beng District in the Oudomxay Province of northern Laos. The dam site is approximately 14 km upstream from Pak Beng County and about 157 km from MuangXai, the capital of Oudomxai Province which is 575 km by road from Vientiane and 112 km from the border with China.

National highway No.13 goes from Vientiane to northern Laos and links through MuangXai to Mohan Town in China.



Fig. 1.2-1: Project Location

### 1.3 PROJECT FEATURES

The Pak Beng Hydropower Project will be mainly for power generation and will be a run-of-the-river dam. The Major structures planned are water retaining structures, 14 sluice gates, a power house, a 500 ton navigation ship lock and a fish pass. The normal water level will be 340 masl with a dam crest level of 346 masl; the dam height will be 69 m with a dam crest length is 894.5 m. The installed capacity should be 912 MW with an average annual energy output of 4,846 GWh. There are 16 turbines of 57 MW each in the design.

Most of the electricity produced is meant to be transmitted to the Mae Moh Substation in Thailand through 500 kV transmission lines; this is 230 km away from the Pak Beng HPP; an outgoing transmission line of 230 kV will be connected to a local substation of about 150 km in distance.

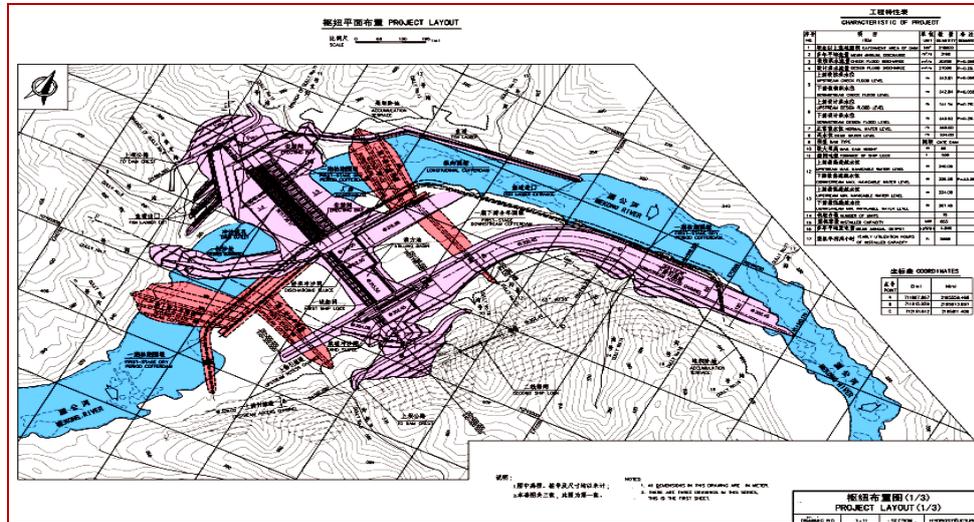


Fig. 1.3-1: Project Layouts

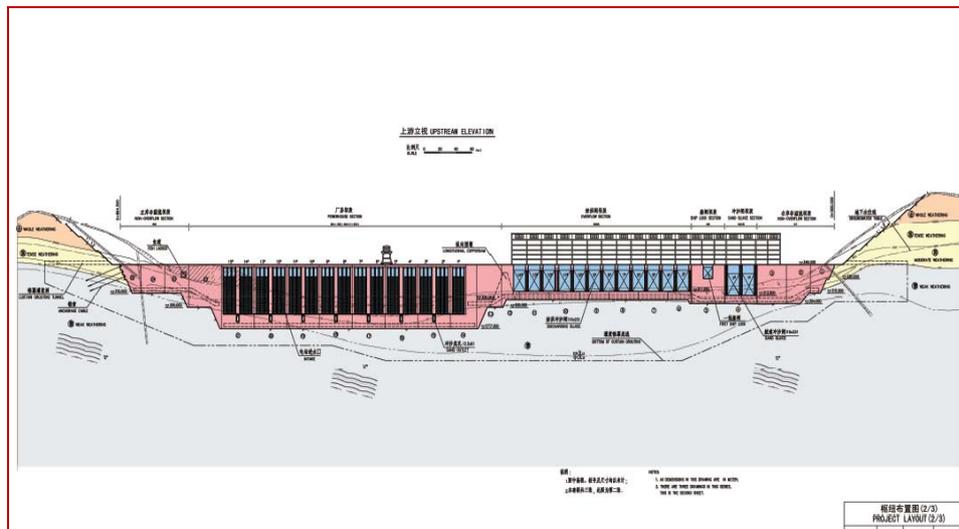


Fig. 1.3-2: Upstream Elevations

### 1.4 PROJECT COMPONENTS

The powerhouse and fish pass will be located on the left main river channel whereas the navigation ship lock, flood discharge and sand flushing sluice gates will be on the right bank. A partition wall is constructed between the powerhouse, flood discharge and sand flushing sluice gates.

#### 1) Retaining structure

The length of the entire structure will stretch 894.5 m across the river with a crest elevation of 346 m and a height of 69 m.

## 2) Reservoir

The construction of the Pak Beng Hydropower Project will create an upstream reservoir area of about 81 km<sup>2</sup> at a normal water level of 340 masl, a reservoir volume of 780 million m<sup>3</sup> and a back water length with a normal water level of 97 km.

## 3) Navigation Ship Lock

The navigation structure is a one-way, one-step ship lock, to be arranged on right bank bottom land and to the right side of the discharging sluice gates. It will consist of a ship lock and access channel. The ship lock chamber's effective dimension is 120 m x 12 m x 4 m (L x W x H). The working head of the ship lock is as high as 32.55 m. Water conveyance galleries are set along both side walls and a decentralized water conveyance system is constructed on the bottom of bay. The ship lock is designed to accommodate the maximum tonnage of a navigable ship of 500 tons. The annual tonnage of ships passing this ship lock should be 1.5 million tons per year.

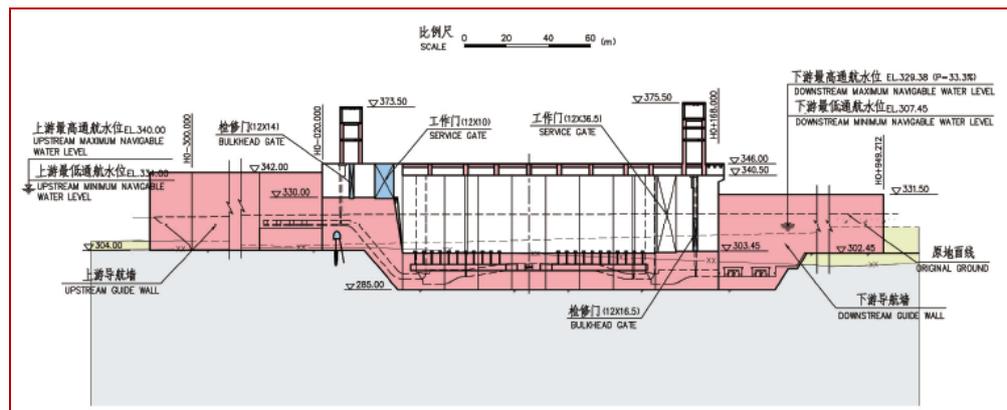


Fig. 1.4-1: Navigation Lock Layout

## 4) Sluice Gate

To minimize reservoir sediment and reduce land inundation impact of reservoir tail, the 14-15 x 23 m surface flow flood releasing and sand flushing sluice gates are provided in the right bank. The weir crest elevation is 317 m/ 313 m. There are 7 low level outlets of 2.5 x 6 m inside with the elevation of inlet bottom slab at 285.6 m.

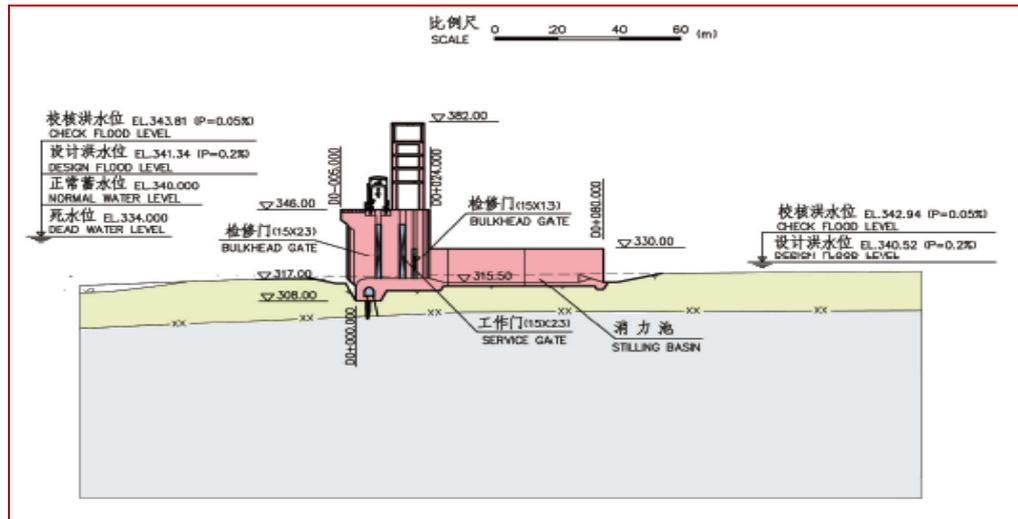


Fig. 1.4-2: Sluice Gate

### 5) Power House

The powerhouse dam section is arranged on the main river channel on the left of the riverbed. The 16 x 57 MW bulb turbine generating units are in the main powerhouse. The span of the main powerhouse is 22.5 m and the distance between units is 20.5 m. The unit intake bottom elevation is 288.9 m; the unit installation elevation is 297.2 m and the generator floor elevation is 317.2 m. The auxiliary powerhouse is located at the downstream side of the main powerhouse.

