

# Resettlement Plan

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Project Number: 46391-001  
March 2017

## VIE: Ha Noi and Ho Chi Minh City Power Grid Development Sector Project

# Resettlement plan

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March 2017

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

### **EVN HCMC: 220 kV Cat Lai-Tan Cang Transmission Line Subproject**

## CURRENCY EQUIVALENTS

(as of 3<sup>rd</sup> March 2017)

USD \$ 1 = VND \$ 22,865

### ABBREVIATION

ADB	:	Asian Development Bank
AH	:	Affected household
AP	:	Affected person
WPC	:	Ward People's Committee
DCARC	:	District Compensation, Assistance and Resettlement Committee
DMS	:	Detailed Measurement Survey
DPC	:	District People's Committee
DP	:	Displaced person
EA	:	Executing Agency
EMA	:	External Monitoring Agency
EVNHCMC	:	Ho Chi Minh City Power Corporation
GOV	:	Government of Vietnam
HCMC	:	Ho Chi Minh City
HH	:	Household
MOLISA	:	Ministry of Labor – Invalids and Social Affairs
PMB	:	Ho Chi Minh City Power Projects Management Board
IA	:	Implementing agency (IA)
IOL	:	Inventory of losses
LURC	:	Land Utilization Right Certificate
OTL	:	Overhead Transmission line
PECC2	:	Power Engineering Consulting Joint Stock Company 2
PC	:	People's Committee
PIC	:	Project implement consultant
PO	:	Project Owner
RCS	:	Replacement Cost Survey
RP	:	Resettlement Plan
RF	:	Resettlement framework
RoW	:	Right of Way
SES	:	Socio-Economic survey
SPS	:	Safeguard Policy Statement
SS	:	Substation
TA	:	Technical Assistance
TL	:	Transmission Line
UGC	:	Underground cable
VND	:	Vietnamese Dong

### NOTES

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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 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.

## I. EXECUTIVE SUMMARY

### A. Introduction

1. This Resettlement Plan (RP) is prepared for the “220 kV Cat Lai – Tan Cang transmission line” subproject (or the Subproject) under the Ha Noi – Ho Chi Minh City Power Grid Development Sector Project financed by the Asian Development Bank (ADB). The construction of the Subproject aims to (i) meet the increasing power demand in Ho Chi Minh City, especially in the areas expected to become luxurious urban complexes (zones of Tan Cang and Ba Son); (ii) reduce power losses and improve quality, safety and reliability in power supply for central HCMC as well as regional power grid.

2. The Subproject will construct (i) a 220kV transmission line; its starting point will be from the current 220kV Cat Lai substation to 220kV Tan Cang substation with total length of 12.25km (including 6.48 km of OTL and 5.77 km of UGC); (ii) a 110kV cable trench of double circuit for a 110kV Cat Lai – An Khanh transmission line to connect 220kV cable trench from position G3A to G7A with total length of 2.26km; (iii) a 110kV cable trench of double circuit for 110kV connection project of 220kV Tan Cang substation and 220kV Thu Thiem substation (in period of 2020-2025) and 220kV Tan Cang substation to JP1.6 cable ditch with total length of 3.13km; (iv) rehabilitate the D11 and D12 bays at the current 220kV Cat Lai substation to connect to 220kV Tan Cang substation and (v) completely install a 220kV underground cable for 220kV Cat Lai – Thu Duc transmission line with total length of 454m.

3. The RP is prepared based on the results of the Inventory of Losses (IOL) for affected assets of the affected households (AHs) of the Subproject. The results of public consultation, participation and information dissemination to affected people and stakeholders during RP preparation are also included. The RP may need to be updated during Subproject implementation following the completion of the detailed design and the detailed measurement survey (DMS) if there is a significant change in technical design leading to change in scope of impacts. The Subprojects’ civil works will only be commenced once the final RP is endorsed and approved by the Asian Development Bank (ADB).

4. Ho Chi Minh City Power Corporation (EVNHCMC) is Executive Agency (EA) while Ho Chi Minh City Projects Management Board – PMB is Implementation Agency (IA).

### B. Scope for Land Acquisition and Resettlement Impacts

5. The subproject will involve land acquisition and land use restriction in Phu Huu ward of District 9 and Binh Trung Dong, Cat Lai, Thanh My Loi, Binh Trung Tay and An Phu wards of District 2, HCMC. A total of 21 households and one institution are affected by permanent land acquisition for the pole/tower foundations and/or restrictions in the continued use of land in the ROW of the 220 kV OTL. The Subproject will affect 110,286 m<sup>2</sup> of land, of which 2,206 m<sup>2</sup> is permanently acquired, while 108,080 m<sup>2</sup> is in the ROW and their continued use are restricted for safety reasons. However, most of affected land is public land under management of the State, while only a small portion of which is landholdings of affected households and institution. This affected landholding area is aggregate 6,891 m<sup>2</sup> including 428 m<sup>2</sup> of land permanently acquired and 6,463 m<sup>2</sup> of land restricted on utilization by the ROW. A total 21 houses belonging to 21 households are affected by the subproject, all of which are identified to be located under the ROW of the 220 kV OTL.

6. The underground cable route will affect land for construction of cable trench. However, the cable trench will be built in conjunction with existing street renovation projects and the 1,364m long of the UGC will be built along the central reservations of Dong Van Cong road, Mai Chi Tho avenue short section of Luong Dinh Cua street. Land acquisition will be temporary and will be restored to the original conditions immediately after construction for the traffic activities.

7. In addition, construction of the subproject will temporarily occupy some area of land for cable stretching yard and temporary storage yard. To reduce impacts of temporary land acquisition, the temporarily acquired land will be arranged within central reservation of



existing roads. After the subproject construction is completed, the site will be restored to the original conditions.

