



Social Development Alliance Association (SODA)

## **Impacts of Resettlement on Women's Land Tenure Security**

Reported by  
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Table of Contents

- I.**     **Executive Summary ..... 7**
- II.**    **Background ..... 9**
- III.**   **National Context ..... 9**
  - Energy Sector .....9
  - Land Use .....10
  - Land Tenure Customs For Women And Men .....10
  - Land Certification .....11
- IV.**    **The Legal Framework for Land Tenure in Lao PDR.....11**
  - Relevant Resettlement Laws and Decrees and Regulations and Other Safeguards .....11
  - Relevant Land Laws and Policies and Relevant Safeguards .....13
  - Relevant Gender Laws and Policies and Relevant Safeguards .....14
- V.**     **Research Methodology .....14**
  - Research Questions .....14
  - Research Objectives .....15
  - Selection of Resettlement Villages .....15
  - Selection of Respondents .....16
  - Data Collection Methods/Tools .....16
- VI.**    **Profile of Respondents .....17**
  - Basic Information of Survey Respondents.....17
  - Household Assets .....19
  - Change of Occupations .....20
  - Change of Household Income .....22
- VII.**   **Impacts Of Resettlement .....24**
  - Access and Control Over Lands .....24
  - Gender Dimensions of Land Title .....25
  - Land Compensation .....25
- VIII.**   **Land Inheritance .....27**
  - Land Sharing in Case of Divorce .....27
  - Land Inheritance in Case of Spouse’s Death .....32
- IX.**    **Effectiveness Of The Investors’ Resettlement Plan.....34**
  - Supports from the Projects .....34

<b>Participation in the Resettlement Process .....</b>	<b>35</b>
<b>Participation in the Restoration Program .....</b>	<b>37</b>
<b><u>X.</u> Conclusions And Recommendations .....</b>	<b>40</b>
<b>    Conclusions .....</b>	<b>40</b>
<b>    Recommendations .....</b>	<b>41</b>
<b>References.....</b>	<b>42</b>
<b>Annex 1: Questionnaire .....</b>	<b>45</b>



### Tables

Table 4.1: Basic information on resettlement village .....	16
Table 4.2: Sampling design .....	16
Table 4.3: Number of respondents in resettlement villages for the study .....	17
Table 5.1: Number and percent of persons by sex and village .....	20
Table 5.2: Number and percent of persons by sex and ethnicity .....	20
Table 5.3: Number and percent of respondents by sex and education group .....	20
Table 5.4: Marital status of respondents by sex .....	21
Table 5.5: Comparison of household assets in old and new villages .....	21
Table 5.6: Materials used for roof, walls, and floor of dwelling units in old and new villages by sex .....	22
Table 5.7: Change of occupations from old villages to new villages.....	23
Table 5.8: Usually Employed Persons by Type of Industry.....	23
Table 5.9: Average monthly income by sex and ethnicity (LAK) .....	24
Table 5.10: Feelings about your household income today .....	24
Table 5.11: Changes in the household's financial status over the last 2 years .....	25
Table 5.12: Expect your households' financial status in the next 2 years.....	25
Table 6.1: Number of land ownership plots in the old and new village by sex.....	26
Table 6.2: An average of land area in the old and new village by sex in square meter (m <sup>2</sup> ) .....	26
Table 6.3: Name of land title in old and new villages by sex .....	27
Table 6.4: An average of land compensation areas and land lost areas by villages (m <sup>2</sup> ) .....	27
Table 6.5: Type of land compensation by sex and village .....	28
Table 6.6: Satisfaction with land compensation by sex .....	28
Table 6.7: Name in the compensation land title by sex of holders.....	29
Table 7.1: Worries that spouse would have the right to stay but you would be forced to leave this house in case of divorce .....	29
Table 7.2: Land inheritance in case of divorce by sex.....	30
Table 7.3: Customary law on land inheritance in case of divorce by sex.....	30
Table 7.4: Customary law on Land inheritance in case of divorce by ethnic group.....	30
Table 7.5: Women's access to common property land if she is divorced, separated, or abandoned .....	31
Table 7.6: Woman's access to and control over the land if her husband migrates for work.....	32
Table 7.7: Worries about the force to leave the house in case of spouse's dead .....	33
Table 7.8: Land inheritance in case of spouse (husband or wife)'s dead by sex.....	33
Table 7.9: Land inheritance in case of spouse (husband or wife)'s dead by ethnicity.....	33
Table 7.10: Customary law on Land inheritance in case of spouse's dead by sex .....	34
Table 7.11: Customary law on Land inheritance in case of a spouse's dead by ethnic group .....	34
Table 8.1: Type of supports from the project investors in the villages.....	35
Table 8.2: Are you involved in a consultation plan (as part of preparing a relocation plan)? .....	36
Table 8.3: Are you involved in creating a damaged property list?.....	36
Table 8.4: Access to information on the rightful owner certified by law or authority .....	37
Table 8.5: If yes, what type of documents (multiple choices) .....	37
Table 8.6: Are you a member of a damaged asset list creation team?.....	38
Table 8.7: Have you and your spouse signed a damaged property list?.....	38
Table 8.8: Respondent's participation in gender research in rehabilitation projects.....	38
Table 8.9: Gender conditions were included as eligibility criteria for rehabilitation projects.....	38
Table 8.10: Respondent's participation in the livelihood restoration activities .....	39
Table 8.11: What about the agricultural extension? Does the project developer provide training? What type of training? For whom?.....	39

Table 8.12: Respondent’s participation in both training and the livelihood restoration activities..... 40

Table 8.13: There is any training for women empowerment in relocation and community activities ..... 40

Table 8.14: Do women receive training too? Is it for different activities than men? What are women trained on?..... 40

Table 8.15: Do the project developers provide fertilizer, seeds, seedlings, small animals, etc.? What do they provide? To whom? ..... 41

## Executive Summary

The household survey provides a comparative picture of the present resettlement sites and the original villages in the past. Some queries are related to land access and livelihood sources, supplementary sources of income, and post resettlement changes in occupations that were asked from the resettlers. Two types of questionnaires used are semi-structured questions for individual household interviews and open-ended questions for focus group discussion. The interview sample for the study is a 'purposive sample'. Narratives of the resettlers have also been incorporated to understand the post resettlement transformations in livelihood at the resettlement sites.

Seven resettlement villages were selected from four major hydropower dams. Two villages from Nam Ou 1 dam. This dam was selected because of the Chinese investor and many other dams were built in the same river that have many resettlement households. One village in the basin of Nam Ngum is in one of the most important watersheds in Laos. Two villages in Nam Theun 2 dam funded by the World Bank and located in the Central of Laos. Two villages in Nam Khan River. These dams were built by the Chinese investor and located in the North of Laos.

The survey explored both the positive and negative impacts of the hydropower project. On positive aspects, in general, villagers own more household property in new villages than in their old villages. For example, the villagers have more cars, motorcycles, mobile phones, TV, radio in new villages than in the old villages. The house conditions in new villages were also better than in old villages. Villagers have more income because of livelihood support provided by the investors.

The wife's name on land title/certificate was increased from 3.7% in old villages to 6.1% in the new villages. This increase was explained by the fact that when the new village land was being certified, regulations mandated joint titling for spouses of the marital property while no land title was implemented in the old villages.

On the negative aspects, villagers have lost their lands. An average land area in all villages is 632m<sup>2</sup> per household in the new village compared to 1688m<sup>2</sup> in old villages, resulting in a 62.6% reduction. The amount of agricultural land allocated to resettled households was seen as insufficient for subsistence and there was a general concern for the security of land tenure throughout the resettled area. Overall, villagers lack agricultural land for livelihood activities. Although the investors compensated for the villagers' land loss, the compensation rate is usually lower prices, and land compensation, especially agricultural land is lower quality compared to the old villagers.

There is a wider gender wage gap in new villages. The household income of female respondents in the old village is 2,104,907 Kip, or 227 USD, which is higher than male respondents of 1,709,398 Kip, or 184 USD. This gender wage gap is wider in the resettlement villages where the male respondents have an average of 3,361,880 Kip or 362 USD compared to the female respondents' average income of 2,199,252 Kip or 237 USD.

All projects have provided the livelihood restoration program, which includes agricultural and non-agricultural activities. However, not all villagers received this support and only half of the respondents have participated in the livelihood support programs. Based on key findings, the research team has the following recommendations:

- National Assembly and Government should conduct the impact study or evaluation of the implementation of related laws on resettlement and compensations. We found that although resettlement law and related laws were implemented by the project investors, villagers are not fully consulted and engaged in the compensation negotiation and livelihood support activities. Therefore, law enforcement and policy practices at the village level are the most important factors to ensure the rights of villagers to benefit from the resettlement program. All stakeholders should ensure that women should be involved at every point in the decision-making process in the development and implementation of all laws related to resettlement and livelihood retroaction programs.
- Build capacity of key stakeholders in gender mainstreaming in hydropower development projects including the capacity to do gender analysis, gender budget responsiveness, implementation, monitoring, and evaluation of development activities.
- The Government and key stakeholders have to ensure that both names of wife and husband are mentioned in the compensation land title.
- There is a need to disseminate land law and all related policies on resettlement and vocations.
- Undertake a series of pilot studies in different ethnic communities to improve women's increased involvement at the village level to enable them to contribute to decisions made by village committees in response and recovery strategies at the village level. These pilot studies to be monitored and evaluated for their impact and effectiveness in increasing women's participation rates and in effecting change for their livelihoods.
- Collect sex-disaggregated data both quantitative and qualitative on land tenure, housing, and inheritance practices, particularly customary practice among different ethnic groups in rural areas. It is recommended that the Lao PDR Government collect sex-disaggregated data, including obtaining qualitative data on land tenure and inheritance practices and particularly for rural areas. This process should include open and focused discussions with organizations and persons, specifically women. This aims to identify strategies to ensure women have equality of access to land (particularly agricultural and forestry land), and in achieving equality of inheritance rights.
- The government could allocate some of its annual budget and staff as well as look for some international assistance to help the affected people to improve their livelihoods. The project investors should ensure that women can access stable livelihoods by supporting economic resources, technical know-how, and marketing access.

## I. Background

This paper seeks to assess the effectiveness of the existing legal framework to protect women's land rights in the face of hydro power-driven resettlement in Laos PDR. Specifically, it seeks to answer the research question, "In Laos, how effective are the resettlement, land laws and policies and related safeguards at ensuring gender-equitable results?"

Lao PDR has aggressive land use and land administration reforms and energy objectives. In the 8<sup>th</sup> National Social Economic Development Plan (NSED) 2016-2020, Laos includes completion of a national master plan on land use, comprehensive land allocation in 18 provinces across the country, a target of issuing 400,000 land titles, and computerization of at least 500,000 land titles. The government also intends to develop over 429 new hydropower projects by 2030, which will involve significant resettlement, estimated to range between 100,000-280,000 persons (EU, 2011).

Women's land rights are relevant in the context of hydropower development. This is because hydropower development involves changes to existing land rights and use that will impact women (and men) in the targeted areas, and also because the property rights legal framework in Laos ensures that women are titled owners (jointly with spouses) of the land that is subject to the hydropower development.

Women's land rights are also relevant because women's access to and use of land is impacted by the changes associated with resettlement, and land relations tap into household power dynamics which are gendered in Laos. And also because of the gendered division of labor, which means that resettlement activities will impact women and men's uses of land differently.

This paper explores the effects of resettlement processes on women and connects them to land rights. The Nam Theun 2 (NT2) project necessitated the relocation and livelihood rehabilitation of the inhabitants of 15 -17 villages, amounting to roughly 1,100 families or 6,300 villagers on the Nakai plateau and channel (excluding the downstream areas of Nam Theun and Xe Bang Fai). Resettlement for Nam Ou 1,3,4,7 Hydropower Project Totally impacted 5397 people of 1136 households of 28 natural villages of 6 districts of 2 provinces of Lao PDR (Nam Ou Power, n.d.).

In the process of investigating the gendered effects of resettlement, this paper also questions the commonly held perception that women's land rights are not an issue in Laos PDR because of positive laws granting rights and for women to be named on land certificates. While there are only a few studies on this topic they are all quite outdated, and there is a lack of knowledge on the reality of women's land tenure security in Laos and the current practices to protect and promote them. Furthermore, projects such as the hydropower projects covered in this report provide an opportunity to assess women's tenure security when rights in and uses of land are in transition and can shed light on the degree of security of those rights.

## II. National context

### Energy Sector

The government of Laos PDR sees the energy sector as the main driver of economic growth, and hydropower is a key part of that. For instance, the Energy Policy (2015) aims to achieve an electrification rate of more than 90% by 2020 and to improve and expand transmission networks to facilitate power

exchange with ASEAN countries. It also aims to develop the country's hydropower potential with private investor participation and to expand renewable energy to account for 30% of the power mix under a reasonable feed-in tariff scheme. The government is refocusing its attention on exporting a greater amount of electricity to Thailand and Viet Nam and it has already begun to prepare for a power network system master plan to help it realize plans to increase electricity exports (ADB, 2019).

As part of the energy sector development, Lao PDR plans to develop 429 hydropower projects by 2030. If all planned projects go ahead, they will amount to a total installed capacity of 29,171 MW (MEM, 2020), and such projects present land tenure related risks to impacted villages that are discussed in this paper.