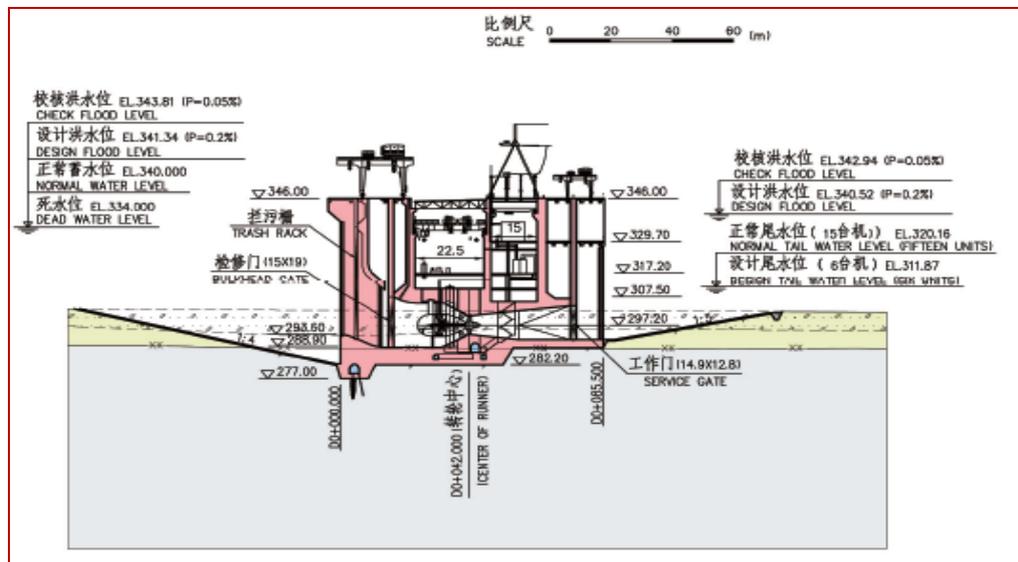


Fig. 1.4-3: Powerhouse

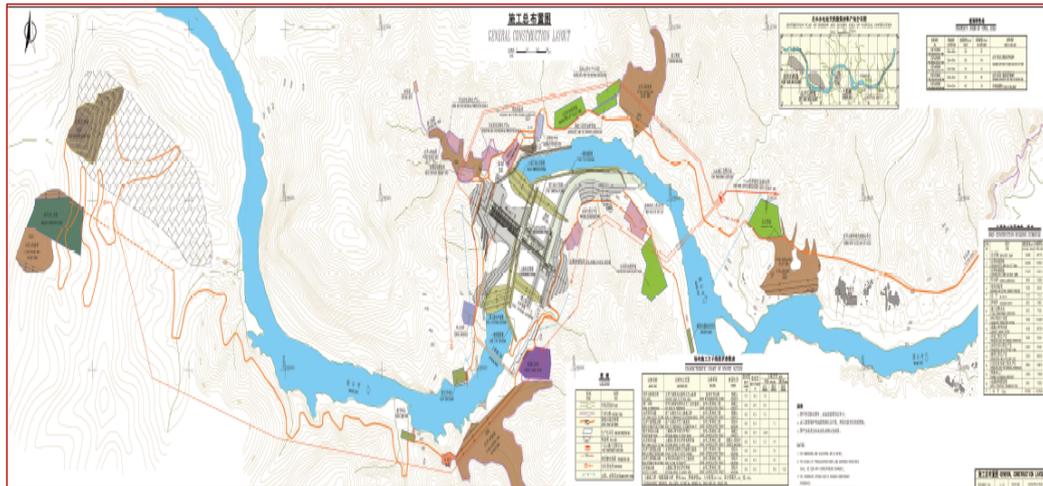
### 6) Fish pass

The fish pass will be arranged to mitigate the block of migratory fish pathway. The clapboard step fish ladder (or partitioned plate step fish ladder) is adopted for the passing

fish facility. It is arranged on the left bank with a bottom slope of about 2.5%. The fish pass dimension is 5 m x 1,800 m. (W x L).

### 7) Construction Area

The land area in the vicinity of dam site on the both the left and right bank will be used for construction camps, office and living facilities, warehouses, E & M equipment assembly yard, auto and machinery repair workshop, machinery depot, concrete batching plant, quarry sites disposal areas, switchyard and roads.



**Fig. 1.4-4: Construction Layout Plan**

### 8) Dam Safety

The area is located in a moderate seismic hazard zone having a 20% probability of a Degree VII earthquake. The dam safety design for the Pak Beng dam is to resist ground peak acceleration of 0.157 g or a Degree VII earthquake.

### 9) Project Cost

The estimated construction cost of the Pak Beng Hydropower Project is approximately 2,150 million USD.

### 10) Project Implementation Schedule

The project implementation time will be divided into 3 periods, preparation, construction and project completion.

- Preparation 20 Months
- Power Generation first Unit 59 Month
- Construction 75 months

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## 1.5 PROJECTED AFFECTED AREAS

- **Inundated Area**

The project will create a reservoir capacity of 780 million m<sup>3</sup> at a normal water level 340 masl. The inundated area will cover about 97 km long in Lao PDR and part of the Nam Ing River in the upper part of the reservoir in Thailand.

- **Construction Area**

Land at the vicinity around the dam construction with the total area of .... Ha will be used for a variety of purposes as showed in Fig. 1.4-3 above. There is no population living inside and close to the area.

- **Downstream Area**

The village just located in downstream area will be impacted by water flow and water level fluctuation due to dam operation.

At the Full Supply Level (FSL) of 340 m ASL, the reservoir will cause directly and indirectly impacts to 26 riparian villages located upstream and other 20 villages located downstream of the Pakbeng dam. Some of their agricultural lands and other assets including village environmental resources will be impacted. Due to the degree of impacts, the directly affected villages can be categorized into:

- 1) Fully Directly Affected Villages: The village in this category is mostly below the water level of 340 masl such village has to be resettled to new location. Ban Luangtong of Pakbeng District is the only one which needs to be resettled.
- 2) Partially Directly Affected Villages: In this category only some households will need to be relocated upwards to upper part of their current location firstly due to the anticipated flood and secondly due to the risk from future bank erosion. The recent census of directly affected villages showed that 6 villages of the three districts fallen in this category.

In sum, the Pakbeng HPP will cause direct impacts to 819 families of which 140 Partially Directly Affected families of 6 villages will need to be relocated to the upper part of their current residential area and 63 Fully Directly Affected families of Ban Luangtong will need to be resettled to new location. The total affected direct and indirect population around 4,726 people from 819 households.

**Table 1.5-1: Total Number of Fully and Partially Directly Affected Villages and Population by Pakbeng HPP**

No.	Village Names	GPS			HHs	FMs	Population		Affected Households			
		47Q/N	UTM/E	EL masl			Total	Female	To be Flooded	To be at Risk	To be Relocated	To be Resettled
<b>Bokeo province, Paktha District</b>												
1	B. Korntuen	19 49 426	100 34 325	339	197	223	992	513	18	28	<b>46</b>	0
<b>Xayabury Province, Khorb District</b>												
2	B. Pakkhob	19 48 376	100 36 924	358	152	139	632	303	33	16	<b>49</b>	0
<b>Xayabury Province, Xienghorn District</b>												
3	B. Pakped	0678 966	2193 912	359	80	132	732	349	2	0	<b>2</b>	0
4	B. Huaykhoun	0685 976	2199 254	348	150	150	945	403	4	0	<b>4</b>	0
Subtotal					230	282	1677	752				
<b>Oudomxai Province, Pakbeng District</b>												
5	B. Luangtong	0701 225	2199 713	345	63	68	292	149	51	12		<b>63</b>
6	B. Homxay	0691 048	2201 644	345	113	144	824	422	33	0	<b>33</b>	0
7	B. Kokka	0690 202	2202 392	359	64	67	309	158	6	0	<b>6</b>	0
Subtotal					<b>240</b>	<b>279</b>	<b>1425</b>	<b>729</b>				
Grand Total					<b>819</b>	<b>923</b>	<b>4726</b>	<b>2297</b>	<b>147</b>	<b>56</b>	<b>140</b>	<b>63</b>

## **1.6 METHOD USED IN THE PREPARATION OF THE EGDP**

### **1.6.1 Literature Review**

Reviews of recent documents concerning ethnic Group development in Lao PDR especially those on ethnicity, culture and livelihood that have been conducted and refer to the project area were conducted.

### **1.6.2 Methods Employed in the Field Survey**

- Rapid Rural Appraisal (RRA) – The RRA technique involves researchers to talk extensively and informally with potentially affected people and to observe conditions, while making use of secondary information such as administrative records and maps.
- Village consultation - The local villagers at each potential affected village were invited to the public consultation meeting to get information relating to the benefits and the potential impacts from the LHP project, to express their concerns and preferences and at the same time to show any objects with prehistoric, archaeological, historical or cultural values they have collected. They were also invited to share their oral traditions (folk tales, legends, myths, sayings) concerning their landmarks and/or cultural objects.
- Field observation - The survey team attempted to locate prehistoric and historical sites by visiting places indicated by villagers and searching for any evidence of human activities that occurred in different periods of time.