8. All of 21 AHs have their house affected by the subproject and 21 houses are identified to be located within the ROW of the 220 kV OTL. Thus, each AH has one affected house. As recorded in the IOL, all of these 21 houses are made of brick wall and sheet-metal roofs, which are locally classified as Grade IV. All of the affected houses are located in Cat Lai ward. The affected houses have total floor area of 2,223 m<sup>2</sup> but only 987 m<sup>2</sup> of floor area is affected by its location within the ROW of the 220 kV OTL. These affected houses will not have to relocate, subject to certain conditions prescribed by law as per Decree No. 14/2014/ND-CP dated February 26, 2014.

9. The results of IOL conducted in June, 2016 show that the vegetation cover on the central reservations and traffic corridors where the transmission line travels along is mainly grass, bushes and decorative plant. These greeneries do not have height enough to be affected by regulation on vertical safety distance to the conductor cables. The trees in the garden of AHs are able to be affected by the subproject. An aggregate of 167 affected trees that shall be possibly trimmed to ensure safe distance to conductor cables is found on lands in the ROW of 220kV OTL. It includes 65 fruit trees, 68 nipa trees and 34 miscellaneous trees. According to Decree No. 14/2014/ND-CP.

### **C. Socioeconomic Information**

10. The Subproject locates in district 2, 9 and Binh Thanh. However, most of the route designed in central reservation land of the current street. Land will be acquired by the Subproject in district 2 for the overhead transmission line. Total 21 households affected by land acquisition were surveyed. The average household size is 3.2 persons per household while 6 households have size from 1 to 2 person and accounts for 28.57%; 12 households have size from 3 to 4 persons and accounts for 57.14% and 3 households have size from 5 to 6 persons and accounts for 14.29%. The proportion of male is 57.14% while the proportion of female is 42.86%. The population within 16 to 60 age group accounts for majority with 76.12%, while the below 16 age group is 7 persons (accounting for 10.45%). The 16 to 30 age group is 13 persons (accounting for 19.40%). The 31 to 45 age group is 21 persons (accounting for 31.34%). The proportion within 46 to 60 and above 60 age group is 17 and 9 persons (accounting for 25.37% and 13.43%), respectively.

11. Most of the heads of household have finished the secondary school level, accounting for 85.71% while 4.76% (1 person) did not attend school and finished the primary school and high school level. The majority of the affected households is engaged in business, accounting for 23.53%. 13.73% works in the factory, 19.61% is employee, about 9.8% is government officials, 5.88% is seasonal employee, 1.96% is retired and driver, 9.8% is housewife and 13.73% is engaged in other sectors.

12. There is one household whose income is poverty line (VND 21 million/person/year and one household whose income is near-poverty line (VND 21 – 28 million/person/year)<sup>1</sup>. It accounts for 4.76% of the affected households by the Subproject. While most of the households (90.48%) have the per capita income above VND 28 million/person. The primary sources of income of these affected households are from business and workers.

13. 100% of the affected households use tap-water and people have boiled for cooking and drinking purpose. 100% of the households use composting latrines and 100% of them use national grid.

14. There is no ethnic minority household as well as vulnerable household in the Subproject area.

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<sup>1</sup> Decision 58/2015/QĐ-UBND on 31/12/2015 of Ho Chi Minh City People's Committee issued on poverty and near-poverty standards of Ho Chi Minh City for the 2016-2020 period.

#### **D. Information Disclosure, Consultation and Participation**

15. Consultation agency held public meetings in September and October 2016. The participants include representatives of the affected households, local authorities such as Commune Peoples' Committees (CPCs); mass organizations; the residents who are not DPs. With regard to disclosure of the draft resettlement plan, key information provided to the affected households and organizations during the public consultation meeting. The following information contained in the Public Information Booklet (PIB) distributed include: (i) a brief background of the project, specifically the civil works to be undertaken and the adverse social impacts; (ii) IOL result (iii) basis used for asset valuations; (iv) the entitlements; (v) grievance redress mechanism. Representatives of mass organizations in the wards 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 138 local officials and residents of the affected communities (86 men and 52 women), including 17 affected people with 6 women.

16. 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, wards 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**

17. 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**

18. This Subproject is financed by ADB; therefore, the ADB's SPS 2009 and some other policies will be applied in accordance with the principle of policy harmonization with those of other donors as well as the recipient country with the aim to ensure mitigation of adverse impacts caused by land acquisition and to enhance the effectiveness of the Subproject implementation.

19. The Subproject resettlement policy and entitlements have been developed from the laws of the Government of the Socialist Republic of Vietnam (GOV), principally the Constitution (2013) that confirms the right of citizens to own and protect the ownership of a house; Land Law No.45.2013/QH13 dated November 29, 2013, providing Vietnam a comprehensive land administration law; Decree No.43/2014/ND-CP dated May 15 2014 guiding implementation of some articles of the Land Law 2013; Decree No.47/2014/ND-CP dated May 15<sup>th</sup> 2014 on compensation, rehabilitation and resettlement in the event of land recovery by the State; Decree No.44/2014/ND-CP dated May 15 2014 on land prices; and ADB's Safeguard Policy Statement (SPS June 2009) guided by Operations Manual on Involuntary Resettlement (OM Section F1/OP, on 1 October 2013). Provisions and principles adopted in this Subproject will supplement the provisions of relevant decrees currently in force in Vietnam where-ever a gap exists, consistent with Decree No.16/2016/ND-CP which provided that in case of *"there is a gap between regulation of National law and International*

*treaty signed on the same issue, regulation in the International treaty will be applied” (item 1, Article 51).*

#### **G. Entitlement, Assistance and Benefits**

20. The project entitlements adopted are based on ADB Safeguard Policy statement (2009) that have been harmonized with the existing GOV laws, PC of HCM City’s Decisions on Compensation, Resettlement and Assistance.

