

(2) Part II



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**ENVIRONMENTAL MANAGEMENT STANDARD  
FOR ELECTRICITY PROJECTS**

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## PART V RESPONSIBILITIES

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- 5.2 Project Owner/Developer.....
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### REFERENCE.....

- 1. Environmental Protection Law of Lao PDR, 1997
- 2. Environmental Protection Regulation of Lao PDR, 1997
- 3. Environmental Protection Decree of Lao PDR, 1997
- 4. Environmental Protection Decree of Lao PDR, 1997
- 5. Environmental Protection Decree of Lao PDR, 1997
- 6. Environmental Protection Decree of Lao PDR, 1997
- 7. Environmental Protection Decree of Lao PDR, 1997
- 8. Environmental Protection Decree of Lao PDR, 1997
- 9. Environmental Protection Decree of Lao PDR, 1997
- 10. Environmental Protection Decree of Lao PDR, 1997

## PART I ENVIRONMENTAL SCREENING

### 1.0 INTRODUCTION

Environmental Screening is a preliminary assessment of a project's potential environmental impact. It is normally completed at a project's identification stage. Screening is used to decide whether a project's impacts are of a significant nature to warrant further environmental assessment.

Screening can also be used early in a project's life, as part of the decision making process, to determine if a project or some aspect of the project should proceed as originally planned or be changed. Early identification of potential significant impacts can reduce the need for project changes or project cancellation at a later date, which can be costly.

The steps in the Environmental Assessment process as it relates to the general project implementation phases is stimulated in Article 6 of Regulation on Implementing Environmental Assessment for Electricity Project No: 447/ MH, 20 November 2001.

### 2.0 PURPOSE

The purpose of this standard is to provide the minimum requirements of the Environmental Screening of an Electricity Project in Lao PDR. This Standard shall be considered as one of the Guidelines required under the Environmental Protection Law and the criteria under the Regulation for Environmental Assessment.

### 3.0 SCOPE

This standard applies to all electricity development projects in Lao PDR.

### 4.0 REQUIREMENTS

plan is required to be developed, approved and implemented to manage the project's impacts.

If the project potentially has one or more of the characteristics listed in table 1, it has the potential to have measurable or significant environmental impacts on natural resources, ecological resources, public health and/or public welfare. As such it is required to undertake further EA, that is an IEE. If the Project Review Team is unsure that the project will have one or more of the above characteristics then an IEE is also required.

If the project does not have one or more of the characteristics listed above but the project team believes that the project will have the potential to have measurable or significant environmental impact due to some other issue, then further EA shall be required. Conversely, should the project have one or two of the above characteristics and the project screening team believes the nature and extent of such characteristic do not warrant an IEE, then after due consideration and documented justification, an IEE may not be undertaken. Should this occur, then an EMP shall be developed, approved and implemented to manage the project's impacts.

#### **4.4.5 Public Involvement**

During the development of the Project Description and the environmental screening of the project, a PI process will be developed and implemented. The extent of which will depend on the project and shall follow the guidelines for PI process.

## **PART II SOCIAL IMPACT ASSESSMENT**

### **1.0 INTRODUCTION**

A vital component of the Environmental Assessment of Electricity Projects is the Social Impact Assessment.

To enable social management to be integrated into electricity projects and to ensure sustainability, it is essential that an appropriate environmental assessment process is developed and implemented. Social Impact Assessment is an important part of this process. To know and understand the environment, the potential impacts of a project and to implement appropriate social management measures is necessary to enable the development to succeed in the long term.

### **2.0 PURPOSE**

The purpose of this standard is to provide the minimum requirements for Social Impact Assessment that is required as part of the Environmental Assessment process for Electricity Projects in Lao PDR.

This standard shall be considered one of the guidelines required under the environmental protection Act and the criteria required under the regulations for environmental assessment.

### **3.0 SCOPE**

This Standard Applies to all electricity Projects in Lao PDR that require Social Impact Assessment.