## **1.7 PURPOSE**

The purpose of Ethnic Group and Indigenous Peoples development is to ensure that the project adequately considers and addresses the concerns of Indigenous People's groups in a culturally sensitive manner. Additional specific measures and support are also required for the most vulnerable communities and groups of individuals that may be affected by the project. Key aims of the EGDP are:

- 1) To avoid adverse project impacts to indigenous people and, where this is unavoidable, to mitigate and reduce these impacts through fair and effective resettlement and/or compensation.
- 2) To ensure that ethnic people in all project areas are adequately consulted and participate actively in the resettlement and livelihood restoration process.
- 3) To ensure that indigenous people are represented in decision-making bodies and in implementation arrangements so that their particular needs are addressed.
- 4) To utilize measures, such as: the use of appropriate ethnic languages; to ensure that the indigenous people of concerned groups participate effectively in the consultation and implementation teams and to ensure that their specific concerns and needs are addressed and included in plans and implementation process.

The significant number of ethnic people in the project area requires special attention to ensure their specific beliefs, practices, languages, vulnerability and requirements are taken into account during the preliminary studies as well as during the planning and implementation of the project. The EGDP is to be developed through consultations with these groups of people to ensure they are involved in the scoping and planning of resettlement, livelihood improvement and social and cultural development.

Project implementation teams will include staff that can fluently communicate in the indigenous peoples languages, in particular Khmou and Hmong. In addition, there will be training for GOL staff in culturally sensitive methods and the appreciation of particular needs and concerns of Indigenous People's groups in the project areas.

The SAP and EGDP plans will consist of a number of activities including mitigation measures for potentially negative impacts, modification of project design, and development assistance. Where land acquisition affects Indigenous communities, the project will ensure that their rights will not be violated and that they will 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 general GOL Resettlement Policy Framework and the project specific policies and plans to be established for this project.



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## **2 ETHNIC POLICY AND INSTITUTIONAL FRAMEWORK**

### **2.1 DEFINITION AND CATEGORIES**

According to the Department for Ethnic Affairs of the Lao Front for National Construction (LFNC), in 2002, Lao was home to 49 ethnic groups that can be grouped into four main language groups: Tai-Lao, Mon-Khmer, Sino-Tibetan and Hmong-Ewmien.

- a) The Tai-Lao groups: Lowland Lao or Lao Loum, groups living in the lowland regions of the country that for the most part cultivate paddy rice, practice Buddhism and are integrated into the national economy. This group includes the Tai-Lao, which is the dominant group, and various other related ethnic groups such as the Tai-Dam, Tai Lue, Phuan and other Tai speaking groups. These correspond to the Lao-Tai group and represent approximately 60% of the population.
- b) The Mon-Khmer groups: often called Upland Lao or Lao Theung, groups dominating the middle hills that for the most part practice swidden agriculture, are reliant on forest products and to some extent are isolated from the dominant lowland culture. Many groups, however, exhibit varying degrees of assimilation and adaptation to Tai-Lao culture. These groups: Khmou, Makong, Kata, Laven and other smaller groups are the original inhabitants of South-East Asia and consist of the Austro-Asiatic or Mon-Khmer ethnic groups approximately 25% of the population.
- c) The Sino-Tibetan groups: Highland Lao or Lao Soung, groups living in the highland areas practicing swidden agriculture and include the Sino-Tibetan and Hmong-Mien ethnic groups. These groups include the Akha, Lahu, Lisu, Pounoy and others. Many of these groups are relatively recent arrivals from Southern China and Vietnam and form about 5 % of the population, residing mainly in northern areas of Lao PDR.
- d) The Hmong-Ewmien groups, including the Hmong and Yao, are also referred to as Lao Soung since they tend to inhabit highland areas in the northern and central provinces of Lao PDR. They also practice swidden agriculture. These groups are also recent arrivals from Southern China and comprise about 10% of population in the Lao PDR.

### **2.2 GOL PLAN FOR POVERTY REDUCTION**

The Lao PDR's Five Year Plan from 2005-2010 has the aim to eradicate poverty and has set the goal of eradicating poverty for 50% of the poor households by 2010, and by 2020 poverty should be eradicated throughout the whole country, thereby removing Lao PDR from the list of least developed countries in the world. In the meantime, the GOL social and economic development plans have several objectives of relevance to ethnic groups and to poverty reduction. These include: (i) support for food security, (ii) commercial agriculture production, (iii) rural development, (iv) infrastructure development, (v) external economic relations, (vi) access to services.

The National Growth and Poverty Eradication Strategy (NGPES) is based on analysis of poverty and its root causes in Lao PDR. It states that the Mon-Khmer and Hmong-Mien and Sino-Tibetan ethnic groups are the poorest in the country. It also identifies several causes of poverty including problems pertaining to land availability for food production and income generation. The NGPES spells out support for multi ethnic development through support for development of poor districts, participatory development, capacity building of rural population and local government for participatory planning.

### **2.3 GOL POLICY AND LEGISLATIVE FRAMEWORK RELATED TO ETHNIC GROUPS**

The 1991 Constitution defined Lao PDR as a Multi-Ethnic State with "Equality among all ethnic groups" as described under Article 8 of the Constitution outlined below:

- Article 8 - The State will carry out a policy of unity and equality among the various ethnic groups. All ethnic groups have the right to preserve and improve their own traditions and culture and those of the nation. Discrimination between ethnic groups is forbidden. The state will carry out every means in order to continue to improve and raise the economic and social conditions of all ethnic groups;
- Article 22 - All Lao citizens, regardless of their sex, social position, education, beliefs or ethnicity, are equal in front of the law.

The 1992 ethnic policy, in the Resolution of the Central Politic Bureau of the Party concerning Ethnic Affairs in the new era, focuses on gradually improving the living conditions of the ethnic groups, while promoting their ethnic identity and cultural heritage. This general policy of the Party can be summarized as follows:

- Build national sentiment (national identity);
- Realize equality among ethnic groups;
- Increase the solidarity level among ethnic groups as members of the Lao family;
- Resolve problems of Inflexible and Vengeful Thinking, as well as economic and cultural inequality;
- Improve the living conditions of the ethnic groups step by step;
- Expand, to the greatest extent possible, the good and beautiful heritage and ethnic identity of each group as well as their Capacity to participate in the affairs of the nation.

## **2.4 INSTITUTIONS INVOLVING IN ETHNIC DEVELOPMENT**

Various organizations responsible to implement the above policies are as follows:

- The "Ethnic Committee" under the National Assembly, is in charge of drafting and evaluating all legislations concerning ethnic groups, lobbying for its implementation and the implementation of its socio-economic development plans.
- The "Institute for Cultural Research" under the Ministry of Information and Culture, is responsible for carrying out all ethnic research activities.
- The "Lao Front for National Construction (LFNC)" as the mass organization, is the lead institution for ethnic affairs. 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:
  - To promote the human development of ethnic Group officials;
  - To ensure that educational opportunities are made available to ethnic Groups;
  - To promote and preserve cultural traditions;
  - To improve and expand healthcare, knowledge of reproductive health traditional medicine and detoxification of opium addicted persons;
  - To enhance the administrative mechanism for ethnic Groups including their promotion in rural development activities by ensuring that other agencies are aware of the requirements for the participation of ethnic Groups.

## **2.5 OTHER GOL RELATED POLICIES AND LEGISLATIONS**

- According to The Land Laws, 1997, the GOL consider Land as the National Community Property that is administered by the State for use and as a mean for all Socio-Economic Development. All the lands must be used effectively and be based on the macro-level and micro-level development planning. There is no personal ownership of land, but the citizens are allowed to use it and have a customary right to its resources.
- The Land Law also stipulates that, in the case that the public infrastructure development projects cause damages to trees, crops or buildings of the private owners, the land owners have the rights to be compensated for the damages.
- Ethnic groups maintain land tenure rights equal to all Lao citizens with certain specifications and even preferential access and customary user rights to certain forest products (Forestry Law, Article 30; MAF Regulation 535; MAF Orders 54 and 377). Customary rights on land use among the ethnic groups are passed down from generation

to generation. Traditionally, no land titles were involved and no boundaries were officially demarcated. In remote rural areas, these customary rights are still practicing with the approval of the local authorities. Many ethnic groups have traditionally recognized certain areas of forest as sacred forests. In addition, among the ethnic groups, individuals or households were considered to be the owners of specific trees, such as those used for resin-tapping or that may have ancestral spiritual significance. These are important aspects of village cultural and economic life that need to be investigated and strictly respected.

- The GOL has developed a "Land and Forest Allocation" program with the aim to allocate the land to individuals and to demarcate the village forest and land boundaries for proper land use planning and forest management in a sustainable way. The main objectives of the land and forest allocation program are: (i) to promote crop production to replace shifting cultivation through allocation and titling of production land, (ii) to protect forest through forest classification and, (iii) to utilize the allocated forests on sustainable basis.

To this effect the Prime Minister Decree No. 117 was elaborated to:

- Allocate 2-5 ha of forest and forest land to each household and 100-500 ha to each village;
- Allow villagers to manage and use allocated forest as long as wood volume increases;
- Allow villagers to inherit or transfer allocated forest to others; and
- Recognize ownership of individuals and groups to degraded land where they will plant trees, regenerate, grow crops or raise livestock by themselves.

The MAF Regulation on Village Forest Management issued in June 2001 consolidates existing provisions concerning village forests, e.g. classification of village forest, harvest of logs for housing and social welfare construction activities. The collection of Non Timber Forest Products (NTFPs) for sale is also recognized, with the condition that management plans are formed and approved. NTFPs have been recognized as one of the few income sources available to rural villagers for a long time without legal recognition.

