

Resettlement Plan

Project Number: 46391-001

December 2015

Viet Nam: Ha Noi and Ho Chi Minh City Power Grid Development Sector Project

EVN HCMC: 220-110kV Cau Bong – Binh Tan
Transmission Line

CURRENCY EQUIVALENTS

(as of 2th Dec 2015)

USD \$ 1 = VND \$22.500

ABBREVIATION

ADB	: Asian Development Bank
APs	: Affected persons
AHs	: Affected households
CPC	: Commune People's Committee
DCARC	: District Compensation, Assistance and Resettlement Committee
DPC	: District People's Committee
DPs	: Displaced persons
EA	: Executing Agency
EMA	: External Monitoring Agency
EVNHCMC	: Hồ Chí Minh City Power Corporation
GOV	: Government of Vietnam
HCMC	: Hồ Chí Minh City
HHs	: Households
HPPMB	: Hồ Chí Minh City Power Projects Management Board
IA	: Implementing agency (IA)
LURCs	: Land Utilization Right Certificates
MOLISA	: Ministry of Labor – Invalids and Social Affairs
PECC4	: Power Engineering Consulting J.S Company 4
PC	: People's Committee
PICs	: Project implement consultants
PO	: Project Owner
RP	: Resettlement Plan
RF	: Resettlement framework
RoW	: Right of Way
SS	: Substation
TA	: Technical Assistance
T/L	: Transmission Line
VND	: Vietnamese Dong

Current exchange rate is 1USD = 21,673 VND (2th June 2015)

NOTE

The fiscal year (FY) of the Government of Vietnam ends on 31 December.

In this report, "\$" refers to US dollars.

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DEFINITION OF TERMS

Affected Persons (APs)	-	Refers any person or persons, household, firms, or public or private institutions who on account of a development project would have their; (i) standard of living adversely affected; (ii) right, title or interest in all or any part of a house, land (including residential, commercial, agricultural, plantations, forest and/or grazing land), water resources or any other moveable or fixed assets acquired, possessed, restricted or otherwise adversely affected, in full or in part, permanently or temporarily; and/or (iii) business, occupation, place of work or residence, or habitat adversely affected, with or without displacement. DPs therefore include; i) persons affected directly by the right-of-way or construction work area; (ii) persons whose agricultural land or other productive assets such as trees, standing crops are affected; (iii) persons whose businesses are affected and who might experience loss of income due to the project impact; (iv) persons who lose work/employment as a result of project impact; and (v) people who lose access to community resources/property as a result of the project.
Cut-off date	-	This refers to the date prior to which the occupation or use of the project area makes residents/users of the same eligible to be categorized as DP. In this Project, the cut-off date will coincide with the date of land acquisition announcement conducted by local authorities based on approved detailed design documents. Persons not covered in the project area before the cut-off date not eligible for compensation and other entitlements.
Detailed Measurement survey (DMS)	-	With the aid of the approved detailed engineering design, this activity involves the finalization and/or validation of the results of the inventory of losses (IOL), severity of impacts, and list of DPs earlier done during RP preparation. The final cost of resettlement can be determined following completion of the DMS.
Displaced Persons (DPs)	-	Per ADB's 2009 Safeguard Policy Statement, displaced persons in a project area could be of three types: (i) persons with legal rights to land lost in its entirety or in part; (ii) persons who lost the land they occupy in its entirety or in part who have no formal legal rights to such land, but who have claims to such land that are recognized or recognizable under national laws; and (iii) persons who lost the land they occupy in its entirety or in part who have neither formal legal rights nor nor recognized or recognizable claims to such land.
Entitlements	-	Refers to a range of measures comprising compensation, income restoration support, transfer assistance, income substitution, relocation support, etc. which are due to the DPs, depending on the type and severity of their losses, to restore their economic and social base
Meaningful Consultation	-	A process that (i) begins early in the project preparation stage and is carried out on an ongoing basis throughout the project cycle; (ii) provides timely disclosure of relevant and adequate information that is understandable and readily accessible to affected people; (iii) is undertaken in an atmosphere free of intimidation or coercion; (iv) is gender inclusive and responsive,

and tailored to the needs of disadvantaged and vulnerable groups; and (v) enables the incorporation of all relevant views of affected people and other stakeholders into decision making, such as project design, mitigation measures, the sharing of development benefits and opportunities, and implementation issues

Inventory of loss	-	Is the process where all fixed assets (i.e., lands used for residence, commerce, agriculture, including ponds; dwelling units; stalls and shops; secondary structures, such as fences, tombs, wells; trees with commercial value; etc.) and sources of income and livelihood inside the Project right-of-way (ROW) are identified, measured, their owners identified, their exact location pinpointed, and their replacement costs calculated. Additionally, the severity of impact to the affected assets and the severity of impact to the livelihood and productive capacity of DPs will be determined.
Resettlement	-	Means all social and economic impacts that are permanent or temporary and are (i) caused by acquisition of land and other fixed assets, (ii) by change in the use of land, or (iii) restrictions imposed on land, as a result of a project.
Replacement cost	-	The term used to determine the value enough to replace affected assets and/or cover transaction costs necessary to replace the affected assets without depreciation for such assets as well as material advantage, taxes and/or travel expenses.
Vulnerable Group-		These are distinct groups of people who might suffer disproportionately or face the risk of being further marginalized by the effects of resettlement and specifically include: (i) female headed households with dependents, (ii) disabled household heads, (iii) households falling under the national poverty standard, (iv) children and the elderly households who are landless and with no other means of support, and (v) landless households, and (vi) ethnic minorities with severe impact.

EXECUTIVE SUMMARY

A. PROJECT DESCRIPTION

1. This Resettlement Plan (RP) is prepared for the “220kV Cầu Bông - Bình Tân transmission line” subproject (or the Subproject) for the 2nd phase of the Power Transmission Investment Program of the Government of Vietnam (GOV). Under the Program, the Subproject is designed to: (i) meet the power supply demand of 110kV Substations such as An Hạ, Hóc Môn 2 and Hóc Môn 3, 220kV substations such as Bình Tân and Bình Chánh 1 (proposed). In addition, this TL has a mission of the grid connection, enhancing reliability, supplying and stabilizing the power network of HCMC North West.

2. The 220-110kV Cầu Bông – Bình Tân has 31.884km in total length, including 4.417km of underground cable and 27.467km of over-head TL with 103 tower foundations (29 piped steel towers and 74 shaped steel towers). The proposed TL starts at 500kV Cầu Bông substation at Tân Phú Trung commune and ends in 220kV Bình Tân SS in Bình Hưng Hòa B commune.

3. Hồ Chí Minh City Power Corporation (EVNHCMC) is Executive Agency (EA) while Hồ Chí Minh City power projects management Board – HPPMB is Implementation Agency (IA).

B. Scopes for land acquisition and resettlement

4. There are 198 HHs and 7 Communal PCs to be directly affected by land acquisition and restriction on the use of land located within the RoW of the overhead transmission line and 70 HHs will be temporarily affected by the construction of underground cable. The project will cause impacts on an area of 586,963m², in which 18,616m² of land is permanently acquired for tower foundations; and 568,347m² of land is affected through restrictions on land use under the ROW.

5. Most of the acquired land for the subproject is land for transportation and un-used land under the management of 7 Communal PCs (Tan Hiep, Tan Thoi Nhi, Pham Van Hai, Vinh Loc A, Vinh Loc B, Xuan Thoi Thuong va Tan Phu Trung). The permanently acquired land area of AHs only accounts for 4,181m² equivalent to 22.5% of the total acquired land area.

6. There are 119 houses and 19 structures within the RoW. All the houses and structures will not have to be relocated. Some houses having metal roof will be earthing and the walls will be renovated to ensure the safety of buildings and structures during the operation of the T/L. AHs still can cultivate on the land located within the RoW and their houses are allowed to remain under the RoW if they meet the requirements of the protection of electrical safety corridor. If trees within the ROW of the TL violate with the safety corridor of the T/L, they need to be cut down or limited in height. The exact quantity will be determined after completion of DMS and updated in the RP.

7. The temporary impacts due to land acquisition activities will be determined during the implementation of the Updated Resettlement Plan.

8. There are 8 HHs severely impacted by losing more than 10% of their total productive land. There are only 2 single-women-headed HHs who belong to a vulnerable group in Tan Phu Trung Commune, Cu Chi District but neither of them loses more than 10% of their total productive land holding.

C. Socio-economic information and impact assessment

9. Social-economic surveys were conducted on all AHs of the subproject (198 HHs).

74% of the household's are headed by men, and 26% are woman headed HHs. Total number of HHs surveyed were 699 people. The normal size of a HH is 3-4persons which constitutes about 58% of all AHs. The population in age group of 35 to 55 takes the main share (31.9%).

10. Most of the households have completed high school education (40.6%) and vocational training (28.8%). Every household has more than one source of income. All of the AH have members engaged in the industrial sectors; of which there are 20 AHs engaged in the agricultural sectors as the secondary job. Other AHs have indirectly participated in a business.

11. AHs have a monthly per capita income from 16-18 million dong, in which the main source of income is from the industrial sector. There is no AHs whose income is below 2 million dong/month and therefore no HHs could be defined as living below the poverty line according to Vietnam criteria.

12. 87% of the AHs rely on tap-water while most of the HHs in Vinh Loc A and Vinh Loc B Commune still use underground water accounted for 13%. 100% HHs in commune use electricity from national grid.

D. Information disclosure, consultation and participation

13. Consultation agency held public meetings and consultations on 10th November 2014. In those joint public meetings and consultations, the different stakeholders were identified, such as: (i) Commune Peoples' Committees (CPCs); (ii) mass organizations; (iii) the residents who are not DPs; and (iv) the DPs. In those meetings, they were given Project Information Booklets (PIBs) and discussed the topics related to the preparation of RP. Representatives of mass organizations in the commune and the ward concern have also attended, such as Vietnam Women's Union and Fatherland Front. The meetings and consultations, all held in CPC offices, were attended by 177 local officials and residents of the affected communities (142 man and 35 woman), including 156 affected people with 29 woman.

14. The topics discussed in the public meetings and consultations were: (i). general information of the Subprojects, its route, locations and features; (ii) list of project affected districts, communes and the scale of possible land acquisition for the transmission line; (iii) objectives and principles of RP according to the requirements of the GOV and Safeguard Requirements 2 (SR2) of the 2009 Safeguard Policy Statement (SPS) of ADB; (iv) schedules of IOL and SES; (v) livelihood restoration program; (vi) compensation and relocation options; (vii) issues on gender and vulnerable groups; and (viii) mechanisms of DPs participation, grievance redress, monitoring and evaluation in all phases of RP preparation, updating and implementation.

E. Grievance redress mechanisms

15. In order to ensure all complaints of APs on any aspect of the works of land acquisition, compensation, assistance and resettlement are resolved promptly and satisfactorily, and all feasibility solutions are prepared to address the complaints of the APs should be conducted in accordance with procedures prescribed by Vietnam law. All the APs can send questions about their rights and entitlements related to compensation and compensation policies, compensation rates, land acquisition, resettlement, assistance and income restoration to the competent agencies. All APs are exempted from any costs regarding the appeal. Consistent with the provisions of the RF prepared for this subProject, a grievance redress mechanism (GRM) with four (4) stages were established in the main report.

F. Legal framework, compensation policy, and eligibility

16. The legal and policy framework for compensation, resettlement and rehabilitation under the Subprojects is defined by the relevant laws and regulations of the GOV and the Safeguard Requirements 2 of the 2009 SPS and other cross-cutting policy themes of ADB. The policies are embodied in the RF that governs the preparation and implementation of the RP under the Program. In case of discrepancies between the laws, regulations, and procedures of the GOV and ADB's policies and requirements, the policies and requirements of the latter will prevail.

17. The legal framework prescribes the eligibility of DPs who are entitled to receive compensation and assistance under the subprojects. It also defines the Project Policies that the EA commits to carry out in the implementation of RP under the Subprojects.

G. Entitlement, assistance and benefits

18. The project entitlements adopted are based on ADB Safeguard Policy statement that have been harmonized with the existing GOV laws, PC of HCM City's Decisions on Compensation, Resettlement and Assistance.

19. The cut of date depends on the start date of census survey on APs and perform a detailed investigation on of the process of updating the resettlement plan

20. One of the main policy goals of the project is to replace or compensate for the damaged property. All compensation is based on the principle of replacement cost. Compensation and assistance will be provided, and the income restoration program will be prepared before the relocation of affected households from the housing, land and other assets so that they can recover at least equal to the status as before have projects. Poor households and vulnerable APs are supported to improve their socio-economic conditions.

H. Relocation of housing and settlement

21. There is no affect to houses of HHs within the area of substation construction as well as along the underground cable. Therefore, the project will not perform the relocation and resettlement.

I. Income restoration and rehabilitation

22. There are 8 affected households to be acquired more than 10% of their landholding but there is no need for an income restoration and rehabilitation program since no livelihoods are at risks because the impacts on the lands of DPs are only marginal and their income does not depend on land and cultivation. All of 8 AHs engage in industrial enterprises.

J. Resettlement budget and financing plan

23. **VND 113,967,124,618 (USD\$5,232,650.3)** is estimated for RP implementation. The EVNHCMC/HPPMB will ensure the timely provision of funds and will meet any unforeseen obligations in excess of the resettlement budget in order to meet the social safeguards objectives under the Subproject. The financing of which can be drawn from the equity funds of EVNHCMC, or include in the loan from ADB, except for the compensation of land.

K. Institutional arrangement

24. The EVNHCMC will be responsible in the management of RP and social issues which shall be updated and implemented by the HPPMB. HCM DPMB will be responsible for implement RP. The HCMDPMB will be supported by a full-time qualified and experienced social safeguard specialist to manage the resettlement related issues. Their responsibilities are detailed in the main report.

L. Implementation schedule

25. As envisaged, the RP shall be implemented in 12 months prior to the award of civil works contract/s. The EVNHCMC, through the HPPMB, will implement the updated RP upon receipt of official approval from ADB. Upon completion of RP implementation, the HPPMB will advise EVNHCMC to request ADB for its “No Objection” for the award of civil works and fabrication contract to contractor/s. Indicators for completion of RP implementation refers to the full payment of compensation and allowances to DPs, and no complaint and/or grievance are left unresolved..

M. Monitoring and reporting

26. EVNHCMC via HPPMB will be responsible for overall supervision on activities of RP. Progress reports will quarterly be submitted to ADB.

I. PROJECT DESCRIPTION

A. Introduction

26. This Resettlement Plan (RP) is the social safeguards document required for the approval of 220-110kV Cầu Bông– Bình Tân TL. The RP contains the policies, guidelines and administrative processes and procedures which the Hồ Chí Minh City Power Transmission Corporation (EVNHCMC) commits to the Asian Development Bank (ADB or the Bank) that these will be complied with during Project implementation. This RP is consistent with the prescription in the Resettlement Framework prepared for PPTA № 8205-Preparing Hanoi and Hồ Chí Minh Power Grid Development Sector Project, the relevant legislation being enforced by the Government of Vietnam (GOV), and the 2009 Safeguard Policy Statement (SPS) as well as the other cross-cutting social policy themes of ADB.

27. The subproject “220-110kV Cầu Bông– Bình Tân TL” has the task to supply power that meet the load of the North West area of HCMC. Simultaneously, It aims to create 110kV looped connection between Cầu Bông, Bình Tân substation and the 110kV power grid in this area to improve and enhance the reliability of power supplying, and also connect to 220kV Bình Chánh substation (through the projected 220kV Bình Tân – Bình Chánh substation) and connect to 110kV An Hạ, Hóc Môn 2, Hóc Môn 3, Vĩnh Lộc B substation which will be implemented during the period of 2015-2020 under the power sector development plan approved by HCM City.

B. Description of the transmission line

28. The project constructs a mix transmission including 02-circuit section and 04-circuit section, including overhead lines and underground cables. Total length of the transmission line is around 31,88km. Specifically:

- Construct the 02-circuit 110kV underground cable route from 220/110kV GIS Bình Tân substation to G3HC, with the length of 3,485m.
- Construct the overhead transmission line from the G3HC to the ending point at the 110kV busbar at the 500kV Cầu Bông substation, the total length is 27,851m, includes 04 following sections:
 - Construct the 110kV double-circuit OH transmission line from G3HC to G15, with the length of 6,952m.
 - Construct the mixed OH transmission line with 4 circuits (02 220kV circuits and 02 110kV circuits) from the G15 to the G40 with the length of 20,265m.
 - Construct 02 separated transmission line from G40 to G43, one 110kV double circuit transmission line (425m) and one 220kV double circuit transmission line (444m).
 - Construct the 110kV double circuit transmission line from G43 to the Ending point (194m).

1. Project's location

29. The communes, wards which the route passes through are listed in Table 1.1.

30. These sections are described as follows:

- **Underground cable sections:** Starting point - G3HC (3,485m). The starting point is from the existing feeder bay E05 , E06 (An Hạ 1, An Hạ 2) of which equipment are available at the station, the cable then go through in the existing cable pit in Bình Tân station and just outside the station gate, continue to go underground under pavement of existing roads and Highway 1A. Approaching the Bình Triệu Bridge, the underground cable line drives right and go under the heart of the road, then follow the right side to avoid canals and ends in the newly

constructed tower (G3HC) which is projected to be located in Vĩnh Lộc B commune.

- **The section of 110kV double circuit T/L from G15 to G3HC (6,952m).** From G3HC to G12, the T/L follows the existing roads; G12 to G15, this is the section which pass through the mangrove forest area, this area has many canals and dotted with residential areas. The T/L pass through Vĩnh Lộc B, Bình Chánh District, Hồ Chí Minh City.

- **The 4-circuit T/L from G15 to G40 (20,265m)** parallel with a number of inter-commune roads, canal road, through some mangrove plantations, paddy land of the people, to the G40, this is the end point of the mixed 220-110KV overhead T/L. G40 position is located in Tân Phú Trung Commune, Củ Chi District, Hồ Chí Minh City.

- **The T/L in the section between G40 - G43** is split into 2 separated overhead T/L: 220kV and 110kV, in which: (i) the separated 220kV T/L section has the length of 0.444km crossing paddy land, under the 500kV Cầu Bông- Phú Lâm T/L, following the 220kV RoW has been planned to G43; and (ii) the separated 110kV T/L section has the length of 0.425km crossing paddy land, under the 500kV Cầu Bông- Phú Lâm T/L, following the 110 kV RoW has been planned to G43.