The following outlines a basic structure of the social impact assessment process required for the Environmental Assessment process for Electricity Projects in Lao PDR. The SIA is an integral part of an EIA and the EIA will not be complete without such as assessment. As with the whole EIA, the Environmental Screening process and the Initial Environmental Examination (IEE) shall determine the extent of the SIA.

## 4.0 REQUIREMENTS

### 4.1 Initial Environmental Examination (IEE)

The IEE will determine the scope of the EIA. This will include the scope and plan for conducting studies to meet the requirements of an SIA.

The IEE shall identify the expected social impacts of the project, and a plan to obtain the necessary information for determining the magnitude of the impact and potential measures to avoid, minimize, mitigate or compensate for the effects.

The IEE shall include the following information relevant for Social Impact Assessment:

- Discussion of consistency with governmental regulatory requirements
- Brief description of the social conditions in the project area including an estimate of the number of people to be relocated, distribution of population in project area, a brief discussion of the local economy and primary sources of income, the presence of significant cultural and infrastructure facilities that will be affected and a list of issues to be discussed in the SIA relative to the social conditions.
- Preliminary plan(s) for relocating the affected persons (Preliminary Resettlement Plan (PRP)). The PRP may provide budget and technical feasibility proposals (availability of relocation sites, etc) for more than one technical design, for instance, a higher or lower dam affecting a larger or smaller population.
- A preliminary assessment of land acquisition requirements and a determination of whether the land requirements for the project fall into forest/tribal or other special areas.

- Description of indigenous groups in the project area, if present, to include status of the population from the perspective of the GOL, significant unique characteristics of the cultural tradition of the groups, special economic resources of the group.
- Preliminary plans for protecting and enhancing the integrity of the indigenous groups.
- Evidence for consulting with governmental agencies, local governments, non-governmental organizations in the project area, and the Project Affected Persons (PAPs) including names of participants, date, location, subjects discussed, results of the discussions, agreed conclusions, and actions to be taken.
- Identification of project participants.

### 4.2 Social Impact Assessment

The extent of the SIA and its content will depend on the projects Environmental Screening and IEE, and will take into account the type of electricity project, the size of the project, its location, the environment and the people and communities affected.

The development of the SIA is to be carried out by independent experts in resettlement, in close cooperation with the relevant GOL, Provincial, District and village representatives, project proponent/owner, project affected peoples, host communities and other key stakeholders. Independent Experts may either be local or international experts. The minimum criteria for selecting an Independent Expert are that they have considerable practical knowledge/experience in SIA.

An SIA shall present in a way to allow for general understanding. Whilst it is important that SIA provide considerable technical information, the general community cannot understand very complex information. As such all complex technical data shall be presented in the SIA in a manner appropriate to the

comprehension level of the general community, and relevant complex technical data shall be appended for reference. This can include providing some of the data in media other than the written report such as video, CD ROM, voice recording, photographs etc. In doing so the simplified text must be an accurate representation of the technical data.

It is expected that the SIA will include a number of separate and extensive studies and activities. These studies and activities shall be suitably condensed for inclusion in the main SIA report and the detailed reports of these studies and activities is annexed to the main report.

Where a section of the report refers to another section or is cross-referenced with another section, the section number, and page number/s and if possible the paragraph number/s of the reference shall be clearly stated.

An SIA report shall provide an objective presentation of information and shall not just concentrate on the virtues of a project. Where a project has international involvement, the main report and the executive summary shall be produced in both the Lao and English languages.

For all projects requiring a SIA, the SIA shall be fully incorporated into the project's EIA report and EMP. As such the SIA shall be prepared and implemented as per the requirements of the Environmental Management Standard on Environmental Impact Assessment for Electricity Projects No. 585/MIH.DOE, date October 4, 2001.

An Environmental Management standard for Electricity Projects Resettlement and an environmental management guideline, Socio-Economic and Cultural guidelines for electricity projects, has been developed to assist in fulfilling the SIA.