21. The cut of date of eligibility will be based on the official announcement of respective district authorities.

22. One of the main policy goals of the Subproject is to replace or compensate lost assets. All compensation is based on the principle of replacement cost. Compensation and provision of assistance will be provided. And the income restoration allowances will be put in place prior to displacement of affected households from their houses, land and other assets such that they will be at least as well off as they would have been in the absence of the Subproject, and the poor households and vulnerable APs are assisted to improve their socio-economic conditions.

#### **H. Relocation and Resettlements**

23. There is no impact on houses of HHs within the area of Subproject construction as well as along the underground cable. Therefore, the Subproject will not perform the relocation and resettlement.

#### **I. Income Restoration and Rehabilitation**

24. None of the AHs loses 10% or more than 10% of their total productive land and/or assets, thus, is not severely affected by the subproject; therefore, no AH is entitled to receive assistance for restoration of livelihoods and incomes.

25. A total four (04) AHs are considered as a vulnerable group. They include two single women-headed AHs; one AH that is both headed by disable person and poor; one AH that is beneficiary of government social policies. The affected vulnerable households will receive an allowance of VND 5,000,000/household to restore livelihood.

#### **J. Resettlement budget and financing plan**

26. **VND 21,429,919,840 (USD\$ 959,692)** is estimated for RP implementation. The EVNHCMC/PMB 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**

27. The EVNHCMC will be responsible in the management of RP and social issues which shall be updated and implemented by the PMB. HPMB will be responsible for implement RP. The PMB 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**

28. As envisaged, the uRP shall be implemented prior to the commencement of civil works contract. The EVNHCMC, through the PMB, will implement the updated RP upon receipt of official approval from ADB. Upon completion of RP implementation, the PMB 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. The implementation schedule is presented in the following table.

**Table 1. Implementation Schedule**

Activities	Time
<b>1. Preparation</b>	
1.1. Draft RP is submitted to ADB for review and comment	September 2016
1.2. Information disclosure at province level	October - November 2016
1.3. Updating RP based on comments of ADB and HCMC	December 2016 – February 2017
1.4. ADB's approval for the RP	March 2017
1.5. Disclosure of the RP to the host districts and wards	-March - April 2017
<b>2. Implementation</b>	
2.1. Information campaign	Start from the DMS.
2.2. Detailed measurement survey (DMS)	April 2017
2.3. Preparing the compensation plan for all DPs	May 2017
2.4. The review and approval of local authorities for the compensation plan	June 2017
2.5. Disclosure of the approved compensation plan for the DPs	July 2017
2.6. The compensation Payment cost for the DPs	July - August 2017
2.7. Handing over land and asset to PMB and the commencement of the subproject's construction.	September 2017
2.8. Grievance redress	Whenever having grievances
2.9. Monitoring and evaluation	April - September 2017

**M. Monitoring and Reporting**

29. EVNHCMC via PMB will be responsible for overall monitoring activities of RP. Progress reports will be submitted to ADB for review and upload on a semi-annual basis.

## II. PROJECT DESCRIPTION

### A. Introduction

30. This investment and installation of the 220 kV Cat Lai – Tan Cang transmission line (TL) is one of non-core subprojects of Hanoi and Ho Chi Minh City Power Grid Development Sector Project funded by Asian Development Bank (ADB). Given land acquisition is required for the construction of TL, this Resettlement Plan (RP) is based on the results of inventory of losses (IOL) and socio-economic survey (SES) conducted for affected households under the Subproject, including public consultation with affected communities, in compliance with applicable laws of the Government of Vietnam (GoV) and with the 2009 ADB Safeguard Statement (SPS).

31. The Ho Chi Minh Power Corporation (EVMHCMC) is the Project Executing Agency (EA) while the Ho Chi Minh City Power Project Management Board (PMB) is the Implementing Agency (IA).

32. The subproject is implemented with the aim to meet the increasing power demand in Ho Chi Minh City, especially in the areas expected to become luxurious urban complexes (zones of Tan Cang and Ba Son); to reduce power losses and improve quality, safety and reliability in power supply for central HCMC as well as regional power grid.

### B. Description of the Subproject

33. The 220 kV Cat Lai - Tan Cang transmission line will be designed according to the type of an overhead and underground transmission line with a voltage of 220/110kV and four circuits. The overhead transmission line will start in District 9 and end in District 2 of Ho Chi Minh City in with total length of 6.48km and the underground transmission line will start in District 2 and end in Binh Thanh District of Ho Chi Minh City with total length of 5.67km. Map of the subproject's route is shown in Appendix 5 of the report.

34. Scope of the subproject includes as follows:

- Construction of a 220kV transmission line (including OTL and UGC); its starting point will be from the existing 220 kV Cat Lai substation to the proposed 220 kV Tan Cang substation with total length of 12.15km (including 6.48 km of OTL and 5.67 km of UGC).
- Construction of a 110kV cable trench of double circuit for the proposed 110 kV Cat Lai – An Khanh transmission line (to be constructed in the future) to connect to the 220kV cable trench from position G3A to G7A with a total length of 2.26km.
- Construction of a 110kV cable trench of double circuit for 110kV connection project of 220 kV Tan Cang substation and 220 kV Thu Thiem substation (in period of 2020-2025) and 220 kV Tan Cang substation to JP1.6 cable ditch with a total length of 3.13km.
- Rehabilitation of the D11 and D12 bays at the current Cat Lai 220kV substation to connect to 220kV Tan Cang substation.
- Installation of a 220kV underground cable for the 220 kV Cat Lai-Thu Duc transmission line with a total length of 454m.