### **Land Use**

Laos PDR is a landlocked country that covers 23,080,000 hectares of land. The landscape is mostly mountainous with some plains and plateaus. The population is approximately 7 million in 2020 and growing at a rate of 1.4% annually. Approximately 66% of the population lives in rural areas. The estimated annual rate of urbanization is about 5%. Lao PDR's population growth is concentrated in rural areas (LSB, 2020).

Approximately 10.3% of the Laos PDR's land area is classified as agricultural (about 6.1% arable, 0.4% permanent cropland, and about 3.8% permanent meadow and pastureland). About 11% of agricultural land lies fallow (USAID, 2013). Approximately 70% of the country's land has a slope of more than 20 degrees, thus much of the arable land (including 43% of all intensive agricultural land) is located in the flood plain of the Mekong River and its tributaries. The total area of agricultural land in the Lao PDR increased by 53% between 1999 and 2011, from 976,000 ha to 1.49 million ha. The proportion of agricultural land increased from 4.4 to 7.9% of the country's total land area (CDE, 2018). Rain-fed and irrigated farming systems are practiced in the lowland flood plain of the Mekong and its tributaries (typically used for rice cultivation in the wet season and fallow or grazing land in the dry season), while swidden/slash-and-burn agriculture is often practiced in the mountainous uplands (MAF, 2014).

### **Land Tenure Customs for Women and Men**

Women's land rights and livelihood systems are closely related to customary gender-based power systems. In the matrilineal Lao-Tai (Tai-Kadai language group) villages, inheritance customs follow the female lineage. The system of matrilineal kinship and inheritance and matrilineal post-marriage residence give women rights to land directly; under these customs, women can use and control land independent of their male relatives or husbands. Daughters inherit from their mothers. In the patrilineal Akha (Sino-Tibet), Lue (Tai-Kadai), Hmong (Hmong-Mien), and Khmou (Mon-Khmer) villages, inheritance customs follow the male lineage, and women only have rights to use to land through marriage. Only sons can inherit land from their father/parents and divorce can result in loss of access to household land for women. In patrilineal systems, women are not included in land inheritance patterns, which only pass through males. Women in these systems gain land rights via men but can lose these rights when marriages dissolve or a husband passes away (LIWG, 2020).

Women have lost private customary low-land rice paddy fields in the matrilineal villages while they have lost mostly communal land fields used for subsistence in the patrilineal villages. Expansion of roads, construction of buildings, resettlement, concessions to rubber plantations, and leasing out land to sugar-cane fields were the causes of the loss of access to land. In summary, all villages implement state legislation, while the customary law in the patrilineal communities favors sons and discriminates against

daughters and girls in division and allocation of land, and the customs in the matrilineal villages provide land security to daughters (LIWG, 2020).

### **Land Certification**

Gender statistics on land certificates in Laos are limited. Systematic land registration in the country started in 1997 and, by November 2015, 806,000 land titles, mostly for individual parcels in urban and peri-urban areas were issued (FAO, 2019). A 2004 study found that only the name of the head of the family, who is typically the male spouse, was recorded on the land document, even in cases where land had been inherited by the female spouse; for example, in areas characterized by matrilineal inheritance. More recently, Ministry of Natural Resources and Environment conducted a survey in 2018 that showed of a total of 224,000 land titles viewed, 70,000 (31%) are in the name of women, 50,000 (22%) in the name of men, 87,000 (38%) in both names, and 14,000 (6%) in others. The data was mainly collected in the cities and lowland Lao areas where matrilineal and matrilocal social systems are dominant, and many women inherit land from their parents (LIWG, 2020).

## **III. The Legal Framework for Land Tenure in Lao PDR**

### **Relevant Resettlement Laws and Decrees and Regulations and Other Safeguards**

**Law on Resettlement and Vocation (2018).** Law on Resettlement and Vocation sets out principles, rules, and measures regarding the supervision, inspection, and monitoring of resettlement and vocation. Article 22 requires full compensation for a person with lawful documented rights to land that is being taken for a development purpose. Full compensation includes allocation of a replacement parcel of land at the pre-set substitute value with documentation of rights (certificate) for the new parcel.

Article 45 requires that the project developer establishes compensation, resettlement, and livelihood rehabilitation plans for the affected persons and that such costs must be included in the budget; the project developer is also responsible for the implementation of the compensation plan. Unfortunately, this law does not include gender elements.

**The Decree on Compensation and Resettlement of Development Projects in 2005 or Decree No. 192/PM was approved on 7 July 2005.** Article 6 on "Compensation Principles" stated that project owners shall compensate project-affected people for their lost rights to use land and for their lost assets (structures, crops, trees, and other fixed assets) affected in full or in part, at replacement cost.

Article 7 on "Assistance during Relocation and Transition Period" said that project affected persons (APs) displaced and/or affected due to the loss of income and livelihood shall be provided with the following assistance until their income levels and living conditions can be stabilized, 1) transport allowance or assistance in kind to transfer to the resettlement site or their choice of relocation; 2) food allowance, in cash or in-kind to compensate for income lost, during the transition period; and 3) suitable development assistance after displacement during the transition period until they can restore their incomes and living standards with a targeted level of household incomes on a sustainable basis.

Article 8 on "Economic Rehabilitation" provided four principles of rehabilitation, namely 1) all people severely affected by the project due to loss of 20% or more of productive income-generating assets (loss of agricultural, industrial or commercial land), means of livelihood, employment, or business and access

to community resources shall be entitled to sustainable income restoration measures in addition to their entitlement for compensation and other allowances enabling them to attain minimum pre-project livelihood levels; 2) for displaced persons whose land-based livelihoods are affected due to the project, preference shall be given to land-based resettlement strategies, or where land is not available, options built around opportunities for employment or self-employment; 3) for displaced persons whose businesses are affected due to the project, in addition to compensation for lost land, structures, and income, assistance shall be given to finding replacement sites for business as appropriate; 4) these rehabilitation measures shall specifically focus on vulnerable groups. Adequate assistance, in addition to compensation for affected assets and other allowances, shall be provided to enable such APs to achieve household income targets set above the national poverty line.

Article 9 on "Restoration and Repair" revealed that project owners shall restore or repair community facilities and infrastructure that are damaged due to the project, at no cost to the community. Any impact or restriction on access to resources managed by the affected community as a common property shall be mitigated by arrangements ensuring access to improved or at least equivalent resources continuingly. Attention shall also be paid directly to APs if their benefits are affected due to loss of access to common property resources.

Article 10 on "Resettlement Site Development" stated that all persons relocating to group resettlement sites shall be provided with suitable housing or developed housing lots, shop lots if businesses are affected, agricultural sites of equivalent size, with productive potential and locational advantages better or at least equivalent to the old site. Replacement land, house/business plot shall be as close as possible to the land that was lost and/or acceptable to the APs. The resettlement site development should be implemented four tasks. 1) Group resettlement sites shall be developed with water supply, sanitation, drainage, internal and access roads, and access to electricity. When it is necessary, they may be provided other forms of assistance from project owners such as public health and education. 2) All replacement land for agriculture, residential, and businesses shall be provided with secured land titles and certificates and without any additional cost, sales taxes, fee, and surcharge to the people at the time of transfer. Construction lands shall be allocated under regulations and standard procedures in urban planning. 3) Project owners shall take responsibility to develop resettlement sites to avoid or mitigate adverse social and environmental impacts on the surrounding areas. 4) Where relocation to a group resettlement site is considered necessary, project owners shall mitigate the adverse impacts on the host community and shall provide appropriate compensation (to damaged assets) and assistance to the host community similar to the project affected persons (Prime Minister's Office, 2005).

**Compensation and Resettlement Decree (2016).** This Decree provides principles, regulations, and standards on the management, monitoring of compensation of losses, and the management of resettlement activities to properly and effectively implement development projects with the aims to ensure that the affected people are compensated, resettled, and are assisted with permanent livelihood alternatives. According to Article 2 of the Compensation and Resettlement Decree No. 84/GOL (2016), compensation for property lost shall be in the form of land, material, or money for the land, agricultural products, livestock, and incomes that are affected by development projects based on compensation value. Under article 9, Project owners (private company), in collaboration with the committee for compensation and resettlement at the local level, must estimate the value for land compensation based on prices applied by the state, market prices, or average prices applicable for the period of compensation and based on the types of properties and locations.

Article 12 mentioned that the project owners must be responsible for all costs associated with development activities of resettlement sites including the costs of surveys, land allocation, construction, and maintenances of resettlement sites throughout the project development periods until a certain point of time deemed appropriate during the operation period of the development projects based on the approval of the provincial or city committee for compensation and resettlement.

Article 15 requires that there be special attention to address the needs of the vulnerable groups who are affected by the development project for these groups of people to overcome poverty and to be in better livelihood conditions based on the supervision of the provincial or city compensation and resettlement committee.

This decree did not define the measures and compensation approach to address the different needs of women and men and to ensure that women and men benefit equally from compensation programs.

### **Relevant Land Laws and Policies and Relevant Safeguards**

There are several laws related to land tenure. In theory, all hydropower investors and government agencies have to apply these laws to ensure that the villagers have access to the land use rights. However, in reality, this research has tried to study the actual impact of these law's enforcement and to what extent these laws were applied or reinforced during the resettlement process.

The formal law governing land rights in Lao PDR includes the revised 2015 Constitution, the 2019 Land Law, the 2004 Law on Protection and Development of Women, and the 2008 Law on Heritage and Basis of Inheritance. The Constitution guarantees that the state will protect the property and inheritance rights of individuals and organizations. It also declares all land to be a "national heritage" and that the state will ensure use, transfer, and inheritance rights to land as defined by law.

**Land Law (2019).** Land Law sets out the principles, regulations, and measures on the management and monitoring of land-related work to ensure the effectiveness of the work aiming at ensuring the protection, development, and proper use of land. Article 3 on Land Ownership highlighted that "Land of the Lao PDR is under the ownership of the national community in which the State is charged with the centralized and uniform management of land throughout the country. The state allocates the land use right to individuals, legal entities, and organizations for long term use and sustainable use."

In Article 85 of Land use management: The State governs the use of land by individuals, legal entities, and organizations through land registration, certification of land use, registration of land titles, and registration of activities, and changes in land use rights to recognize land use rights and monitoring the movement and changes in such land use by law. In Article 86 Land use: Individuals, legal entities, and organizations that have been granted land-use rights must use their land by the objectives and following the land use master plan, strategic plan, and land use plan issued by the state from time to time. This revised Land Law does not add any new provisions that would support the government's policies and the laws in improving the position of women. The reference to recording both the husband and wife regarding matrimonial property has been omitted.

**The Law on Inheritance (2008).** The Law on Inheritance (2008) is a comprehensive law that governs two separate forms of passing on the property upon the death of a person. Namely, 1) according to a written will that expresses the intention of a person before they die, and 2) property that passes by law, where there is either no will or the will is defective.

For inheritance without a will (i.e. intestate), article 10 of the Law on inheritance sets out a priority of beneficiaries for the distribution of an estate. For separate property (i.e. property owned by one spouse), Article 16 provides that if a spouse dies, leaving another spouse and children behind, the children have the right to inherit three-quarters of the original assets of the deceased spouse with the remaining quarter passing to the surviving spouse. Article 15 provides for equal distribution among all children except for stepchildren, with no difference between the right of a girl or a boy. Article 16 also provides for the right of inheritance of unborn children.

The Law on Inheritance expresses equality between women and men, boys and girls, but in practice, succession tends to follow customary practices of either matrilineal or patrilineal inheritance, depending on the ethnic group. However, traditional succession practices may be affected by the commercialization of agriculture, with some evidence of the erosion of women's traditional rights to land in some areas (Elizabeth Mann, 2008).

### **Relevant Gender Laws and Policies and Relevant Safeguards**

**Law on Development and Protection of Women (2004).** Law on Development and Protection of Women was issued to guarantee and promote the roles of women and to define the responsibility of the State, society, and family towards women.

Article 17 states that the wife has equal rights as her husband over the matrimonial property. The wife and husband have equal rights in consultation, decision making, and solving family issues to reach a common agreement in the selection of a place of residence, their respective professions, whether to have children, and other matters. Daughters and sons have equal rights to inherit property and to receive education as provided under the laws.

**Gender Equality Law (2019).** Article 10 mentions Economic Equality: Women and men are equal in having access to economic resources, productions, businesses and services, professional selections, employment, compensation, and policies from equal labor. Women and men with titles, duties, works, and responsibilities at the same level and type shall receive equal compensation and policies.

There are important principles and goals referred to in the law that are aspirational but do not comply with the international conventions that they purport to implement. No mechanisms set out in the law give any guidance on how these principles and goals will be applied in practice, nor how they will be monitored or assessed for the effectiveness of implementation. Instead, the law relies on other mechanisms that are not specified to achieve those goals.