- **The section from G43 – the ending point:** 220-110KV mixed overhead T/L (0.194 km), from G43 passing over paddy land and connect to 110kV busbar of 500kV Cầu Bông substation. The T/L passes through Tân Phú Trung commune, Củ Chi District, Hồ Chí Minh City.

2. Main specifications of the subproject

31. Overhead transmission line

Table 1: Main specifications of the Overhead transmission line

* Voltage level	: 110kV and 220kV
* Number of circuits	: 110kV 02-circuit and 4-circuit complex consisting of 110kV 2-circuit and 220kV 2-circuit.
* Length of the overhead transmission line section	: 27.851km
* Starting point	: At G3 of 220kV – 110kV Cầu Bông – Bình Tân T/L (110kV T/L section). : At G15 of 220kV – 110kV Cầu Bông – Bình Tân T/L (220kV T/L section).
* Ending point	: At 110kV busbar of existing 500/220/110kV Cầu Bông substation (110kV T/L section). : At G44 (220kV T/L section).
* Conductor	: ACSR 400/51 : 2xACSR 330/43 bundled conductor
* Lightning wire	: Pastel 147.1
* Fiber cable	: OPGW 120
* Insulator	: Polymer insulator with the loading capacity of 70kN and 160kN.
* Tower	: 2-circuit and 4-circuit single tabulated and galvanized shaped steel tower
* Tower foundation	: Reinforced concrete.
* Earth wire	: Round steel rod with $\phi 12$.

32. Underground cable

Table 2: Main specifications of the Underground cable

- Voltage level	: 110kV.
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- Number of circuits	: 2 circuits
- Starting point	: At the busbar of existing 220/110kV Bình Tân GIS substation
- Ending point	: At G3 of Cầu Bông – Bình Tân 220kV – 110kV T/L.
- Length of the underground cable section	: 3.485km
- Underground cable	: XLPE-1200
- Fiber cable	: Integrated in XLPE – 1200 underground cable
- Insulator	: Polymer insulator with the loading capacity of 70kN, 160kN, with selected atmospheric fouling factor of 25mm/kV.
- Connection tower	: Galvanized shaped steel tower.
- Tower foundation	: Use in-situ cast concrete foundation, precast tower.
- Earth wire	: Two round steel rods with $\Phi 12$.

C. Sources of Project Impacts

33. Lands will be impacted (i.e., by way of permanent acquisition or restricted use thereof) for the following: (i) foundations of suspension and angle/tension towers (permanent acquisition), and (ii) right-of-way (ROW) and earth grounding zone (restrictions on continued use of land thereat). The ROW of the 220 kV TL is 11 m either way from the TL centerline. While lands under the ROW will not be acquired, the activities of landowners thereon will be restricted to prevent injuries due to electro-magnetic shocks that emanate from high-tension wires. A safety clearance of at least 4 m from the top of any structure or plant to any point of the power cable must be maintained. Also, structures with metal components within in the ROW and in the earth-grounding zone adjacent to the ROW must be grounded (Decree No. 14/2014/ND-CP, dated 26 February 2014).

34. Decree No. 14/2014/ND-CP also prescribes an “earth grounding zone” which is an easement area of 25 m from the edge of either side of the TL ROW. Lands in this zone will not be acquired but activities are restricted for safety reasons. In this area, a safety clearance of 1 m between the highest point of an object (e.g., structure or tree) and any part of the power cable must be maintained. Houses can be established in the zone provided they have fireproof materials and lightning arrestors. The earth grounding zones will remain as properties of the owners.

35. A total of 119 towers will be constructed. Suspension towers are basically for holding the power cables above the ground. On the other hand, the role of angle/suspension towers includes serving as anchor when the TL alignment makes a turn, and to maintain tautness of the power cable between towers. A tower is 62 m high (i.e., from ground level to the top of the tower), and the area of its foundation is 320m² on average. Crops can be grown in the ROW and in earth grounding zones. However, because each steel lattice tower makes use of its foundations as its grounding mechanism, no agricultural activity is allowed within 0.5 m of the tower foundations.

36. The subproject will only require the acquisition of land for the tower foundations (1.7439ha). The underground cable will be under traffic roads so it is not to acquired land for this item (rehabilitating the situation of this roads after finishing the construction).

37. The areas for work stations, provision for the delivery of cables, machines, and steel materials for the tower by vehicles to work areas are the main sources of temporary impacts. These shall affect traffic activities on roads, especially in Highway 1A because this cable is under this road's foundation. The contractor/s will pay compensation to the owners for any damages during the course of construction and restore the land to pre-Subproject condition, or better.

D. Measures to Minimize the Project Impacts

38. **Selection of the route of the underground cable:** In the design stage, the consultant had been working and inviting specialized staffs of the local authorities for site observation, getting agreement with the local authorities to select the route alternatives which are suitable to the Masterplan of the local authority, the location for underground cable connection box to avoid historical and cultural heritages and natural reservation areas, crowded residential areas, minimizing the scale of acquisition of land and property, plant/crop destruction, they are selected that near roads for convenience in transporting materials. Letter No. 60/UBND dated 13 Jan. 2014 of Bình Tân DPC on agreement of 220-110KV Cầu Bông - Bình Tân transmission line section through Bình Tân district. Letter No. 82/UBND dated 16 Jan 2014 of Bình Chánh DPC on agreement of 220-110KV Cầu Bông - Bình Tân TL section through Bình Chánh District. Document No. 140/TB-VP dated 19 July 2014 of Hóc Môn DPC on notification of conclusions of Vice Chairman of Hóc Môn 2 110kV substation at Xuan Thoi Soi commune, Tan Thoi Hiep 110kV substation at Dong Thanh commune and the 220-110KV Cầu Bông - Bình Tân transmission line. Letter No. 2093/UBND-KT dated 02 April 2013 of Củ Chi DPC on agreement of the 220-110KV Cầu Bông - Bình Tân TL" through Bình Chánh district. Moreover, during the process of selecting the route, there is the involvement of local authorities to minimize the impact on land acquisition as well as other impacts of the project.



Picture 1: Layout of the 220kV-110kV Cau Bong – Binh Tan T/L

II. SCOPE OF LAND ACQUISITION

A. Approaches to Identify Project's Impacts

39. The census and inventory of losses (IOL) were conducted in the project communes in November 2014 and May 2015 which was based on the preliminary ROW of the TL. All immovable properties inside the ROW were determined, counted, measured, tagged, owners identified and their places of residence were verified with commune authorities. The immovable assets consist of lands, houses, other structures and trees. Based from the IOL, the severity of impacts to affected persons (APs) were determined, from their sources of livelihoods to their productive capacity. The IOL questionnaire used in the survey is shown in **Annex 1**.

40. The Consultation agency fielded one personnel to undertake the joint IOL following the delineation of the underground cable's ROW by the engineers. They were accompanied either by commune or village officials who were instrumental in identifying and locating the residence of the APs. The data were processed in their office in Hồ Chí Minh, under the supervision of the National TA Resettlement Consultant. This personnel was assigned for the research on replacement cost prices and worked with District Cadastral Officer to establish the basis for the unit replacement cost in order to come up with a budget for the compensation of APs.

B. Project's Scope of Impact

B1. Affected households

41. **Underground cable section:** The results of IOL in November 2014 show that there is no household permanently affected by the underground. The underground cable T/L was built mainly on the existing road, which will not cause land acquisition, there are only 70 households to be temporarily affected during construction of the underground cables route (Table 3).

Table 3: AHs temporarily affected by the underground cable section

District	Commune	Indirect AHs
Bình Chánh	Vĩnh Lộc B	8
Total of Bình Chánh		8
Bình Tân	Bình Hưng Hòa B	62
Total of Bình Tân		62
Grand Total		70

42. During construction, the cable trench excavation could indirect affects some retail stores along the street, for example digging road to construct and install the cable can temporary disturb and interrupt the business of these stores. However, these AHs still keep their business and normally traffic because the underground cable is constructed and completed in each section. Also, the construction will be usually conducted at night, and the ground will be rehabilitated and returned immediate after finishing the construction.

43. **Overhead TL section:** There are 198 AHs with 699 APs to be affected by the overhead transmission, all of these HHs belong to the Kinh group. The AHs locate severally on 8 communes of 3 districts. Summary of the impact due to the Overhead TL section is presented as follows:

Table 4: Number of AHs and assets affected by the overhead TL

No	District/Commune	Number of AHs						
		Affected Institution	Total AHs	Permanent acquisition	Land within the RoW	Severely AHs	Houses affected	Structures affected
1	Hóc Môn District	2	34	16		2	19	5
	Tân Hiệp Commune	1	22	10		2	12	4
	Tân Thới Nhì Commune	1	1				1	
	Xuân Thới Sơn Commune		11	6			6	1
2	Bình Chánh District	4	141	30	14	5	100	14
	Phạm Văn Hai Commune	1	14	5	7	1	3	
	Vĩnh Lộc A Commune	1	17	8		1	7	7
	Vĩnh Lộc B Commune	1	96	11	7	2	86	
	Xuân Thới Thượng Commune	1	14	6		1	4	7
3	Củ Chi District	1	23	16	7	1		
	Tân Phú Trung Commune	1	23	16	7	1		
4	Total	7	198	62	21	8	119	19

44. Among the 198 AHs, there are 62 households to be permanently acquired land, 21 AHs have land located within the RoW to be limited to land use, and 119 HHs have houses and 19 HHs have structures located within the RoW but not be displaced.

B2. The Impacts on Land

45. Total affected land area for the TL is 586,963 m², including 18,616 m² (around 3.2%) of acquired land for the tower foundations. The entire affected area belongs to work item of overhead T/L. The underground cable T/L will be built on beneath the existing roads, it will not cause land acquisition.

1. Permanent land acquisition

46. In the 18,616 m² of land acquired, land under management of commune (corridor of traffic and unused land) has the largest area with 14,435 m² (or 77%), followed by annual crop land with 2,826m² (or 15%), 1,002 m² (5.4%) of paddy land, a few area of forest land (126m²) and residential land (84m²). The detailed impacts of permanent land acquisition on affected households is presented in the following table:

Table 5: Detailed impacts on land and non-land assets

Unit: m²

No	District/Commune	Annual crop land	Forest land	Residential land	Paddy land	Land under management of Commune	Total land acquisition
1	Hóc Môn District	957		84		1,642	2683
	Tân Hiệp Commune	596		84		771	1451
	Tân Thới Nhì Commune					871	871
	Xuân Thới Sơn Commune	361					361
2	Bình Chánh District	1,869	123			12,522	14,514
	Phạm Văn Hai Commune	216	65			5,800	6,081
	Vĩnh Lộc A Commune	691				671	1,362
	Vĩnh Lộc B Commune	535				1,780	2,315
	Xuân Thới Thượng Commune	427	58			4,271	4,756
3	Củ Chi District		126		1,022	271	1,419
	Tân Phú Trung Commune		126		1,022	271	1,419
4	Total	2,826	249	84	1,022	14,435	18,616

47. The lands acquired from people are mainly paddy land and annual crop land (1,022m² and 2,826m², respectively). Bình Chánh District is most affected with 1,869m² of annual crop land and 123m² of planted melaleuca forest land. Forestland is only acquired in Bình Chánh and Củ Chi District, while only 84m² of residential land is acquired in Hóc Môn District.

48. Among 62 households whose land is permanently acquired, there are 54 HHs to be affected under 10% of the total land holding, 8 households affected over 10% of their total landholding. All of them are not severely impacted on long-term livelihood, because agriculture is not the main income sources of these households. The main labor force is working mostly in the factories. No household is impacted 30% or more of their total landholding.

Table 6: Classification of affected households base on land acquisition proportion

No	District/Commune	Number of HHs whose land is acquired		
		<10% of total land holding	≥ 10% and <30%	Total
1	Hóc Môn District	14	2	16
	Tân Hiệp Commune	8	2	10
	Tân Thới Nhì Commune			
	Xuân Thới Sơn Commune	6		6
2	Bình Chánh District	25	5	30
	Phạm Văn Hai Commune	4	1	5
	Vĩnh Lộc A Commune	7	1	8
	Vĩnh Lộc B Commune	9	2	11
	Xuân Thới Thượng Commune	5	1	6
3	Củ Chi District	15	1	16
	Tân Phú Trung Commune	15	1	16
4	Total	54	8	62

Source: IOL survey results established by PECC4 on November 2014 and May 2015.

2. Permanent restriction of Land use within the RoW

50. About 560,830ha of land under RoW of the overhead T/L will be restricted to use when the transmission line come into operation, of which 516,732m² (90.9%) is under management of commune and 50,160m² (9.1%) is owned by AHs with 33,532 m² (5.9%) of annual crop land, 11,535 m² (or 2%) of paddy land, and a few of forest land (3,506m²), and residential land (3,042m²).

Table 7: Restriction of land use under the ROW

Unit: m²

No	District/Commune	Annual Crop land	Forest land	Residential Land	Paddy Land	Land under management of Commune	Total area of land in the RoW
1	Hóc Môn District	7,927		1,334		56,501	65,762
	Tân Hiệp Commune	5,603		1,316		26,530	33,449
	Tân Thới Nhì Commune	121				29,971	30,092
	Xuân Thới Sơn Commune	2,203		18			2,221
2	Bình Chánh District	25,605	1,960	1,708		450,906	480,179
	Phạm Văn Hai Commune	13,356	980	61		199,578	213,975
	Vĩnh Lộc A Commune	5,591		349		23,089	29,029
	Vĩnh Lộc B	3,041		435		81,274	84,750

	Commune						
	Xuân Thới Thượng Commune	3,617	980	863		146,965	152,425
3	Củ Chi District		1,546		11,535	9,325	22,406
	Tân Phú Trung Commune		1,546		11,535	9,325	22,406
4	Total	33,532	3,506	3,042	11,535	516,732	568,347

Source: IOL survey results established by PECC4 on November 2014 and May 2015.

51. Similar to permanently acquired land, paddy and cropland accounts for the largest proportion of the total land area within RoW of households, 45,067 m² equivalent to 87.3% of the total affected land area under RoW of the APs.

52. Concerning land located in safety corridors of power grids, people still can use to grow crops, houses are still allowed to exist in safety corridors under the provisions on the protection of the safety electricity corridor.

53. According to the IOL survey results, all households whose land was within RoW hold certificates of land use rights on the land they own.

B3. Houses and Other Structures

54. There are 119 houses and 19 structures under the ROW. The 119 houses include 101 with metal roof that will need to be grounded to avoid the effects of electromagnetic field. No any houses or structures have to be relocated, they can still exist under the ROW of 110-220kV transmission line with grounding installation, which is stipulated in Decree No. 14/2014/ND-CP dated 26 Feb.2014 of GOV on Power Safety.

Table 8: Impacted houses and structures

No.	District, commune	House			Structure		
		Tile and concrete roof	Metal roof	Total	Wearhouse	Breeding facilities	Total
1	Bình chánh District	15	85	100	0	14	14
	phạm van hai	3		3		7	7
	Vinh Loc A	4	3	7			
	vĩnh lộc B	6	80	86			
	Xuân Thới Thượng	2	2	4		7	7
2	Hoc Mon District	3	16	19	3	2	5
	Tân Hiệp	2	10	12	2	2	4
	Xã Tân Thới Nhì	1		1			
	Xã Xuân Thới Sơn		6	6	1		1
3	Củ Chi district						
	Tân Phú Trung						
4	Total	18	101	119	3	16	19

Source: IOL survey results established by PECC4 on November 2014 and May 2015.

B4. Trees and crops

55. The subproject will cut down trees (acacia, eucalyptus, cajeput tree) which are wildly grown on unused land with the max height of 30m -35m in HCMC area. The 220-110kV Cầu Bông- Bình Tân TL has the 60m-high towers while Decree No. 14/2014/NĐ-CP dated February 26th 2014 by GOV stipulate for 220kV TLs in towns/cities that the distance between the top of trees and the lowest point of TL at saging situation is not less than 3m. Therefore, the subproject will only cut several trees during pulling conductors (Table 9).

56. The subproject will affect some perennial trees such as Melaleuca, mango and cashew, and annual trees/crops like banana, rice and other crops. Melaleuca has the most quantity among the affected perennial trees, with 1,575 trees in Binh Chanh district, and 875 trees in Hoc Mon district. There are several mango and cashew to be affected, and all of them are located in Hoc Mon district. The affected area of rice and other crops is small, with 1,140 m² of rice in Binh Chanh, and 1,485 m² of rice in Hoc Mon.

Table 9. Trees which are affected by the overhead T/L

No	Locality	Type of tree					
		Melaleuca (tree)	Mango (tree)	Cashew (tree)	Bannana (tree)	Rice (m ²)	Crop (m ²)
I	Bình Tân District	-	-	-	-	-	-
II	Bình Chánh District	1,575	-	-	-	1,140	185
1	Vĩnh Lộc B Commune	255	-	-	-	980	185
2	Phạm Văn Hai Commune	1,100	-	-	-	-	-
3	Vĩnh Lộc A Commune	220	-	-	-	160	-
III	Hóc Môn District	875	90	26	22	1,485	20
1	Xuân Thới Thượng Commune	150	51	-	-	750	-
2	Xuân Thới Sơn Commune	112	-	-	-	315	-
3	Tân Thới Nhì Commune	468	18	26	22	420	20
4	Tân Hiệp Commune	145	21	-	-	-	-
IV	Củ Chi District	-	-	-	-	3,200	-
1	Tân Phú Trung Commune	-	-	-	-	3,200	-

Source: IOL survey results established by PECC4 on November 2014 and May 2015.

57. The underground cable only travels beneath the road, or canal. It will not cause impact on tree and crop.

B5. Business Shops

58. There are 8 stores located in the RoW of the T/L. However, the project does not cause direct impact on any store because they are within the safety area of the TL. Earthing works for cable canal can indirectly affect these stores because of the interruption or disturbance to movement of costumers to the stores. This impact is very small and temporary, because the construction and earthing works for the cable will be implemented in each 20-50meter section, and these works will be conducted in night and completed before sunrise. By doing this, the traffic and movement activities of people and customers to the stores will be insignificant affected.