35. Main technical specification and scale of the subproject are detailed as follows:

- The overhead transmission line has a voltage of 220/110kV, four circuits (including 02 circuits of 220kV to be connected to 220kV Tan Cang substation as a complete investment and 02 circuits to be connected to 110kV An Khanh substation as a combination of foundation and tower). The transmission line will start at D11, D12 bay of the current 220kV Cat Lai substation in District 9 of Ho Chi Minh City and end at G3A underground cable foundation of T41, T42 (to be constructed), its location is in

District 2 of Ho Chi Minh City. It will use a bundle conductor and ACSR 330/43; lightning is a PASTEL 147.1 and OPGW 120, composite insulator, tension and suspension tower, reinforcement concrete foundation and the earthing will be a galvanized ray-system. Length of overhead line will be 6.48km, in which 1.46km is used for the current 220kV-110kV Cat Lai – Thu Duc transmission line.

- The underground cable has a voltage of 220kV/110kV, four circuits (including 02 circuits of 220kV to be connected to 220kV Tan Cang substation as a complete investment and 02 circuits of 110kV to be connected to 110kV An Khanh substation as a combination of cable ditch). The route starts at G3A connection tower of T41, T42 underground cable in district 2 of Ho Chi Minh City and ends at 220kV Tan Cang substation in Binh Thanh district of Ho Chi Minh City. Cable wire uses a dry cable, copper core, XLPE insulator, area of 1,600mm<sup>2</sup>. The cable will be installed in HDPE pipe, directly buried at depth of 1.5-2m from the current road surface. The cable route will be protected by concrete slab and cable underground signal tape and provided the 192kV arrester. Length of underground cable is 5.77 km.

- Section of the reused transmission line: The voltage of this reused transmission line is 220kV/110kV. It has two circuits of 220kV and 110kV, bundle conductor. It starts at gate tower of the current D11, D12 bay of 220kV Cat Lai substation and ends at the current tension tower (T6). Length of this cable is 1.46km. The reused TL section belongs to the existing 220/110kV Cat Lai – Thu Duc TL under management and operation of Power Transmission Company 4 (PTC4). This TL was built in 2002 and has been in operation since 2003. The alignment of this TL section runs along the side of Ba Cua arroyo and the area in its ROW is vacant land currently. According to the land use planning in district 9, the area in the ROW of the reused TL section is mainly greenery land of arroyo corridor. Thus, it is no issue of land use in the ROW of the subproject's reused TL section. The subproject's reused TL section is a part of the 220/110kV Cat Lai – Thu Duc TL that connects 220/110kV Cat Lai substation to 220/110kV Thu Duc Substation. The reused TL section will be replaced by a section of TL belonging to other project after being used for 220 kV Cat Lai – Tan Cang TL to ensure operation of 220/110kV Cat Lai – Thu Duc TL.

- Rehabilitation of 220kV bay at 220kV Cat Lai substation is to (i) supersede the measurement equipment at the current Thu Duc bay (D11, D12); (ii) supplement an energy meter for measurement system to connect to the current data reading system; and (iii) supplement a foundation for the new 220kV CVT.

- Underground cable section to re-connect for 220kV Cat Lai – Thu Duc transmission line: underground cable section will be connected from two 220kV bay (new construction) to 220kV cable connection tower (position F of 220kV connection line to 220kV Cong Nghe Cao substation, it is designed two circuits of 220kV for standby to connect to 220kV Thu Duc substation). The underground cable line has a voltage of 220kV, 220kV double circuit; it starts at D05 bay of 220kV Cat Lai substation and ends at 220kV underground cable connection tower (position F).

### **C. Sources of Project Impacts**

36. The main construction scope of subproject includes one OTL of 6,475 m in length and one UGC of 5,770 m in length. The UGC route goes under the roadways and central reservations of the streets in city, namely Dong Van Cong road, Mai Chi Tho avenue, Luong Dinh Cua street, Tran Nao street and Nguyen Van Huong street and under Sai Gon bridge in An Phu and Binh An wards of district 2 and ward 22 of Binh Thanh district. Thus, the entire area of land for construction of the UGC is the public traffic land. Most UGC trench is built in conjunction with existing street renovation projects. The rest of that with the length of 1,364 m travelling along the central reservations of Dong Van Cong road, Mai Chi Tho avenue and short section of Luong Dinh Cua street will be built separately. The land for cable trench construction will be restored to its original conditions for traffic activities right after completion

of the UGC construction. Thus, the UGC construction shall not cause land acquisition impacts.

37. For the overhead transmission line, the OTL has total length of 6,475 m including 1,462m of the existing OTL and 5,013 m of the new OTL. Most route of the new OTL runs on traffic corridors and central reservation of the Ring road No. 2 and Dong Van Cong Road in district 9 and district 2. Thus, most land for construction of OTL pole foundations and for OTL ROW is the public land (such as traffic land, river/arroyo land and vacant land) managed by the State. Only two short sections with the aggregate length of 313 m are on the outside of traffic land and other public land. These sections have two poles and one tower that require permanent land acquisition of local people for construction of their foundations. In addition, the OTL sections on the outside of traffic land and public vacant land also cause restriction on utilization of land in their ROW because of power safety regulations. 21 households and one company will be affected; of which two (02) households and one (01) company will be affected by permanent land acquisition for the construction of tower foundations.

#### **D. Mitigation Measures for Subproject Impacts**

38. Mitigation measures for land acquisition impacts during design process: during the basic design process, the design consultant agency has conducted surveys and discussions with relevant authorities in districts and stakeholders in order to develop the best solution to minimize land acquisition impacts. After studying the general plans and field survey, the design consultant selected the route along the existing traffic road and located in the central reservations, traffic corridor and vacant land in order to reduce impacts on existing residential areas and planning areas. In addition, for keeping aesthetics of the city, the transmission line is arranged underground in the city centre and overhead with single steel poles outside the city centre.