## **IV. Research Methodology**

### **Research Questions**

This paper seeks to answer the question: "To what extent resettlement and land laws and its related policies, and social safeguards policies of stakeholders change the land tenure status of women in the resettled villages?" The action examines how gaps in the legal frameworks governing land compensation and resettlement result in exclusionary outcomes for women or empower women. The study thus looks into the impact of legal enforcement on the situation for women's land rights in resettlement villages: To what extent does the legal framework for land rights and resettlement protect or change women's land

tenure security in resettled villages? Women's land tenure security means women have their names in land titles which ensures that they have full land-use rights by law.

### Research Objectives

The main objective of the study is to assess the gender impact of national policies and laws related to land security in the context of resettlement and it is expected that the research finding will be used for policy advocacy.

### Selection of Resettlement Villages

Seven resettlement villages were selected from four major hydropower dams. The starting place for selecting respondents is with the development project. We would like to see the different investors' resettlement modalities from the bilateral cooperation and the World Bank. Therefore, three main criteria for project selection were: (1) projects built by the Chinese investor who is a bilateral working partner in Laos; (2) projects supported by the World Bank; and (3) projects where there were many resettlement households. Based on this section criteria, two villages from Nam Ou 1 dam. This dam was selected because of the Chinese investor and Nam Ou dams were built in the same river and have many resettlement households; 1 village in the basin of Nam Ngum 2 (NN2), which is one of the most important watersheds in Lao PDR; 2 villages in Nam Theun 2 (NT2) dam funded by the World Bank and located in the Central of Laos. Nam Theun 2 was selected because it has more mitigation measures to reduce the socio and economic impacts; and 2 villages in the Nam Khan river. These dams were built by the Chinese investor and located in the North of Laos.

NN2 Project had environmental, social, economic, and cultural impacts on rural communities on a large scale. It affected 16 villages, 1,099 households, and 6,234 affected persons and they were Khmou (68%), Lao (30%), and Hmong (2%). Table 4.1 illustrates basic information on resettlement villages.

Project	Village name	Date of village establishment	Number of affected households	Number of households (2020)	Major Ethnic group (%)				
					Lue	Khmou	Lao -Tai	Hmong	Other
Nam Ou 1	Hadsua	2017	35	94	71	23	3	-	3
Nam Ou 1	Ladthahair	2017	78	128	92	2	5	-	1
NT2	Nonghouam	2006	70	196	-	32 Makong	50	-	18
NT2	Sobkham	2006	82	146	-	-	90	-	10
Nam Ngum 2	Phonsavad	2010	1053	1128	-	66	28	2	4
Nam Khan 2	Phouxang	2013	296	349	-	60	20	0.3	19
Nam Khan 3	Samakhixay	2013	655	665	-	84	9	3	4

### Selection of Respondents

The survey collected information from three different types of respondents including Household individual interviews, Focus Group interviews (FGD) with villagers, and key informant interviews (KII) from village authorities. Table 4.2 highlights the sampling design.

Main data needs	Method used	Sample
Land access, control, and tenure security and participation in the resettlement process and livelihood development	Household individual interview	<ul style="list-style-type: none"> <li>➤ Adult female in the affected households in the village by using a simple random approach (an average of 30 female per village)</li> <li>➤ Adult male in the affected households in the village by using a simple random approach (an average of 19 male per village)</li> <li>➤ Ethnic households (201 households or 28 per village, or 57%).</li> <li>➤ Total 347 cases</li> </ul>
Land access, control, and tenure security and participation in the resettlement process and livelihood development	Focus Group Interview	<ul style="list-style-type: none"> <li>➤ 1 FGD female 1 FGD male groups separately per village to see the different views of women and men. Each group has 5-8 participants</li> <li>➤ 10 FGD with 53 participants in total</li> </ul>
Social-economic data of the village	Key informant interview	2 village leaders per village (10 in total)

The survey team developed a sampling frame from a list of affected households when they had first moved into the resettlement villages. Then the household is selected randomly from this affected household list. Table 4.3 showed the number and percentage of respondents in each village.

Village	Male		Female		Total		Project name
	N	%	N	%	N	%	
Hadsua	11	27.5	29	72.5	40	100	Nam Ou 1
Ladthahair	20	37.7	33	62.3	53	100	Nam Ou 1
Nonghouam	20	35.1	37	64.9	57	100	NT2
Sobkham	11	26.2	31	73.8	42	100	NT2
Phonsavad	30	53.6	26	46.4	56	100	Nam Ngum 2
Phouxang	20	43.5	26	56.5	46	100	Nam Khan 2
Samakhixay	21	39.6	32	60.4	53	100	Nam Khan 3
<b>Total</b>	<b>133</b>	<b>38.3</b>	<b>214</b>	<b>61.7</b>	<b>347</b>	<b>100</b>	

### Data Collection Methods/Tools

The research involved a desk study, household survey, focus group discussions, and key informant interviews.

**Desk study.** The project assessed the literature on ethnic groups, land issues, and resettlement. The documents reviewed were policies, laws, rules and regulations practices, research reports, and working tool application which affects the relocated people who are rural ethnic women and land issues.

**Household survey.** The household surveys provide a comparative picture of the present resettlement site and the original villages in the past. Queries were related to land tenure and livelihood sources, supplementary sources of income, and post resettlement changes in occupations and were asked of people who had been resettled.

**Focus group discussion.** At the village level, the team conducted 14 FGD in 7 villages. FGD were carried out with male and female villagers separately and with village authorities. The FGD took around 45-60 minutes and discussion on their participation in pre-project consultation, land compensations and problems faced post resettlement, and any suggestions. FGD was conducted for female and male villagers separately. The FGD allowed the research team to discuss in-depth land access and their participation in the resettlement process. The questions were structured as open-ended and the sample for the FGD is a 'purposive sample' where villagers were selected who had been directly impacted by the project.

4 hydropower projects have been visited and the research team organized the Focus Group Discussion (FGDs) with mixed women and men during a field visit in 7 villages. The research team conducted FGDs in Phonsavad village, Fueang district, Vientiane province. This village is relocated because of Namngum 2 hydropower construction. For the Namkhan 2 and 3 Hydropower projects the research team conducted the FGDs in Phouxang and Samakhixay villages respectively in the Xiengngeun district, Luangprabang province. For Nam Ou 1 Hydropower project, the research team organized FGDs in Hardxoua and Lathahea villages, PakOu district, Luangprabang province. For Nam Theun 2 Hydropower Project, Khammouane province, the research team visited and conducted the FGDs in Nonghuam village and Sobkham village.

**Key Informant Interview.** The field survey team interviewed key informants, including the provincial and district women's unions, village authorities, village councils, Lao front for national construction, and mass organizations to obtain information on resettlement, affected people, and compensation procedures, implementation of training, and vocational training.

## V. Profile of Respondents

### Basic Information of Survey Respondents

The research team created the sampling frame of all households who are resettled in new villages. Then the survey team randomly selected the respondents until we reached the sample size of 214 women and 133 men, there were 347 respondents in total. We have more female than male respondents because of their time availability in the village when the survey was being conducted.

Survey enumerators interviewed 40 villagers (11.5%) in Hadsua village; 57 villagers (16.4%) in Nonghouam village; 56 villagers (16.1%) in Phonsavad village; 46 villagers (13.3%) in Phouxang village; 53 villagers (15.3%) in Samakhixay village; 42 villagers (12.1%) in Sobkham village; and 53 villagers (15.3%) in Ladhahair village.

Village	Male		Female		Total	
	N	%	N	%	N	%
Hadsua	11	8.3	29	13.6	40	11.5
Nonghouam	20	15.0	37	17.3	57	16.4
Phonsavad	30	22.6	26	12.1	56	16.1
Phouxang	20	15.0	26	12.1	46	13.3
Samakhixay	21	15.8	32	15.0	53	15.3
Sobkham	11	8.3	31	14.5	42	12.1
Ladthahair	20	15.0	33	15.4	53	15.3
<b>Total</b>	<b>133</b>	<b>100</b>	<b>214</b>	<b>100.0</b>	<b>347</b>	<b>100</b>

The assessment team conducted the interviews with 99 Lao ethnic households accounting for 28.5%, Lue ethnic groups (12.5%), Khmou ethnic groups (44.1%), Hmong ethnic group (1.2%); and others ethnic groups (12.7%). There was a small number of Hmong ethnic groups because of a small number of Hmong ethnic households in the sampling frame or it also means that the number of Hmong resettlement households is smaller than other ethnic groups.

Ethnic group	Male		Female		Total	
	N	%	N	%	N	%
Lao	23	17.3	76	35.5	99	28.5
Lue	21	15.8	26	12.1	47	13.5
Khmou	73	54.9	80	37.4	153	44.1
Hmong	2	1.5	2	0.9	4	1.2
Others	14	10.5	30	14.0	44	12.7
<b>Total</b>	<b>133</b>	<b>100</b>	<b>214</b>	<b>100</b>	<b>347</b>	<b>100</b>

Table 5.3 illustrates the number and percent of respondents by sex and education groups. The majority of respondents have never attended schools or have not completed primary schools, as cited by 40.1% of respondents, which is higher than the national average at 31.6%. About 41.5% completed the primary school, 13.5% completed lower secondary school, 3.5% completed upper secondary school, 1.2% vocational school, and 0.3% percent completed university. More men attended higher education/school than women.

Education level	Male		Female		Total	
	N	%	N	%	N	%
	No study or not completed primary schools	45	33.8	94	43.9	139
Primary schools	53	39.8	91	42.5	144	<b>41.5</b>
Lower secondary	26	19.5	21	9.8	47	<b>13.5</b>
Upper secondary	6	4.5	6	2.8	12	<b>3.5</b>
Vocational school	3	2.3	1	0.5	4	<b>1.2</b>
University	0	0.0	1	0.5	1	<b>0.3</b>
<b>Total</b>	<b>133</b>	<b>100</b>	<b>214</b>	<b>100</b>	<b>347</b>	<b>100</b>

As shown in Table 5.4, about 319 respondents, or 91.9%, are married. 16 respondents, or 4.6%, are widows; seven respondents, or 2% are single; 4 people, or 1.2%, are divorced. More females than males are divorced or widowed as cited by 7% compared to 3.8% of males.

Marital status	Male		Female		Total	
	N	%	N	%	N	%
Single	2	1.5	5	2.3	7	2.0
Married	125	94.0	194	90.7	319	91.9
Divorced	1	0.8	3	1.4	4	1.2
Widow	4	3.0	12	5.6	16	4.6
Others	1	0.8	0	0.0	1	0.3
<b>Total</b>	<b>133</b>	<b>100</b>	<b>214</b>	<b>100</b>	<b>347</b>	<b>100</b>

### Household Assets

Table 5.5 shows the comparison of household assets in old and new/resettlement villages. In general, villagers own more household property in new villages compared to what they owned in their old villages. For example, about 15.3% of villagers in new villages own cars compared to 6.3% of villagers in old villages; 80.1% of people owned motorcycles in the new villages compared to 41.8% in old villages. Mobile phone ownership was cited by 84.7% of respondents in new villages compared to 36% in old villages.

	Old villages		New villages	
	N	%	N	%
Tractor	26	7.5	23	6.6
Car/van	22	6.3	53	15.3
Motorcycle	145	41.8	278	80.1
Bicycle	94	27.1	136	39.2
Boat	164	47.3	152	43.8
Radio	83	23.9	111	32.0
Television	115	33.1	294	84.7

Fix phone	77	22.2	178	51.3
Mobile phone	125	36.0	294	84.7
Computer	3	0.9	9	2.6
Washing machine	15	4.3	52	15.0
Air conditioner	2	0.6	10	2.9
Fan	113	32.6	287	82.7
Refrigerator/freezer	<b>109</b>	<b>31.4</b>	<b>260</b>	<b>74.9</b>

Table 5.6 shows the comparison of materials used for roof, walls, and floor of dwelling units in old and new villages. In general, villagers have better house conditions in new villages than in their old villages because the investors constructed the house for them with more advanced and modern materials. For example, about 45.8% of roofs in new villages were made by tile/sipax/concrete compared to 18.7% in old villages. About 56.8% of the wall in new villages were made of brick/concrete compared to 18.2% in old villages. About 19.3% of the floor in new villages were made of ceramic/ tile compared to 2% in old villages.

		Old Villages						New villages					
		Male		Female		Total		Male		Female		Total	
		N	%	N	%	N	%	N	%	N	%	N	%
<b>Roof</b>													
Tile/sipax/ concrete	Yes	23	17.3	42	19.6	65	<b>18.7</b>	56	42.1	103	48.1	159	<b>45.8</b>
Zin	Yes	62	46.6	82	38.3	144	<b>41.5</b>	96	72.2	138	64.5	234	<b>67.4</b>
Others	Yes	42	31.6	81	37.9	123	<b>35.4</b>	11	8.3	29	13.6	40	<b>11.5</b>
<b>Wall</b>													
Brick/ concrete	Yes	21	15.8	42	19.6	63	<b>18.2</b>	77	57.9	120	56.1	197	<b>56.8</b>
Wood	Yes	59	44.4	81	37.9	140	<b>40.3</b>	86	64.7	116	54.2	202	<b>58.2</b>
Bamboo	Yes	65	48.9	112	52.3	177	<b>51.0</b>	7	5.3	6	2.8	13	<b>3.7</b>
Others	Yes	14	10.5	32	15.0	46	<b>13.3</b>	4	3.0	15	7.0	19	<b>5.5</b>
<b>Floor</b>													
Ceramic/ tile	Yes	1	0.8	6	2.8	7	<b>2.0</b>	25	18.8	42	19.6	67	<b>19.3</b>
Concrete	Yes	35	26.3	54	25.2	89	<b>25.6</b>	77	57.9	115	53.7	192	<b>55.3</b>
Wood	Yes	70	52.6	108	50.5	178	<b>51.3</b>	72	54.1	106	49.5	178	<b>51.3</b>
Bamboo	Yes	45	33.8	74	34.6	119	<b>34.3</b>	6	4.5	1	0.5	7	<b>2.0</b>
Others	Yes	14	10.5	24	11.2	38	<b>11.0</b>	8	6.0	9	4.2	17	<b>4.9</b>

### Change of Occupations

Change of occupations from old villages to new villages is an important aspect to be explored during the field survey. There is no big different change in the occupations in old and new villages. About 38.9% of respondents are own-account workers in new villages, increased from 32% in old villages. The majority of villagers' occupations are unpaid family workers accounting for 30.8% for men and 53.3% for women. There is a decreased number of unpaid family workers and an increased number of own-account workers because villagers have support from the investors for livelihood activities and get business support.