For the first time, this regulation provides that the exploitation of forest resources must be in a sustainable way and done under the close supervision of the local authorities as per the Forestry Law and in accordance to approve the land use plans.

There are also other related policies and laws/regulations, such as: the *GOL Resettlement and Compensation policies*, the *ADB and World Bank Safeguard Policies* on the same issues. These aim at ensuring that the losses to Project Affected People (PAP) are compensated, that PAP share project benefits, that the PAP social and economic potentials are developed in order to improve or at least restore their incomes and living standards to pre-project levels.

Despite the efforts made by the above institutions to improve the situation of ethnic people many ethnic groups still lag behind the Lao population in terms of income literacy and health. Many ethnic groups still cannot speak and read the Lao language and thus are unable to effectively make use of schools and health clinics, which have only Lao speaking staff. Most of the ethnic people remain isolated in the far remote areas of the country.

## **2.6 ASIAN DEVELOPMENT BANK POLICY & GUIDELINES ON INDIGENOUS PEOPLE**

The ADB's Policy on Indigenous People(1998) focuses on the circumstances of indigenous peoples ("ethnic People" in the Lao context) and on identifying and satisfying the needs and developmental aspirations of these people. It emphasizes the participation of ethnic People in development and the mitigation of its negative effects and impacts.

The ADB policy stipulates that Bank-funded projects in which ethnic People are affected should be:

- Consistent with the needs and aspirations of affected ethnic peoples;
- Compatible in substance and structure with affected ethnic People' culture and social and economic institutions;
- Conceived, planned, and implemented with the informed participation of affected communities;
- Equitable in terms of development efforts and impact;
- Not impose the negative effects of development on ethnic People without appropriate and acceptable compensation.

It is clear that the GOL ethnic policies, guidelines and the Asian Development Bank policies concerned with the indigenous people have, in general, the same focus and objectives.

## **2.7 ETHNIC STATUS**

Article 8 of the constitution of the Lao PDR adopted in 1991 guarantees that the State will not discriminate against people on the basis of ethnicity. The Constitution specifically indicates this in the following words:

- Laos is a unified nation with indivisible ethnic groups;
- All power is of the people, by the people and for the use of the multi-ethnic population;
- The right to be owners of the nation is exercised by multi-ethnic people and is guaranteed by the political system;
- The mass organizations are the gathering point for solidarity and mobilization for citizens of all backgrounds and all ethnicities;
- 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;

- The economic system is for the purpose of improving the living standard and spirituality of the multi-ethnic peoples;
- All Lao citizens regardless of their sex, social position, education, beliefs or ethnicity are equal before the law.

The terms assimilation and integration are both used to describe a process of social and cultural change. There are some overlaps when using these terms. Assimilation often refers to policies imposed from above that could contribute to the loss of ethnic diversity, such as one language, education, promotion of rapid economic change, increased access to services, markets and jobs, resettlement, relocation and livelihood restoration programs. It is not always the intention of governments to assimilate ethnic groups but policies and programs that promote modernization often do not take into consideration cultural differences and vulnerability to change. Integration occurs when Group groups identify with and aspire to aspects of the majority culture and changing socio-economic conditions, such as adapting language, religion, behavioral patterns and material culture. There is a concept of willingness in the term integration.



### **3 EXISTING CONDITION OF ETHNIC GROUPS**

#### **3.1 ETHNIC GROUPS OF PROJECT AFFECTED PEOPLE**

It can be seen in Table 3, that there are 3 main ethnic groups of affected people. They are a Lao-Tai speaking group or former Lao Loum, the Mon-Khmer speaking group or former Lao Theung and the Hmong-Eumien speaking groups, which are collectively referred to as former Lao Soung. The vast majority of the residents in the PakbengHP project area belong to Lao-Thai group which accounts for 58.76% (Lao-46.41 %, Lue-12.52% and Nhouan – 0.03 %) and the Mon-Khmer group, the Khmou which account for 34.20 % of the affected population. The Hmong-Eumien speaking group account for 6.84 % of the PAPs and 5.37 % are Hmong Khao and 1.47 % are Yao or Iuien.

The directly affected families that will need to be relocated or to be resettled are from Lao, Khmou and Lue ethnic groups. So the report will emphasize mostly on the impacts to these ethnic groups of population.

Table 3.1-1: Ethnic Population Composition in Pakbeng HPP Area

No.	Village Names		Population				Ethnic Composition					
	English	Lao	Family	HH	People	Female	Lao	Khmou	Hmong Khao	Lue	Gnoun	Yao
<b>Upstream Villages</b>												
<b>Bokeo Province</b>												
<b>Paktah District</b>												
1	Paktha	ປາກທາ	246	217	1087	531	246					
			25	25	114	39		25				
2	Huaysua	ຫວ້ຍຊົວະ	97	76	500	244		97				
3	Huaylampan	ຫ້ວຍລຳແພນ	71	65	432	225			71			
4	Huayphalam	ຫ້ວຍພະລາມ	98	81	485	254		98				
5	Hadsa	ຫາດສະ	363	301	1523	758	363					
6	Haddonkeo	ຫາດອນແກ້ວ	182	146	689	341	182					

No.	Village Names		Population				Ethnic Composition					
	English	Lao	Family	HH	People	Female	Lao	Khmou	Hmong Khao	Lue	Gnoun	Yao
7	Hadsak	ຫາດສາກ	13	14	40	20	13					
			80	70	298	145				80		
8	Huaykeo	ຫ້ວຍແກ້ວ	83	66	448	246		83				
9	Huaysaed	ຫ້ວຍແສດ	287	146	1036	502		287				
10	Huayhao	ຫ້ວຍຮາວ	45	33	210	103		45				
11	Huaynorkhom	ຫ້ວຍໜໍ່ຂົມ	2	2	13	8	2					
			82	54	328	159			82			
12	Huaysanguiek	ຫ້ວຍສະງຶກ	48	45	177	92				48		
13	Huaymeng	ຫ້ວຍແມງ	2	2	8	3	2					
			47	40	241	114						47
14	Kaengpak	ແກ້ງພາກ	157	132	608	288	157					

No.	Village Names		Population				Ethnic Composition					
	English	Lao	Family	HH	People	Female	Lao	Khmou	Hmong Khao	Lue	Gnoun	Yao
15	Korntuen	ກ້ອນຕື້ນ	187	163	782	403				187		
			36	34	210	110		36				
16	Huaymaixang	ຫ້ວຍໄມ້ຊາງ	19	19	112	51			19			
			1	1	3	2	1					
17	Pakxua	ປາກຊື່ວະ	96	83	402	220	96					
<b>Xayabury Province</b>												
<b>Xieng Horn District</b>												
18	Pakped	ປາກເປັດ	32	32	128	59	32					
			100	48	604	290		100				
19	Paksith	ປາກສິດ	16	16	77	31	16					
			23	23	137	65		23				

No.	Village Names		Population				Ethnic Composition					
	English	Lao	Family	HH	People	Female	Lao	Khmou	Hmong Khao	Lue	Gnoun	Yao
20	Huaykhoun	ຫ້ວຍຄູນ	20	20	96	45	20					
			130	130	849	358		130				
<b>Khorp District</b>												
21	Pakhob	ປາກຂອບ	117	130	525	258	117					
			8	8	35	16		8				
			13	13	67	27				13		
			1	1	5	2					1	
22	Kokmia	ຄົກເມຍ	73	73	325	173				73		
<b>Oudomxay Province</b>												
<b>Pakbeng District</b>												
23	Luangtong	ລ່ວງໂຕ່ງ	8	8				8				
			60	55			60					

No.	Village Names		Population				Ethnic Composition					
	English	Lao	Family	HH	People	Female	Lao	Khmou	Hmong Khao	Lue	Gnoun	Yao
24	Homxay	ໂຮມໄຊ	144	113	824	422		144				
25	Kokka	ຄົກກະ	56	53	238	119	56					
			11	11	71	39		11				
<b>Downstream Villages</b>												
26	Pak Gnei	ປາກເງືອນ	123	118	614	291	123					
<b>Total Affected Population:</b>			<b>3,202</b>	<b>2,667</b>	<b>14,341</b>	<b>7,053</b>						
<b>Total Families per Ethnicity:</b>							1,486	1,095	172	401	1	47
<b>Percentage of Ethnic Families:</b>							<b>46.41</b>	<b>34.2</b>	<b>5.37</b>	<b>12.52</b>	<b>0.03</b>	<b>1.47</b>

### **3.2 ETHNICITY AND ETHNIC IDENTITY**

The Lao government's policy regarding indigenous people is linked to efforts for poverty alleviation and the elimination of unsustainable shifting cultivation. This is manifested in a number of ways. One is the relocation of more isolated groups in the highlands to lowland areas near existing infrastructure and services. The situation of ethnic identity is diluted in the project area and surrounding areas. This is due to the changing socio- economic and cultural context. This is not a recent phenomenon but the process seems to be accelerating due to a number of factors:

- ❖ Government programs for relocation and village consolidation of smaller units in order to provide services and infrastructure (new administrative units and focal development zones);
- ❖ Increased urbanization and migration to cities from the surrounding countryside;
- ❖ Increased mobility of populations and increased interaction between ethnic groups, including intermarriage;
- ❖ Increased self-identification with the mainstream Lao culture which is seen as progressive and modern in comparison to traditional socio-economic and cultural systems

### **3.3 VILLAGE STRUCTURE**

The Central Political Bureau of the Lao's People Revolutionary Party issued the Directive No. 09/CPB, (June 2004) on the establishment of villages and Village Focal Development Groups, Subsequently many orders and instructions from PM and Line ministries have been issued for implementation of the decree.