39. Mitigation measures for land acquisition impacts during implementation process have been taken into consideration. The design consultant has proposed suitable construction methods in order to minimize land acquisition impacts as well as impacts on local communities. The implementation is complied with design drawing. Prior to commencement of construction, the subproject's owner would have to obtain permission from Department of Transport for construction of the OTL and UGC in the roadways and central reservations of the streets/ roads. In construction process, each work item or UGC section, pole foundation will be constructed completely and its work site will be restored promptly to minimize the duration of temporary land use for the project construction. The construction of UGC trenches will be scheduled to carry out at night to minimize the impacts on traffic activities.

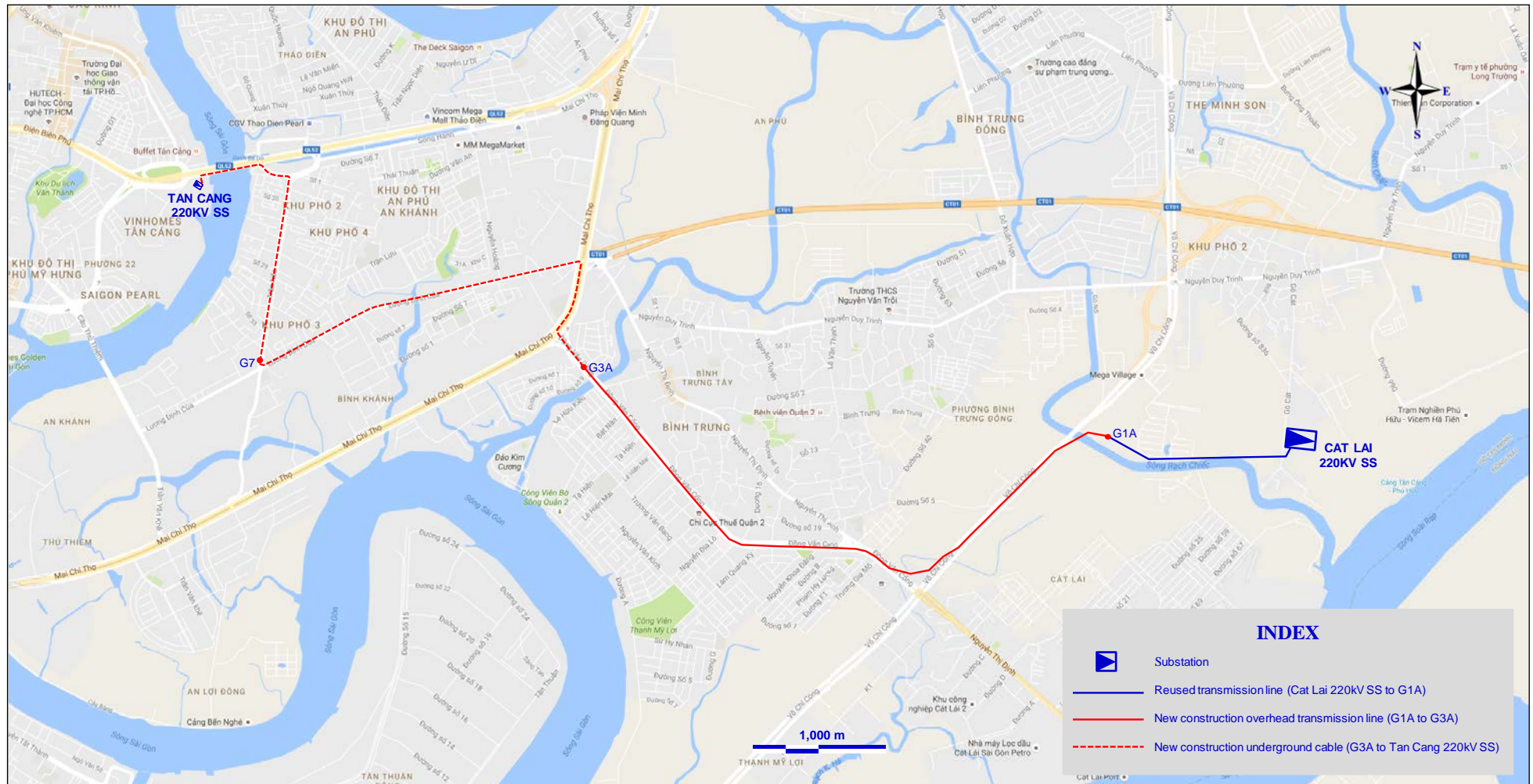


Figure 1. 220kV Cat Lai – Tan Cang Transmission line layout



### III. SCOPE OF LAND ACQUISITION AND RESETTLEMENT

40. An inventory of losses (IOL), that included a census of all affected persons (APs), was conducted in June 2016. A team of local enumerators from the consulting firm hired by PMB, and with assistance from local cadastral offices, carried out the IOL. (See **Appendix 1** for the IOL questionnaire used).

41. The approach applied in determining the potential impacts of the Subproject was to conduct of the IOL where all immovable properties inside the area of the ROW corridor of transmission line were determined, counted, measured, tagged, owners identified and their places of residence were verified with commune authorities. The immovable assets consist of lands, houses, and trees. In assessing the potential losses of these properties, the severity of impacts to APs were determined. The assessments were based on information disclosed by APs that cover sources of livelihood and income level.