	Old village						New village					
	Male		Female		Total		Male		Female		Total	
	N	%	N	%	N	%	N	%	N	%	N	%
Government employee	9	6.8	8	3.7	17	4.9	1	0.8	7	3.3	8	2.3
The employee in state cooperatives	0	0	0	0	0	0	0	0	1	0.5	1	0.3
Private sector employee	2	1.5	5	2.3	7	2.0	1	0.8	5	2.3	6	1.7
Employer	22	16.5	13	6.1	35	10.1	25	18.8	17	7.9	42	12.1
Own account worker	43	32.3	68	31.8	111	32.0	65	48.9	70	32.7	135	38.9
Unpaid family worker	57	42.9	120	56.1	177	51.0	41	30.8	114	53.3	155	44.7
<b>Total</b>	<b>133</b>	<b>100</b>	<b>214</b>	<b>100</b>	<b>347</b>	<b>100</b>	<b>133</b>	<b>100</b>	<b>214</b>	<b>100</b>	<b>347</b>	<b>100</b>

As shown in Table 5.8, about 72% of respondents were usually employed in agriculture, forestry, and fishing activities in new villages, followed by 6.9% in construction, 6.3 % in water supply, sewerage waste management, and remediation activities. Other employment industries are service activities (2.6%), administrative and support service activities and wholesale, and retail trade, repair of motor vehicles and motorcycles (2.3%).

	Old village						New village					
	Male		Female		Total		Male		Female		Total	
	N	%	N	%	N	%	N	%	N	%	N	%
Agriculture, forestry, and fishing	98	3.7	152	1.0	250	<b>2.0</b>	94	0.7	156	2.9	250	<b>2.0</b>
Mining and quarrying	0	0.0	1	0.5	1	<b>0.3</b>	5	3.8	1	0.5	6	<b>1.7</b>
Manufacturing	0	0	1	0.5	1	<b>0.3</b>	0	0	0	0	0	<b>0</b>
Electricity gas and air-conditioning supply	0	0.0	3	1.4	3	<b>0.9</b>	0	0.0	2	0.9	2	<b>0.6</b>
Water supply, sewerage waste management, and remediation activities	0	0.0	3	1.4	3	<b>0.9</b>	0	0.0	2	0.9	2	<b>0.6</b>
Water supply, sewerage waste management, and remediation activities	13	9.8	18	8.4	31	<b>8.9</b>	10	7.5	12	5.6	22	<b>6.3</b>
Construction	5	3.8	19	8.9	24	<b>6.9</b>	5	3.8	19	8.9	24	<b>6.9</b>
Wholesale and retail trade, repair of motor vehicles and motorcycles	6	4.5	2	0.9	8	<b>2.3</b>	5	3.8	3	1.4	8	<b>2.3</b>

Administrative and support service activities	0	0.0	1	0.5	1	<b>0.3</b>	7	5.3	1	0.5	8	<b>2.3</b>
Public administration and defense, compulsory social security	0	0.0	3	1.4	3	<b>0.9</b>	2	1.5	2	0.9	4	<b>1.2</b>
Education	1	0.8	1	0.5	2	<b>0.6</b>	0	0.0	1	0.5	1	<b>0.3</b>
Human health and social work activities	5	3.8	2	0.9	7	<b>2.0</b>	1	0.8	0	0.0	1	<b>0.3</b>
Arts entertainment and recreation	3	2.3	2	0.9	5	<b>1.4</b>	2	1.5	2	0.9	4	<b>1.2</b>
Other service activities	2	1.5	3	1.4	5	<b>1.4</b>	1	0.8	8	3.7	9	<b>2.6</b>
Activities of households as employers, undifferentiated goods and services-producing activities of households for own use	0	0.0	0	0.0	0	<b>0.0</b>	0	0.0	1	0.5	1	<b>0.3</b>
Activities of extraterritorial organizations and bodies	0	0.0	3	1.4	3	<b>0.9</b>	1	0.8	4	1.9	5	<b>1.4</b>
<b>Total</b>	<b>133</b>	<b>100</b>	<b>214</b>	<b>100</b>	<b>347</b>	<b>100</b>	<b>133</b>	<b>100</b>	<b>214</b>	<b>100</b>	<b>347</b>	<b>100</b>

### Change of Household Income

Table 5.9 illustrates the change of monthly household income from old villages to new villages by sex and ethnicity. There is an increased monthly income from 1,953,314 Kip (210 USD) in old villages to 2,644,870 Kip (285 USD) in new villages. Lue ethnic groups have an average monthly income of 3,717,021 Kip (401 USD) compared to 2,372,929 Kip (256 USD) of Lao group, 1,570,915 Kip (169 USD) of Khmou ethnic group, and 1,262,500 Kip (136 USD) of Hmong ethnic group. Males gained more income than female respondents in new villages.

Ethnic group	Old Village			New Village		
	Male	Female	Total	Male	Female	Total
Lao	1,693,478	2,319,737	2,174,242	2,039,130	2,473,947	2,372,929
Lue	3,650,000	5,076,923	4,439,362	2,166,667	4,969,231	3,717,021
Khmou	1,407,534	1,398,750	1,402,941	1,910,000	1,261,500	1,570,915
Hmong	575,000	1,150,000	862,500	1,075,000	1,450,000	1,262,500
Others	560,714	931,667	813,636	15,225,000	1,653,333	5,971,591
<b>Total</b>	<b>1,709,398</b>	<b>2,104,907</b>	<b>1,953,314</b>	<b>3,361,880</b>	<b>2,199,252</b>	<b>2,644,870</b>

The respondents were also asked about their feeling about household income today. About 52.5% cited that the current income is either very difficult or difficult for covering living expenses. While 30% of

villagers said the current income is enough to cover living expenses. 10.4% and 2.3% said the current income is convenient and very convenient for living respectively.

	Male		Female		Total	
	N	%	N	%	N	%
The current income is very difficult for living	37	27.8	32	15.0	69	19.9
The current income is difficult for living	39	29.3	74	34.6	113	32.6
The current income is enough for living	31	23.3	73	34.1	104	30.0
The Current income is convenient for living	8	6.0	28	13.1	36	10.4
The Current income is very convenient for living	2	1.5	6	2.8	8	2.3
Don't know	15	11.3	1	0.5	16	4.6
Do not response	1	0.8	0	0.0	1	0.3
<b>Total</b>	<b>133</b>	<b>100</b>	<b>214</b>	<b>100</b>	<b>347</b>	<b>100</b>

Table 5.11 highlights changes in the household's financial status over the last 2 years. About 25.9% of respondents said that their household income was worse over the last 2 years. About 29.4% cited the same financial status. About 37.5% indicate the better household's financial status over the last 2 years. More male respondents answered that they did not know whether their household financial status had changed in the last two years.

	Male		Female		Total	
	N	%	N	%	N	%
Worse	39	29.3	51	23.8	90	25.9
Same	28	21.1	74	34.6	102	29.4
Better	48	36.1	82	38.3	130	37.5
Don't know	17	12.8	7	3.3	24	6.9
Not stated	1	0.8	0	0.0	1	0.3
<b>Total</b>	<b>133</b>	<b>100</b>	<b>214</b>	<b>100</b>	<b>347</b>	<b>100</b>

The respondents were also asked about their opinion on what they believed their households' financial status would be in the next 2 years. About 20.7% of villagers responded that they expected to have the same financial status; about 15.9% of respondents expected it to worsen, and about 35.7% forecasting a better financial position in the next two years.

	Male		Female		Total	
	N	%	N	%	N	%
Worse	20	15.0	35	16.4	55	15.9
Same	21	15.8	51	23.8	72	20.7
Better	47	35.3	77	36.0	124	35.7
Don't know	43	32.3	51	23.8	94	27.1
Not stated	2	1.5	0	0.0	2	0.6

<b>Total</b>	<b>133</b>	<b>100</b>	<b>214</b>	<b>100</b>	<b>347</b>	<b>100</b>
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Furthermore, in the Nam Ngum 2 project, the census report also revealed that about 615 resettled families were well-off while 136 families stayed at the middle status and 279 families continued to live satisfied conditions. However, more than 45 resettled families still lived under the poverty line according to the National Standard on Development and Poverty 2010- 2015 (Syvongdao, 2013).

## VI. Impacts of Resettlement

### Access and Control Over Lands

During the field visit, the survey team explored the number of land ownership plots in old and new villages. As shown in Table 6.1, villagers have lost their lands. In old villages, about 299 households, or 86.2%, had one plot of land, 5.5% of households had two plots or more, and 8.4% did not have land. In the new villages, about 328 households, or 94.5%, have one plot of land, 0.9% have two plots, and 4.6% do not have land.

Many households in the resettlement village do not have access to agricultural land. About 67.1% of households do not have the upland rice farmland in the new villages compared to 30% in the old villages, and 96% of the households do not have lowland rice (paddy) farmland in new villages compared to 79.3% in the old villages.

Number of plots	Old Villages						New Villages					
	Male		Female		Total		Male		Female		Total	
	N	%	N	%	N	%	N	%	N	%	N	%
<b>Resident land</b>												
1 plot	111	83.5	188	87.9	299	<b>86.2</b>	126	94.7	202	94.4	328	<b>94.5</b>
2 plots+	9	6.8	10	4.7	19	<b>5.5</b>	1	0.8	2	0.9	3	<b>0.9</b>
No land	13	9.8	16	7.5	29	<b>8.4</b>	6	4.5	10	4.7	16	<b>4.6</b>
<b>Upland rice farmland</b>												
1 plot	60	45.1	112	52.3	172	<b>49.6</b>	28	21.1	55	25.7	83	<b>23.9</b>
2 plots+	30	22.6	41	19.2	71	<b>20.5</b>	13	9.8	18	8.4	31	<b>8.9</b>
No land	43	32.3	61	28.5	104	<b>30.0</b>	92	69.2	141	65.9	233	<b>67.1</b>
<b>Lowland rice farmland</b>												
1 plot	28	21.1	39	18.2	67	<b>19.3</b>	3	2.3	11	5.1	14	<b>4.0</b>
2 plots+	3	2.3	2	0.9	5	<b>1.4</b>	0	0.0	0	0.0	0	<b>0.0</b>
No land	102	76.7	173	80.9	275	<b>79.3</b>	130	97.7	203	94.9	333	<b>96.0</b>
<b>Total</b>	<b>133</b>	<b>100</b>	<b>214</b>	<b>100</b>	<b>347</b>	<b>100</b>	<b>133</b>	<b>100</b>	<b>214</b>	<b>100</b>	<b>347</b>	<b>100</b>

Table 6.2 illustrates the average land area and percent of land lost in the old and new village by sex and village in square meters (m<sup>2</sup>). The average land area per household in all villages is 632m<sup>2</sup> in the new village compared to 1688m<sup>2</sup> in old villages, representing a 62.6% average reduction in total land area in the new villages.

Village	Old village			New village			Total reduction					
	Male	Female	Total	Male	Female	Total	Male	%	Female	%	Total	%
Hadsua	397	1588	1260	317	537	486	80	20.2	1051	66.2	774	61.4
Nongh ouam	868	1677	1432	827	744	775	41	4.7	933	55.6	657	45.9
Phonsa vad	4544	4319	4438	1089	1656	1388	3455	76.0	2663	61.7	3050	68.7
Phouxa ng	938	1685	1360	133	164	149	805	85.8	1521	90.3	1211	89.0
Samak hixay	1175	1698	1491	407	466	435	768	65.4	1232	72.6	1056	70.8
Sobkha m	1001	657	743	600	600	600	401	40.1	57	8.7	143	19.2
Ladtha hair	269	840	625	397	408	404	-128	-47.6	432	51.4	221	35.4
<b>Total</b>	<b>1627</b>	<b>1726</b>	<b>1688</b>	<b>574</b>	<b>671</b>	<b>632</b>	<b>1053</b>	<b>64.7</b>	<b>1055</b>	<b>61.1</b>	<b>1056</b>	<b>62.6</b>

### Gender Dimensions of Land Title

According to the data shown in Table 6.3, in old villages, 3.7% of sole women were named on land certificates, whereas 6.1% of sole women were named on land certificates in the new villages. Similarly, there is an increase in names of both spouses on land titles from 229 respondents, or 66%, in old villages to 256 respondents, or 73.8%, in new villages. We believe that the increase can be explained by the fact that when the new village land was being certified, regulations mandated joint titling for spouses of marital property.