The objective of the decree and follow up is to make development services available to scattered and remote ethnic communities, to implement the rural development policy of GoL and the Focal Site Strategy of the Party, the main objective of which is to alleviate poverty among populations in remote areas. To ensure the effectiveness of the National Poverty Reduction Programs, the approach is to encourage the amalgamation of small villages in remote areas into bigger villages with at least 100 households. In order to effectively accomplish the proposed development plans, adjacent villages should be grouped in a Village Focal Development Group (VFDG) which is assisted, managed and supervised by district officials.

Since the decree the grouping of small villages into big villages and the establishment of VFDGs has been implemented all around the country. In parallel, under the policy of decentralization, the provinces were designated as strategic units, which should be responsible for preparing their own socio-economic annual and five-year plans and managing their own budgets with the districts responsible for planning and budgeting, and the villages became responsible for implementation. Government officials from central, provincial and district level have been assigned to manage and implement this order in the

VFDGs in each district. The main function of the VFDGs is to make sure that the overall development plans are carried out properly and effectively, will meet the actual local needs, and will resolve local poverty issues.

The Village level Organization is structured and functions as follows:

a) Village Headmen (Nay Ban),

Responsibilities:

- To keep all formal relations with district authorities and with other villages,
- To collect taxes, appoint other officials in the village, judge disputes,
- To implement of law and order, and
- To manage all activities in the village.

b) Deputy Head of Village (Hong Nay Ban)

(Normally, the Village Party Secretary is assigned to this post, because of the power of the Head of Village and of Village Party Secretary should not be in charge by the same person)

Responsibilities:

- To supervise and ensure that all village activities follow the policies and guidelines of the Lao People Revolutionary Party.

c) Village Representative (Kam Ma Kan)

The role of Kam Ma Kan is to assist the village headman in decision making and in carrying out his work in the village.

- d) Youth Organization (Sao Num) is responsible for youth affairs and activities, relating to protection and construction of village, including recruiting youth for village militia and men for military service.
- e) Village Militia (Kong Lon) usually consists of two to three men who are responsible for patrolling the area around the village and for public security at meetings and ceremonies.
- f) Village Women's Union (VWU-SahaphanMaeying Ban) is the only official organization in which women play a direct role to address the women's concerns and to protect the benefits of village women. The activities of the Lao Women's Union cover a number of activities, including improving sanitation, health prevention, maternal care, vegetable production and female income generation activities, and other development activities undertaken in the villages.
- g) Village Development Front (NiawHom) consisting of three or more members depending on the size of the village and mainly responsible for organizing large communal projects and ensuring government policy is carried out and taken action at

the village level. Members of this organization mainly are former members of village committee, village elders, retired officials, etc. NiawHom normally plays advisory role in decision-making. Village Advisory Councils for Disputes (Ongkan Kai Kia Khan Ban) who have taken over the arbitrator's role of the Council of Village Elders (ThaoKhun) that was previously responsible for resolving disputes of all types within the village and advising the village committee.

In terms of village decision-making, the VWU as the only one official representative of women at village level is responsible for the protection of the well-being and the rights of women and children.

The Lao Front for National Construction at village level is called Village Development Front (NiawHom). The members of this group play a great role in problem investigations, in discussions about advantages and disadvantages of the issues and in finding best resolution for the problems.

All agreements, resolutions and development activities undertaken must be carried out under Lao laws and regulations and in harmony with the Master development plan of the district for the well-being of the villagers and for poverty eradication.

Pursuant to the Law on Local Governance of Lao PDR, No. 03/NA, dated on 21 Oct. 2003, the district authority is responsible for overall protection of safety and security of all villages located in the district territory to assure the good environment for their socio-economic, cultural development.

The district prepares development plans based on the existing baseline data of each village, surveyed and collected with the assistance of the leaders of the Village Focal Development Group- VFDG which acts as a coordinator between villagers and district officials. The leaders of the VFDG bring the development plan to the villages and assist with its implementation at the village level. They also are responsible for providing feedback on achievements, problems resolved, and the views of the villagers.

### **3.4 KINSHIP AND MARRIAGE SYSTEM**

In the Pakbeng HP project area, the Khmou system is a well marked patrilineal system. Exogamic patrilineages have emblematic names but their significance is losing ground. The habitat is patrilocal and the household is generally composed of the restricted family.

The basic economic unit is composed of the restricted family. The budget is held by the man or woman depending on the family. When several families share the same house, only paddy production and housekeeping activities are undertaken together. The family's diversified activities often constitute the only chance of economic success among the shifting cultivators, ensuring the family's food and material self-sufficiency. The rest of essential requirements such as clothes, shoes, plates, matches, oil lamp, lamp petroleum, torches, batteries, salt and nails do not require a substantial budget.

The khmou live in nuclear families. Traditionally, marriage was arranged by the parents. At present, the young can bring their own views. Monogamy is the predominant form of marriage today, but polygamy was common among the wealthier Khmou men. The customary exogamous patrilineal relationship is losing ground. Residence is not clearly differentiated, but generally the man works in the wife's family for 1 to 3 years before moving to a new house or to his own parent's house. Courtship between the Khmou is relatively free. Negotiations between parents about the bride price often begin when the girl is pregnant. Premarital relationships are traditionally forbidden. However, a boy caught red handed must pay a fine to the girl's parent. The preparations are discussed and formerly 3 to 5 buffaloes are given to the girls' parents. The wedding meal is organized and financed by the boy's parents, and must include a large pig "of 5 fists" and a jar of rice wine. The bride price are presented to the girl's parents before the meal starts. On the following day, another meal is organized at the house of girl's parents. The bride price presented the day before, as well as a piece of Pakhom textile for each of the girl's female cousins are offered by the boy's family. The girl then takes a package prepared by her mother and moves to her parent-in-law's house. On the following day, to clean the *Bluesaly* (Past sins), the young couple goes to the river with a fish net, the husband with a knife, and a basket. In the case of marriage against the girl's will, the ceremony is different and relates more to kidnapping. Kidnapping is authorized and negotiated beforehand between both families, but the ceremonies are not very courteous. Divorce is not authorized formally. However if the first wife is sterile, she is charged to find a second wife for her husband. Both wives then live in the same house.

### **3.5 MATERIAL CULTURE**

Since the key ethnic groups that will be affected by the development of Pakbeng HPP are Khmou and Lue, this section is focused more on these groups of people on their material cultural styles.

#### **❖ House designs**

*Khmou* – the Khmou prefers to build their houses on low wooden stilts, about 1 to 1.5 meters above the ground. A poor family contents itself with a bamboo mat walled house with no windows and a roof made of thatch or bamboo tiles. Wood is only for used for the piles, the crossbeams and the main floor and roof frames. A short bamboo ladder leads to a small porch or directly to the entrance door. A single public living room is accessible through an entry stair and is not separated from the bedrooms. The sleeping mats are rolled up in the daytime. The kitchen and fireplace is usually separated from the public living room, although frequently it may be in one of the room.. In that case, the fireplace and kitchenware are in the main living room which has a bamboo shelf over the fire to dry the food. Firewood, tools, basketwork, rice pounder, tiles and construction wood are placed between the piles of the house, while the rafters provide a storage area for baskets of dried

food, seed rice and valuables; the animal pens may also be erected under, or beside the house. The buffaloes are sometimes kept under the house during the land preparation period between May and June.

Visitors to the house will be allowed to stay in the outer room. During daytime, a taboo states that raw meat cannot be carried into the house without wrapping it first. Khmou people celebrate the building and renovation of their homes during festivals or smaller ceremonies featuring local rice wine.

The Quality and size of the Khmou house depends on the wealth of the family. For poor families, small bamboo houses are built on small and poorly work piles. Disadvantaged families, widows without children, divorced opium addicts, elders and orphans, live in small huts built at ground level. The floor and walls are made of bamboo and the roof of thatch. There is generally a single room and the fireplace is situated in the middle, a little to the back. The number of traps, nets, snares for rodents, frog baskets and crustacean nets hanging at the entry of the house are indicators of these families' standard of living.

Currently, many ethnic people with sufficient income may build their house with more stable construction materials and adopt the house style to the mainstream culture, but they still keep the traditional interior layout.

#### ❖ **Clothing styles**

In the Pakbeng HP project area, traditional clothes are still made by women and largely worn by all.

The Khmou have never had more than very limited weaving skills and buy most of their cloths from Phouan and Lao in their vicinity. The festive dress of Khmou woman includes a long- sleeved dark vest open the front, often with red hems, a dark based sarong with many colored strings or motifs and a kerchief. On ordinary days, Khmou women wear Lao-styled sarong and ordinary blouses, preferably with a multitude of bright colors. The older women wear a headscarf, the younger women wear their hair bound up in a bun and leave it uncovered. They decorate themselves with silver and copper bracelets. Tattoos of geometric figures can be found on the arms and legs of older Khmou women especially among the Nguan subgroup. Traditionally, Khmou men wear trousers or loincloths and long sleeved jackets, which are embroidered along the hems and fastened at one side of the neck. Today, the Khmu buy cheap, factory-made garments in the Local markets.

Both men and women also have sacred textiles, which they have collected over the span of a lifetime and keep stored either in large ceramic jars or metal trunks. The sacred textiles, mainly tube-skirts are woven for the Khmou in large tapestry designs. The Khmou wear such textiles during rituals, for instance a burial, healing rites and a number of religious ceremonies. In addition to those textiles they also use sacred garments to place on altars or cover a coffin.