#### A. Summary of Impacts

42. The main construction scope of subproject includes one OTL of 6,475 m in length and one new UGC of 5,770 m in length. The UGC route goes under the roadways and central reservations of the streets in inner city, so the entire area of land for construction of the UGC is the public traffic land. Most UGC trench is built in conjunction with existing street renovation projects. The rest of that with the length of 1,364 m travelling along the central reservation of Dong Van cong road and Mai Chi Tho avenue and short section of Luong Dinh Cua street will be built separately. The land for cable trench construction will be restored to original status for traffic activities right after completion of the UGC construction. Thus, the UGC construction does not cause impacts of land acquisition.

43. For the OTL, the OTL has total length of 6,475 m including 1,462 m of the existing OTL and 5,013 m of the new OTL. Given the length of the new OTL, the dimension of the ROW and that of the suspension and tension poles/towers as well as the establishment of ROW alignment, the impact of the land acquisition is summarized in the table below. The subproject will affect a total 21 households, of which two (02) households will lose land permanently for the construction of tower foundations. One (01) institution will be affected by both permanent land acquisition and land use restriction. The master list of the AHs is shown in **Appendix 2**.

**Table 2. Scope of Land Acquisition and Summary of Impacts**

No.	Communes	Affected Institution	Number of AHs	Limited land use ability (m <sup>2</sup> )	Permanently acquired land (m <sup>2</sup> )	Affected Houses	Trees
<i>I</i>	<i>District 9</i>	<i>1</i>		<i>4,474</i>	<i>278</i>		
1	Phu Huu	1		4,474	278		
<i>II</i>	<i>District 2</i>		<i>21</i>	<i>103,606</i>	<i>1,928</i>	<i>21</i>	<i>167</i>
2	Binh Trung Dong			17,918	298		
3	Cat Lai		21	20,858	372	21	167
4	Thanh My Loi			55,163	1,025		
5	Binh Trung Tay			6,858	94		
6	An Phu			2,809	139		
	<b>Total</b>	<b>1</b>	<b>21</b>	<b>108,080</b>	<b>2,206</b>	<b>21</b>	<b>167</b>

Source: IOL data, June, 2016.

44. The subproject will involve land acquisition and land use restriction in Phu Huu ward of District 9 and Binh Trung Dong, Cat Lai, Thanh My Loi, Binh Trung Tay and An Phu wards of District 2, HCMC. A total of 21 households and one institution are affected by permanent land acquisition for the pole/tower foundations and/or restrictions in the continued use of land

in the ROW of the 220 kV OTL. The Subproject will affect 110,286 m<sup>2</sup> of land, of which 2,206 m<sup>2</sup> is permanently acquired, while 108,080 m<sup>2</sup> is in the ROW and their continued use are restricted for safety reasons. However, most of affected land is public land (including traffic land, river/arroyo land, and vacant land) under management of the State, while only a small portion of which is landholdings of affected households and institution. This affected landholding area is aggregate 6,891 m<sup>2</sup> including 428 m<sup>2</sup> of land permanently acquired and 6,463 m<sup>2</sup> of land restricted on utilization by the ROW. A total 21 houses belonging to 21 households are affected by the subproject, all of which are identified to be located under the ROW of the 220 kV OTL.

## B. Impacts on Land

### 1. Permanently acquired land for pole/tower foundations

45. The subproject requires 2,206 m<sup>2</sup> of land for construction of the OTL pole/tower foundations. Of which 1,778 m<sup>2</sup> is traffic land (central reservations and traffic corridor) and vacant land under management of the State and these lands will be acquired for the OTL pole foundations without effect on traffic activities. The other permanently acquired land of 428 m<sup>2</sup> is residential land belonging two AHs and one institution but no house is located in area of permanently acquired land and no business is affected by permanent land acquisition.<sup>2</sup> The permanently acquired lands of affected households by wards are presented in the tables below.

**Table 3. Use of Permanently Acquired Lands for Pole/Tower Foundations**

No.	Districts/Communes	Number of AHs and affected institutions and Area of Affected Land by Use (m <sup>2</sup> )					
		Residential land		Other land <sup>3</sup>		Total	
		HH	Area (m <sup>2</sup> )	HH	Area (m <sup>2</sup> )	HH	Area (m <sup>2</sup> )
<i>1</i>	<i>District 9</i>	<i>1</i>	<i>278</i>			<i>1</i>	<i>278</i>
1	Phu Huu	1 <sup>4</sup>	278			1	278
<i>1</i>	<i>District 2</i>	<i>2</i>	<i>150</i>		<i>1.778</i>	<i>2</i>	<i>1.928</i>
2	Binh Trung Dong				298		298
3	Cat Lai	2	150		222	2	372
4	Thanh My Loi				1.025		1.025
5	Binh Trung Tay				94		94
6	An Phu				139		139
	<b>Total</b>	<b>3</b>	<b>428</b>		<b>1.778</b>	<b>3</b>	<b>2.206</b>

Source: IOL data, June, 2016.

46. Regarding the AHs' legal titles to their affected lands, 150 m<sup>2</sup> of permanently acquired land belonging two AHs is in the planning land of My Thuy interchange and 278 m<sup>2</sup> of the affected institution is the state-leased land.

47. Of the two AHs affected by permanent land acquisition for pole foundations, one household shall lose more than 10% of their landholding but this loss is not productive land. This acquired land is residential land with no house or structure thereon. Thus, this AH is not considered as severely affected households according to the project policy. They are not

<sup>2</sup> The affected institution is Le Phan Construction Co., Ltd, a company operating in the construction sector. The affected land is the state-leased land but not yet used, it is vacant land, no structure thereon currently. Thus, no business as well as no employee's jobs will be affected or disrupted by the subproject.

<sup>3</sup> The traffic land (central reservations and traffic corridor) and vacant land under management of the State.

<sup>4</sup> The affected institution.

severely impacted on long-term livelihood, because their main income source is not from their land.