	Old villages		New villages	
	N	%	N	%
Wife	13	<b>3.7</b>	21	<b>6.1</b>
Husband	31	<b>8.9</b>	22	<b>6.3</b>
Both	229	<b>66.0</b>	256	<b>73.8</b>
Others	43	<b>12.4</b>	32	<b>9.2</b>
No respond	31	<b>8.9</b>	16	<b>4.6</b>
<b>Total</b>	<b>347</b>	<b>100</b>	<b>347</b>	<b>100</b>

### Land Compensation

Table 6.4 illustrates the average of land compensation areas and land lost areas by villages and sex in square meters. An average land compensation area in all villages is 810m<sup>2</sup> per household compared to 1953m<sup>2</sup> of the lost area resulting in 41.5% compensation. Please note that the remained different areas of 1143m<sup>2</sup> were compensated by cash.

Village	Compensation areas (m <sup>2</sup> )	Lost area (m <sup>2</sup> )	% compensation	Difference (m <sup>2</sup> )
Hadsua	317	1313	24.1	996
Nonghouam	832	1520	54.7	688
Phonsavad	2320	5172	44.9	2852
Phouxang	224	1742	12.9	1518
Samakhixay	719	1875	38.3	1156
Sobkham	735	1042	70.5	307
Ladthahair	396	1005	39.4	609
<b>Average</b>	<b>810</b>	<b>1953</b>	<b>41.5</b>	<b>1143</b>

Table 6.5 shows two different types of land compensation by sex and village. The average cash compensation is 19,887,278 Lao Kip (2,146 USD) per household. The average compensation by land is 671m<sup>2</sup> per household.

	Male		Female		Total	
	Cash (LAK)	Land (m <sup>2</sup> )	Cash (LAK)	Land (m <sup>2</sup> )	Cash (LAK)	Land (m <sup>2</sup> )
Village	Average	Average	Average	Average	Average	Average
Hadsua	13,277,778	318	30,934,737	352	25,259,286	342
Nonghouam	1,200,000	747	1,200,000	902	1,200,000	841
Phonsavad	22,500,000	1,295	25,733,333	1,626	23,712,500	1,465
Phouxang	26,500,000	248	16,500,000	220	21,500,000	232
Samakhixay	24,000,000	512	7,000,000	728	13,375,000	650
Sobkham	-	600	-	793	-	738
Ladthahair	12,000,000	389	22,793,091	402	18,595,778	397
<b>Total</b>	<b>14,860,000</b>	<b>615</b>	<b>23,478,190</b>	<b>705</b>	<b>19,887,278</b>	<b>671</b>

As shown in Table 6.6, about 19.9% and 26.5% of respondents were either very dissatisfied or dissatisfied with land compensation respectively. According to the focus group discussions, two main reasons for dissatisfaction are lower market price compensation and the compensation area is usually smaller than the land lost in the old villages. However, 42.4% and 2.3% are satisfied and very satisfied with land compensation programs.

	Male		Female		Total	
	N	%	N	%	N	%
Very dissatisfied	28	21.1	41	19.2	69	19.9
Dissatisfied	33	24.8	59	27.6	92	26.5
Satisfied	59	44.4	88	41.1	147	42.4
Very satisfied	2	1.5	6	2.8	8	2.3
Not stated	11	8.3	20	9.3	31	8.9
<b>Total</b>	<b>133</b>	<b>100</b>	<b>214</b>	<b>100</b>	<b>347</b>	<b>100</b>

Table 6.7 illustrates the name in the compensation land title by the sex of holders. About 11 respondents, or 3.2% of respondents, said that the land certificate that was issued for the land that was given in compensation was in the wife's name. About 13 respondents, or 3.7%, cited that compensation land was under the husband's name. The majority of respondents, 60%, confirmed that the title for the land that was given in compensation included both names of husband and wife. There were 80 respondents, or 23.1%, who said their land does not have the permanent land title which leads to high risks of land tenure insecurity.

	Male		Female		Total	
	N	%	N	%	N	%
Wife	0	0.0	11	5.1	11	<b>3.2</b>
Husband	8	6.0	5	2.3	13	<b>3.7</b>
Both	85	63.9	124	57.9	209	<b>60.2</b>
Others	2	1.5	8	3.7	10	<b>2.9</b>
No title	28	21.1	52	24.3	80	<b>23.1</b>
No state	10	7.5	14	6.5	24	<b>6.9</b>
<b>Total</b>	<b>133</b>	<b>100</b>	<b>214</b>	<b>100</b>	<b>347</b>	<b>100</b>

## VII. Land Inheritance

### Land Sharing in Case of Divorce

In this section, the respondents were asked about their worries on land tenure security. This data analysis was based on the opinion of the 319 married respondents only. Table 7.1. illustrates worries that the spouse would have the right to stay but the respondents would be forced to leave their houses in case of divorce. Only five respondents, or 1.6%, did not worry at all, followed by 27.9% was not worried. However, there were a significant number of respondents who were somewhat worried (33.2%) and 13.8% are very worried about their land security in the case of divorce.

	Male		Female		Total	
	N	%	N	%	N	%
Not worried at all	2	1.6	3	1.5	5	1.6
Not worried	24	19.2	65	33.5	89	27.9
Somewhat worried	38	30.4	68	35.1	106	33.2
Very worried	17	13.6	27	13.9	44	13.8
Don't know	15	12.0	9	4.6	24	7.5
Not stated	29	23.2	22	11.3	51	16.0
<b>Total</b>	<b>125</b>	<b>100</b>	<b>194</b>	<b>100</b>	<b>319</b>	<b>100</b>

The respondents were asked about what they believe would happen with their land in case of divorce. Table 7.2 shows the opinion of the respondents about land ownership change in case of divorce by sex.



Ownership rights change to spouse's name	33	36.3	13	28.9	46	32.9	2	50.0	17	43.6	111	34.8
Sell the land and share half of the price	10	11.0	6	13.3	6	4.3	0	0.0	2	5.1	24	7.5
The right person gets a higher share of land plots or shown price	33	36.3	24	53.3	42	30.0	1	25.0	18	46.2	118	37.0
Others	10	11.0	2	4.4	4	2.9	1	25.0	2	5.1	19	6.0
Not stated	5	5.5	0	0.0	42	30.0	0	0.0	0	0.0	47	14.7
<b>Total</b>	<b>91</b>	<b>100</b>	<b>45</b>	<b>100</b>	<b>140</b>	<b>100</b>	<b>4</b>	<b>100</b>	<b>39</b>	<b>100</b>	<b>319</b>	<b>100</b>

According to the results of focus group discussions, both husband and wife have to share their common property in case of divorces. Distribution and sharing of the household property will be based on state law on the family. Normally, the right person will get a larger share of the property. For example, if the husband has a second wife and he broke the family law and became the person at fault, in case of divorce, two-third of the household property will be transferred to his wife and children. This practice was confirmed by all FGDs in all villages. The judge will consider sharing the household property case by case.

During the focus group discussion, the research team focused on three key issues including gender dimensions of land use and tenure, land administration, and women's access to services. The following are the results of focus group discussions.

Phonsavad village, Fueang district, Vientiane Province.	Land belongs to her and her children. Her children have legal rights to use land. Children get money from their father for their living; most of the properties belong to their children but depend on the agreement of both.
Phouxang, Xiengngeun district, Luangprabang Province.	Have no problem if the land title is her name, but may be source of conflict between her and her husband and will impact their children.
Samakhixay, Xiengngeun district, Luangprabang province.	Nothing happened in the village; women have rights to use the land; all properties will belong to their children; if women have joint land title name will have no problem and their children will inherit the properties, if the wrong person leads to divorce all properties will be lost.
Hardxoua, PakOu district, Luangprabang Province.	Sold land and share half each; most cases belong to the wife because she takes care of children after divorce; the land will divide into three parcels to share one for wife, one for husband, and one for children; if joint land, the land will transfer to their children; children stay with the wife; transfer to their children.
Lathahea, PakOu district, Luangprabang Province.	In most of the cases, children will live with their wives, so the land will belong to children for heritage; children will lack warmth and lack of education; based on traditional practice.
Nonghuam village, Nakai district, Khammouane province.	Depend on cases, if the right person will get and based on the law of Lao PDR, children will be impacted, rights to use the land, share joint properties, the land will belong to her and her children, all properties will transfer to the wife and children; their children have rights to get land and properties, her and her children have right to receive/share properties/land from her husband.

Sobkham village, Nakai district, Khammouane.	If the wife is right, the land will belong to her and her children; nothing happen to land, wife, and children will heritage; has rights to use the land as well as children; the wife has rights to stay with children; sell land and share equally, and who lives with children will get larger proportion; who lives with children either wife or husband will have rights to heritage
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Table 7.6: Woman's access to and control over the land if her husband migrates for work	
Phonsavad village, Fueang district, Vientiane Province.	Sell and share money; land rights belong to the wife alone; she can use the land; if the husband migrates, the land will belong to the wife or depend on the agreement of both; if the husband migrates, the land belongs to the wife and children; children found difficult. Land use still belongs to both; the land belongs to the wife; the wife has the right to manage land in case of husband migrate for work.
Phouxang, Xiengngeun district, Luangprabang Province	Nothing happens in the village; we think we have no problem. The wife can managed land; the joint land title names have right to manage.
Samakhixay, Xiengngeun district, Luangprabang province	<p>Lost the land for using; if land title issued the wife name, the husband will lose; don't know how to say anything; women have no problem with access to land; it may not have any problem; the land will be transferred to wife and children to use; the land will belong to wife and children in inheritance; the land belongs to wife and children manage; if husband migrates, the land will be transferred to the wife.</p> <p>The wife continues to manage; if already transfer to children, then children continue to manage; the wife will manage land; the joint land title names have rights; wife and children continue to manage and use; wife and children manage and take care; the wife manages and conserves for children.</p>
Hardxoua, PakOu district, Luangprabang Province	<p>The land will belong to the wife alone; the land will be the property of the wife; the land will belong to the wife and children; the wife manages when the husband absent; all properties belong to the wife alone.</p> <p>His wife; if go to work will transfer to children to manage; the joint land title name has rights to continue use; wife uses; the wife manages the land.</p>
Lathahea, PakOu district, Luangprabang Province	<p>Wife and children have inheritance; no problem if migrants should sell before go; no problem if migrants should sell before go; the land will belong to the wife alone; land and all properties will belong to only the wife.</p> <p>Most of the cases are relative to help in manage and use but not transfer land title to them; wife and children; wife and children will manage, if all migrant should sell before going out; wife and children will inherit; belong to wife; the wife manages; husband still manages because he goes out for work; husband go out for work, the land still belongs to him because he is not divorce.</p>
Nonghuam village, Nakai district, Khammouane province	<p>Give to relative to use; loss of land; the land will belong to wife; the wife has full rights on land; transfer to wife; Nothing happens; nothing happens; the wife has rights to manage land; the wife has full rights to manage land; land belongs to wife; the land will belong to wife; land still belonging to her; the wife has rights to use land.</p> <p>Relative, if wife and children are home they will manage; wife and children, if migrant together the land will temporarily give to relative to manage or some cases are sold; the wife has rights to manage, and the wife will become household head in all decision; Wife will manage</p>

Sobkham village, Nakai district, Khammouane	Nothing happens; the wife has the right to manage land; the wife has full rights to manage land; land belongs to the wife; land still belongs to her; the wife has the right to use land.  Wife and children manage; wife and children; the wife manages the land; wife and children manage the land.
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### Land Inheritance in Case of Spouse's Death

During the household interviews, the respondents were also asked about their worries on land tenure security in case of the spouse's death. Table 7.7 illustrates the worries of the respondents who would be forced to leave their houses in case of a spouse's death. 28.6% are not worried. However, there was a significant number of somewhat worriers (33.2%) and 15.7% are very worried about being forced to leave the house in case of a spouse's death.

	Male		Female		Total	
	N	%	N	%	N	%
Not worried	23	18.4	68	35.1	91	28.6
Somewhat worried	40	32.0	66	34.0	106	33.2
Very worried	18	14.4	32	16.5	50	15.7
Don't know	14	11.2	7	3.6	21	6.6
Not stated	30	24.0	21	10.8	51	16.0
<b>Total</b>	<b>125</b>	<b>100</b>	<b>194</b>	<b>100</b>	<b>319</b>	<b>100</b>

Table 7.8 shows the opinion or perception of the respondents about land inheritance in the case of a spouse's (husband or wife)'s death, disaggregated by sex. About 25 participants, or 7.8%, said that if their spouse died land ownership will belong to the wife compared to 0.6% saying it belongs to the husband. The majority of respondents, or 35.1%, cited that land will be inherited by their children. In many cases, land in heritage was granted to the wife and children (24.8%), belonging to husband and children (5%), equal shares among the family members (8.2%). About 14.7% of participants do not know about land in heritage if their spouses passed away.