B6. Impact on public properties

59. The section of underground cable will be under roads, so the construction will temporary affect road surface, but as analysis above, constrution for underground cable will be implemented in night and restored road for traffic before sunrise.

60. The overhead transmission line will cross over some roads like an inter-commune road, Thanh Nien road, highway No.22. It only crosses over the roads and no acquired land.

Public land is acquired by the subproject include cannal banks (Xang Cannal, road corridor side (Thanh Nien road, inter-commune road) at sections G15-G20, G20-G36.

61. There are no any historical architectures and reservative area to be affected by the subproject.

B7. Vulnerable Households

62. According to the project's policy, the vulnerable households include households headed by women with dependents, severely affected ethnic minority people, the disabled person, the poor households (according to the criteria of Hồ Chí Minh City), and households of lonely elderly family. There are only 02 households headed by single-mom (with 1 dependents under 15 years old) considered as vulnerable households in Tân Phú Trung Commune, Củ Chi District. Both the 02 households have land acquisition below 10% of the total land holding of each household. No households among 198 AHs of the subproject are poor according to the criteria of HCMC (more description in part III)

B8. Temporary impacts

62. This type of impacts occurs during subproject implementation due to the requirement for temporary access of vehicles that will deliver pre-fabricated steels, equipment, cables, utilities, etc. during the construction and stringing of the towers. The project implementation consultant (PIC) and the civil works contractor will identify the sites for the access roads and for temporary workstations. The civil works contractor will pay for any damaged crops or income loss arising from the inability of AHs to plant their crops during the temporary use of their lands, in addition to restoring those temporarily affected lands to their original conditions before returning to the land owners. EVNHCMC will ensure that this condition is stipulated in the contract of the civil works contractors.

B9. Unanticipated Impacts

63. If unanticipated impacts are found during Project implementation, the PICs will conduct a social impact assessment and update this RP or formulate a new RP consistent to the provisions and requirements defined in RF for the Program.

B10. Land tenure status

49. The survey results on November 2014 and May 2015 show that all APs hold certificates of land use rights over their land.

III. SOCIOECONOMIC INFORMATION

A. Methodology applied in socio-economic survey

65. The purposes of this part are providing base socio-economic data of the project area and the AHs. The socio-economic survey in the project area was conducted by PECC4 in November 2014. In addition, the inventory of loss (IOL) was implemented by PECC4 in November 2014 and May 2015.

B. Project's Area

B.1. Hóc Môn District

66. Hóc Môn is 01 of 05 suburban districts of Hồ Chí Minh City, it includes 11 Communities and 01 townships. The area of this district is 109.18 km², with the total population of 363,171 people (2011), population density is 3,326 people/km². Situated at the gateway of the city, Hoc Mon has quite complete highway system, provincial roads, and village road. Rivers and canals system is also favorable for water transportation, all giving the district a favorable location for industrial development and urbanization, support for inner urban districts, decrease population pressure in the city.

B.2. Bình Chánh District

67. Bình Chánh District is located in the West – Southwestern part of Hồ Chí Minh City. Geographical coordinates of the district is 106° 27'51" - 106° 42' East longitude and 10° 27'38" - 10° 52'30" North latitude. As one of five suburban districts, its total natural area is 25,255.29 ha, accounting for 12% of the entire area of HCM City. The population in 2011 was 458,930 people; the average population density is 1,851 people/km² distributed in 15 Communes and 01 Township.

B.3. Củ Chi District

68. Củ Chi is a suburban district located in the Northwest of Hồ Chí Minh City, covers an area of 43,496ha. Củ Chi District adjacent to Trảng Bàng District - Tây Ninh Province in The North; Ben Cat District - Bình Dương Province in the East – Northeast; Đức Hòa District - Long An Province in the West - Northwest, and Hóc Môn District - Hồ Chí Minh City in the South. The district consists of 20 communes and one town, with the population of 362,454 people (2011), the population density was 834 people/km².

B.4. Bình Tân District

69. Bình Tân is a newly established district consists of 10 wards under Decree No. 130/ND-CP dated November 05th, 2003 of the Government, originated from An Lạc Town, Bình Hưng Hòa Commune and Bình Trị Đông Commune of Bình Chánh District. The district covers an area of 51.89 km², in recent years the urbanization taking place rapidly, some wards virtually no agricultural land. The population in 2011 was 611,170 people; population density was 11,778 people/km². Population is unevenly distributed, mainly focused on the wards with rapid urbanization rate, such as: An Lạc A, Bình Hưng Hòa A, Bình Trị Đông.

C. Socio-economic characteristics of AHs

69. A socio-economic survey has been conducted on affected households simultaneously with the IOL investigation in November 2014. All 198 households directly affected by overhead T/L component were surveyed in this socio-economic survey. The socioeconomic characteristics of affected households surveyed are presented in the following sections.

1. Demographic features

70. Most of the surveyed households (198 HHs) have from 3 to 4 persons (accounting for 58%). The rate of households having 5 to 6 persons is 25%. The households with small size from one to two persons account for 17%.

71. Among 699 people surveyed, around 80.69% of them are in working age (16-60). In

which, there is 26.04% of population in the group of 16-30 year old, the age group of 31-45 accounted for 22.46% and the proportion of the group 46-60 is 32.19%. 135 people are out of working age, in which, there are 83 people under 15 year old (11.87%), the number of people over 60 year old accounted for 7.44%.

Table 9. Population by age group

Commune	Less than 15	%	16 to 30	%	31 to 45	%	46 to 60	%	Over 60	%	Total
Tân Hiệp	4	0.57	21	3.00	14	2.00	27	3.86	7	1.00	73
Tân Thới Nhì		0.00	2	0.29		0.00	2	0.29	2	0.29	6
Xuân Thới Sơn	7	1.00	7	1.00	11	1.57	10	1.43	7	1.00	42
Phạm Văn Hai	10	1.43	12	1.72	15	2.15	11	1.57	5	0.72	53
Vĩnh Lộc A	11	1.57	22	3.15	20	2.86	19	2.72	4	0.57	76
Vĩnh Lộc B	39	5.58	75	10.73	85	12.16	94	13.45	11	1.57	304
Xuân Thới Thượng	1	0.14	20	2.86	2	0.29	26	3.72	6	0.86	55
Tân Phú Trung	11	1.57	23	3.29	10	1.43	36	5.15	10	1.43	90
Total	83	11.87	182	26.04	157	22.46	225	32.19	52	7.44	699

Source: IOL survey results established by PECC4 on November 2014 and May 2015.

2. Education level of the heads of PAHs

72. The heads of households have different educational levels. Most of them have completed high-school level, accounting for 40.6%. 9.5% of them have completed secondary education level. 11.5% have not finished high-school level; 3.3% only attained primary school level. The percent of HH heads who were occupational trained account 28.8%. 6.3% of household heads participated university and higher.

3. Occupations of affected households

73. The occupational structure of the affected household is quite diversified. Although nearly 100% of the affected households are engaged in industrial enterprises, they have other jobs as to earn more income for the households such as services, cultivation or hired labors, and so on.

74. Among 699 affected people, 458 affected people are in 18 over age group, 76.5% of them engaged in industrial enterprises (workers) while 1.5% of them are national officials. 11% participated in business, 9% stayed at home and do housework. There is 2% of affected people who are over 18 age now are student.

75. The main sources of income of AHs are from industrial workers, business, and added income from cultivation. AHs at Tan Phu Trung commune have main income from agricultural activities that accounting for 30% of their total income. Some vegetables and beans are also grown in the affected area under the safety corridor of transmission lines. Most vegetables and beans are grown for sale providing income for households. Livestock activities also brought income for local people but they are usually affected by disease. Other AHs with members engaging in industrial workers and officials usually have higher and more stable income.

4. Annual income of affected people

76. Households has incomes between 16 -18 million/month, of which the main income from working as a factory or enterprise. No household has monthly income less than 2 million and therefore could not have been identified as living below the poverty line according to the criteria of the Ministry of Labor.

77. Vietnamese poverty criterion was issued by GOV and applied throughout the country with division between rural and urban area. At poverty criterion for rural area, poor households are defined with average income at 400,000 million VND/person/month. However, GOV allows provinces regulate poverty level for suitable with specific condition of

each area. Ho Chi Minh City people's committee issued decision NO. 03/2014/QĐ-UBND dated 14 January 2014 on regulation on poverty and near-poverty criteria for Ho Chi Minh city, which defined poor household are with average income below 16,000,000 million/person/year.

78. There is no affected household belonging to poverty group (average income below 16,000,000 VND/person/year). 07 affected households belong to near-poverty group, accounting for 3.5% (21,000,000 VND/person/year). The other AHs have average income from 48,000,000 to 96,000,000 VND/person/year (equivalent to 4,000,000 to 8,000,000 VND/person/month).

Table 10. Average income per capital of AHs divided into district

District	below 16,000,000đ	%	From 16,000,000đ to 21,000,000đ	%	Above 21,000,000đ	%	Total
Hóc Môn	0	0	2	6	32	94	34
Bình Chánh	0	0	5	4	136	96	141
Củ Chi	0	0	0	0	23	100	23
Total	0	0	7	10	191	96	198

5. Household Utilities and Amenities

79. **Water.** 87% of citizens in the host commune/ward use tap-water, but citizens in Vinh Loc A and Vĩnh Lộc B (13%) rely on water extracted from deep-water wells that is generally of relatively good quality but has to be boiled for cooking and drinking purposes, especially for younger children and older adults. None of the AHs ever purchase water for domestic use. 100% of citizens in the host commune/ward have access to electricity on a continuous basis supplied by the local electricity supply company.

80. **Toilet/Bathroom.** All households in the host commune/ward have separate bathrooms and toilets located within the housing compound. This toilet is flush toilet with septic tank.

81. **Schooling.** There are local primary schools, secondary schools and high schools that enough to meet demand attending of local students.

Table 11 Statistic on schools in project area

No	District/Commune	Number of school				
		University	High school	Secondary School	Elementary School	Kindergarden
I	Bình Tân district					
1	Bình Hưng Hoà B Commune		2	3	6	7
II	Bình Chánh District					
1	Vĩnh Lộc B Commune		1	2	3	5
2	Phạm Văn Hai Commune		1	2	3	4
3	Vĩnh Lộc A Commune		2	3	2	6
III	Hóc Môn District					
1	Xuân Thới Thượng Commune		1	2	2	4
2	Xuân Thới Sơn Commune		1	1	2	5
3	Tân Thới Nhì Commune		2	2	3	3
4	Tân Hiệp Commune		1	1	2	3
IV	Củ Chi District					
1	Tân Phú Trung Commune		1	2	3	5

82. **Health Services.** Each of the project communes/wards has one medical station that AHs have access to. The medical stations are able to provide basic immunizations, pre and post natal care, child-birthing facilities and other forms of preventive health-care. For more sophisticated medical treatment, the residents have to travel either to the township of the project districts or further afield to one of the inner districts in Hồ Chí Minh City.

6. Power Source

83. **Electricity.** 100% of citizens in the host commune/ward have access to electricity on a continuous basis supplied by the local electricity supply company and this electricity is used for washing and sometimes drying clothes, lighting, refrigeration, cooling, and watching television.

84. **Cooking.** 100% of citizens in the host commune/ward use gas for some of their meal preparations.

IV. INFORMATION DISCLOSURE, CONSULTATION AND PARTICIPATION

A. Objectives of information disclosure, consultation and participation

85. In compliance with GOV's Article 67 of Land Law (No. 45/2013/QH13), SPS (2009) and ADB's Public Communication Policy: Disclosure and Exchange of Information (2011), the HPPMB, as representative of EVNHCMC, will promote the active participation of the Subproject-based stakeholders. They were identified during the series of disclosure and public consultations in the project communes/wards, such as: (i) the DCARC of the project districts (Bình Tân, Hóc Môn, Bình Chánh); (ii) CPCs; (iii) mass organizations; (iv) non-affected HHs; (v) AHs; (vi) the affected institution.

86. Declaration of ADB's safeguard policies (SPS 2009) require conformity with community media policy of the ADB, the ADB commits to work with the borrower/client to ensure that relevant information (whether positive or negative) on socio-economic safety issues are made in a timely manner, in an accessible place, with form and language understandable to those affected and stakeholders and other relevant agencies, including general information, so that they can comment on the design and implementation of the project. Dissemination of information, consultation and participation of all those affected and concerned parties will minimize the risk of lawsuits and delays of projects. This also facilitates the project to design rehabilitation programs, income restoration and resettlement plan to meet the needs for comprehensive development program, the benefits of investing projects.

87. Public consultation has a significant meaning, concerning the negative effects, vulnerable people and especially those who live below the poverty line. Consultations will include the following contents:

- It starts early in the project preparation phase and implemented throughout the project cycle;
- Timely provide relevant and necessary information which is understandable and accessible to affected people;
- Must be done on a voluntary basis;
- Include the participation of relevant stakeholders designed to suit the needs of the affected and vulnerable group;
- Allows integration of all the appropriate comments of the affected people and other stakeholders in the process of decision-making, such as project design, mitigation measures, sharing the benefits and opportunities that projected project brings.

88. The objectives of public information dissemination campaigns and consultation programs with affected people are as follows:

- To ensure that local authorities and all APs will be represented in the process of planning and decision-making. HPPMB will continue dialogue with the PPC and DPC during the project implementation. The participation of affected people will be continued later by request of district representatives by inviting affected people engaged in resettlement activities (asset valuation, compensation and resettlement and monitoring);
- To share information adequately on the component and project activities are proposed with the affected people to make this process transparent;
- To gather information on the needs and priorities of all affected people as well as information about their response to the policy and proposed activities;
- Ensure that all affected people are fully informed about the decisions will affect the income and living standards, and that they will have the opportunity to participate in activities and decision making process of the issues which will directly affects themselves. Inform affected people concerning rights, grievance redress procedures, consultation and implementation of communication plans as well as resettlement and implementation;
- To create the cooperation and participation of all affected people and communities in the activities necessary for the preparation and implementation of resettlement plans

- from the bottom up;
- Ensure transparency in all activities related to land acquisition, resettlement and reconstruction.

B. Stages of Participatory Consultations

89. The consultation activities with communities in the affected communes is an important activity in the project. With these objectives, the HPPMB will carry out the participatory consultations in every stage of the Subproject cycle relevant to the requirements in RP in which activities are summarized in the table below.

Table 11: Participatory Consultation in the Project Cycle

Stages	Activities and Target Participants	Responsibility
Project Preparation Pre-Feasibility /Feasibility Study and Drafting of Technical Design	Meet to discuss with the provincial, district, commune, and village officials, Project Management Board (PMB), and project-based stakeholders about the Project TA, the safeguard policies, and the activities of the consultants.	HPPMB and Consultants
	Conduct census of the DPs, IOL, social impact assessment, and replacement cost study (RCS)	Consultants, assisted by commune/village officials
	Discuss the proposed Project resettlement policy with EVNHCMC and HPPMB and solicit their feedbacks.	Consultants
	Disclosure of the results of IOL to DPs and discuss the proposed minimization of impacts and solicit their suggestions and/or comments thereon, including relocation options.	HPPMB and Consultants, assisted by commune/village officials
	Drafting of the RP and its capsulized summary in leaflet form for submission to HPPMB and EVNHCMC for review and endorsement to ADB for approval.	Consultants
	Distribution of information leaflets to DPs, posting of summary RP at district and commune offices.	HPPMB
	Posting the RP on the ADB website	ADB
Project Implementation Finalization of Technical Design	Briefing of the respective compensation and resettlement committees in the province, districts and communes, conduct of centerline survey and demarcation of ROW boundaries, and detailed design by the PICs.	HPPMB and PICs
	Detailed Measurement Survey (DMS), updating unit costs (as necessary)	PICs assisted by commune/village officials
	Meet with DPs to discuss and consult the results of DMS, the Project resettlement policy, entitlements and relocation options	CPPMB and PICs, assisted by commune/village officials

Stages	Activities and Target Participants	Responsibility
	Updating/revision of the RP and its capsulized summary in leaflet form.	PICs
	Submission of the updated RP and project information leaflet to HPPMB and EVNHCMC for review and endorsement to ADB for approval.	PICs
	Distribution of the updated information leaflets to DPs, posting of summary updated RP at district and commune offices	HPPMB
	Implementation of Updated RP.	EVNHCMC and HPPMB assisted by PICs
	Internal monitoring of RP implementation.	PICs
Post Project Implementation Appraisal of Project social safeguards objectives	Overall review of the Project completion performance and conduct interviews with the HPPMB, selected project-based stakeholders and the DPs if the Project social safeguards objectives have been met.	. PIC resettlement specialist with support of EVNHCMC

C. Public Consultations during RP Preparation

90. Meaningful consultation has been carried out and will continue during document updating and implementation. In the public meetings and consultations held on November 2014 with project-based stakeholders in the project communes/wards, they were given the Vietnamese version of Project Information Booklets. The content of this public consultation is:

- i. General information of the Subprojects, its route, locations and features;
- ii. List of project affected districts, communes and the scale of possible land acquisition for the subproject transmission line;
- iii. Objectives and principles of RP according to the requirements of the GOV and Safeguard Requirements 2 (SR2) of the 2009 Safeguard Policy Statement (SPS) of ADB;
- iv. Detailed IOL and SES;
- v. Livelihood restoration program;
- vi. Compensation and relocation options;
- vii. Issues on gender and vulnerable groups; and
- viii. Mechanisms of DPs participation, grievance redress, monitoring and evaluation in all phases of RP preparation, updating and implementation.

91. Representatives of District Fatherland Front, people's committee, and affected institutions have participated in the consultation meeting. Affected households were invited to participate the meetings through notice from CPCs, including women and vulnerable people. Group discussions, key informant interviews and collection of socio-economic data were also conducted. There are 177 local officials and residents of the affected communities (142 man and 35 woman), including 156 affected people with 29 woman. The public meetings held in the office of project communes/wards with the attendance of APs.