## 2. Restrictions on land use within the TL ROW

48. All affected people whose lands are accounted for under the ROW will be restricted on their activities for safety. However, such lands will remain in their possession as these are not subject to acquisition. Within this impact category, a total of 108,080 m<sup>2</sup> including 4,526m<sup>2</sup> belonging to 21 AHs in Cat Lai ward of district 2; 1,937 m<sup>2</sup> belonging to one affected institution in Phu Huu ward of district 9; and 101,617 m<sup>2</sup> of public land under the management of the State shall be affected by restricted activities. By land use, these ROW lands comprise 2,517 m<sup>2</sup> of perennial croplands, accounting for 2.3%; 3,946 m<sup>2</sup> of residential lands (3.7%); and 101,617 m<sup>2</sup> of public lands, accounting for 94.0%. The public land in the OTL ROW is mostly traffic land (land of central reservation and traffic corridor) and river/arroyo land, vacant land.

49. 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. Therefore, the safety restrictions on the continued use of these lands will not have significant impacts on the AHs and affected institution. In addition, the OTL is designed with safe distance between conductor cables and ground in compliance with relevant regulations for safety of traffic activities, houses and life activities.

**Table 4** below presents the land use of the APs within the ROW.

**Table 4. Affected Lands in Transmission Line ROW by Use**

No.	Districts/communes	Total Affected Land Area in ROW (m <sup>2</sup> )			
		Perennial cropland	Residential land	Other land <sup>5</sup>	Total
<i>I</i>	<i>District 9</i>		1,937	2,537	4,474
1	Phu Huu		1,937	2,537	4,474
<i>I</i>	<i>District 2</i>	2,517	2,009	99,080	103,606
2	Binh Trung Dong			17,918	17,918
3	Cat Lai	2,517	2,009	16,332	20,858
4	Thanh My Loi			55,163	55,163
5	Binh Trung Tay			6,858	6,858
6	An Phu			2,809	2,809
	<b>Total</b>	<b>2,517</b>	<b>3,946</b>	<b>101,617</b>	<b>108,080</b>

Source: IOL data, June, 2016.

50. As recorded in the IOL, only 4 out of the 21 AHs affected by land use restrictions in the OTL ROW have LURCs for 1,309m<sup>2</sup> of their affected landholdings without being in planning, while the remaining 17 AHs have their affected landholding in the planning land of My Thuy interchange. These 17 AHs have the aggregate of 3,217 m<sup>2</sup> land affected by the OTL ROW, of which 2,918 m<sup>2</sup> is in the planning land and 236 m<sup>2</sup> is outside the planning land. 5 AHs have both types of affected land, inside and outside of the planning land, but not yet got LURCs for the outside area.

51. The planning land area that is proposed to be in the OTL ROW is planned for the greenery corridor of the My Thuy interchange. The project of My Thuy interchange is divided into two investment phase. The first phase was commenced for construction in June 2016 with the work items of basic traffic infrastructures. The greenery corridor is proposed to be

<sup>5</sup> The traffic land (central reservations and traffic corridor), river/arroyo land, and vacant land under management of the State.

implemented in the next phase (the complete phase), so land acquisition for the greenery corridor of the My Thuy interchange has not been implemented.

### **3. Temporary Impacts**

52. This type of impacts occurs during subproject implementation due to the requirement for temporary yards and construction corridors during the construction and assembly of Poles/tower. According to the subproject design, the OTL route runs on central reservations of existing roads and the UGC route goes under the roadways and central reservations of the streets in inner city. Thus, the temporary access road is not necessary because the existing roads will be used. Temporary yards for stockpile, materials gathering sites and workstations will be arranged within the central reservations of existing roads (such as roads of Dong Van Cong and Ring Road 2) in order to avoid arising impacts due to temporary land acquisition. In addition, each work item or UGC section, pole foundation will be constructed completely and its work site will be restored promptly to minimize the duration of temporary land use for the subproject construction.

53. The project implementation consultant (PIC) and the civil works contractor will identify the sites for the temporary workstations and construction corridors. The civil works contractor will restore those temporarily affected lands to their original condition before returning to the initial use purpose, in addition to payment for any damaged assets during the temporary use of private lands if any. EVNHCMC will ensure that this condition is stipulated in the contract of the civil works contractors.

#### **C. Affected Houses**

54. All of 21 AHs have their house affected by the subproject and 21 houses are identified to be located within the ROW of the 220 kV OTL. Thus, each AH has one affected house. As recorded in the IOL, all of these 21 houses are made of brick wall and sheet-metal roofs, which are locally classified as Grade IV. All of the affected houses are located in Cat Lai ward. The affected houses have total floor area of 2,223 m<sup>2</sup> but only 987 m<sup>2</sup> of floor area is affected by its location within the ROW of the 220 kV OTL. These affected houses will not have to relocate, subject to certain conditions prescribed by law as per Decree No. 14/2014/ND-CP dated February 26, 2014, as follows: (i) the roof and wall are made of fire-proof materials; (ii) metal structures are grounded according to prescribed earthing techniques; (iii) the house does not obstruct paths for examination, maintenance or replacement of parts of the TL; and (iv) the safety clearance between any part of the house and the lowest point (sag) of the power cable is not less than 6 m.

#### **D. Affected Trees**

55. The results of IOL conducted in June, 2016 show that the vegetation cover on the central reservations and traffic corridors where the transmission line travels along is mainly grass, bushes and decorative plant. These greeneries do not have height enough to be affected by regulation on vertical safety distance to the conductor cables. The trees in the garden of AHs are able to be affected by the subproject. An aggregate of 167 affected trees that shall be possibly trimmed to ensure safe distance to conductor cables is found on lands in the ROW of 220kV OTL. It includes 65 fruit trees, 68 nipa trees and 34 miscellaneous trees. According to Decree No. 14/2014/ND-CP, APs can still use the area under the ROW to grow crops and trees provided that the vertical clearance between the treetop and the sag of the power cable is not less than 4.0 m for 220 kV TL.