	Male		Female		Total	
	N	%	N	N	%	N
Belonging to wife	4	3.2	21	10.8	25	7.8
Belonging to husband	1	0.8	1	0.5	2	0.6
Belonging to children	48	38.4	64	33.0	112	35.1
Belonging to wife and children	20	16.0	59	30.4	79	24.8
Belonging to husband and children	2	1.6	14	7.2	16	5.0
Equal shares among the family members	18	14.4	8	4.1	26	8.2
Based on the district law	4	3.2	8	4.1	12	3.8
Do not answer	28	22.4	19	9.8	47	14.7
<b>Total</b>	<b>125</b>	<b>100</b>	<b>194</b>	<b>100</b>	<b>319</b>	<b>100</b>

	Lao		Lue		Khmou		Hmong		Others		Total	
	N	%	N	%	N	%	N	%	N	%	N	%
Belonging to wife	12	13.2	3	6.7	8	5.7	0	0.0	2	5.1	25	7.8
Belonging to husband	1	1.1	0	0.0	0	0.0	0	0.0	1	2.6	2	0.6
Belonging to children	36	39.6	20	44.4	35	25.0	1	25.0	20	51.3	112	35.1
Belonging to wife and children	27	29.7	14	31.1	24	17.1	2	50.0	12	30.8	79	24.8
Belonging to husband and children	4	4.4	3	6.7	8	5.7	1	25.0	0	0.0	16	5.0
Equal shares among the family members	3	3.3	3	6.7	17	12.1	0	0.0	3	7.7	26	8.2
Based on the national law	3	3.3	2	4.4	6	4.3	0	0.0	1	2.6	12	3.8
Do not answer	5	5.5	0	0.0	42	30.0	0	0.0	0	0.0	47	14.7
<b>Total</b>	<b>91</b>	<b>100</b>	<b>45</b>	<b>100</b>	<b>140</b>	<b>100</b>	<b>4</b>	<b>100</b>	<b>39</b>	<b>100</b>	<b>319</b>	<b>100</b>

Table 7.10 illustrates the opinion or perceptions of the respondents on customary law on land inheritance in case of a spouse's death, disaggregated by sex of respondents. The majority of respondents, or 46.1%, said that they believed that ownership rights would be transferred to the spouse who is alive. The second large proportion of respondents, or 32.3%, said that land will be transferred to the children who take care of a live parent.

	Male		Female		Total	
	N	%	N	%	N	%
Ownership rights change to spouse's name	57	45.6	90	46.4	147	46.1
Share equally among the children	8	6.4	8	4.1	16	5.0
Transfer to the children who take care of a live parent	30	24.0	73	37.6	103	32.3
Others	2	1.6	4	2.1	6	1.9
Non stated	28	22.4	19	9.8	47	14.7
<b>Total</b>	<b>125</b>	<b>100</b>	<b>194</b>	<b>100</b>	<b>319</b>	<b>100</b>

	Lao		Lue		Khmou		Hmong		Others		Total	
	N	%	N	%	N	%	N	%	N	%	N	%
Ownership rights change to spouse's name	48	52.7	14	31.1	58	41.4	3	75.0	24	61.5	147	46.1
Share equally among the children	4	4.4	7	15.6	4	2.9	0	0.0	1	2.6	16	5.0



Compensation for industry tree damages	Yes						
Market construction	No	Yes	Yes	Yes	No	No	No
<i>Remark: YL= Yes with limitation</i>							

**Key Challenges.** Some challenges of the resettlement program include limitation of farmland or agricultural land; the suitable stream and water for building water irrigation for on-farm activities are not enough. Therefore, many families come back to work in the old farmlands. There are many resettled families that cannot access clean water supply through each household or family directly. There are not enough financial and technical (agricultural specialists) supports for occupation and income rehabilitation. Moreover, many resettled facilities are still maintained to follow the agrarian livelihoods system rather than the market livelihood system.

### Participation in the Resettlement Process

The Resettlement Committee was established in all villages to ensure that the villagers can fully participate in decision making and develop ownership of activities related to the project. Moreover, this organization will represent the interest of villages on the conduction of the public consultations with their village about the resettlement process. It also creates Village Development Plans (VDPs) for their village and monitors and evaluates the resettlement process

As shown in Table 8.2, about 50.4% of the respondents were not involved in a consultation meeting as part of preparing a relocation plan. Surprisingly, more females (53.7%) than males (42.9%) participated in a consultation meeting for preparing a relocation plan development. This is because men are out of the village for job performance and seek money for the family while women stay at home.

	Male		Female		Total	
	N	%	N	%	N	%
Yes	57	42.9	115	53.7	172	49.6
No	76	57.1	99	46.3	175	50.4
<b>Total</b>	<b>133</b>	<b>100</b>	<b>214</b>	<b>100</b>	<b>347</b>	<b>100</b>

A damaged property list is for lost items, developed for compensation for land, constructed facilities, crop products, livestock, and potential incomes. About 138 respondents, or 39.8%, were involved in creating a damaged property list. The majority of respondents, or 60.2%, were not involved in creating a damaged property list. Women are more involved than men in creating a damaged property list.

	Male		Female		Total	
	N	%	N	%	N	%
Yes	46	34.6	92	43.0	138	39.8
No	87	65.4	122	57.0	209	60.2
<b>Total</b>	<b>133</b>	<b>100</b>	<b>214</b>	<b>100</b>	<b>347</b>	<b>100</b>

According to the results of the household interviews, both spouses (husband and wife) lack legal information on compensation rate and other related resettlement issues, including documents. Only 40.3% of the respondents have access to the legal information on resettlement and compensation. There is no difference between female's and male's access to this legal information on the rightful owner certified by law or authority.

	Male		Female		Total	
	N	%	N	%	N	%
Yes	54	40.6	86	40.2	140	40.3
No	79	59.4	128	59.8	207	59.7
<b>Total</b>	<b>133</b>	<b>100</b>	<b>214</b>	<b>100</b>	<b>347</b>	<b>100</b>

Among 140 respondents who have access to information on the rightful owners, 12 respondents, or 8.6%, received information on the land document. 25 respondents, or 17.9%, were building a replacement. 79 respondents, or 56.4%, were informed about plant replacement. About 90.7% of respondents were informed about other replacements. More women than men have access to legal information on the rightful owner certified by law or authority because men are outside of the village for livelihood activities during the legal dissemination in the village. Thus, the woman is the representative of the household to attend the meeting.

		Male		Female		Total	
		N	%	N	%	N	%
Land documents	Yes	3	5.6	9	10.5	12	8.6
	No	51	94.4	77	89.5	128	91.4
Building replacement	Yes	6	11.1	19	22.1	25	17.9
	No	48	88.9	67	77.9	115	82.1
Plant replacement	Yes	28	51.9	51	59.3	79	56.4
	No	26	48.1	35	40.7	61	43.6
Other replacements	Yes	49	90.7	78	90.7	127	90.7
	No	5	9.3	8	9.3	13	9.3
	<b>Total</b>	<b>54</b>	<b>100</b>	<b>86</b>	<b>100</b>	<b>140</b>	<b>100</b>

The survey team asked the respondents if they are a member of a damaged asset list creation team. About 33.7% of respondents are members of a damaged asset list creation team.

	Male		Female		Total	
	N	%	N	%	N	%
Yes	45	33.8	72	33.6	117	33.7
No	88	66.2	142	66.4	230	66.3
<b>Total</b>	<b>133</b>	<b>100</b>	<b>214</b>	<b>100</b>	<b>347</b>	<b>100</b>

Table 8.7 illustrates the person who signed a damaged property list. About half, or 49%, of the respondents, including respondents or their spouses, signed a damaged property list. The damaged property list consists of resident and agricultural land lost, crops, fruit trees, and house damage.

	Male		Female		Total	
	N	%	N	%	N	%
Yes	57	42.9	113	52.8	170	49.0
No	76	57.1	101	47.2	177	51.0
<b>Total</b>	<b>133</b>	<b>100.0</b>	<b>214</b>	<b>100.0</b>	<b>347</b>	<b>100.0</b>

### Participation in the Restoration Program

The livelihood development program began during the planning and consultation phase when a variety of demonstration activities were developed. By the time the physical relocation had been completed, there were numerous activities underway based on agriculture, livestock, fisheries, forestry, and off-farm opportunities.

	Male		Female		Total	
	N	%	N	%	N	%
Yes	40	30.1	90	42.1	130	37.5
No	93	69.9	124	57.9	217	62.5
<b>Total</b>	<b>133</b>	<b>100</b>	<b>214</b>	<b>100</b>	<b>347</b>	<b>100</b>

In the decree of compensation and the decree of environmental impact assessment of investment projects, the project developer is required to collect baseline information on the vulnerable group including women. However, not all of the project developers collected this information. The respondents were asked if they had participated in gender research in rehabilitation projects. About 130 participants, or 37.5%, attended gender research during the planning process.

Although all projects have set gender conditions as an eligibility criterion for rehabilitation programs, the villagers are still not aware of this gender issue. As indicated in Table 8.9, about 124 respondents, or 35.7%, are aware of an important gender criterion for rehabilitation projects.

	Male		Female		Total	
	N	%	N	%	N	%
Yes	42	31.6	82	38.3	124	35.7
No	91	68.4	132	61.7	223	64.3
<b>Total</b>	<b>133</b>	<b>100</b>	<b>214</b>	<b>100</b>	<b>347</b>	<b>100</b>

Livelihood restoration activities were implemented by all projects. The livelihoods support including livestock raising and agricultural activities. Respondent's participation in the livelihood restoration activities was explored during the household interviews. Almost half of the respondents participated in

the livelihood restoration activities. More females and males attended the livelihood activities as cited by 50% of women compared to 37.6% of men.

	Male		Female		Total	
	N	%	N	%	N	%
Yes	50	37.6	107	50.0	157	45.2
No	83	62.4	107	50.0	190	54.8
<b>Total</b>	<b>133</b>	<b>100</b>	<b>214</b>	<b>100</b>	<b>347</b>	<b>100</b>

According to the Decree on Compensation and Resettlement Management in Development Projects, project owners have to provide agricultural land in appropriate ways, including the creation of new livelihood options and stable income generation activities in addition to agriculture production activities for the affected people. Table 8.11 illustrates the actual agricultural extension in the target villages.

Phonsavad village, Fueang district, Vientiane Province.	We think if the project is continuing to assist it should be good because villagers are still poor; pig raising training; fish culture training; frog raising training; poultry raising; goat raising and home garden training; The training is organized for villagers who have potential, who have no job, and poor households.  The training on livestock's raising, pig raising, poultry raising, and weaving are good for villagers
Phouxiang, Xiengngeun district, Luangprabang Province.	The majority of participants do not participate in the training. Only some households participated in the mushroom training and cricket raising.
Samakhixay, Xiengngeun district, Luangprabang province.	Gender training and mushroom cultivation training course have been conducted, but no other agriculture training course; have no training course conducted, and don't know
Hardxoua, PakOu district, Luangprabang Province.	The project on agriculture and livestock raising is going on in implementation; if there is training, the courses are related to agriculture and livestock raising and training are for all households; don't know/have not gotten the training and have not gotten assistance on agriculture; have nothing; some people get trained; if have trained, we would like to train on agriculture, so far have not yet
Lathahea, PakOu district, Luangprabang Province.	Don't know and have no training organized; have not and never get training, training on agriculture and livestock raising
Nonghuam village, Nakai district, Khammouane province.	Training on agriculture and livestock; vocational training; mechanic/car repairs; beauty salon; district staff come for providing service; both women and men have equally participated the training course but we do not apply for practice; training on livelihood practice.
Sobkham sub-village, Nakai district, Khammouane.	Have had training on agriculture and livestock raising for families relocated.

Table 8.12 shows the respondent's participate on in both training and livelihood restoration activities. There is a small number of participants (17.6%) who attend both training and the livelihood restoration activities. More male than the female who can attend both activities as cited by 20.3% of men compared to 15.9%. Language and education barriers may restrict women's participation in learning courses.

	Male		Female		Total	
	N	%	N	%	N	%
Yes	27	20.3	34	15.9	61	17.6
No	106	79.7	180	84.1	286	82.4
<b>Total</b>	<b>133</b>	<b>100</b>	<b>214</b>	<b>100</b>	<b>347</b>	<b>100</b>

Although all projects have training activities during the resettlement process and livelihood projects, a series of training for women's empowerment is still limited. Most projects conducted ad hoc training for both women and men targeting a short-term solution, but not a longer impact training for women's empowerment.

	Male		Female		Total	
	N	%	N	%	N	%
Yes	41	30.8	90	42.1	131	37.8
No	92	69.2	124	57.9	216	62.2
<b>Total</b>	<b>133</b>	<b>100</b>	<b>214</b>	<b>100</b>	<b>347</b>	<b>100</b>

Phonsavad village, Fueang district, Vientiane Province.	The women have joined training with men; women can participate in the training as well as men with no discrimination; the difference is only weaving training organized for women.
Phouxang, Xiengngeun district, Luangprabang Province.	Have no training; women and men can join the same training, for example of mushroom cultivation training; both women and men have equally get training.
Samakhixay, Xiengngeun district, Luangprabang province.	Have no training; not any training; women can get training with no difference from men, especially for a mushroom training course; women and men equally get train; based on the convenience of the family.
Hardxoua, PakOu district, Luangprabang Province.	Have no training; the women and men get the same training but based on activities; weaving and poultry raising training.
Lathahea, PakOu district, Luangprabang Province.	Never conduct training; don't know; not get any training; have no training; get training on village saving group; the women and men get to train together.
Nonghuam village, Nakai district, Khammouane province.	Have no training; women and men receive equally with no difference, especially agriculture and livestock; the difference is only gender training; women receive vocational training include a beauty salon, sewing, embroidery, etc.