#### 4.3 Required Assessment

The SIA shall cover, but not be limited to, an assessment of project impacts relating to:

- The socio-economic status of communities residing in the project affected area;

- Land use and land tenure in the project affected area, including the barrage site, reservoir, power station, access road, transmission and distribution network, and associated supporting infrastructure and downstream riverbanks.
- The human settlements in the project affected area;
- The livelihoods of persons affected by land acquisition and by the economic impact of the sub-project on the surrounding area;
- Mitigation measures to be employed to minimize losses and compensate, resettle and rehabilitate affected communities and restore livelihoods;
- The adverse social effects of a large influx of labour and induced, unplanned development on local communities, particularly on women and ethnic minorities;
- The positive benefits which would accrue to local communities from the proposed development; and
- The possible role of the local community participating in, and contributing to project sustainability
- Host communities
- Competition for wild production system resources
- Damage to conserved resources

#### 4.4 Contents

The contents of an SIA shall, at a minimum consist of the following:

- Executive Summary
- Introduction
  - Purpose, Process, Content and Structure of Report
  - Project Description
  - Applicable laws, regulations and standards set forth by GOL Laws and Regulations
- Social Impact Assessment
  - Census and socio-economic conditions at project site
  - Social Assessment
  - Social Action Plan (SAP) Summary
  - Summary of the Resettlement Action Plan (RAP)
  - Summary of the Indigenous Peoples Development Plan (IPDP)

- Summary of Regional Development Plan (RDP)
- Responsible agencies
- Full Budget for implementation
- Implementation Schedule
- Annexes
  - Sources of information
  - List of supporting documents prepared
  - Documentation of Public Involvement activities

In addition to summarising the Social Action Plan (SAP), the Resettlement Action Plan (RAP) and, if required, the Indigenous Peoples Development Plan (IPDP) and Regional Development Plan (RDP) in the main SIA, copies of these documents, in full, shall be appended to the main SIA report.

#### 4.5 Social Action Plan (SAP)

The SAP is an integral part of the SIA and subsequently the EIA. It describes the measures that are to be implemented to ensure the appropriate management of the significant socio-economic and cultural impacts of the project. This will include detailing the environmental management measures that are required to ensure the identified impacts are appropriately managed.

The first preference is prevention of the impacts. It is understood that this may not be possible given the type of project and its importance to Lao PDR. If the impact cannot be prevented then it must be managed appropriately to ensure that they are minimised and the project is sustainable.

The SAP shall cover all significant impacts identified in the SIA and shall include the Resettlement Action Plan and the Indigenous Peoples Development Plan and any other plan deemed necessary in the SIA.

The SAP is to be fully integrated into the projects EMP and as such it is to be developed and implemented as per the requirements of the Environmental Management Standards on Environmental Impact Assessment for Electricity Projects No: 585/MIH.DOE, date October 4, 2001 and Environmental Management Plans No: 584/MIH.ODE Oct 4 2001 for Electricity Projects.

## PART III RESETTLEMENT

### 1.0 INTRODUCTION

In Lao PDR one of the most significant impacts of large-scale electricity project can have is the resettlement of people. Development projects that displace people involuntarily give rise to severe economic, social and physical and biological environmental problems. Unless appropriate measures are carefully planned and implemented, such resettlement can result in severe long-term hardship, impoverishment and environmental damage.

### 2.0 PURPOSE

The purpose of this standard is to provide the minimum requirements for Resettlement that is associated with Electricity Projects in Lao PDR.

### 3.0 SCOPE

This Standard Applies to all electricity Projects in Lao PDR that require Resettlement.

### 4.0 RESETTLEMENT PRINCIPLES

The following are the key principles that shall be implemented when resettlement is being considered or is required.

- Involuntary displacement shall be avoided or minimized wherever possible by exploring all viable alternative project designs and locations.
- A full social impact assessment process shall be implemented to ensure all social, cultural and economic aspects are fully identified, the potential impacts are assessed and appropriate management measures are identified, developed and implemented to ensure successful resettlement.