Table 12: Dates of Public Meetings and Consultations during the IOL/SES

District	Commune	Dates of consultations	Number of participants		
			Male	Female	total
Hóc Môn	Tan Hiep	12 Nov. 2014	15	4	19
	Tan Thoi Nhi	13 Nov. 2014	15	2	17
	Xuan Thoi Son	14 Nov. 2014	17	3	20
Total of Hóc Môn			47	9	56
Bình Chánh	Pham Van Hai	16 Nov. 2014	15	6	21
	Vinh Loc A	17 Nov. 2014	12	4	16
	Vinh Loc B	19 Nov. 2014	16	5	21
	Xuan Thoi Thuong	20 Nov. 2014	17	3	20
Total of Bình Chánh			60	18	78
Củ Chi district	Tân Phú Trung	22 Nov. 2014	15	3	18
Total of Củ Chi district			15	3	18
Bình Tân	Bình Hưng Hòa B	23 Nov. 2014	20	5	25
Total of Bình Tân			20	5	25
Grand total			142	35	177

92. Several clarifications and suggestions were raised by both the male and the female participants after each presentation of the HPPMB and the TA Consultants. The consultation results are shown as follows:

- During the construction, construction units should have warning signs, barricades around the construction area to avoid the unfortunate accident.

- Construction units should take measures to minimize the environmental impact (dust, emissions and noise) on : local people around.

- The underground works should apply measures to prevent and respond to incidents (collapsed tunnel, tank water broken, and electricity leakage).

- The PO shall have to compensate for damages before land acquisition clearance for the construction.

- Inventory of losses needs to have participation of representative of AH, local residents and investors to ensure fairness.

- During construction, transportation of construction materials, equipment for construction, traffic density will increase, the risk of damages and surface subsidence may occur. Construction units should have appropriate measures to avoid the occurrence of these problems.

- The PO should have measures to protect the irrigation system from damages during construction to ensure sufficient irrigation water for paddy field.

- The PO and contractors should be responsible for repair or monetary compensation for damages of the routes and restore them to the pre-project condition before returning to the people.

- During the operational phase, it is needed to perform regular maintenance and repair the transmission line's facilities and wires to avoid incidents such as fire and explosion.

- During construction, investors should hire local people to perform works that does not require high skill to create jobs for local people and avoid the transfer of workers from elsewhere that may affect the order and security in this area.

D. Public consultation before the approval and during the updating of RP

1. Information dissemination before ADB approval of RP

93. Before approved by ADB, RP has been publicized in public places. The contents of RP are discussed with the consent of the APs. Project information leaflets were prepared and distributed to affected households, in which the contents include: (i) a brief overview of the project, especially the main items to be performed and size of land acquisition; (ii) impact on the land and assets on land; (iii) the rights over the affected land and assets; (iv) detailed implementation plan for assistance, resettlement and compensation payments; (v) mechanisms for grievance redress; and (vi) the contact list of the staff of the implementing agencies and local authorities to ensure that complaints are resolved in a timely and satisfactory manner.

94. Besides project information leaflets, policies related to land acquisition, compensation, assistance and resettlement is disseminated to people to engage in public consultation meetings, copy these documents are listed in office of the CPCs and the village chief.

2. Public consultation and participation in the DMS and replacement cost survey

95. The principle of DMS is to ensure that (i) The survey was fully conducted and accurate for all land and assets on the land of affected households and communes; (ii) DMS must be fully participated by the community and the affected households, and the participation of women is required; (iii) the results of the DMS must be publicized; and (iv) complaints and appeals related to results of DMS must be resolved fully and in time before updating RP / compensation plans.

96. Before implementation of DMS, the DMS plan must be discussed and agreed between HPPMB, DCARBs, CPCs, village chiefs, representatives of local organizations and affected households and then disclosed on audio media. Women are encouraged to participate in all activities of DMS such as inventory on affected land and assets, participating in meetings to disseminate information to complete and announce the results, concerns over inventory.

97. DCARBs and HPPMB coordinate with the CPC to hold various meetings with village chiefs, representatives of mass organizations and all those affected to provide inventory form for the affected people to fill in themselves. The content of the inventory form are explained and clarified for households to easily complete. During the DMS, also involves the participation of the party as the head of household, women, heads of villages and cadastral officials, representatives of the CPC and others. DMS outcome of each household is listed in public places (office of People Committee, the Cultural house of Village) within 07 days for households to crosscheck and edit errors (if any).

98. Replacement cost surveys are conducted to ensure that (i) the compensation for affected land and assets on land at replacement cost; and (ii) the replacement cost survey should be carried out with the participation of those affected, the affected communities and relevant agencies at provincial / district / commune. Survey results on replacement cost must be publicized to the community and those affected. Replacement cost survey was carried out

from Nov 11th to Nov 27th, 2014 at districts and communes affected by the method of field investigations, consultations and interviews with stakeholders (including representatives DCARBs, cadastral staff, etc ..., suppliers of building materials, real estate brokers, etc ... and those affected).

3. Public consultation and participation in the process of updating RP

99. In the process of updating RP, consultant agency should consult DPCs, the Compensation and Clearance Committee of district and communal People's Committees in the project area. Public consultation with affected people through community meetings, focus group discussions and interviews the household by questionnaire will be conducted during the implementation of the RP.

100. Project information leaflet is prepared and distributed to those affected. The main content is disseminated to those affected include: (i) describe the general information of the project, particularly the activities undertaken to restrict social activities; (ii) potential project impacts; (iii) resettlement principles; (iv) entitlements and other assistances of affected people; (v) the grievance redress mechanism; and (vi) contacts of relevant people responsible of HPPMB and local authorities. The leaflet will be publicized at the CPC office and delivered to affected people;

101. Copies of the resettlement plan in Vietnamese will be sent to the compensation and site clearance committee, and are publicized at the office and at home CPC village chief.

4. Public consultation and participation in implementation and monitoring of RP

103. The general principle of the project, as mentioned above is to ensure participation of all affected people and local community in all activities and all phases of the project. Affected households and communities can participate in the following activities:

- Public consultation in the hamlet on detailed design of the project;
- The public consultation meetings in hamlets on the impact of the project; compensation policies, assistance and resettlement, detailed implementation plans for resettlement activities and grievance redress procedure;
- Detailed inventory of affected assets of APs;
- Replacement cost survey on affected land and assets;
- Preparation and implementation of the income restoration program and the plans to improve the livelihood (if any);
- Selection and design of resettlement sites;
- Preparation and implementation and monitoring of resettlement plan.

V. GRIEVANCE REDRESS MECHANISM

107. In order to ensure that all APs' grievances and complaints on any aspect of land acquisition, compensation and resettlement are addressed in a timely and satisfactory manner, and that all possible avenues are available to APs to air their grievances, a well defined grievance redress mechanism needs to be established. All APs can send any questions to implementation agencies about their rights in relation with entitlement of compensation, compensation policy, rates, land acquisition and grievance redress. All APs are not required to pay any fee for resolving their grievance and complaints at any level of trial and court.

A grievance redress mechanism is prepared based on Complaint law No. 2/2011/QH13 and Decree No.75/2011/ND-CP guiding implementation the complaint law as follows:

First Stage: Ward Peoples' Committee (WPC) - An aggrieved AP may lodge his/her complaint before any member of the WPC through the residential group leader or directly to the WPC, in written or verbal form. It is incumbent upon the village chief to notify the WPC about the complaint. The WPC will meet personally with the aggrieved AP and will have 15 days to resolve the complaint. The W/CPC secretariat is responsible for documenting and keeping file of all complaints that it handles.

Second Stage: District/Town People's Committee (DPC) - If after 15 days the aggrieved AP does not hear from the WPC, or if the AP is not satisfied with the decision taken on his/her complaint, the AP may bring the case, either written or verbal, to any member of DPC. DPC has 30 days to resolve the case. The DPC is responsible for documenting and keeping files of all complaints that it handles.

Third Stage: City People's Committee (City PC) - If 30 days the aggrieved AP does not hear from the DPC, or if the AP is not satisfied with the decision taken on his/her complaint, the AP may bring the case, either in writing or verbal, to any member of the City PC. The City PC has 30 days within which to resolve the complaint to the satisfaction of all concerned. The City PC secretariat is responsible for documenting and keeping file of all complaints that it handles.

Final Stage: People's Court - If after 45 days following the lodging of the complaint with the City PC, the aggrieved AP does not hear from the City PC, or if he/she is not satisfied with the decision taken on his/her complaint, the case may be brought to the people's court.

108. The decision to settle complaints shall have to be sent to the complainant and the parties concerned and shall be publicly posted at the headquarters of the People's Committee to be resolved after 03 days (at ward/commune level) and after 07 days (at district or city level).

109. The above Grievance Redness Mechanism has been discussed with and will be disseminated to the displaced people during preparing and implementing Resettlement Plan to ensure people understanding the procedure. PMU of power projects in HCMC and the Compensation, Assistance, Resettlement Committee of the district will be responsible for monitoring on resolving the complaints of affected people.

VI. LEGAL FRAMEWORK, COMPENSATION POLICY, AND ELIGIBILITY

110. The project is funded by the ADB, therefore, the Safeguards policy Statement (SPS) 2009 of ADB on involuntary resettlement will be applied in combination with relevant policies of Viet nam on compensation, assistance and resettlement.

111. The EVNHCMC has reconciled the provisions of the 2009 SPS on involuntary resettlement and other cross-cutting policy themes of ADB, and the relevant laws of the GOV, from where the legal and policy framework for the compensation, resettlement and rehabilitation of DPs were formulated. The framework is consistent with the governing policies of the RF concurred by ADB and EVNHCMC that will be applied for all core and non-core projects of this Power Grid Development Sector Project.

A. The ADB Social Safeguards Policy Requirements

112. ADB's policy on Involuntary Resettlement is prescribed in the 2009 SPS. The objectives are to: (i) avoid involuntary resettlement wherever possible; (ii) minimize involuntary resettlement by exploring project and design alternatives; (iii) enhance, or at least restore, the livelihoods of all displaced persons in real terms relative to pre-project levels; and (iv) improve the standards of living of the displaced poor and other vulnerable groups.

113. The involuntary resettlement requirements apply to full or partial, permanent or temporary physical displacement (relocation, loss of residential land, or loss of shelter) and economic displacement (loss of land, assets, access to assets, income sources, or means of livelihoods) resulting from (a) involuntary acquisition of land, or (b) involuntary restrictions on land use or on access to legally designated parks and protected areas. Resettlement is considered involuntary when displaced individuals or communities do not have the right to refuse land acquisition that results to displacement. This occurs in cases where (i) lands are acquired through expropriation based on eminent domain; and (ii) lands are acquired through negotiated settlements, if expropriation process would have resulted upon the failure of negotiation.

114. Projects financed by ADB, including associated facilities that are financed by the government or other sources, are expected to observe the following policy principles:

- Screen early to identify involuntary resettlement impacts and risks and determine the scope of resettlement planning through a survey and/or census of displaced persons, including a gender analysis, specifically related to resettlement impacts and risks.
- Carry out meaningful consultations with displaced persons, host communities, and concerned non-government organizations. Inform all displaced persons of their entitlements and resettlement options and ensure their participation in various stages of the project especially vulnerable and poor groups. Establish a grievance redress mechanism to receive and facilitate resolution of the displaced persons' concerns. Support the social and cultural institutions of displaced persons and their host population.
- Improve, or at least restore, the livelihoods of all displaced persons through (i) land-based resettlement strategies when affected livelihoods are land based where possible or cash compensation, assistance at replacement value for land when the loss of land does not undermine livelihoods; (ii) prompt replacement of assets with access to assets of equal or higher value; (iii) prompt compensation, assistance at full replacement cost for assets that cannot be restored; and (iv) additional revenues and services through benefit sharing schemes where possible.
- Provide physically and economically displaced persons with needed assistance,

including the following: (i) if there is relocation, secured tenure to relocation land, better housing at resettlement sites with comparable access to employment and production opportunities, integration of resettled persons economically and socially into their host communities, and extension of project benefits to host communities; (ii) transitional support and development assistance, such as land development, credit facilities, training, or employment opportunities; and (iii) civic infrastructure and community services, as required.

- Improve the standards of living of the displaced poor and other vulnerable groups, including women head of households, to at least national minimum standards. In rural areas provide them with legal and affordable access to land and resources, and in urban areas provide them with appropriate income sources and legal and affordable access to adequate housing.
- Develop procedures in a transparent, consistent, and equitable manner if land acquisition is through negotiated settlement to ensure that those people who enter into negotiated settlements will maintain the same or better income and livelihood status.
- Ensure that displaced persons without titles to land or any recognisable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land assets.
- Prepare a resettlement plan elaborating on displaced persons' entitlements, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time-bound implementation schedule.
- Disclose both the draft and final resettlement plan in a form and language understandable to displaced persons and other stakeholders.
- Conceive and execute involuntary resettlement as part of a development project or programme. Include the full costs of resettlement in the presentation of project's costs and benefits. For a project with significant involuntary resettlement impacts, consider implementing the involuntary resettlement component of the project as a stand-alone operation.
- Pay compensation and provide other resettlement entitlements before physical or economic displacement. Implement the resettlement plan under close supervision throughout project implementation.
- Monitor and assess resettlement outcomes, their impacts on the standards of living of displaced persons, and whether the objectives of the resettlement plan have been achieved by taking into account the baseline conditions and the results of resettlement monitoring. Disclose monitoring reports.

115. Calculation of full replacement cost will be based on the following elements: (i) fair current market value at the time of compensation, (ii) transaction costs, (iii) interest accrued, (iv) transitional and restoration costs, and (v) other applicable payments, if any. In the calculation, depreciation of structures will not be taken into account. It is expected that qualified and experienced experts will undertake the valuation of acquired assets.

116. Persons or households without formal legal rights nor recognized or recognizable claims to the acquired land are still entitled to compensation for their loss of assets other than land if they have been created before the cut-off date, and resettlement assistance.

117. The Bank's other cross-cutting policy themes consist of: (i) **Gender and Development (1998)** which adopts gender mainstreaming as a key strategy for promoting

gender equity, and for ensuring that women participate and that their needs are explicitly addressed in the decision-making process for development activities; (ii) **Public Communications Policy (2011)** that seeks the active participation of affected people and other stakeholders during the development and review of safeguard policies on ADB-assisted programs and projects. The Project Executing Agency (EA) shall make available the RP to affected people, consistent with ADB's OM Section F1/OP (March 2010, updated 1 Oct 2013); and (iii) **Accountability Mechanism (2012)** which is part of ADB's continued efforts to enhance its capacity in responding to and/or resolving the problems associated with the implementation of its policies in all programs or projects it assists. It consists of a consultation phase and a compliance review phase, by which the problems or issues raised by the affected people and/or stakeholders are investigated and resolved.

B. Regulations of Vietnamese Government on resettlement

120. The Constitution of the Socialist Republic of Vietnam (2013) confirms that ownership and protection of ownership of citizens of their houses. Besides, the Government has issued a number of law, decrees, and regulations to form the legal framework for land acquisition, assistance, compensation, and resettlement. Primary documents include:

a. Laws

- Land Law (2013) No. 45/2013/QH13 approved by the National Assembly dated November 29 2013.
- Power Law (2012) No. 24/2012/QH13 approved by the National Assembly dated November 20 2012.
- Complaint Law (2011) No 02/2011/QH13 approved by the National Assembly dated November 11 2011.

b. Government's decrees

- Decree No. 43/2014/ND-CP dated May 15 2014 guiding the implementation of Land Law 2013.
- Decree No. 44/2014/ND-CP dated May 15 2014 by the Government on the evaluation of land prices.
- Decree No. 45/2014/ND-CP dated May 15, 2014 by the Government on the collection of land use levies;
- Decree No. 46/2014/ND-CP dated May 15, 2014 by the Government on the collection levies of land lease, water surface lease;
- Decree No. 47/2014/ND-CP dated May 15 2014 by the Government on compensation, assistance, and resettlement in the event of land recovery by the State.
- Decree No. 38/2013/ND-CP dated April 23 2013 on the management and use of Official Development Assistance (ODA) and concessional loans of donors.
- Decree No. 14/2014/ND-CP dated February 26 2014 by the government detailing the implementation of the Electricity Law regarding electricity safety.
- Decree No 75/2012/ND-CP dated October 03 2012, by the Government provision detail some articles of the Complanint Law.

c. Circulars

- Circular No. 23/2014/TT-BTNMT dated May 19 2014 by MONRE regulating Land Use Right Certificate (LURC), right to ownership of housing and other assets attached to land;

- Circular No. 24/2014/BTNMT dated May 19 2014 by MONRE regulating cadastral dossiers;
- Circular No. 25/2014/BTNMT dated May 19 2014 by MONRE, regulating cadastral maps;
- Circular No. 28/2014/BTNMT dated June 02 2014 by MONRE regulating land statistic and inventory and development of current land use map;
- Circular No. 29/2014/BTNMT dated June 02 2014 by MONRE regulating details of making and amending land use planning;
- Circular No. 30/2014/BTNMT dated June 02 2014 by MONRE regulating dossiers of handing over land, leasing land, converting land use purpose, and land acquisition;
- Circular No. 37/2014/TT-BTNMT dated 30 June 2014 by MONRE regulating on compensation, assistance, resettlement when the State acquires land
- Circular No. 02/2015/TT-MONRE dated 27 January 2015 by MONRE provision some articles of GOV's Decree No. 43/2014/ND-CP and 44/2014/ND-CP dated 15 May 2014.

d. Decisions of the government

- Decision No. 1956/2009/QĐ-TTg dated November 17 2009 by the Prime Minister approving the Master Plan on vocational training for rural workers to 2020.
- Decision No. 52/2012/QĐ-TTg dated November 16 2012 on employment and vocational training support policies for laborers subject to agricultural land recovery.

e. Decisions of Ho Chi Minh City

- Decision No 23/2015/QĐ-UBND dated May 15th, 2015 of the People's Committee Ho Chi Minh City issued regulations on compensation, assistance and resettlement when the State acquire land in Ho Chi Minh City.

C. Comparison between ADB's policies and relevant regulations of Vietnam

1. Since 1 July 2014, the Land Law of 2013 and its implementing decrees and circulars provided the overall framework for involuntary resettlement in Viet Nam.¹ There are several aspects of the 2013 Vietnam Land Law which are similar to the policy objectives and principles of the ADB safeguards on involuntary resettlement as provided under its Safeguard Policy Statement (2009). However, the following differences remain (details in Table 1):

- SPS requires that displaced persons without titles (legal rights) to land are provided with resettlement assistance and compensated for loss of non-land assets (constructed before the cut-off date) whereas, the Land Law does not allow compensation for such land and land-attached assets which are illegally established² (Article 92, LL). Moreover, structures (land-attached assets) are not compensated

¹ The Land Law of 2013 replaces the Land Law of 2003. Decrees 43, 44 and 47 supersede previously issued decrees related to land acquisition including Decrees 181/2004, 188/2004, 197/2004, 17/2006, 84/2007, 123/2007, 69/2009, 88/2009, 59/2011, and 189/2013.