Table 8.15: Do the project developers provide fertilizer, seeds, seedlings, small animals, etc.? What do they provide? To whom?	
Phonsavad village, Fueang district, Vientiane Province.	Piglet and small rubber tree provided by the project to households to participate in the project by village chief list; small fish give to households who have listed in the old village; project provides piglet and poultry and goat to poor households who relocated from the old village. The project gives to households, women receive as well as men; women get 500,000 kips that different the men for weaving.
Phouxang, Xiengngeun district, Luangprabang Province.	Provided some materials and equipment. Women and men are equally to receive with no difference.
Samakhixay, Xiengngeun district, Luangprabang province.	Seed, equipment, and others are provided for villagers. Have not received any thing; have no difference between women and men to receive; if have assistance, have no difference between women and men to receive.
Hardxoua, PakOu district, Luangprabang Province.	Have not received; get seed and tree seedling; have no support; if received it is not different between women and men.
Lathahea, PakOu district, Luangprabang Province.	Have nothing; do not provide anything; do not receive; receive seeds and fruit tree seedling. Never receive; do not receive; receive 3 tree seedlings; have no, if received both women and men get the same; all households get tree seedling.
Nonghuam village, Nakai district, Khammouane province.	Provided fertilizer, tree seedling, some provide money to buy livestock to raise ( for the vulnerable women, the project brings livestock to give their at home); receive tools and equipment for agriculture production; project support many things to all families. Women and men receive equally; equality but some project special emphasis on women; receive with no difference.
Sobkham village, Nakai district, Khammouane.	Yes, provided to all impacted families; provided fertilizer, seed, tree seedling, and animal/poultry. They do not come to help; have no help; women and men equally receive; received fertilizer, tree seedling with no difference between women and men.
Sobkham village, Nakai district, Khammouane.	Have no training; it is not different between women and men; provided training on agriculture and livestock raising, beauty salon; most of the training organized are embroidery, beauty salon, and food cooking.

## IX. Conclusions and Recommendations

### Conclusions

All project investors applied the Lao law on resettlement, land compensation, environmental impact assessment, and provided mitigation support to improve the living conditions of the villagers. Based on the survey findings, the actual impact on villagers' livelihoods is both a positive and a negative side.

On positive aspects, in general, villagers own more household property in new villages than in their old villages. For example, the villagers have more cars, motorcycles, mobile phones, TV, radio in new villages

than in the old villages. The house conditions in new villages were also better than in the old villages. Villagers in new villages have more incomes than in the old village because of livelihood supports provided by the investors.

The wife's name on land title/certificate was increased from 3.7% in old villages to 6.1% in the new villages. Similarly, there is an increase in names of both spouses (husband and wife) on land titles from 229 respondents, or 66%, in old villages to 256 respondents, or 73.8%, in new villages. This increase was explained by the fact that when the new village land was being certified, regulations mandated joint titling for spouses of the marital property while no land title was implemented in the old villages.

On the negative aspects, villagers have lost land. The average land area in all villages is 632m<sup>2</sup> per household in the new village compared to 1688m<sup>2</sup> in old villages, resulting in a 62.6% reduction. Overall, villagers lack agricultural land for livelihood activities. Although the project investors compensated for the villagers' land loss, the compensation rate is usually lower prices and land compensation, especially agricultural land is lower quality compared to the old villagers.

There is a wider gender wage gap in new villages. The household income of female respondents in the old village is 2,104,907 Kip, or 227 USD, compared to male respondents of 1,709,398 Kip, or 184 USD. This gender wage gap is wider in the resettlement villages where the male respondents have an average of 3,361,880 Kip, or 362 USD, compared to the female respondents' average income of 2,199,252 Kip, or 237 USD. In short, male villagers got more benefits from the livelihood support program than female villagers.

All projects have provided livelihood restoration programs, which include both agricultural and non-agricultural activities. However, not all villagers received this support and only half of the respondents have participated in the livelihood support and training programs. More women and men attended the livelihood activities as cited by 50% of women compared to 37.6% of men. However, more female than male participation in livelihood support does not automatically mean that women will get more economic benefits. Female respondents received lower household income than male respondents because female activities have less economic value than male economic activities.

## Recommendations

- 1) National Assembly and Government should conduct the impact study or evaluation of the implementation of related laws on resettlement and compensations. We found that although resettlement law was implemented by the project investors, villagers are not fully consulted and engaged in the compensation negotiation and livelihood support activities. Therefore, Law enforcement and policy practices at the village level are the most important factors to ensure the rights of villagers to benefit from the resettlement program. All stakeholders should ensure that women should be involved at every point in the decision-making process in the development and implementation of all laws related to resettlement and livelihood retroaction programs.
- 2) Land compensation should be based on the actual loss of household property and based on the actual market values/price during the resettlement process.
- 3) Build capacity of key stakeholders in gender mainstreaming in hydropower development including the capacity to do gender analysis, gender budget responsiveness, implementation, monitoring, and evaluation of development activities.
- 4) The Government and key stakeholders have to ensure that both names of wife and husband are mentioned in the compensation land title.
- 5) There is a need to disseminate land law and all related policies on resettlement and vocations.

- 6) Undertake a series of pilot studies in different ethnic communities to improve women's increased involvement at the village level to enable them to contribute to decisions made by Village Committees on response and recovery strategies at the village level. These pilot studies to be monitored and evaluated for their impact and effectiveness in increasing women's participation rates and in effecting change for their livelihoods.
- 7) Collect sex-disaggregated data both quantitative and qualitative on land tenure, housing, and inheritance practices particularly in rural areas: It is recommended that the Lao PDR Government collect sex-disaggregated data, including obtaining qualitative data on land tenure and inheritance practices and particularly for rural areas. This process should include open and focused discussions with organizations and persons, specifically women. This aims to identify strategies to ensure women have equality of access to land (particularly agricultural and forestry land), and in achieving equality of inheritance rights.
- 8) The government could allocate some of its annual budget and staff as well as look for some international assistance to help the affected people to improve their livelihoods. The project investors should ensure that women should access stable livelihoods by supporting economic resources, technical know-how, and marketing access.

### References

- ADB. (2019). *Lao People's Democratic Republic: Energy sector assessment, strategy, and road map*.  
<https://www.adb.org/documents/lao-pdr-energy-assessment-strategy-road-map>

- Centre for Development and Environment (CDE). (2018). *Atlas of agriculture in the Lao PDR: Patterns and trends between 1999 and 2011*.  
[https://www.researchgate.net/publication/326108405\\_Atlas\\_of\\_Agriculture\\_in\\_the\\_Lao\\_PDR\\_Patterns\\_and\\_trends\\_between\\_1999\\_and\\_2011](https://www.researchgate.net/publication/326108405_Atlas_of_Agriculture_in_the_Lao_PDR_Patterns_and_trends_between_1999_and_2011)
- European Union. (2011). *Resettlement in Laos: Final report*. Village Focus International.  
[https://data.laos.opendevlopmentmekong.net/library\\_record/resettlement-in-laos-final-report](https://data.laos.opendevlopmentmekong.net/library_record/resettlement-in-laos-final-report)
- FAO. (2018). *Country gender assessment of agriculture and the rural sector in Lao People's Democratic Republic*. <http://www.fao.org/3/CA0154EN/ca0154en.pdf>
- FAO and MRLG. (2019). *Challenges and opportunities of recognizing and protecting customary tenure systems in the Lao People's Democratic Republic*.  
<http://www.fao.org/3/CA1035EN/ca1035en.pdf>
- GOL. (2016). *Compensation and Resettlement Decree No. 84/GOL*
- Land Issue Working Group. (2020). *Women and land rights in Lao PDR: Rural transformation and a dream of secure land tenure*. <https://laolandinfo.org/wp-content/uploads/2020/10/WLR-Eng-version-2020-by-LIWG.pdf>
- Lao Statistics Bureau. (2020). *Annual statistics*.
- Lao PDR. (2016). *The 8th national social economic development plan (NSEDP) 2016-2020*.
- Mann, E. and Luangkhot, N. (2008). *Study on women's land and property rights under customary or traditional tenure systems in five ethnic groups in Lao PDR*. Land Policy Study No. 13 under LLTP II.  
<http://mekonglandforum.org/node/2527>
- Ministry of Agriculture and Forestry and FAO. (2014). *Lao census of agriculture 2010/11: Analysis of Selected Themes*. <http://www.fao.org/3/at767e/at767e.pdf>
- Ministry of Environment and Mines (MEM). (2020). *Lao PDR energy outlook 2020*.  
<https://www.eria.org/uploads/media/Research-Project-Report/Lao-Energy-Outlook-2020/Lao-PDR-Energy-Outlook-2020.pdf>
- Nam Ou Power, (n.d.). *Resettlement for Nam Ou 1,3,4,7 Hydropower Project*.  
<http://en.namoupower.la/article/content?id=151>.
- National Assembly. (2004). *Law on Development and Protection of Women*.
- National Assembly. (2008). *Law on Inheritance*.
- National Assembly. (2018). *Law on Resettlement and Vocation*.
- National Assembly. (2019). *Land Law*.

National Assembly. (2019). *Gender Equality Law*.

Prime Minister's Office. (2005). *The Decree on Compensation and Resettlement of Development Projects in 2005 or Decree No. 192/PM, approved on 7 July 2005*.

Syngdao. (2013). *National standard on development and poverty 2010- 2015*.

USAID. (2016). *Lao PDR: Property rights and resource governance profile*.

## Annex 1: Questionnaire

### Form A: Questionnaire for interview of Women affected by the hydropower project and resettlement

Name of village:.....  
 District:.....  
 Province:.....  
 Name of Project:.....

#### Introduction and informed consent

My name is <interviewer name>, and I am/we are with a non-profit association called Social Development Alliance Association (SODA). Your household has been randomly selected to participate in a survey we are conducting about Women affected by the hydropower project and resettled. The answers that either you or another household member provide will remain strictly confidential; they will be combined with those of other survey participants to produce information that leaders can use to better serve your community and country.

The interview will take about 20 minutes. Your participation is completely voluntary, and you may skip any questions you are not comfortable answering.

May I continue?

- 1) No
- 2) Yes

#### If No, please provide a reason why an interview cannot be conducted in this household

- 1) Broke off interview
- 2) Refusal by respondent
- 3) Nobody at home
- 4) Respondent/Household gone for remaining field period
- 5) Respondent temporarily away/ unavailable
- 6) Denied access/unsafe
- 7) Ill/in hospital/mentally disabled
- 8) Language barrier
- 9) No eligible member lives in the household
- 10) Any other reason

#### Permission to record

Also, this interview will be recorded for quality assurance purposes. These recordings will never be shared with anybody else other than the researchers working on this project. They will be deleted after the project is completed. Do I have permission to record this interview?

- 1) No
- 2) Yes

#### SECTION 1: GENERAL INFORMATION OF THE RESPONDENTS

1. Age:
2. Ethnicity:
3. Education level:

4. Marital status:

5. Sex:  Female  Male

6. Employment status:

What is your employment status?

- 1) Employed full time for an employer
- 2) Employed full time for self
- 3) Employed part-time, do not want full time
- 4) Employed part-time, want full time
- 5) Unemployed
- 6) Out of workforce
- 7) Student
- 8) Homemaker
- 9) Farmer
- 10) Other
- 11) (Refused)

**SECTION 2: HOUSEHOLD INFORMATION**

1. House Number ..... Unit .....

2. Family members: Total.....Persons; Men.....Persons, Women ..... Persons

3. Out-of-School Family Members: ... ..... People (Children),

4. The main labor of the family (10 years and above)

Old village	New village
Total:.....Number of women.....	Total:.....Number of women.....