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### ❖ **Language and Present Language Usage**

Lao PDR not only has a rich diversity of ethnic groups but languages from four major linguistic families are spoken in the country, each being represented by a number of languages and dialects. Approximately, 35-40% of the present population speaks Tai Lao or Lao, the national language, as a first language. Most do not have knowledge of other languages but some may have a passing knowledge of other Tai Lao dialects.

The Lao language is the only one that is expanding in terms of use as the “first language” as more parents teach their children Lao and more indigenous people change from being bilingual to being primarily Lao-speakers.

Approximately, 25-30% of the country’s population still speak Tai-Lao languages other than Lao: PhouThay, Lue, Tai Daeng, Tai Dam, Phouane, Sek, etc. In many cases, Lao is merging with or replacing these languages and dialects, which are similar to Lao. It is only in the more remote areas of the country where these Tai-Lao languages are spoken commonly. There is a clear tendency for these languages to be spoken only in the domestic sphere and only in communities that are all members of that ethnic group. Inter-marriage, increasing contact and mobility as well as Lao schools and media have resulted in the loss of dialects and languages of many of these groups.

Mon-Khmer languages are very dissimilar to those of the Tai-Lao family of languages. About 20-25% of the population speaks these languages as their mother tongue at present but this is changing rapidly.

In the Pakbeng HP project area, the Khmou language is classified into the Mon-Khmer language group of the Austro-Asiatic language linguistic family, the branch is the Khmuic branch. There are distinct regional dialects among the language. Khmou also like to learn languages of other ethnic groups. In 1980s, linguists carried out some studies and used Latin alphabets to write in Khmou dialect. This alphabet still exists and is being used.

### ❖ **Religious Practice and Traditional Culture Beliefs**

Traditional Khmou belief centers on beliefs in various inanimate and animate spirits, similar to most Mon-Khmer indigenous people. The practice of sorcery by certain families and the presence of media having trances are particular to Khmou. The Khmou believe in several protecting spirits, which should be respected. Any fault committed against them should be excused through a ceremony or ritual. The guilty person is subject to reprisals that are sometimes targeted against his family or against his village. Spirit gates are erected over the entrances of the villages. A special house is built to make sacrifices to the honor of these spirits. However, the spirits have to be satisfied with chicken, rice, whiskey and occasionally a pig. The Khmou practice a form of ancestor worship. Every village has a shaman and several sorcerers. The sorcerers are considered as excellent religious practitioners: both sexes are able to fulfill this role. They can describe which spirit is

causing the illness or calamity and prescribe the necessary sacrifices. The Khmou follow the agrarian cycle and practice several ceremonies for a good harvest. The Khmou main spirits “Rroi” are:

The house spirit “Rroi gang” is the most important. It is not the most feared, but it possesses a spiritual value which naturally commands veneration. Its presence was symbolized by an altar fixed to the pole of the house, but most often by two small amulets or charms. The charms, made of packed yeast in banana leaf, were hung above the fireplace, respectively representing the spirits of the man and woman. They still exist in some isolated villages. The evil spirit “Rroi poop” is guided by a malevolent person, who may possess the body of its victims. The victim must often pass through a session of exorcism practiced by an experienced practitioner with power superior than the malevolent person. It is thought that the persons with magic power are able to change objects into crabs and leeches to eat the victims, who have been rendered ill beforehand. The victims often act irrationally as their unconscious behaviour is dictated by the evil spirit. The “Rroi pong” or “Rroisuu”, like the Rroi poop is feared as it is able to possess persons. Often symbolized by a large bat, it appears only at night spitting fire from its mouth. Once such a spirit takes possession of a body, that person will spit fire. A person is recognized as being possessed by this spirit when he or she goes out at night to feed themselves with frog and chicken excrements.

The original Khmou animistic ceremonies, described at the beginning of the century, have almost disappeared. Concerning healing ceremonies, buffalo sacrifices are occasionally practiced by extremely isolated villages. Pig, dog and poultry sacrifices are also less common. Some ceremonies linked to the cycle of paddy cultivation are still practiced. The forest spirit is symbolized by installing a decorated altar in the middle of the field. Offering of glutinous rice and sometimes part of chicken are made. Some religious ceremonies were organized by village priest-shamans so as to prevent the cholera spirit passing through the village gate.

The spirit specialist possess different levels of competences according to whether they are able to identify spirits with the “KadePoliyeul” shaman rite of raw rice, with the “Kadekhatong” shaman rite of egg, or with the shaman “Kadekhaal” rite of wood. The spirits are generally first identified in order to define the appropriate healing ceremonies.

The KadePoliyeul specialist hangs a cloth belonging to the patient or to a member of his family above a bowl of paddy rice. Then he asks the house spirit whether it is involved. If the cloth moves, it is really him. Otherwise, the question is made to another spirit until it is identified. The Kadekhatong is the most popular spirit specialist. He identifies the spirit from the impurities and visible signs in the yolk of a broken egg. He is also equipped with candles, a bunch of rags, a bracelet and flowers.

The Kadekhaal chooses a wood branch that he cut into ten pieces, corresponding to the ten series of khmou days. The practitioner chooses a spirit and counts the pieces again. If the same number is found, the spirit is identified, otherwise, he starts again with another spirit who is suspected. Once the spirit is identified, the practitioner must define which animal is required by the spirit and also the site of sacrificial ceremony and prayers. For the water spirit, it will be at the river or the source, for the termite mound spirit, it will be on a termite mound, etc.

#### ❖ **Traditional Beliefs Related To Death and Graves**

The Khmou buries their deceased in the forest. First though the body covered by a piece of fabric is laid down on a mat, in the middle of the house, the feet towards the door. The body is mourned from one to five days depending on the selected burial day, calculated according to the traditional calendar. It is forbidden to work during the period of funeral virgin. Animal sacrifices are made on a daily basis. The eldest person in the house has the responsibility to dress the body with previously torn clothes, to place broken utensils, to tear kip notes, and to place a silver coin in the deceased's mouth, all this to please the spirit.

The body is rolled in a mat and attached to a wood or bamboo pole and then transported to the cemetery by two persons. It is then buried after a pig is sacrificed. Food prepared on the buried day such as rice and grilled meat is given during the three following days. A lattice of bamboo in the form of a tent is installed on the grave. To avoid any possibility that the soul of the dead returns to the village, the burial party proceeds in large circles on its way back to confuse the spirit.

#### ❖ **Cultural Assimilation**

The new models of development are cautiously negotiated. Unmeasured rejection of traditions leads to social disorganization and prevailing opium addiction but the Khmou in project area have strong acculturation and assimilation of Lao system and adapted very easily to the Lao socio- Political and productive systems. The loss of cultural reference is not always positive and sometimes led to rural exodus, impoverishment and opium addiction. Nowadays the Khmou in the Pakbeng HP project area have weak indigenous social and political groupings and easily adapt to new socio-political organization, or to the agriculture and production systems of more efficient and better neighboring communities. They sometimes adapt too easily, abandoning their traditional landmarks and taboos, which constituted the traditional safety net. When this acculturation is not counterbalanced by new behaviors and attitudes adapted to their society, the too rapid acculturation, and poorly understood new references have negative consequences. The Khmou communities then have much difficulty finding a new balance. It is therefore appropriate to facilitate a progressive.

Socio-economic development process, socially compatible and acceptable, in which their socio-political participation and decision making capacity should be strengthened.

More specifically, sufficiently integrated assistance is needed when Khmou population are encouraged to adopt a settled agriculture system to which they are not accustomed.

Experience shows that their participation in establishing an agriculture development initiative is usually high and community-based. This encouraging behavior and the mobilization of people should be compensated by appropriate short term income-generating activities, in order to avoid the programmes generating uncontrolled bankruptcy and impoverishment.

### **3.6 CULTURAL HERITAGE**

#### **❖ Places of Worship and Burial Sites**

Most of the village inhabitants believe in animism, such as village spirits. Animistic views are often based on the premise that people are thought to be equal with (rather than superior to) animals, plants, and natural forces. Therefore, with such cultural beliefs, individuals find it morally imperative to treat these agents with respect.

In societies that hold animistic beliefs, such as those in the study area, rituals are considered as essential for survival as they will win the favor of the spirits of one's source of food, shelter, and fertility, as well as warding off malevolent spirits. Rituals are seen as necessary to ensure good luck, favorable harvests, etc. Within the study area, these village spirits are typically located about 1 to 1.5 km away from a village. Most of the spirit sites are located along the walk path between villages. The ethnic people in the area believe these spirits sites to be a significant part of their local culture and pose as traditional features.



## 4 ETHNIC IMPACTS AND MITIGATION/DEVELOPMENT ACTIVITIES

The development of the Pakbeng HPP will create both positive and negative impacts to the ethnic groups. The positive impacts are mainly associated with the new opportunity to have better infrastructures and supporting facilities including exchange of knowledge and new culture. The negative impacts will involve many issues. The key ones are provided in the table below, mostly related to the loss of houses and their cultural assets.

To mitigate and develop such impacts, the following programs will be established and implemented as discussed in sub-sections (a) to (d).