² There are 3 types of illegally established land-attached assets: (i) those constructed on illegal land, (ii) illegally constructed structures (not based on the approved land use purpose) on legal land and structures constructed after land acquisition announcement.

base on the value of a new structure, except structures used for residential purposes (Article 89.2, LL).

- b. SPS requires exploring additional revenues and services through benefit sharing schemes where possible. This is not required under the Land Law.
- c. SPS requires conducting social impact assessment to identify poor and other vulnerable groups who may be disadvantaged/disproportionately affected by the land acquisition for the project and implement targeted measures to assist them. The Land Law does not clearly require projects to identify displaced poor and other vulnerable groups that are impacted by a development project and to implement targeted measures to assist them. However, in case the amount of compensation and support is not enough to buy the minimum plot at the resettlement site, the State will shoulder the balance.
- d. The level of detail and information required for resettlement planning under SPS differs from those required under the Land Law. There is also no requirement under the Land Law to prepare a draft resettlement plan or general compensation plan (prior to doing detailed measurement survey-DMS).
- e. SPS requires compensation to include interest accrued, under the Land Law for land users refusing compensation, the compensation is kept in an escrow account in State Treasury without interest.
- f. SPS requires the conduct and disclosure of monitoring and evaluation of resettlement activities. For projects with significant involuntary resettlement impacts, the project is required to retain qualified and experienced external experts to verify the project's internal monitoring. For the Land Law, monitoring and evaluation is required in a more general basis and includes all aspects of the implementation of the Land Law (Article 200, LL). There is also no requirement for independent monitoring for projects with significant involuntary resettlement impacts.

Table 13: Discrepancies between Land Law 2013, Decree 47/2014/ND-CP, 44/2014/ND-CP and ADB SPS 2009

Issues	Land law 2013, Decree 47/2014/ND-CP, 44/2014/ND-CP	ADB Safeguard Policy (SPS 2009)	Project Policy
Severely impacted APs losing productive land	Decree 47/2014/ND-CP, Article 19, Item 3: APs losing at 30% or more of productive agriculture land are considered severely impacted and are entitled to livelihood restoration measures.	The involuntary resettlement impacts of an ADB-supported project are considered significant if 200 or more persons will experience major impacts, which are defined as (i) being physically displaced from housing, or (ii) losing 10% or more of their productive assets (income generating).	Losing 10% or more of the household's productive assets shall be considered as threshold.

<p>APs without LURC</p>	<p>Land Law 2013, Article 77, item 2 and article 92: Persons who has used land before 1st July 2004 and directly be involved in agriculture production on the acquired land without LURC or illegalizable will be compensated for the acquired land area but not exceed quota of agricultural land allocation. But no compensation for non-land assets in the following cases: (i) the assets subject to the land recovery as stipulated in one of items a, b, d, đ, e, i, clause 1, article 64 and items b, d, clause 1, article 65 of the Land Law 2013; the assets created after the notification on land acquisition; and (iii) unused public infrastructures and other works.</p>	<p>Those APs without legal title to land will be included in consultations. Ensure that APs without titles to land, or any recognizable legal rights to land, are eligible for resettlement assistance and compensation for loss of non-land assets including dwellings, structures and other improvements to land such as crops, irrigation, at full replacement cost if they created before cut-off date.</p> <p>Safeguards cover involuntary restrictions on land use or on access to legally designated parks and protected areas. Covers temporary and partial losses.</p>	<p>Project affected people, without legal or recognisable legal claims to land acquired, will be equally entitled to participation in consultations and project benefit schemes where possible, and be compensated for their lost non-land assets such as dwellings and structures occupied before cut-off date. They will be entitled to resettlement assistance and other compensation and social support to assist them to improve or at least restore their pre-project living standards and income levels.</p>
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Compensation for structures	Land Law 2013, Article 89, item 1: houses/structures used for living purpose will be compensated at replacement cost. Decree 47, article 9: Houses/structures used for other purposes will be compensated equal to the remaining value of the affected house plus some percentage of current value but total compensation amount is not exceed value of the new house/structure.	Rate of compensation for acquired housing, land and other assets will be calculated at full replacement costs, based upon: i) fair market value, ii) transaction costs, iii) interest accrued, iv) transitional and restoration costs, v) other applicable payments.	Full compensation at replacement cost will be paid for all affected structures without any deductions for salvageable materials or depreciation, full replacement costs, based upon: i) fair market value, ii) transaction costs, iii) interest accrued, iv) transitional and restoration costs, v) other applicable payments
Monitoring	No monitoring indicators indicated	Monitoring indicators specified for internal and external monitoring and reporting. In case of significant or sensitive impacts, an external monitoring organization is required to conduct monitoring on RP and EMDP implementation	The EA must undertake internal monitoring according to the critical indicators. Anticipated negative impacts of the project are minor, it is no need to recruit an external monitoring organization.
Third-party validation of consultation related to land donations	Not required.	The borrower is required to engage an independent third-party to document the negotiation and settlement processes to openly address the risks of asymmetry of information and bargaining power of the parties involved in such transactions.	In case of land donations involving marginal portions of land, the LIC will verify and report on the negotiation and settlement processes as part of the due diligence report. A voluntary donation form signed by the landowners, witnesses, and village leaders will be attached in the report.

D. Project Policy Commitments

125. Except for the absence of legal title to the land as an issue in compensation, there are no longer issues between the GOV and ADB on their respective social safeguards policy. In so doing, the EVNHCMC has reconciled the general policies of the GOV and ADB and commits itself that it will observe and implement the following in transparent manner:

1. Prior to DMS and Updating of RP

- (i) No land acquisition or site clearing will be done for the ROWs and towers ahead of Project implementation. Land acquisition or clearing of the ROWs will only be undertaken upon completion of payment for compensation based on updated RP duly approved by ADB drawn from detailed design of the Project.
- (ii) Permanent or temporary acquisition and/or clearing of lands that will result to physical and/or economic displacements of persons or households will be avoided or minimized, as much as possible, by identifying feasible alternatives in Project engineering design, alignment of ROWs, access roads, and work stations.
- (iii) Joint participatory consultations and meetings with Project-based stakeholders, DPs and community organizations will be carried out prior to DMS, during the updating and implementation of the RP. Women, disabled, the elderly and ethnic minorities will be invited to participate in the consultations and meetings. The comments and suggestions of the DPs will be recorded and taken into account for consideration in the updating or implementation of the RP, where legally acceptable and ethically relevant.
- (iv) DPs will be systematically informed and consulted about the Project, the rights and options available to them, the proposed mitigating measures, special assistance measures to vulnerable groups and the need for the preparation of RP.
- (v) The EVNHCMC will conduct due diligence on the ownership of affected assets, with assistance from representatives of the commune or village government, and identify 100% of the DPs who are severely and marginally affected by land restriction and/or land acquisition. Severely affected DPs are those who stand to lose 10% or more of their economic and important assets while marginally affected DPs are those who will lose below 10% of the same.
- (vi) DMS will use a survey tool that will enable to segregate important data on DPs by gender as the basis for updating the compensation and assistance due them.
- (vii) The authority that should declare the cut-off date of eligibility of the DPs who are eligible to receive compensation and assistance will be vested on the respective district resettlement and compensation committee.

- (viii) Replacement cost surveys will be carried out as bases for compensation of DPs, based on replacement costs, in compliance with the compensation policy of the GOV and ADB.

2. RP Implementation

- (i) Compensation on the affected properties of DPs will be based on replacement cost, without deduction of the following: (i) stamp, duties, fees or other payments in case of land; and (ii) depreciation and salvage value of construction materials in case of houses and other structures.
- (ii) Payment of compensation to DPs will not be differentiated between the male and the female household heads.
- (iii) DPs residing, working, cultivating land and/or doing business during the DMS for the update of the RP are entitled to be compensated for their lost assets, incomes and businesses at market prices prevailing at the time of compensation.
- (iv) All DPs whose names are included in the cut-off date established by the district compensation and resettlement committee are entitled to receive compensation. DP who has no title or any recognizable legal rights to land will be compensated for non-land assets at replacement cost, and resettlement assistance.
- (v) Special assistance measures will be provided to the severely affected DPs who shall become vulnerable due to the project, with particular attention to women, children without means of support, disabled, the elderly and landless as well as ethnic minorities and people with incomes below the poverty line. Institutional DPs are excluded from such receiving such assistance.
- (vi) Resettlement of people will be implemented only upon confirmation on the availability of resettlement site/s that was consulted with. DPs who decide to be relocated in the earth grounding zones will be provided with fireproof materials and lighting arrestors.

3. Management and Administration of RP implementation

- (i) Effective institutional arrangements and human resources for consultation, liaison, land acquisition, resettlement and monitoring will be established to ensure the efficient implementation of RP.
- (ii) Effective mechanism for arbitration of grievance redress will be established with their members will come from the project-based stakeholders, DPs, women representatives.
- (iii) Adequate budgetary support for payment of compensation, assistance, and resettlement will be committed and released to DPs during RP implementation.
- (iv) Reliable and efficient database system will be established for the internal monitoring of RP implementation.

VII. ENTITLEMENTS, ASSISTANCE AND BENEFITS

A. Project principles

126. In order to harmonize the above-mentioned gaps between the regulations of GoV and ADB's SPS 2009, the Article 87 of the Land Law 2013 requires that *"For projects using loans from international or foreign organizations for which Vietnam has committed to a policy framework for compensation, support and resettlement, that framework policy shall apply"*. The regulations of the Project in this RP are based on the approved Resettlement Policy Framework of the project. Details are as follows:

- Involuntary resettlement and impacts on land, structures and other fixed assets will be avoided or minimized where possible by exploring all alternative options.
- Compensation and assistance will be based on the principle of replacement cost at the time of implementation.
- Severely affected household is considered when they are losing 10% or more of the household's assets shall be considered as threshold.
- Displaced persons without title or any recognizable legal rights to land are eligible for compensation for non-land assets at replacement cost.
- Residential and agricultural land for replacement should be close to the previous places as much as possible and be suitable to displaced persons.
- Meaningful consultation will be carried out with the displaced persons and concerned groups and ensure participation from planning up to implementation. The comments and suggestions of the affected persons and communities will be taken into account.
- The resettlement plan will be disclosed to affected persons in a form and language(s) understandable to them.
- Resettlement identification, planning and management will ensure that gender concerns are incorporated.
- Special measures will be incorporated in the resettlement plan to protect socially and economically vulnerable groups such as households headed by women, children, disabled, the elderly, landless and people living below the generally accepted poverty line.
- Existing cultural and religious practices will be respected and preserved, to the maximum extent practical.
- Culturally appropriate and gender-sensitive social impact assessment and monitoring will be carried out in various stages of the project.
- Resettlement transition stage should be minimized. Restoration measures will be provided to displaced persons before the expected starting date of construction in the specific location.
- Budget for payment of compensation, assistance, and resettlement and support will be prepared sufficiently and made available during project implementation and by the provinces.
- Reporting and independent monitoring should be defined clearly as part of the management system of resettlement. Independent assessment of the duration and results of the land recovery should be carried out.
- The EVNHCMC will not issue notice of possession to contractors until is officially confirmed in writing that (i) payment has been fully disbursed to the displaced persons and rehabilitation measures are in place; (ii) already-compensated, assisted displaced persons have cleared the area in a timely manner; and (iii) the area is free from any encumbrances. The satisfactory resettlement to be ascertained by the independent monitor before start of the civil works.

B. Entitlements, Assistance and Benefits

127. Eligibility of DPs is defined by the cut-off dates which were officially issued by the DCARC of the host districts. The cut-off date established for this subproject is 15 December 2014, and disclosed to DPs by the DCARCs of the Hóc Môn, Bình Chánh and Bình Tân districts.

128. There are also some cases of persons that the DCARCs may declare as eligible persons after the cut-off date has been declared, such as: (i) person who is occupying or using the land or assets before the cut-off date but who was not in the list of DPs; (ii) households separating from large families with the confirmation of local authorities about meeting criteria for the separating; and (iii) households who bought the affected land or property after the cut-off date. Their eligibility will be declared after verification by the CPC. On another hand, there are also people who shall be provided assistance after the cut-off date, such as, (a) newly born child, (b) people who have retired from military service and (c) people who have just returned from school to live with the affected household.

129. Any person who moved and construct a house in the ROWs, after the cut-off date, will not receive compensation and assistance from the Project. They will be informed in advance and required to remove the structure before Project implementation. If all actions of diplomacy with the encroacher have been exhausted, compulsory eviction will be the last option as provided for in the 2013 Land Law.

130. In addition, the extent of eligibility for compensation with regard to land is determined by legal rights to the land concerned. There are three types of affected persons: (i) persons with LURCs to land lost in entirety or partially; (ii) persons who lost land they occupy in its entirety or partially who do not currently possess a LURC but have a claim that is recognizable under national laws; or (iii) persons who lost land they occupy in its entirety or partially who do not have any recognizable claim to that land. Affected persons included under (i) and (ii) above shall be compensated for the affected land and assets upon land. Affected persons included under (iii) shall not be compensated for the affected land, but for the affected assets upon land and are entitled to assistance if they have to relocate.

C. Entitlement Matrix

131. Households or individuals with sufficient basis for compensation are compensated for land and structure losses equivalent to 100% of the price of such assets. Those without sufficient legal rights are also assisted as described in the entitlement matrix below.

132. The unit price for compensation and assistance outlined in the following matrix can be adjusted during the updating of RP to reflect actual conditions at the time of implementation. However, unit prices can not be adjusted lower than the provisions in this matrix.

Table 14 Entitlement Matrix

Entitled Persons	Type & Level Of Impact	Compensation Policy	Implementation Issues
A. AGRICULTURAL LAND			
<i>A.1 Permanent Impact on land</i>			
<p>Owners with LURC, owners in process of acquiring LURC, owners eligible to acquire LURC</p> <p>AND public organisations</p>	<p>Losing 10 percent or more of total productive landholding (8 HHs)</p>	<p>a/ As a priority, allocation of replacement land: (i) equal in area to affected land up to a maximum of land quota in the locality; (ii) of same category (or productive capacity); (iii) at a location satisfactory to affected persons; (iv) with full title in the names of both the household head and his/her spouse; and (v) without charge for taxes, registration and land transfer charges; and</p> <p>b/ Economic rehabilitation package (see E, below);</p> <p>Or, if affected persons opts,</p> <p>a/ Cash compensation at replacement cost); and,</p> <p>b/ Economic rehabilitation package (see E, below).</p>	<p>If remaining land holding is not economically viable i.e. is too small to be economically cultivated, the subproject will acquire the entire land holding and not just the affected portion. The size of the entire holding will be the basis for providing replacement land or cash compensation. The economically remaining land area will be identified by DCARC for each case.</p> <p>DCARCs will determine whether the remaining holding can be viable or not and take care of this issue during DMS implementation. Full payment for affected households at least 01 months before site clearance</p> <p>Exactly eligible household will be confirmed during DMS</p>

Entitled Persons	Type & Level Of Impact	Compensation Policy	Implementation Issues
	Less than 10 percent of total productive landholding affected (54 HHs)	a/ Cash compensation at replacement cost b/ Economic rehabilitation package (see E, below). ,	Implemented by DCARCs if remaining holding is not viable, cash compensation at replacement cost at current market prices for entire landholding Decided by DPCs Exactly eligible household will be confirmed during DMS
<i>A.2 Restriction of productive land use in RoW</i>			
All affected households with land use in RoW	Partially or totally impact (83 HHs)	Compensation for restricted land (agricultural land) use with rate at 30% of compensation rate of full acquisition.	Affected land in RoW will be rehabilitated by contractors after the subproject construction and land in RoW could be used with the restricted purposes. (Described in Decree 14/2014/ND_CP) Affected households can be required to cut affected trees, subproject will pay for this work. Exactly eligible household will be confirmed during DMS
B. RESIDENTIAL AND/OR NON-AGRICULTURAL LAND (e.g., commercial)			
<i>B.1. Permanently Affected Residential and/or Non-Agricultural Land</i>			
Owners with LURC, owners in process of acquiring LURC, owners eligible to	Loss of residential and/or non-agricultural landholding	As a priority, allocation of replacement land: (i) equal to area of affected land up to a maximum of land quota in city of subproject; (ii) of same type (e.g., residential,	a/ The DPC will determine availability of replacement land

Entitled Persons	Type & Level Of Impact	Compensation Policy	Implementation Issues
acquire LURC	without houses and structures built thereon (1 HH)	commercial); (iii) at a location satisfactory to affected persons; (v) with full title in the names of both the household head and his/her spouse; and (vi) without charge for taxes, registration and land transfer charges; OR, if affected persons opts, Cash compensation at replacement cost for the affected land. The compensated area does not exceed the residential land quota in the locality; and	b/ Affected landholding is under dispute: Compensation held in escrow account until land dispute is resolved. c/ Full payment for affected households at least 03 months before site clearance
B.1 Restriction of residential land use in RoW			
All affected households with residential land in RoW	Partially or totally impact (138 AHs)	a. Compensation for restricted land use (residential land) with rate at 80% of compensation rate of full acquisition. b. Allowance cost and technical support for installing grounding wire and equipment.	Exactly eligible household will be confirmed during DMS
C. RESTRICTION OF HOUSES AND STRUCTURES IN ROW			
Affected households with houses and/or structures in ROW	Partially or totally impact	a. Compensation for a part or entire house within the ROW at replacement cost but not exceed 70% of value of newly constructed part or entire house within the ROW. b. Allowance cost and technical support for installing grounding wire and equipment.	House and structures can be existed under ROW of 110-220 transmission line (regulated in decree 14/2014/ND-CP) but the house height is limitation and conform to some regulation on safety (e.g. grounding wire installation)
D. ANNUAL AND PERENNIAL CROPS, FRUIT AND TIMBER TREES AND TREE/PLANT FENCES			
Owners of crops and/or trees	Loss of annual crops (57 HHs)	If standing crops are ripening and cannot be harvested, cash compensation of un-harvested crops at market values based on the average production over past 3 years.	A minimum of 3 months' notice to harvest crops; Owners of crops and/or trees are entitled to compensation