5. Households property

Does your household own the following property?				
	Old village		New village	
	Yes	No	Yes	No
Tractor				
Car/van				
Motorbike				
Bicycle				
Boat				
Radio				
Television				
Fixed phone				
Cell phone				
Computer				
Washing machine				
Air conditioner				
Electric fan				
Refrigerator/freezer				

6. Do you own or rent the house in the old and new village?

	Old village		New village	
	Yes	No	Yes	No
Own				
Rent				

7. Type of Materials Used for Roof, Walls, and Floor of Dwelling Units

	Old village		New village	
	Yes	No	Yes	No
<b>Roof</b>				
Tile/sipax/concrete				
Zinc				
Others				
<b>Walls</b>				
Brick/concrete				
Wood				
Bamboo				
Others*				
<b>Floor</b>				
<b>Ceramic/tile</b>				
<b>Concrete</b>				
Wood				
Bamboo				
Others*				

8. Main Status of Employment

Employment group	Old village		New village	
	Yes	No	Yes	No
1) State employees				
2) State Enterprise employees				
3) Private sector employee				
4) Employer				
5) Own account worker				
6) Unpaid family worker				

9. What is your Employed status by type of Industry in the old and new village?

Major Industry Group	Old village		New village	
	Yes	No	Yes	No
Agriculture, forestry, and fishing				
Mining and quarrying				
Manufacturing				
Electricity has an air-conditioning supply				
Water supply; sewerage waste management and remediation activities				
Construction				
Wholesale and retail trade; repair of motor vehicles and motorcycles				
Transportation and storage				
Accommodation and food service activities				
Information and communications				
Financial and insurance activities				
Real estate activities				
Professional scientific and technical activities				
Administrative and support service activities				
Public administration and defense; compulsory social security				
Education				
Human health and social work activities				
Arts entertainment and recreation				
Other service activities				
Activities of households as employers; undifferentiated goods and services-producing activities of households for own use				
Activities of extraterritorial organizations and bodies				
Not Stated				

10. If you change your occupation after resettlement, please provide a reason.

11. Why did your family choose to relocate to a housing project?

12. Monthly incomes in your family

Old village	New village
.....Kip	.....Kip

13. Do you have land in your old village?

Type of land	Number of plot	Area (ha)	Original of land	Land title name
			1=Wife; 2 Husband 3=Common property (both); 4=others: specify.....	1=Wife; 2 Husband 3=Common property (both); 4=others: specify..... 5= No land title/certificate

Resident	1		1	2	3	4	1	2	3	4	5
	2		1	2	3	4	1	2	3	4	5
	3		1	2	3	4	1	2	3	4	5
Upland rice farm	1		1	2	3	4	1	2	3	4	5
	2		1	2	3	4	1	2	3	4	5
	3		1	2	3	4	1	2	3	4	5
Lowland rice farm	1		1	2	3	4	1	2	3	4	5
	2		1	2	3	4	1	2	3	4	5
	3		1	2	3	4	1	2	3	4	5
Home garden	1		1	2	3	4	1	2	3	4	5
	2		1	2	3	4	1	2	3	4	5
	3		1	2	3	4	1	2	3	4	5
Crop farming land	1		1	2	3	4	1	2	3	4	5
	2		1	2	3	4	1	2	3	4	5
	3		1	2	3	4	1	2	3	4	5
Fruit tree farmland	1		1	2	3	4	1	2	3	4	5
	2		1	2	3	4	1	2	3	4	5
	3		1	2	3	4	1	2	3	4	5
Industry tree land	1		1	2	3	4	1	2	3	4	5
	2		1	2	3	4	1	2	3	4	5
	3		1	2	3	4	1	2	3	4	5
Grassland for livestock	1		1	2	3	4	1	2	3	4	5
	2		1	2	3	4	1	2	3	4	5
	3		1	2	3	4	1	2	3	4	5
<b>Total</b>											

14. Are you the main income earner in this household? By 'main income earner', I mean are you the highest income earner in this household?

- 1) No
- 2) Yes
- 3) (Don't know)
- 4) (Refused)

15. What is the employment status of the main income earner in this household?

- 1) Employed full time for an employer
- 2) Employed full time for self
- 3) Employed part-time, do not want full time
- 4) Employed part-time want full time
- 5) Unemployed
- 6) Out of workforce
- 7) Student
- 8) Homemaker
- 9) Farmer
- 10) Other
- 11) (Refused)

16. Which one of these phrases comes closest to your feelings about your household's income these days?

- 1) Very difficult to live on present income
- 2) Difficult to live on present income
- 3) Getting by on present income
- 4) Living comfortably on present income
- 5) Living very comfortably on present income
- 6) (Don't know)
- 7) (Refused)

17. How has the financial situation of the household changed over the past 2 years? Would you say it has...

- 1) Gotten worse
- 2) Stayed the same
- 3) Gotten better
- 4) (Don't know)
- 5) (Refused)

18. How do you expect the financial outlook of the household to change over the next 2 years? Do you expect it to.....

- 1) Get worse
- 2) Stay the same
- 3) Get better
- 4) (Don't know)
- 5) (Refused)

**SECTION 3: COMPENSATION**

1. Land compensation: Resident, Upland rice farm, Lowland rice farm, Home garden, Crop farming land, Fruit tree farmland, Industry tree land, Grassland for livestock.

Type of land	Area compensation (ha)	Affected (loss) area (ha)	Type of compensation		Satisfaction on compensation (5 – 1) 1= very unsatisfactory; 5= very satisfactory
			Cash (Kip)	Land (ha)	

2. Buildings (for example Houses, kitchens, bathrooms, barns, farmhouses.)

Type of building	Construction cost (kip)	Type of compensation		Satisfaction on compensation (5– 1) 1= very unsatisfactory; 5= very satisfactory
		Cash (Kip)	Building (Kip)	



			1=Wife; 2 Husband 3=Common property (both); 4=Others: specify.....	1=Wife; 2 Husband 3=Common property (both); 4=Others: specify..... 5= No land title/certificate
Resident	1		1 2 3 4	1 2 3 4 5
	2		1 2 3 4	1 2 3 4 5
	3		1 2 3 4	1 2 3 4 5
Upland rice farm	1		1 2 3 4	1 2 3 4 5
	2		1 2 3 4	1 2 3 4 5
	3		1 2 3 4	1 2 3 4 5
Lowland rice farm	1		1 2 3 4	1 2 3 4 5
	2		1 2 3 4	1 2 3 4 5
	3		1 2 3 4	1 2 3 4 5
Home garden	1		1 2 3 4	1 2 3 4 5
	2		1 2 3 4	1 2 3 4 5
	3		1 2 3 4	1 2 3 4 5
Crop farming land	1		1 2 3 4	1 2 3 4 5
	2		1 2 3 4	1 2 3 4 5
	3		1 2 3 4	1 2 3 4 5
Fruit tree farmland	1		1 2 3 4	1 2 3 4 5
	2		1 2 3 4	1 2 3 4 5
	3		1 2 3 4	1 2 3 4 5
Industry tree land	1		1 2 3 4	1 2 3 4 5
	2		1 2 3 4	1 2 3 4 5
	3		1 2 3 4	1 2 3 4 5
Grassland for livestock	1		1 2 3 4	1 2 3 4 5
	2		1 2 3 4	1 2 3 4 5
	3		1 2 3 4	1 2 3 4 5
<b>Total</b>				

**2. Land quality and land use in a new village**

Type of land	Number of plot	Area (ha)	Land use 1 yes, 2 No	Quality of land compared to land in an old village 1=Better, 2= Worse, 3= same	Comments
Resident	1		1 2	1 2 3	
	2		1 2	1 2 3	
	3		1 2	1 2 3	
Upland rice farm	1		1 2	1 2 3	
	2		1 2	1 2 3	
	3		1 2	1 2 3	
	1		1 2	1 2 3	

Lowland rice farm	2		1	2	1	2	3	
	3		1	2	1	2	3	
Home garden	1		1	2	1	2	3	
	2		1	2	1	2	3	
	3		1	2	1	2	3	
Crop farming land	1		1	2	1	2	3	
	2		1	2	1	2	3	
	3		1	2	1	2	3	
Fruit tree farmland	1		1	2	1	2	3	
	2		1	2	1	2	3	
	3		1	2	1	2	3	
Industry tree land	1		1	2	1	2	3	
	2		1	2	1	2	3	
	3		1	2	1	2	3	
Grassland for livestock	1		1	2	1	2	3	
	2		1	2	1	2	3	
	3		1	2	1	2	3	
<b>Total</b>								

### 3. How did you obtain this <property>?

- 1) Inherited from my family
- 2) Inherited through marriage/from my spouse's family
- 3) Bought from a private individual
- 4) Bought from an institution (government or private entity)
- 5) Allocated by government or local/customary authority (e.g., community, elder)
- 6) Exchange for other property
- 7) Donation by the charitable organization
- 8) Other, please specify \_\_\_\_\_ <open, mandatory if selected>
- 9) (Don't know)
- 10) (Refused)

### 4. Worry about losing use rights to the home

How worried are you that you could lose the right to use this <property>, or part of this <property>, against your will in the next 5 years?

- 1) Not worried at all
- 2) Not worried
- 3) Somewhat worried
- 4) Very worried
- 5) (Don't know)
- 6) (Refused)

### 5. Likelihood of losing rights to use

A. Can you please explain why you don't feel worried, although you think it is very likely that you could lose the right to use this property against your will in the next 5 years?

- 1) Response \_\_\_\_\_ <open >
- 2) (Don't know)
- 3) (Refused)

B. Please tell me the reasons why you are worried about losing the right to use this property in the next 5 years?

Don't read the responses below. Check reasons that were mentioned and add any others in "Other, please specify"

1. The owner/renter may ask me to leave <if not owner Q5 <> r1>
2. Disagreements with family or relatives
3. Death of a household member
4. Companies may seize this <property>
5. Other people or groups may seize this <property>
6. Lack of money or other resources needed to live in this <property>
7. Government may seize this <property>
8. Issues with local/customary authorities (e.g., officials/chiefs, elder)
9. Missing or inaccurate land records
10. Conflict or terrorism
11. Difficulty of reclaiming land if I had to leave due to a natural disaster (e.g., flood, fire, earthquake)
12. Other, please specify \_\_\_\_\_
13. (Don't know)
14. (Refused)

#### 6. Divorce scenario

if married. Suppose you and your spouse were to get divorced. How worried are you that your spouse would have the right to stay but you would be forced to leave this <property> under these circumstances?

- 1) Not worried at all
- 2) Not worried
- 3) Somewhat worried
- 4) Very worried
- 5) (Don't know)
- 6) (Refused)

If you divorced, who will be the landowner?.....

What are the local customs of land inheritance?

- 1) Rights to change the name to the spouse (Husband or wife)
- 2) Sell and share half/
- 3) The right people get more
- 4) Other, (specify).....

#### 7. Spousal death scenario

And suppose – and we apologize as we know this may be hard to think about - your spouse was to pass away. How worried would you be that your right to stay in this <property> would be taken away from you if this occurred?

- 1) Not worried at all
- 2) Not worried
- 3) Somewhat worried
- 4) Very worried
- 5) (Don't know)
- 6) (Refused)

If your spouse dies, who will be a landowner?.....

What are the local customs of land inheritance?

- 1) Change the name to a surviving spouse (husband or wife)
- 2) Change to child name equally
- 3) Change to child name who take cares and stays with the parents

**8. Lost job or livelihood scenario**

If employed. Suppose you lost your job. How worried would you be that your right to stay in this <property> would be taken away from you if this occurred?

- 1) Not worried at all
- 2) Not worried
- 3) Somewhat worried
- 4) Very worried
- 5) (Don’t know)
- 6) (Refused)

**9. Robustness other scenarios**

How worried would you be that your right to stay in this <\$property> would be taken away from you if any of the following events occurred?

- A. If you disagreed/dispute with your family
- B. If someone in your household
- C. If someone else in your family lost their job
- D. If you couldn’t make the payments on this property for two months in a row
- E. If a company tried to take over the land your dwelling is on against your will
- F. If the government tried to seize your <\$property> from you (e.g., if they build a road or other infrastructure)
- G. If another person or group claimed ownership
- H. If somebody else fraudulently sells the <\$property>
- I. If a neighbor initiates a boundary dispute
- J. If a disagreement arose with local/customary authorities (e.g., officials/chiefs, elder)

Responses for A-J

- 1. Not worried at all
- 2. Not worried
- 3. Somewhat worried
- 4. Very worried
- 5. (Don’t know)
- 6. (Refused)

**SECTION 5: RESETTLEMENT PROCESS**

	Myself		My spouse or Other male members	
	Yes	No	Yes	No
1. Are you included in the consultation plan (to be conducted as part of the resettlement plan preparation)?				

2. Do you participate in the inventory of losses?				
3. Is information related to ownership rights (legal or recognized by custom) of both husband and wife included in the inventory documents?				
4. If yes, in what documents? 1) Land document 2) Building compensation 3) Crop lost compensation 4) Other lost compensation				
5. Do you make up part of the inventory team?				
6. Do women’s representative organizations make up part of the inventory team?				
7. Are loss inventories signed by both husband and wife?				
8. Do you participate in the Committee for Compensation, Resettlement, and Support?				

**SECTION 6: PARTICIPATION IN LIVELIHOOD DEVELOPMENT**

	Myself		My spouse or Other male members	
	Yes	No	Yes	No
1. Have you participated in gender-related analysis into specific interventions in the livelihood restoration program?				
2. Are there any gender-sensitive criteria included in the eligibility criteria for the livelihood restoration program?				
3. Have you participated in livelihood restoration activities?				
4. If yes, what type of livelihood activities?				
5. If yes, how were you selected, and in what criteria? ..... ..... .....				
6. Do you participate in training and livelihood activities been properly implemented?				
7. If yes, what type of training do you participate in? 1. .... 2. .... 3. ....				
8. Where relevant, has training been delivered in the ethnic minority language?				

9. Have livelihood restoration activities targeting women been implemented?				
10. Are any training or outreach activities targeting both men and women (in affected households and host communities) available before relocation?				
11. Is any training (in relocated households and the host community) available to prepare women for relocation?				