**Table 4-1: Matrix of Potential Ethnic Impacts and Mitigation/Development Measures**

No.	Potential Impacts	Mitigation/Development Measures
1	Misunderstanding and limited development due to language barriers and lack of technical skills	Establish literacy program including specialized training and earmarked livelihood development strategy and village credit fund establishment
2	Loss of cemetery	Further consultation with Ethnic groups for planning the new one at the resettlement site and required ceremonies to be performed.
3	Territorial Spirits	Agreement with ritual leaders and villagers about ritual arrangements for old village and new village, as well as support to conducting rituals
4	Moving house	Agreement with APs on moving day and support for conducting appropriate rituals
5	Moving village	Agreement with village leader on day for the moving and support for appropriated rituals

No.	Potential Impacts	Mitigation/Development Measures
6	House design	Support to the house design for ethnic people that are being resettled
7	NTFPs	Majority households in the project area have all income source or consumption from collection of NTFPs. Location of the new villages should include relatively large areas of community forest and NTFP gardening.
8	Access to natural resources or grazing area	Support for alternative livelihood options with appropriate technical assistance.
9	Food security concerns	Additional rice supplement during moving process and transition period.

#### 4.1 POTENTIAL IMPACTS ON ETHNIC ISSUES BY PAKBENG HPP

Based on the field survey for data collection and the discussions with the affected population, there was no report relating to the impacts on the cultural sensitive sites such as cemeteries, sacred forests of the affected villages.

The cemetery of Khmou people at Ban Luangtong will not be impacted by the flood as well. Since the whole village needs to be resettled at the new place, Khmou people need to perform ritual ceremonies before leaving. The project developer is responsible for the expenses of the required rituals for the well being of the people at the new site.

#### 4.2 IMPROVING LAO LITERACY

Fluency in Lao is important for economic success as well as public participation and improving language and communication skills. This will be an important part of the ethnic Group development plan. Literacy Classes will be specially adapted to help improve spoken Lao skills. Facilitators that are fluent in Lao and the appropriate local language will lead the classes and the materials related to the project will be used wherever possible. This will help make sure that all ethnic groups are familiar with the key aspects of the project and compensation programs.

More specifically the literacy programs will:

- a) Provide audio-visual materials in Lao/Khmou languages,

- b) Measurably improve literacy and numeracy among the PAP;
- c) Further improve and extend immediate and long-term education;
- d) Employ staffs that are fluent in Khmou languages as translators.

#### **4.3 ASSISTANCE IN MOVING A VILLAGE**

Khmou people also require special rituals to be performed before moving to inform the spirits but no physical movement is required.

#### **4.4 ASSISTANCE IN MOVING HOUSES**

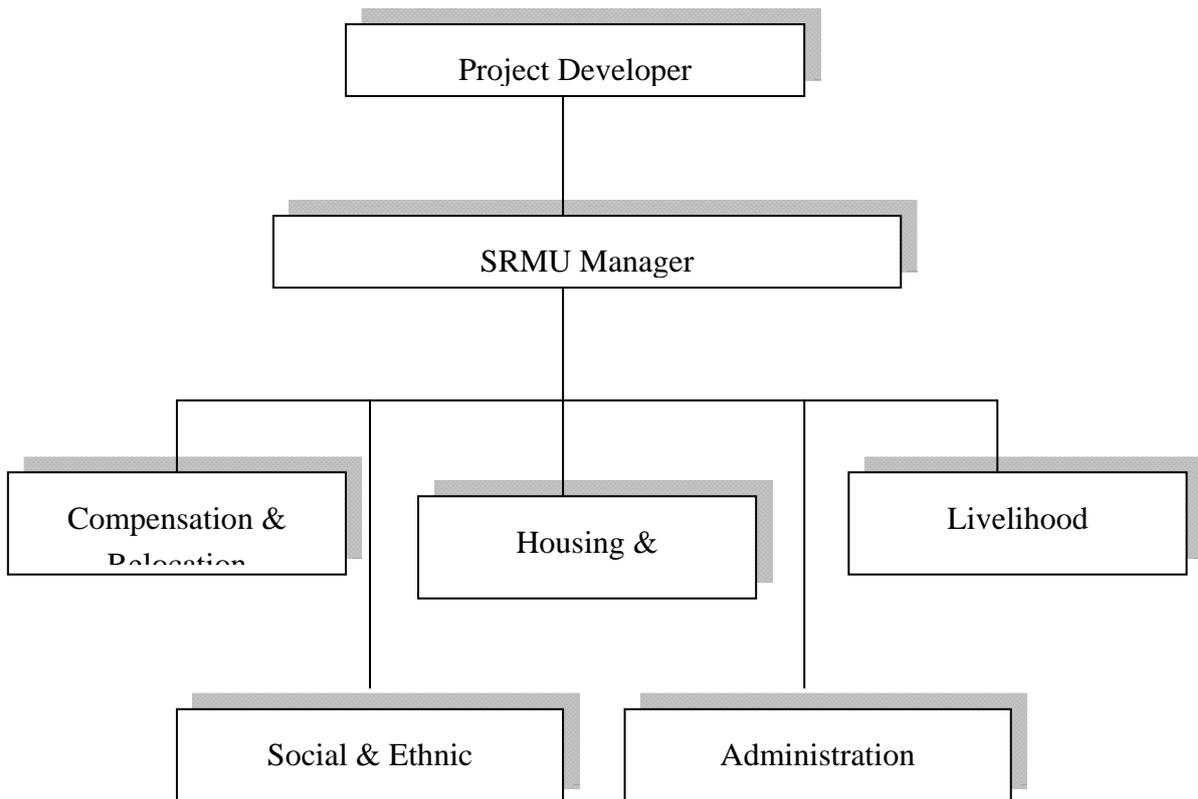
To move a house, a ritual must be held to inform the spirits of the house of the movement so that these protective spirits accompany the residents on their journey and continue to reside with them. A ritual of welcoming and offering of food and other items is made once the house has been constructed. There are no special rituals for Hmong since the altars and spirit posts are transportable and reassembled at the new site.

## 5 INSTITUTIONAL ARRANGEMENT

### 5.1 RESPONSIBILITY OF KEY ACTORS

Key actors in the implementation of EGDP are included in Social and Resettlement Committee at different level which consist of the GOL project developers, and consultants. The government body will set up Resettlement Committees for concerned provinces, districts and villages. While the project developers and related parties will be involved in the Social and Resettlement Management Unit. Social and resettlement consultants will be recruited to assist in resettlement implementation, monitoring and Evaluation. It should be noted that the RAP and the SAP will be implemented by the same committees and organizations in specific tasks and budgets. The representatives of LNFC will take care of implementing the EGDP for the benefits of different ethnic groups relating to sensitive and cultural issues. For the details, please refer to Chapter is concerned Institutional Arrangement of SAP. The Social and Ethnic Development Implementation, monitoring and evaluation are managed by the SRMU as shown in Figure below.

**Fig. 5.1-1: Organization Chart of Social and Resettlement Management Unit (SRMU)**



- ❖ ***Compensation & Relocation Section*** - the main task is to ensure the acceptable compensation rate/payment, and relocation plan/schedule to each resettlement site.
- ❖ ***Housing & Infrastructure Section*** - main task is to ensure access to resettlement sites, housing and other structures at new sites are constructed and finished on time before relocation.
- ❖ ***Livelihood Restoration Section*** - main tasks are to ensure the resettlers livelihood are better-off compared to that they were enjoyed before.
- ❖ ***Social & Ethnic Development*** – main tasks are to ensure that influx people have been managed, concerned parties and GOL capable to handle the social issues, attention has been paid to vulnerable and ethnic groups in new lands, and health and education services will be better off than before resettlement.
- ❖ ***Administration and Reporting*** – main tasks are to support the financial and accounting systems, and periodic progress of social and resettlement development.

## **5.2 PUBLIC PARTICIPATION**

As discussed in detail in Public Consultation Chapter of the main SIA Report, the project includes an extensive and long term program of public consultation and participation.

At this early stage of the project the first public consultations with key stakeholders, especially those who are potentially project affected people, were conducted in each affected province, district and village. The identification of key stakeholders included central/local GOL, civil society/NGOs, international organization, private sector, and the potentially affected people.

In addition to official dialogues/meetings with central/provincial GOL and other key stakeholders, project community-based consultation meetings were employed in gathering information and fostering communication with the potential affected villages and people. Approximately two consultation meetings (including focus group and village leader's interviews) were performed in each village, one at the Initial Social Assessment (ISA) stage and other at the SIA stage. Vulnerable groups such as women, indigenous people, youth, and others were invited to the village consultation meetings.

In each consultation meeting, the general agenda employed for communication with people for each village normally include:

- Objective of visit/meeting;
- General information about the project based on best knowledge of the survey teams;
- Key potential negative and positive impacts;

- Questions and answers about the potential project impacts; and
- Opinions and suggestions and feedbacks from the village leaders and other potential affected people.

Specific consultations were also made to vulnerable groups on project impacts and resettlement sites selection.

a) Women and vulnerable group – their viewpoints on the following issues also discussed and interviewed.

- Knowing about the project;
- Project impacts on environmental resources;
- Project impacts on culture, livelihood, health care and children education;
- Mitigation and development measures.

b) People to be relocated and host people - consultations with host communities and people to be relocated and to be resettled, including GOL authorities, also have been made for resettlement sites selection. All alternative sites in both banks of the Mekong River above 340 m ASL have been proposed to key stakeholders that include: affected people to be resettled; people residing within or near to the proposed resettlement sites; key district authorities who are public administrators. The results of consultation showed that these people have exchanged their ideas and comments and finally accepted with a Proposed Resettlement Site (PRS) for Ban Luangtong and 4 relocation sites for people to be relocated within their v\current village areas..