Entitled Persons	Type & Level Of Impact	Compensation Policy	Implementation Issues
			<p>regardless of whether they possess land use rights</p> <p>Exactly eligible household will be confirmed during DMS</p>
	Loss of perennial crops, fruit and timber trees and tree fences (5 HHs)	Cash compensation at current market prices given the type, age and productive value of the affected crops and/or trees.	<p>Compensation must equal in value to crops that would be harvested had acquisition not occurred.</p> <p>A market survey shall be carried out when updating the resettlement plan or REMDPs.</p> <p>Exactly eligible household will be confirmed during DMS</p>

E. REHABILITATION ASSISTANCE

E.1 Economic Rehabilitation Package

Severely affected persons, displaced from housing or losing 10 percent or more of their productive, income generating irrespective of tenure status.	Assistance to restore livelihoods and incomes following acquisition of agricultural land or other productive assets (8 HHs who are acquired 10% to 30% of their productive landholding)	<p>Affected households directly cultivate on the affected land to be entitled:</p> <p>(i) Losing from 10 to 30% of agricultural land holding: Cash assistance equal to 30 kg of rice (valued at market price) per month per household member for 3 months.; AND</p> <p>(iv) In-kind assistance to be decided in consultation with eligible Affected persons. Forms of assistance may include, but are not limited to, agricultural extension assistance, and training for non-agricultural occupations. And</p>	<p>Value of in kind assistance to be determined during RP implementation.</p> <p>Resettlement plan shall be updated following the needs assessment of the Affected persons during the resettlement plan implementation.</p> <p>Exactly eligible household will be confirmed during DMS</p>
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Entitled Persons	Type & Level Of Impact	Compensation Policy	Implementation Issues
<i>E2. Allowance of job training/creation for AHs losing agricultural land</i>			
Owners with LURC, owners in process of acquiring LURC, owners eligible to acquire LURC AND public organisations	Losing agricultural land (62 AHs)	In addition to cash compensation for agricultural land acquisition, AHs will be supported training, job transition and job search under the plan approved or supported by PPC, or received cash allowances equal 05 times of the agricultural land price in the same kind of local land price for the whole area of agricultural land acquisition but not exceed quota of allocated agriculture land in locality.	Value of in kind assistance to be determined during RP implementation. Resettlement plan shall be updated following the needs assessment of the Affected persons during the resettlement plan implementation. Exactly eligible household will be confirmed during DMS
<i>E3. Special allowance for social and economically vulnerable households</i>			
Vulnerable Affected persons (the poor, war invalid person, woman headed household, the elderly)	Assistance to the poor and vulnerable households to improve their social and economic conditions (2 single mom HHs)	For other vulnerable Affected persons, assistance of VND 5,000,000 per household to improve their social and economic conditions	Eligible households are those who are classed as vulnerable under MOLISA definition and ADB policies. Exactly eligible household will be confirmed during DMS
<i>E.4. Allowances for relocation and hand over land ontime</i>			
Owners of crops and/or trees	Losing crops and/or trees on land (62 AHs)	AHs who clear trees or crops on land and hand over land for PO on time (as information in decision of land acquisition will be issued by DPCs) will be entitled to receiving an allowances as stipulated by the PPC (the rate at 7.500.000VND/HH)	As stipulated in Decree No. 23/2015/QD-UBND of HCMC PC

D. Addressing the Gender Issues

133. The EVNHCMC, through the HPPMB with assistance from PICs, will carry out the following specific actions to address gender issues in the Subprojects:

- a) During the updating and implementation of this RP, both men and women will participate in the discussions during public meeting, providing inputs to DMS,

and consultations on resettlement activities and relocation options.

- b) A male representative and a female representative of the AHs will be included as participant in the resolution of grievances and complaints.
- c) Gender issues will be included in the training on Project implementation by PICs to concerned personnel of the PPMB, EVNHCMC, and HPPMB.
- d) Disaggregated monitoring indicators by gender will be developed for monitoring social benefits, economic opportunities, livelihood, and resettlement activities as well as in the restoration of livelihoods and living standards during post-Project implementation.

E. Assistance to Vulnerable Households

134. According to the DMS and survey results, there are two APs belonging to vulnerable group (single-woman-head household) the special assistance for these households were presented in the entitlement matrix to support them on reducing the adverse impact of land acquisition.

135. If during the updating of this document found out that there are APs that shall become vulnerable due to the Project, they shall receive applicable allowances as provided for in the Entitlement Matrix, on top of their compensation. They shall participate in the income restoration that will be designed by the Project with their active involvement. In order to ensure that they share the same benefits as the other AHs, they will be assisted in appointing their representatives in each commune or neighborhood clusters to participate in any meeting or consultations related to the Project, specifically on resettlement and payment of compensation.

F. F. Special Considerations

136. During the periods after the cut-off dates were established in each district towards the implementation of the updated RP, some unfortunate developments could happen to any DPs. One example is the passing away of the household head who was recorded in the IOL or DMS. In such a case, the spouse will receive the compensation on behalf of the spouse who passed away before the payment of compensation. In case of death of both spouses, compensation shall be received by any of the children with written permission from his/her siblings.

G. Unforeseen Impacts

137. If during the DMS when additional adverse social impacts are identified and/or additional AHs and APs are found after the cut-off date (para. 49), they are also entitled to receive Subproject entitlements as the others on condition that it can be certified by communes or village chiefs that they have actually been in the Subproject ROW even before the cut-off dates for eligibility. Likewise, new DPs that will emerge due to changes in Subproject design or alignment prior to or even during construction works are entitled to the same entitlements as those of the other APs.

VIII. RELOCATION OF HOUSING AND SETTLEMENT

138. According to the survey results undertaken in November 2014 the project will not cause any affect to houses of residents in the underground cable construction area. Therefore, the project will not have to perform the relocation and preparation works.

IX. INCOME RESTORATION AND REHABILITATION

139. There are 08 households losing more than 10% of their land holding is going to receive assistance for restoration and production. These households are acquired less than 30% of the land, therefore they will be entitled for cash allowance equivalent to 30 kg of rice (at market rates) per month for each member of the household within 3 months. It is no need to prepare a IRP for these AHs because their income does not rely on the agriculture.

140. The affected vulnerable households will receive an allowance of VND 5,000,000/household to restore livelihood.

X. RESETTLEMENT BUDGET AND FINANCING PLAN

A. Principles of Replacement Cost

141. Budgets for the compensation of DP's affected properties were based on replacement costs, in compliance with the policy requirements of the GOV and ADB. The PECC4 Consultants conducted the replacement cost surveys (RCS) that coincided with the IOL in November 2014 in order to verify and establish the current unit rates on the values of land, houses, crops and trees as well as other assets to ensure that DPs will be compensated for their affected assets based on replacement costs.

142. Information from both primary and secondary information were obtained. For the primary sources of information, the sample respondents were selected in the areas where the TL line will be installed. The respondents consist of non-DPs and were requested to share their knowledge on the current values or prices of the following: (a) price of agricultural land, (b) costs of construction materials for houses and other related structures, and (c) price of crops and trees.

143. As to secondary information, the RCS team has referred to relevant publications and the prices issued through decisions by Hồ Chí Minh City Peoples' Committee (PPC), such as: (i) Decision No. 3162/2014/QĐ-UBND dated 26 September 2014 issued by CPC of HCM City regulating on compensation, support and resettlement in case of State's land acquisition in HCM City (ii) Decision No. 51/2014/QĐ-UBND dated 31 December 2014 issued by CPC of HCMC City regarding prices of various land type in HCM City, (iii) Decision No. 02/2015/QĐ-UBND dated 09 January 2015 of HCMC people's committee on promulgating regulation of crops/trees price in HCMC.

B. Compensation Rates and Assistance

144. The compensation rates applied in calculating the budget is based on the replacement cost rates as established for the compensation of affected properties while the provisions for assistance complies with the prescription in relevant decisions mentioned in para. 46. In the scope of the subprojects, affected properties of DPs are land and an non-land auxiliary structure. Replacement Cost Rates and Assistance are:

No.	Compensated item	Unit	Different rate	Replacement cost
1	Crops land	58,000	1.7	98,600
2	Perennial tree land	100,000	1.3	130,000
3	Forest land	57,600	1.5	86,400

C. Administration, Monitoring and Contingency Costs

145. The budget for the administration of RP is equivalent to 2%³ of the total costs from the compensation and assistance package to DPs. This budget as stipulated in Decree 47/2014/ND-CP is the cost for ensuring the RP implementation, including cost for compensation, assistance and resettlement committee. This cost comprises cost for dministration and management, replacement cost surge, conduct of DMS, meetings and consultations, and redress grievance.

³ 2% as stipulated in decree 47/2014/ND-CP date 15 May 2014 regulating on compensation, assistance and resettlement

146. External monitoring and evaluation is not required given the very minimal impacts of land acquisition to DPs. However, internal monitoring shall be carried out by EVNHCMC/HPPMB and the PICs consultants. The EVNHCMC/HPPMB personnel who shall be involved in RP updating and implementation are already receiving regular salaries from their respective office. On the other hand, the professional fees of the consultants of PICs will be charged under the Subproject.

D. Compensation Payment and Procedures

147. Following the approval of budget by EVNHCMC, it will advise the HPPMB for the schedule of release of funds and payment to DPs. The HPPMB will be responsible for channelling the funds to DPC/DCARC directly to DPCs. The DPC/DCARC will be responsible for delivering payments of compensation and assistance to DPs. In case of replacement land, the HPPMB will be responsible for coordination with DPC that will then allocate the land and the issuance of LURCs.

148. The cost estimated in this document contains preliminary estimate done during the TA. During the updating and implementation of this RP, the PICs will facilitate the RCS by an independent entity to establish the rates for calculation of compensation payments to DPs, based on replacement costs.

E. Financing of Resettlement Costs

149. As in Table 16, the overall cost of RP updating and implementation was estimated at VND 110,771,919,634 VND (USD\$4,969,579) for inclusion in the Project investment. The EVNHCMC/HPPMB will ensure the timely provision of funds and will meet any unforeseen obligations in excess of the resettlement budget in order to meet the social safeguards objectives under the Project. The financing of which can be drawn from the equity funds of EVNHCMC, or include in the loan from ADB, except for the compensation of land.

Table 16. Resettlement Budget for the Cầu Bông- Bình Tân 220-110kV TL.

No.	Resettlement expenses	Value (VND)
I	Compensation	93,882,351,100
1	Land	86,745,884,600
	residential land	67,200,000
	Annual crop land	731,120,000
	forest land	17,928,000
	Land under management of Commune (temporary calculation)	6,928,800,000
	compensation for restricted residential land	1,946,880,000
	compensation for restricted annual crop land	2,568,819,000

	compensation for restricted forest land	75,729,600
	compensation for restricted land managed by CPCs	74,409,408,000
2	Houses/structures	4,214,025,000
3	Trees/crops	2,922,441,500
II	Assistance to DPs	4,844,850,000
	Assistance for life and production stability	115,200,000
	Assistance for career change, create job	3,892,150,000
	Assistance for vulnerable AHs and servely AHs	10,000,000
	relocation ontime allowances	427,500,000
	Allowance for traffic interruption, road restoration (temporary calculation)	400,000,000
	Total compensation, assistance cost	98,727,201,100
III	RP management cost (2%)	1,974,544,022
IV	Total	100,701,745,122
1	10% of Contingency	10,070,174,512
IV	TOTAL RP BUDGET (VND)	110,771,919,634
	In US Dollars ('000)	4,969,579
	Foreign Exchange Rate	22,290

XI. INSTITUTIONAL ARRANGEMENT

150. Implementation of the resettlement plan requires the participation of relevant agencies from the central to city, district, and commune/ward level. The executing agency has the overall responsibility for implementation of the resettlement plan. District Compensation, Assistance and Resettlement Committees (DCARCs) will be established at district level according to Decree 47/2014/NĐ-CP

11.1. Institutional Features at Central level

1. EVNHCMC

151. The EVNHCMC will: (i) provide adequate budgetary support to carry out the updating and implementation of the RP; (ii) provide overall management and coordination of the subproject; (iii) liaise with PPMB to carry out the Project component in Hồ Chí Minh City; (iv) coordinate with ADB to engage resettlement consultant services for the Project; (v) support the HPPMB for updating the RP; and (vi) prepare Project progress reports on land acquisition and resettlement submitted by HPPMB for information of relevant ministries and ADB. Upon advice by HPPMB, request to ADB its “No Objection” for the award of all civil works, fabrication and installation contract/s to the contractor/s. The PICs’ national social safeguard consultant will prepare the compliance report, supported with photographs, for endorsement by EVNHCMC to ADB.

2. HPPMB

152. The HPPMB will: (i) actively participate in the updating and implementation activities in collaboration with the concerned organizations at the District and Commune levels; (ii) liaise with the DPC to facilitate the establishment of the DCARC. (iii) provide orientation to the concerned People’s Committees of the district and commune, the DCARC and related groups on the project, its Resettlement Policy, (iv) process flow, and on the specific tasks of these groups relative to the updating and implementation of the RP; (v) take the lead in the public disclosure of the Project RP in coordination with the DPC, and participate in project information dissemination and holding of consultation meetings with AHs and other stakeholders; (vi) monitor grievances related to the project and calls the attention of concerned government offices where complaints have remained outstanding beyond prescribed action periods; and (vii) design and implement an internal monitoring system that shall capture the overall progress of the RP updating and implementation; and prepare bi-annual progress reports and quarterly internal monitoring reports on RP implementation for submission to EVNHCMC and ADB.

11.2. Institutional Features at City Level

153. **City People’s Committee:** The main responsibilities of the CityPC include: (i) establishment and mobilisation of City Compensation and Resettlement Board (CCARB); (ii) organisation and mobilisation of all organisations and individuals concerning compensation, support and resettlement policies and ground clearance according to the land recovery decisions of competent State bodies; (iii) updating the unit costs to reflect the replacement cost of project-affected private and public assets; (iv) planning resettlement arrangements, job change training plans according to their assigned competence; (v) authorising the DPC to approve compensation, assistance support to affected persons; (vi) providing guidance to concerned agencies on the neutral settlement of citizens’ complaints, denunciations related to compensation, support and resettlement; and (vii) resolving complaints and grievances of AHs.

11.3. District, Ward and Commune Levels

154. **District People's Committee:** the DPC will be responsible for the following: (i) extension of support for preparation and updating as well as implementation of the resettlement plan; (ii) review the accuracy of and validate the cost estimates for compensation and assistance; (iii) approve compensation plan if authorized by the city PC; (iv) acquisition of Land Use Rights Certificates (LURCs) for households and individuals who have lands and/or houses entirely recovered; (v) adjustment of LURCs for households and individuals whose lands and houses have been partially affected; (vi) resolving complaints and grievance from affected persons; (vii) concurrence with the schedule of resettlement plan implementation and monitor the progress thereon; and (viii) mobilisation of the respective DCARB that will appraise the compensation and assistance to affected persons; as well as (ix) the provisions of lands to affected persons.

155. **District Compensation and Resettlement Board:** The responsibilities of the DCARB will be the following: (i) organise and carry out resettlement activities in the district on behalf of the DPC; (ii) conduct DMS, public consultations and disclosure activities; (iii) review and submit to DPC proposed compensation, assistance and resettlement plan; (iv) assist in the identification and allocation of land for the affected persons; (v) along with the CPC, assist HPPMB in the timely delivery of compensation payment and other entitlements to affected persons; and (vi) assist in the resolution of complaints and grievances:

- The dissemination of the Public Information Booklet and other publicity material; ensuring that affected persons are aware of the LAR process.
- Planning and carrying out the DMS and the disbursement of compensation payments.
- The identification of severely affected and vulnerable affected persons and the planning and implementation of rehabilitation measures for these affected persons.
- Help identify any resettlement sites and new farming land for affected persons who cannot remain in their present location.
- Assist in the resolution of affected persons grievances.
- Facilitate the work of the agency appointed to undertake the external monitoring.

156. **Ward/Commune People's Committee.** The W/CPCs will assist the HPPMB and the DCARBs in the following tasks: (i) remind the affected persons about the compensation plan and the process of delivery, income restoration plans, relocation strategies and land clearance requirements based on the approved resettlement plan; (ii) maintain the list of eligible affected persons that will be provided after the DMS has been conducted; (iii) assign commune officials to extend assistance in the update and/or preparation as well as the implementation of the resettlement plan; (iv) identify replacement lands for the affected persons; (v) sign the Agreement Compensation Forms along with the affected persons; and (vi) assist in the resolution of grievances and in other related -resettlement activities and concerns.

XII. IMPLEMENTATION SCHEDULE

157. As envisaged, the RP shall be implemented prior to the commencement of civil works contract. The EVNHCMC, through the HPPMB, will implement the updated RP upon receipt of official approval from ADB. It will only award the civil works contract to the civil works contractor in compliance with the following conditions: (i) full payment of compensation to DPs; (ii) no complaint and/or grievance related to compensation are left unresolved; and (iii) official receipt of “No Objection” from ADB for the award of civil works contract. Figure 2 shows the detailed activities and schedule in updating implementing the updated RP related to the assign of civil works contract.

Table 17. Implementation Schedule

Activities	Time
1. Preparation	
1.1. Draft RP is submitted to ADB for review and comment	October 2015
1.2. Information disclosure at province level	November - December 2015
1.3. Updating REMDP based on comments of ADB and HCMC	December 2015 – January 2016
1.4. ADB’s approval for the RP	January 2016
1.5. disclosure of the RP to the host districts and communes/wards	January - February 2016
2. Implementation	
2.1. information campaign	Start from the DMS.
2.2. Detailed measurement survey (DMS)	March 2016
2.3. Preparing the compensation plan for all DPs	April 2016
2.4. the review and approval of local authorities for the compensation plan	May 2016
2.5. Disclosure of the approved compensation plan for the DPs	May 2016
2.6. The compensation Paymentcost for the DPs	April-May 2016
2.7. The replacement of DPs	May 2016
2.8. Handing over land and asset to HPPMB and the commencement of the subproject’s construction.	June 2016
2.9. Greviance deressing	Whenever having greviances
2.10. Recruiting monitoring and evaluating contractors	March - June 2016
2.11. Mobilizing monitoring and evaluating contractors	May - June 2016

XIII. MONITORING AND REPORTING

A. Internal Monitoring

158. The EVNHCMC and the HPPMB will have joint responsibilities in the internal monitoring of the RP implementation with results will be reported to ADB on quarterly basis. All activities in resettlement are time bounded and the progress of implementation will be obtained by the PICs from the field on monthly basis and transmit them to HPPMB for its assessment, and adjust the work program if necessary. The monthly internal monitoring reports will cover those related to performance indicating the measurement of input indicators against proposed timetable and budget including the provision and physical delivery of compensation, and assistance to PDPs, including grievance and redress, among others.

1. Data Collection and Reporting

159. The HPPMB and the PICs will jointly establish a database, with data disaggregated by gender and income levels, for use by EVNHCMC in monitoring the activities in RP implementation, specifically the compliance in Project policies. The PICs will collaborate with the HPPMB that will be directly involved in monthly data collection, statistically and qualitatively. The HPPMB will then consolidate the internal report on quarterly basis and endorse it to the EVNHCMC that will then submit to ADB for review and upload on the ADB website.

2. Internal Monitoring Indicators

160. Internal monitoring will primarily focus on keeping track the activity performance in RP implementation in the nine project communes. The PICs will assist the HPPMB in monitoring and preparing report. The key indicators need to be monitored as below:

- Payment of compensation to all affected persons in various categories, according to the compensation policy described in the resettlement plan.
- Delivery of income restoration and social support entitlements.
- Public information dissemination and consultation procedures.
- Adherence to grievance procedures and outstanding issues requiring management's attention.
- Priority of affected persons regarding the options offered.
- Coordination and completion of resettlement activities and award of civil works contract
- The EVN HCMC will incorporate the status of resettlement plan implementation in the overall project progress report to ADB.

B. Post resettlement Monitoring and Evaluation

161. A monitoring and evaluation survey on RP implementation shall be conducted by EVNHCMC with support of LIC consultants after 6-12 months completion of all resettlement activities.

162. The key objectives of the monitoring and evaluation are to: (i) assess whether resettlement objectives have been met, specifically the maintenance of livelihoods and the enhancement of DPs' living standards; (ii) assess resettlement efficiency, effectiveness, impact and sustainability, drawing lessons as guide to future resettlement policy formulation for forthcoming ADB-assisted projects in EVNHCMC; and (iii) the need for further mitigation measures as needed. The survey will be conducted by interviewing a random sample of 20%

of the DPs by questionnaire and organizing group discussions with the targeted affected groups. The survey will produce but not limited to the following in its assessments:

- Capacity of DPs to Restore Livelihoods and Living Standards. This will include assessment on the effectiveness and/or inadequacy of technical assistance, allowances and other measures, and to what extent the DPs have maintained their livelihoods and living standards to pre-project levels.
- Public Consultation and Awareness of RP Policies. validate if the DPs have been fully informed and consulted about land acquisition and relocation activities. It will also inquire the DPs and other stakeholders if they were aware of the compensation and entitlements policies and various options available to DPs.
- Level of DPs' Satisfaction. assess the DPs' level of satisfaction on compensations, allowances and assistance received as well as on RP implementation, and the degree of efficiency and equity in handling grievances and resolution of complaints.
- Change in Living Standards. Assess to what extent income and livelihoods of DPs have been restored as pre-project or improved.
- Pending issues: identify any issues/complaints of DPs have not been resolved and recommend solutions for them.

C. Report

163. The HPPMB shall submit quarterly internal monitoring reports to EVNHCMC and ADB unless either request more frequent reports. One post-subproject assessment survey will be undertaken by the EVNHCMC with support of LIC consultants within 6 to 12 months after completion of compensation and resettlement activities and findings report will be submitted to EVNHCMC and ADB.

ANNEXES

Annex 1: IOL consultation

Annex 2: Consultation minutes

Annex 3: Involuntary Resettlement Safeguards (No.2)

Annex 4: Compensation Cost

CỘNG HÒA XÃ HỘI CHỦ NGHĨA VIỆT NAM

Độc lập - Tự do - Hạnh phúc

**BIÊN BẢN THAM VẤN CỘNG ĐỒNG VỀ ĐÁNH GIÁ MÔI TRƯỜNG,
KẾ HOẠCH QUẢN LÝ MÔI TRƯỜNG**

1. Thành phần tham dự:

1. Ông (Bà). *Nguyễn Minh Hiền*.....Chức vụ.....*C.T. UBND Vĩnh Lộc B*
2. Ông (Bà). *Lại Thị Bích Trâm*.....Chức vụ.....*L.C.T. UBND*.....
3. Ông (Bà). *Nguyễn Văn Hùng*.....Chức vụ.....*C.T. UBND*.....
4. Ông (Bà). *Nguyễn Đức Hoàng*.....Chức vụ.....*Đoàn V. Thủ. xã. Đ. C.C 4*
5. Ông (Bà). *Nguyễn Văn Thanh*.....Chức vụ.....*Đoàn V. Thủ. xã. Đ. C.C 4*
6. Ông (Bà).....Chức vụ.....
7. Ông (Bà).....Chức vụ.....

2. Nội dung tham vấn:

- *Tư vấn thiết kế giới thiệu dự án:* Vị trí dự án, quy mô công suất, tổng chiều dài tuyến đường dây, chiều dài đường dây đi qua địa bàn xã.
- *Tư vấn môi trường trình bày về:* Chính sách ADB; các quy định về môi trường trong ngành điện của Chính phủ Việt Nam. Các tác động môi trường của dự án và các biện pháp giảm thiểu tương ứng. Cơ chế khiếu nại khi có các vấn đề về môi trường xảy ra.
- *Tư vấn xã hội/tái định cư trình bày về:* Kế hoạch tái định cư của ADB; Những tác động chính khi thu hồi đất và tài sản trên đất; Những chính sách của Chính phủ Việt Nam và địa phương, chính sách của dự án trong vấn đề bồi thường thiệt hại khi nhà nước thu hồi đất; Các tác động thu hồi đất/ tái định dự kiến trên địa bàn.

3. Ý kiến thảo luận:

3.1. Các vấn đề môi trường tiêu cực và biện pháp giảm thiểu:

- Trong quá trình thi công đề nghị đơn vị thi công cần phải có biện pháp rào chắn xung quanh khu vực thi công nhằm tránh xảy ra các tai nạn đáng tiếc.

- Đề nghị đơn vị thi công cần có các biện pháp giảm thiểu ảnh hưởng đến môi trường: bụi, khí thải và nhất là tiếng ồn nhằm tránh ảnh hưởng đến người dân xung quanh.

- Đối với các công trình ngầm cần phải có biện pháp phòng ngừa ứng phó sự cố (rũp hầm, bể ống nứt, chạm cáp điện...)

3.2. Các vấn đề thu hồi đất và tài sản trên đất:

- Hạn chế ảnh hưởng đến cây cối, hoa màu trong quá trình thi công của người dân.

- Phải hợp chặt chẽ với địa phương làm tốt công tác bồi thường tránh xảy ra hiện tượng khiếu nại không công bằng trong quá trình thực hiện.

- Đề nghị chủ đầu tư thực hiện theo quy định của thành phố và chính phủ tiếp nhận. Tuy nhiên, chủ đầu tư cần phải có phương án hỗ trợ đền bù cho các hộ bị ảnh hưởng.

4. Kết luận:

Địa phương thống nhất chủ trương dự án đi qua trên địa bàn

Đại diện hộ bị ảnh hưởng

Đại diện đơn vị tư vấn

Đại diện UBND xã


TM.UBND XÃ VINH LỘC B

CHỦ TỊCH

Bé
Trần Văn Bé


Nguyễn Đức Hoàng




Nguyễn Minh Kiên

CỘNG HÒA XÃ HỘI CHỦ NGHĨA VIỆT NAM

Độc lập - Tự do - Hạnh phúc

BIÊN BẢN THAM VẤN CỘNG ĐỒNG VỀ ĐÁNH GIÁ MÔI TRƯỜNG, KẾ HOẠCH QUẢN LÝ MÔI TRƯỜNG

1. Thành phần tham dự:

1. Ông (Bà) Trần Thế Sinh..... Chức vụ LCI, UBND Tỉnh Lộc A
2. Ông (Bà) Nguyễn Hữu Thanh..... Chức vụ CT. UBND T.Đ.
3. Ông (Bà) Nguyễn Đức Hoàng..... Chức vụ Đến từ tư vấn PECCA
4. Ông (Bà) Nguyễn Văn Thanh..... Chức vụ Đến từ tư vấn PECCA
5. Ông (Bà)..... Chức vụ.....
6. Ông (Bà)..... Chức vụ.....
7. Ông (Bà)..... Chức vụ.....

2. Nội dung tham vấn:

- **Tư vấn thiết kế giới thiệu dự án:** Vị trí dự án, quy mô công suất, tổng chiều dài tuyến đường dây, chiều dài đường dây đi qua địa bàn xã.
- **Tư vấn môi trường trình bày về:** Chính sách ADB; các quy định về môi trường trong ngành điện của Chính phủ Việt Nam. Các tác động môi trường của dự án và các biện pháp giảm thiểu tương ứng. Cơ chế khiếu nại khi có các vấn đề về môi trường xảy ra.
- **Tư vấn xã hội/tái định cư trình bày về:** Kế hoạch tái định cư của ADB; Những tác động chính khi thu hồi đất và tài sản trên đất; Những chính sách của Chính phủ Việt Nam và địa phương, chính sách của dự án trong vấn đề bồi thường thiệt hại khi nhà nước thu hồi đất; Các tác động thu hồi đất/ tái định dự kiến trên địa bàn.

3. Ý kiến thảo luận:

3.1. Các vấn đề môi trường tiêu cực và biện pháp giảm thiểu:

- Cần có các phương án bố trí các nhà vệ sinh liên động phù hợp để phục vụ nhu cầu sinh hoạt của công nhân nhằm tránh ảnh hưởng đến môi trường với người dân xung quanh.

- Trong quá trình thi công đề nghị chủ dự án có biện pháp nhân công thiêu xói mòn đất do quá trình đào đắp, san nền, xây dựng móng cốt.

- Kiến nghị chủ dự án phối hợp chặt chẽ với địa phương làm tốt công tác quản lý công nhân ngăn chặn các tệ nạn xã hội ra bên địa bàn.

3.2. Các vấn đề thu hồi đất và tài sản trên đất:

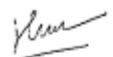
- Đề nghị chủ đầu tư bồi thường thiệt hại trước khi thực hiện việc thu hồi đất giải phóng mặt bằng xây dựng công trình.

- Việc tiến đến ảnh hưởng của dự án cần có sự tham gia của địa phương, chủ đầu tư và người dân nhằm đảm bảo công bằng.

4. Kết luận:

Hiện toàn ứng hộ chủ dự án đi qua địa bàn.

Đại diện hộ bị ảnh hưởng


Nguyễn Gia Hào

Đại diện đơn vị tư vấn


Nguyễn Đức Hoang

Đại diện UBND xã

 CHỦ TỊCH

Trần Thế Vinh

CỘNG HÒA XÃ HỘI CHỦ NGHĨA VIỆT NAM
Độc lập – Tự do – Hạnh Phúc

**BIÊN BẢN THAM VẤN CỘNG ĐỒNG VỀ ĐÁNH GIÁ MÔI TRƯỜNG,
KẾ HOẠCH TÁI ĐỊNH CƯ**

1. Thành phần tham dự:

1. Ông (Bà) Nguyễn Thị Dung..... Chức vụ CT. UBND Xã Phạm Văn Hai
2. Ông (Bà) Nguyễn Văn Huy..... Chức vụ Chủ tịch địa chính
3. Ông (Bà) Nguyễn Đức Hoàng..... Chức vụ Đ. An. V. L. Văn. P. CC. 4
4. Ông (Bà) Nguyễn Văn Thanh..... Chức vụ Đ. An. V. L. Văn. P. CC. 4
5. Ông (Bà)..... Chức vụ.....
6. Ông (Bà)..... Chức vụ.....
7. Ông (Bà)..... Chức vụ.....



2. Nội dung tham vấn:

- **Tư vấn thiết kế giới thiệu dự án:** Vị trí dự án, quy mô công suất, tổng chiều dài tuyến đường dây, chiều dài đường dây đi qua địa bàn xã.

- **Tư vấn môi trường trình bày về:** Chính sách ADB; Các quy định về môi trường trong ngành điện của chính phủ Việt Nam. Các tác động môi trường của dự án và các biện pháp giảm thiểu tương ứng. Cơ chế khiếu nại khi có các vấn đề về môi trường xảy ra.

- **Tư vấn xã hội/tái định cư trình bày về:** Kế hoạch tái định cư của ADB; Những tác động khi thu hồi đất và tài sản trên đất; Những chính sách của chính Phủ Việt Nam và địa phương, chính sách của dự án trong vấn bồi thường thiệt khi nhà nước thu hồi đất và tài sản trên đất; Các tác động thu hồi đất/tái định cư dự kiến trên địa bàn.

3. Ý kiến thảo luận:

3.1. Các vấn đề môi trường tiêu cực và biện pháp giảm thiểu:

Dự án đi qua khu vực đất nông nghiệp là chủ yếu. Khu vực này xưa đây có vấn đề ô nhiễm môi trường không ảnh hưởng lớn.

- Đảm bảo quá trình thực hiện phải phối hợp chặt chẽ với địa phương để tránh các tương hợp đang tiến xây dựng.

- Tích cực tuyên truyền trả lại lợi ích trong khu vực ngay sau khi kết thúc xây dựng.

3.2. Các vấn đề thu hồi đất và tài sản trên đất:

Để người thực hiện theo đúng quy định của pháp luật hiện hành.



4. Kết luận:

Dự án được thực hiện nhất định có lợi ích.

Đại diện hộ bị ảnh hưởng

duy
trần văn dũng

Đại diện đơn vị tư vấn

Hu
Nguyễn Đức Hùng

Đại diện UBND xã

CHỦ TỊCH
Đinh
Nguyễn Chí Dũng

10/10/2020

CỘNG HÒA XÃ HỘI CHỦ NGHĨA VIỆT NAM

Độc lập - Tự do - Hạnh phúc

BIÊN BẢN THAM VẤN CỘNG ĐỒNG VỀ ĐÁNH GIÁ MÔI TRƯỜNG, KẾ HOẠCH QUẢN LÝ MÔI TRƯỜNG

1. Thành phần tham dự:

1. Ông (Bà) Nguyễn Thị Hồng Nhi.....Chức vụ...LCT...UBND Xuân Thới Thượng
2. Ông (Bà) Phạm Thị Hòa.....Chức vụ...LCT...UBND T.G.....
3. Ông (Bà) Phạm Lương Hiếu.....Chức vụ...Cán bộ xã Phong
4. Ông (Bà) Nguyễn Hữu Hoàng.....Chức vụ...Đoàn vị tự vấn P.E.C 4
5. Ông (Bà) Nguyễn Văn Thành.....Chức vụ...Đoàn vị tự vấn P.E.C 4
6. Ông (Bà).....Chức vụ.....
7. Ông (Bà).....Chức vụ.....

2. Nội dung tham vấn:

- **Tư vấn thiết kế giới thiệu dự án:** Vị trí dự án, quy mô công suất, tổng chiều dài tuyến đường dây, chiều dài đường dây đi qua địa bàn xã.
- **Tư vấn môi trường trình bày về:** Chính sách ADB; các quy định về môi trường trong ngành điện của Chính phủ Việt Nam. Các tác động môi trường của dự án và các biện pháp giảm thiểu tương ứng. Cơ chế khiếu nại khi có các vấn đề về môi trường xảy ra.
- **Tư vấn xã hội/tái định cư trình bày về:** Kế hoạch tái định cư của ADB; Những tác động chính khi thu hồi đất và tài sản trên đất; Những chính sách của Chính phủ Việt Nam và địa phương, chính sách của dự án trong vấn đề bồi thường thiệt hại khi nhà nước thu hồi đất; Các tác động thu hồi đất/ tái định cư kiến trên địa bàn.

3. Ý kiến thảo luận:

3.1. Các vấn đề môi trường tiêu cực và biện pháp giảm thiểu:

- Dự án sẽ đi qua một số tuyến đường giao thông của địa phương với phương tiện qua lại lớn nên khi thi công các tuyến đường này phải được đảm bảo giao thông tránh ùn tắc giao thông và tai nạn xảy ra.

- Đối với các chốt tạm thời: các chốt xây dựng, các chốt sinh hoạt của công nhân phải được thu gom và vận chuyển đến các bãi rác của địa phương.

- Công tác phòng chống ảnh hưởng của điện từ trường phải được quan tâm tránh ảnh hưởng đến sức khỏe của người dân sống gần dự án.

3.2. Các vấn đề thu hồi đất và tài sản trên đất:


- Bồi thường ảnh hưởng của dự án đến đất đai, cây cối, hoa màu được thực hiện công khai, công bằng và trước thời điểm thu hồi đất, áp dụng mặt bằng xây dựng công chính.

- Đề nghị thực hiện đúng và đầy đủ các quy định của pháp luật.

4. Kết luận:

- Địa phương thống nhất chủ trương dự án.

Đại diện hộ bị ảnh hưởng


Đào Văn Hoàng

Đại diện đơn vị tư vấn


Nguyễn Đức Hoàng

Đại diện UBND xã


KT. CHỦ TỊCH
PHÓ CHỦ TỊCH
Nguyễn Thị Hồng Nhai

d

CỘNG HÒA XÃ HỘI CHỦ NGHĨA VIỆT NAM

Độc lập - Tự do - Hạnh phúc

**BIÊN BẢN THAM VẤN CỘNG ĐỒNG VỀ ĐÁNH GIÁ MÔI TRƯỜNG,
KẾ HOẠCH QUẢN LÝ MÔI TRƯỜNG**

1. Thành phần tham dự:

1. Ông (Bà) *Nguyễn Thành Lợi*.....Chức vụ *P.C.T. UBND Tân Thới Nhì*
2. Ông (Bà) *Nguyễn Thị Ngọc*.....Chức vụ *CT. HAM.T.I.A....*
3. Ông (Bà) *Nguyễn Hữu Hoàng*.....Chức vụ *ĐB.N.Vị.Tư.Vấn.Pecc4*
4. Ông (Bà) *Nguyễn Văn Thanh*.....Chức vụ *ĐB.N.Vị.Tư.Vấn.Pecc4*
5. Ông (Bà).....Chức vụ.....
6. Ông (Bà).....Chức vụ.....
7. Ông (Bà).....Chức vụ.....