### **5.3 CAPACITYBUILDING FOR KEY ACTORS**

Capacity building measures will be required to ensure that institutions involved in the social and resettlement development and implementing the various SAP components have the technical, management and other skills to fulfill their roles. The two key focus areas for capacity building will be:

- The SRMU Team and its staffs;
- 4 District Social and Resettlement Committees
- 7 Village Social and Resettlement Committees

Other institutions will require more specific and targeted training and awareness raising, such as the contractor and workforces.

Consultants in training these parties should be recruited to start training as soon as possible after the project has been approved.

The budget for capacity building has already included in the RAP budget.

## **5.4 CONSULTANTS REQUIRED FOR SAP AND EGDP IMPLEMENTATION**

In any large-scale hydropower development project like the Pakbeng HPP, additional external professionals and specialists will be required part time to develop and manage the following social aspects of the project.

- 1) Re-establishment cultural heritage if any required;
- 2) Literacy development program for ethnic Group groups; and
- 3) Evaluation of SAP and EGDP implementation.



## 6 MONITORING AND EVALUATION

### 6.1 KEY MONITORING AND EVALUATION ISSUES

The social monitoring will ensure the adequacy of the following activities and programs:

#### a) Key issues

- The influx management program has been efficiently implemented.
- The improvement of health and education building, facilities, system and staffs has been performed
- Important cultural items including traditional and cultural events have been restored
- Reconstruction of old temples in the resettlement sites has been completed.

#### b) Involvement of ethnic groups

- Adequacy of consultations related to the involvement of the APs including the vulnerable and ethnic groups of people.
- Effective community-based organizations created in relation to the project SAP implementation.

Monitoring and Evaluation (M&E) of the SAP is required to ensure that the plan is implemented properly and meets the objectives targeted. The final M&E plan will be formulated shortly before the project implementation.

The project monitoring and evaluation should include participatory monitoring and evaluation. This means that each village monitors its own livelihood restoration system. Such participatory monitoring efforts would be linked to the overall Project's monitoring and evaluation program. Experienced and skilled capacity will be an issue for all the villages and will need to be built up through training. The system will need to get villagers' inputs on the causes and solutions of problems and the overall project management system also will need to learn from villagers in this aspect.

The monitoring will be at: a) the program level; and b) the village level. Both participatory monitoring and evaluation (PM&E) system by beneficiary groups. The PM&E monitoring will be developed with the help of an expert who is knowledgeable with M&E in societies with low literacy where alternatives to the text and national language will be included. Monitoring of participation data will, where relevant, be disaggregated by ethnic groups, gender, and socio-economic (household) status (wealth groups if available), so that the project's impacts on ethnic groups, women, and the poor households can be easily monitored.

The PakbengHPP Project Manager will commission external evaluations - one at mid-term and one at the end of the Project. These evaluations will include a section on the effectiveness of the ethnic group development strategy. External monitoring of ethnic issues

will also be undertaken during the periodic Supervision Missions of the Project. The Lao Front for National Construction, Institute for Cultural Research or other relevant organizations may also be involved in the supervision and M&E activities. Feedback from the regular monitoring and mid-term evaluation will be used to improve the program.

## **6.2 REPORTING**

Many types of periodical reports and documentations are the products of the monitoring and evaluation works of the SAP, they are as follows:

- Day-to-day Reports – typical format to be filled out by the SRMU Manager and Section Manager by having issues such as key notes of daily events and decision taken. These reports will have registration system within the SRMU for further use for consultation as necessary.
- Weekly Reports – of progress and work accomplished will be prepared by SRMU Manager and submit to the Project Manager and will be registered system for further uses.
- Monthly Reports – addressing: problems encountered and decisions taken; debatable issues and proposed solutions; proposed activities for the coming months; budget situation including expenses, invoices, fund allocation, etc; list of major meetings held during the month. This monthly report will be prepared by the SRMU Manager and submit to the Project Manager.
- Official Minutes of Meeting Reports - to record decisions for further uses and official references.
- Annual Review Report - by review team and/or consultant that will be prepared every year during the construction and operation phases.
- Specific Technical Reports – by specialists during the construction and operation phases.
- Performance Evaluation Reports - prepared by independent consultant on SAP that will be conducted twice during the first five years and from the sixth to tenth year.



## **7 EGDG SCHEDULE**

As shown in Fig. 5.1-1, the EGDG schedule will be synchronized with construction schedule and milestones which expected to close the river by the end of second year, canal closure by the end of fifth year and conduit closure in the second quarter of the seventh year.

Time frame of key activities will also compatible with the RAP and SAP development activities and timeframe, which require in total of 10 years:

- Two years for construction of new resettled village and new relocation sites;
- One year for relocation;
- Three years each for training, and for public participation by using village based consultation at the new sites;
- Six years for livelihood restoration of the relocates; and
- Eight years for livelihood restoration of the resettles.

The influx management program concerns mainly provide the training to the workers with social safeguard program will be actively in the early stage of the construction periods.

Fig. 7-1: Tentative SAP and EGDP Implementation Schedule

Pakbeng Hydropower Project (Pakbeng HPP)

Key Activities	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10	Key Actors
Construction Milestones											
1. Improving Lao Literacy											RCs/SRMU
2. Moving ethnic village and houses											RCs/SRMU
3. Internal monitoring*											SRMU
4. External monitoring*											GOL
5. EGDP evaluation*											3 <sup>rd</sup> Party

Note: **GOL** = Government of Lao PDR, **PD** = Project Developers, **RC** = Resettlement Committees, **SRMU** = Social & Resettlement Management Unit, \* Included in the SAP

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## 8 SUGGESTIONS ON ETHNIC GROUP DEVELOPMENT

The promotion of national unity of Lao PDR is a high priority for the government. The result of these program and policies will favor the cultural integration. The constitutions and government organizations propose to promote cultural diversity and protect the rights of all ethnic groups. Existing policies promote lowland Lao culture by education system, Lao language, centralized political system and ideology. There is likely to be increased integration in terms of social, economic and cultural development.

A particular concern for this project are the small vulnerable Ethnic groups who are more susceptible to assimilation due to their small population number, relative isolation, reliance on natural resources and lack of understanding of market economy. Their future is uncertain at a time of rapid socio-economic change. The situation will consist of the gradual integration of groups into the mainstream economy being sped up slightly by the Pakbeng Hydropower Project related activities, population influx, increased urbanization, consolidation of smaller groups into larger village administrative units, improved infrastructure and growth in the service sector.

The local ethnic people will differ considerably since these groups are less integrated and will not experience directly the influx of lowland culture. However, some groups may attempt to find work, to increase economic interaction and even to relocate during the construction period and lead to some integration. Except for the new arrivals, there is a clear trend towards integration and assimilation of Lao culture.

With the arrival of educated and more resourceful lowland Lao during the construction period and the already noticeable increase of majority groups in the district capital, the population ratio of indigenous people in relation to lowland Lao and related groups is likely to change. At present, the ratio is slightly high in favor of the ethnic groups in relation to the lowland groups that mostly located in the district township and a few along the existing roads. It is likely that this ratio will be minimized due to influx of outsiders.

Because of the changes outlined in the proposed livelihood systems, education improvement in the Lao language and the existing mix of culture, a local Lao culture will develop Lao language or regional dialect, local cultural characteristics and intermarriage between groups. It is also likely that people will start to define themselves as lowland Lao.

Additional specific recommendations include the following:

- h) The site selection for project-related features and components is to avoid disturbance or destruction of cultural sensitive sites if at all possible, and if such sites will be affected, then a full presentation of options shall be provided and considered, such as removal of structures or replacement.

- i) Detailed consultations shall be conducted with male and female religious leaders and ritual specialists in relation to the possible adverse impacts on grave sites (types of rituals, removal of urns, stupas or contents, etc.) and suitable mitigation and compensation measures.
- j) Detailed consultations shall be conducted with male and female religious leaders and ritual specialists in relation to possible project impacts on landscape of cultural importance (e.g. spirit areas), as well as obtaining suitable mitigation and compensation measures from those leaders and specialists.
- k) Consideration shall be given to the potential indirect impacts of the project on Indigenous People Groups and suitable compensation and mitigation measures developed and implemented. For example, increased access for the project from the transportation may cause a variety of indirect adverse effects. Consequently, measures should be considered to avoid or minimize such effects, including gender-sensitive awareness and prevention programs for HIV/AIDS awareness, traffic safety, narcotic trafficking problems and illegal wildlife trading issues.

Similar to the approach to be adopted in dealing with other potential project impacts, a culturally sensitive approach to planning and implementation will be undertaken. The key to this approach is an open and transparent consultation process, involving all affected groups with special provisions for Indigenous Groups. These special provisions should include the following considerations:

- a) Conducting consultations in Indigenous People languages if the Lao language is not well understood by villagers, as well as conducting language checks of women and elderly people before starting the consultations;
- b) Paying particular attention to local traditions and customs that related to beliefs, gender values, as well as specific concerns raised by the Indigenous People groups;
- c) Making sure to include all ethnic groups in each of the villages in the consultation process. It is imperative that small ethnic groups participate in such discussions apart from the major ethnic groups in mixed villages. Inconsequent, small focus group discussions should be conducted separately with each ethnic group, unless deemed inappropriate by the respective indigenous people;
- d) Conducting consultations on the basis of male and female focus groups with male and female facilitators respectively. Training will be provided to male and female facilitators, including the Lao Women Union;
- e) Conducting consultations with an overall goal of identifying particular issues and concerns of ethnic and vulnerable groups that may be negatively affected by the project and its associated land development components, as well as those affected

groups through the proposed compensation schemes;

- f) Ensuring consultation regarding the mitigation of indirect impacts due to the upgrading of roads targets different ethnic groups in terms of language and specific content.