2. Nội dung tham vấn:

- *Tư vấn thiết kế giới thiệu dự án:* Vị trí dự án, quy mô công suất, tổng chiều dài tuyến đường dây, chiều dài đường dây đi qua địa bàn xã.
- *Tư vấn môi trường trình bày về:* Chính sách ADB; các quy định về môi trường trong ngành điện của Chính phủ Việt Nam. Các tác động môi trường của dự án và các biện pháp giảm thiểu tương ứng. Cơ chế khiếu nại khi có các vấn đề về môi trường xảy ra.
- *Tư vấn xã hội/tái định cư trình bày về:* Kế hoạch tái định cư của ADB; Những tác động chính khi thu hồi đất và tài sản trên đất; Những chính sách của Chính phủ Việt Nam và địa phương, chính sách của dự án trong vấn đề bồi thường thiệt hại khi nhà nước thu hồi đất; Các tác động thu hồi đất/ tái định cư kiến trên địa bàn.

3. Ý kiến thảo luận:

3.1. Các vấn đề môi trường tiêu cực và biện pháp giảm thiểu:

- Việc vận chuyển nguyên vật liệu xây dựng, thi công bị phục vụ thi công làm tăng mức độ ô nhiễm không khí, bụi, tiếng ồn, rung rứt mặt đường. Đề nghị đến vì thi công cần có các biện pháp phù hợp tránh xảy ra các vấn đề trên.

- Chủ đầu tư và đơn vị thi công phải có trách nhiệm xử lý hoặc đền bù bằng tiền đối với các tuyến đường do nhân dân đóng góp, hoàn trả lại cho người đóng góp ban đầu của thi công.

- Trong xây dựng, hiện nay chủ đầu tư sử dụng nhân lực địa phương để làm những việc không đòi hỏi kỹ thuật cao để tạo công việc cho người dân địa phương và tránh di chuyển công nhân từ nơi khác đến môi trường tự nhiên.

3.2. Các vấn đề thu hồi đất và tài sản trên đất:

- Thi công đất đai, nhanh chóng từng hạng mục của dự án để giảm thiểu gian lận chiếm dụng đất.

- Các thiết bị tưới bón thường, hệ thống tưới nước theo các quy định hiện hành của nhà nước và của UBND Thành phố Hồ Chí Minh.

- Chủ dự án đảm bảo ngân sách thuê liên công tác bồi thường, hỗ trợ và giải phóng mặt bằng cho dự án.

4. Kết luận:

- Thờng nhận chủ trương của dự án.
- Đề nghị chủ đầu tư thực hiện đúng các ý kiến trên.

Đại diện hộ bị ảnh hưởng

Điep
Nguyễn Văn Điep

Đại diện đơn vị tư vấn

Nguyễn Đức Hoang
Nguyễn Đức Hoang

Đại diện UBND xã

Nguyễn Thành Lợi
HỒ CHỮ TÍCH
UBND xã

CỘNG HÒA XÃ HỘI CHỦ NGHĨA VIỆT NAM

Độc lập - Tự do - Hạnh phúc

BIÊN BẢN THAM VẤN CỘNG ĐỒNG VỀ ĐÁNH GIÁ MÔI TRƯỜNG, KẾ HOẠCH QUẢN LÝ MÔI TRƯỜNG

1. Thành phần tham dự:

1. Ông (Bà)...*Tô Văn Phúc*.....Chức vụ...*PCT UBND Xuân Thới Sơn*
2. Ông (Bà)...*Nguyễn Văn Hoàng*.....Chức vụ...*Cán bộ địa chính*
3. Ông (Bà)...*Nguyễn Đức Hoàng*.....Chức vụ...*Đen vị tư vấn PCCC*
4. Ông (Bà)...*Nguyễn Văn Thanh*.....Chức vụ...*Đen vị tư vấn PCCC*
5. Ông (Bà).....Chức vụ.....
6. Ông (Bà).....Chức vụ.....
7. Ông (Bà).....Chức vụ.....

2. Nội dung tham vấn:

- **Tư vấn thiết kế giới thiệu dự án:** Vị trí dự án, quy mô công suất, tổng chiều dài tuyến đường dây, chiều dài đường dây đi qua địa bàn xã.
- **Tư vấn môi trường trình bày về:** Chính sách ADB; các quy định về môi trường trong ngành điện của Chính phủ Việt Nam. Các tác động môi trường của dự án và các biện pháp giảm thiểu tương ứng. Cơ chế khiếu nại khi có các vấn đề về môi trường xảy ra.
- **Tư vấn xã hội/tái định cư trình bày về:** Kế hoạch tái định cư của ADB; Những tác động chính khi thu hồi đất và tài sản trên đất; Những chính sách của Chính phủ Việt Nam và địa phương, chính sách của dự án trong vấn đề bồi thường thiệt hại khi nhà nước thu hồi đất; Các tác động thu hồi đất/ tái định cư trên địa bàn.

3. Ý kiến thảo luận:

3.1. Các vấn đề môi trường tiêu cực và biện pháp giảm thiểu:

- Dự án đi qua chủ yếu là khu vực đất nông nghiệp, xa khu vực dân cư vì vậy không ảnh hưởng đến môi trường.

- Để nghị UBND xã đã ủy quyền các biện pháp giảm thiểu tác động môi trường được các cấp có thẩm quyền phê duyệt.

- Kiến nghị chủ đầu tư sử dụng nhân công của địa phương đối với các công việc.

3.2. Các vấn đề thu hồi đất và tài sản trên đất:

- Chi trả bồi thường phải được thực hiện trước thời điểm thu hồi đất, giải phóng mặt bằng xây dựng công trình.

- Chủ đầu tư cam kết thực hiện các thủ tục thu hồi đất, chuyển đổi mục đích sử dụng theo quy định hiện hành.

- Phối hợp chặt chẽ với ban bồi thường, giải phóng mặt bằng khi có khiếu kiện, khiếu nại của người dân.

4. Kết luận:

- Thống nhất chủ trương của dự án.

Đại diện hộ bị ảnh hưởng

Nguyễn Xuân Hải

Đại diện đơn vị tư vấn

Nguyễn Đức Hùng

Đại diện UBND xã



Tô Văn Phúc

CỘNG HÒA XÃ HỘI CHỦ NGHĨA VIỆT NAM

Độc lập - Tự do - Hạnh phúc

BIÊN BẢN THAM VẤN CỘNG ĐỒNG VỀ ĐÁNH GIÁ MÔI TRƯỜNG, KẾ HOẠCH QUẢN LÝ MÔI TRƯỜNG

1. Thành phần tham dự:

1. Ông (Bà)...Trần Minh Tuấn.....Chức vụ...CT UBND Tân Thập
2. Ông (Bà)...Đỗ Văn Thảo.....Chức vụ...Cb. Giao thông - Thủy lợi
3. Ông (Bà)...Nguyễn Đức Hoàng.....Chức vụ...TU VẤN P.C.C.H.
4. Ông (Bà)...Nguyễn Văn Thanh.....Chức vụ...TU VẤN P.C.C.H.
5. Ông (Bà).....Chức vụ.....
6. Ông (Bà).....Chức vụ.....
7. Ông (Bà).....Chức vụ.....

2. Nội dung tham vấn:

- **Tư vấn thiết kế giới thiệu dự án:** Vị trí dự án, quy mô công suất, tổng chiều dài tuyến đường dây, chiều dài đường dây đi qua địa bàn xã.
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3. Ý kiến thảo luận:

3.1. Các vấn đề môi trường tiêu cực và biện pháp giảm thiểu:

- Trong quá trình thi công, vận hành phải bảo đảm tuyệt đối an toàn cho người dân sống lân cận.
- Chủ đầu tư cần phải giám sát chặt chẽ các loại chất thải đảm bảo không ảnh hưởng đến đời sống người dân lân cận.
- Trong quá trình vận hành thường xuyên bảo trì, bảo dưỡng sửa chữa kịp thời không để các sự cố như: cháy, nổ xảy ra.
- Thường xuyên giám sát quá trình thi công để đảm bảo chất thải không phát thải bừa bãi.

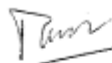
3.2. Các vấn đề thu hồi đất và tài sản trên đất:

- Người dân đã thi công theo quy định, hiện nay chủ đầu tư nên có các khoản hỗ trợ khác khi phải chuyển đổi mục đích sử dụng đất.
- Đề nghị cơ quan bồi thường và có chính sách tạo điều kiện tốt nhất để bà con yên tâm sản xuất và ổn định cuộc sống.
- Chủ đầu tư phải phối hợp với ban cấp phép một huyện huyện và thành phố để cấp trả cho đúng thời điểm làm cơ sở bồi thường cho người dân.


4. Kết luận:

- Dự phòng hoàn toàn ủng hộ dự án đi qua trên địa bàn.

Đại diện hộ bị ảnh hưởng


Nguyễn Văn Tuấn

Đại diện đơn vị tư vấn


Nguyễn Đức Hoàng

Đại diện UBND xã



KT. CHỦ TỊCH
CHỦ TỊCH

Phan Thanh Hiền

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CỘNG HÒA XÃ HỘI CHỦ NGHĨA VIỆT NAM

Độc lập – Tự do – Hạnh Phúc

**BIÊN BẢN THAM VẤN CỘNG ĐỒNG VỀ ĐÁNH GIÁ MÔI TRƯỜNG,
KẾ HOẠCH TÁI ĐỊNH CƯ**

1. Thành phần tham dự:

1. Ông (Bà) Đặng Văn Hùng..... Chức vụ PCT UBND Tôn Thọ Trung
2. Ông (Bà) Đặng Thành Bảo..... Chức vụ CT UBND TTG
3. Ông (Bà) Nguyễn Đức Mạnh..... Chức vụ Đoàn Sĩ Tú Văn PCCC
4. Ông (Bà) Nguyễn Văn Thanh..... Chức vụ Đoàn Sĩ Tú Văn PCCC
5. Ông (Bà)..... Chức vụ.....
6. Ông (Bà)..... Chức vụ.....
7. Ông (Bà)..... Chức vụ.....

2. Nội dung tham vấn:

- **Tư vấn thiết kế giới thiệu dự án:** Vị trí dự án, quy mô công suất, tổng chiều dài tuyến đường dây, chiều dài đường dây đi qua địa bàn xã.

- **Tư vấn môi trường trình bày về:** Chính sách ADB; Các quy định về môi trường trong ngành điện của chính phủ Việt Nam. Các tác động môi trường của dự án và các biện pháp giảm thiểu tương ứng. Cơ chế khiếu nại khi có các vấn đề về môi trường xảy ra.

- **Tư vấn xã hội/tái định cư trình bày về:** Kế hoạch tái định cư của ADB; Những tác động khi thu hồi đất và tài sản trên đất; Những chính sách của chính Phủ Việt Nam và địa phương, chính sách của dự án trong vấn đề bồi thường thiệt hại khi nhà nước thu hồi đất và tài sản trên đất; Các tác động thu hồi đất/tái định cư dự kiến trên địa bàn.

3. Ý kiến thảo luận:

Đại diện hộ bị ảnh hưởng

Hiên
Nguyễn Văn Hiên

Đại diện đơn vị tư vấn

Hiên
Nguyễn Đức Hiên

Đại diện UBND xã

KT CHỦ TỊCH
PHÓ CHỦ TỊCH

Đặng Văn Hùng
Đặng Văn Hùng

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CỘNG HÒA XÃ HỘI CHỦ NGHĨA VIỆT NAM

Độc lập – Tự do – Hạnh Phúc

BIÊN BẢN THAM VẤN CỘNG ĐỒNG VỀ ĐÁNH GIÁ MÔI TRƯỜNG,
KẾ HOẠCH TÁI ĐỊNH CƯ

1. Thành phần tham dự:

1. Ông (Bà) Lê Văn Tế hình..... Chức vụ PEI UBND Bình Hòa Hòa B
2. Ông (Bà) Chung Mỹ Xuân..... Chức vụ CT UBND TG
3. Ông (Bà) Nguyễn Thị Mỹ Liên..... Chức vụ Cán bộ văn phòng
4. Ông (Bà) Nguyễn Đức Hoàng..... Chức vụ Đen vị tư vấn PECSH
5. Ông (Bà) Nguyễn Văn Thanh..... Chức vụ Đen vị tư vấn PECSH
6. Ông (Bà)..... Chức vụ.....
7. Ông (Bà)..... Chức vụ.....

2. Nội dung tham vấn:

- **Tư vấn thiết kế giới thiệu dự án:** Vị trí dự án, quy mô công suất, tổng chiều dài tuyến đường dây, chiều dài đường dây đi qua địa bàn xã.

- **Tư vấn môi trường trình bày về:** Chính sách ADB; Các quy định về môi trường trong ngành điện của chính phủ Việt Nam. Các tác động môi trường của dự án và các biện pháp giảm thiểu tương ứng. Cơ chế khiếu nại khi có các vấn đề về môi trường xảy ra.

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3. Ý kiến thảo luận:

3.1. Các vấn đề môi trường tiêu cực và biện pháp giảm thiểu:

- Đề nghị thực hiện theo đúng và đầy đủ các nội dung, các các luật, nghị định, báo về môi trường.
- Bổ các biện pháp giảm thiểu từ các giao thông trên các tuyến đường hiện hữu và tuyến đường đang thi công.
- Đối với các trạm bơm qua các công trình ngầm ở nông thôn... đề nghị chủ đầu tư và đơn vị thi công cần có biện pháp gia cố, xử lý nhằm đảm bảo an toàn tuyệt đối, tránh xảy ra các sự cố đáng tiếc xảy ra.

3.2. Các vấn đề thu hồi đất và tài sản trên đất:

Tuyến đường đang đi qua không phải của các hộ dân nên không có vấn đề gì đối với việc thu hồi đất và tài sản trên đất.

4. Kết luận:

Thông nhất phương án tuyến đi qua với địa phương.



Đại diện hộ bị ảnh hưởng Đại diện đơn vị tư vấn Đại diện UBND xã


Trần Văn Mau


Nguyễn Đức Hùng




Bô Văn Chienh



Annex4: Involuntary Resettlement Safeguards (No.2)

Objectives: To avoid involuntary resettlement wherever possible, to minimize involuntary resettlement by exploring project and design alternatives; to enhance, or at least restore, the livelihoods of all displaced persons in real terms relative to pre-project levels; and to improve the standards of living of the displaced poor and other vulnerable groups.

Scope and Triggers: The involuntary resettlement safeguards covers physical displacement (relocation, loss of residential land, or loss of shelter) and economic displacement (loss of land, assets, access to assets, income sources, or means of livelihoods) as a result of (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designed parks and protected areas. It covers them whether such losses and involuntary restrictions are full or partial, permanent or temporary.

Policy Principles:

1. Screen the project early on to identify past, present, and future involuntary resettlement impacts and risks. Determine the scope of resettlement planning through a survey and/or census of displaced persons, including a gender analysis, specifically related to resettlement impacts and risks.
2. Carry out meaningful consultations with affected persons, host communities and concerned non-government organizations. Inform all displaced persons of their entitlements and resettlement options. Ensure their participation in planning, implementation, and monitoring and evaluation of resettlement programs. Pay particular attention to the needs of vulnerable groups, especially those below the poverty line, the landless, the elderly, women and children, and Indigenous Peoples, and those without legal title to land, and ensure their participation in consultations. Establish a grievance redress mechanism to receive and facilitate resolution of the affected persons' concerns. Support the social and cultural institutions of displaced persons and their host population. Where involuntary resettlement impacts and risks are highly complex and sensitive, compensation and resettlement decisions should be preceded by a social preparation phase.
3. Improve or at least restore, the livelihoods of all displaced persons through (i) land-based resettlement strategies when affected livelihoods are land-based where possible or cash compensation at replacement value of land when the loss of land does not undermine livelihoods, (ii) prompt replacement of assets with access to assets of equal or higher value, (iii) prompt compensation at full replacement cost for assets that cannot be restored, and (iv) additional revenues and services through benefit sharing schemes where possible.
4. Provide physically and economically displaced persons with needed assistance, including the following: (i) if there is relocation, secured tenure to relocation land, better housing at resettlement sites with comparable access to employment and production opportunities, integration of resettled persons economically and socially into their host communities, and extension of project benefits to host communities; (ii) transitional support and development assistance, such as land development, credit facilities, training, or employment opportunities; and (iii) civic infrastructure and community services, as required.
5. Improve the standards of living of the displaced poor and other vulnerable groups, including women, to at least national minimum standards. In rural areas provide them with legal and affordable access to land and resources, and in urban areas provide them with appropriate income sources and legal and affordable access to adequate housing.
6. Develop procedures in a transparent, consistent, and equitable manner if land acquisition is through negotiated settlement to ensure that those people who enter into negotiated settlements will maintain the same or better income and livelihood status.
7. Ensure that displaced persons without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land assets.

8. Prepare a resettlement plan elaborating on displaced persons' entitlements, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget and time-bound implementation schedule.
- 9: Disclose a draft resettlement plan, including documentation of the consultation process in a timely manner, before project appraisal, in an accessible place and a form and language(s) understandable to affected persons and other stakeholders. Disclose the final resettlement plan and its updates to affected persons and other stakeholders.
10. Conceive and execute involuntary resettlement as part of a development project or program. Include the full cost of resettlement in the presentation of project's cost and benefits. For a project with insignificant involuntary resettlement impacts, consider implementing the involuntary resettlement component of the project as a stand-alone operation.
11. Pay compensation and provide other resettlement entitlements before physical or economic displacement. Implement the resettlement plan under close supervision throughout project implementation.
12. Monitor and assess resettlement outcomes, their impacts on the standards of living of displaced persons, and whether the objectives of the resettlement plan have been achieved by taking into account the baseline conditions and the results of resettlement monitoring. Disclose monitoring reports.