56. During the updating of this RP, the trees in the TL ROW in which heights do not conform to the prescribed 4.0 m-vertical-distance-limit between lowest sagging point of the cable will be recorded in the DMS. Owners of these trees will be compensated, based on replacement cost with due consideration also on the age, height and cost of maintenance of the affected trees.

#### **E. Impacts on Business Shops**

57. No business shop exists on the land that is permanently acquired by the subproject.

The construction corridors of the cable trenches that belongs to the construction scope of the subproject will be arranged in the central reservations of Dong Van Cong road and Mai Chi Tho avenue, so the business shops on both roadsides of these roads will not be affected by the UGC construction. For the short section along Luong Dinh Cua street, the construction of UGC trench will be divided into some little segments for complete construction at night in order to minimize the impacts on traffic and business activities in the street. Thus, the Subproject will not affect any business shops and will not cause economic displacement to any APs or institutions.

#### **F. Impacts on Public Structures**

58. No public structures and monuments are affected by the 220kV Cat Lai – Tan Cang transmission line subproject, except for road degradation particularly of the streets along UGC route is anticipated due to excavation of UGC trench on the streets. However, most UGC trenches (sections along streets of Luong Dinh Cua, Tran Nao, and Nguyen Van Huong) will be built in conjunction with construction of the existing street renovation projects. The rest of that with the length of 1,364 m travelling along the central reservations of Dong Van Cong road, Mai Chi Tho avenue and short section of Luong Dinh Cua street will be built separately. The affected grounds and street surfaces will be restored to their original status for traffic activities right after completion of UGC construction. This is considered one work item of the UGC construction and thus included in the construction plan.

#### **G. Vulnerable Groups**

59. As per the results of the socioeconomic survey (SES) of 21 AHs, a total four (04) AHs are considered as belonging to one or more vulnerable groups. These vulnerable AHs include (i) two single women-headed AHs; (ii) one AH that is both headed by disabled person and poor; and (iii) one AH that is beneficiaries of government social policies (families of war martyrs, etc.). While their categories literally fall on the definition of vulnerable households of the Project, their vulnerability is not a result of the 220kV Cat Lai – Tan Cang Transmission Line Subproject. The Subproject will not cause any type of additional vulnerabilities to affected households.

#### **H. Unanticipated Impacts**

60. 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.

## IV. SOCIOECONOMIC INFORMATION

### A. Methodology Applied in Socio-economic Survey

61. Socio-economic survey (SES) was conducted in parallel with the inventory of losses by the design consulting agency. The survey is carried out in June 2016 in Phu Huu ward of district 9, wards of Binh Trung Dong, Cat Lai, Binh Trung Tay, An Phu, Thanh My Loi, Binh Khanh and Binh An of district 2 and ward 22 of Binh Thanh district. However, land acquisition is only required in Cat Lai ward of district due to the construction of the overhead transmission line. A total of 21 households affected by land acquisition were surveyed.

### B. Project's Area

#### 1. District 2

62. District 2 is a new urban district of Ho Chi Minh City. As of 2015, the district has total population of 147,168 persons; population density is 2,959 people/km<sup>2</sup>. The area of this district is 49.74km<sup>2</sup>. The district has 11 wards. In the past, district 2 was one of the poorest parts of Ho Chi Minh City due to the separation by the Saigon River from the city center. However, it is now the one of the prioritized area for investment by the government of Ho Chi Minh City. The completion of Thu Thiem Bridge in 2008 and Thu Thiem Tunnel in 2011 are expected to support the development of the Thu Thiem New Urban Area. Thu Thiem Tunnel joins District 2 with District 1.

#### 2. District 9

63. District 9 is also an urban district to the East of Ho Chi Minh City. As of 2015, the district has total population of 290,620 persons; population density is 2,549 people/km<sup>2</sup>. The area of this district is 114km<sup>2</sup>. The district has 13 wards. The district is about 7km along the Ha Noi Highway and it bordered by Nhon Trach and Dong Nai district to the East, Thu Duc district to the West and district 2 to the South and Bien Hoa City to the North.

#### 3. Binh Thanh district

64. Binh Thanh district is a district to the East of Ho Chi Minh City. As of 2015, the district has total population of 487,985 persons; population density is 23,506 people/km<sup>2</sup>. The area of this district is 20.76km<sup>2</sup>. The district has 20 wards. Binh Thanh district was formed from the name of two wards in the old Go Vap district, Binh Hoa and Thanh My Tay. In 1976, those two wards were removed from Go Vap district to create Binh Thanh district. The district is bordered by district 1 to the South, district 3, Phu Nhuan and Go Vap to the West and Sai Gon river to the East.

### C. Socio-economic characteristics of AHs

#### 1. Demographic features

65. The 21 surveyed households are made up of 67 persons, equivalent to an average household size of 3.2. Of which, the proportion of households with 1 to 2 members accounts for 28.57%, the households with 3 to 4 members accounts for 57.14% and the households with 5 to 6 members accounts for 14.29%.

66. Among 67 people surveyed, around 76.12% of them are in working age (16-60). In which, there is 19.40% of population in the group of 16-30 year old, the age group of 31-45 accounted for 31.34% and the proportion of the group 46-60 is 25.37%. The number of people over 60-year-old accounts for 13.43% (9 persons).

**Table 5. Population by age group**

District/ Ward	Below 16		16 to 30		31 to 45		46 to 60		Above 60		Total
	Number	%	Number	%	Number	%	Number	%	Number	%	
District 2	7	10.45%	13	19.40%	21	31.34%	17	25.37%	9	13.43%	67

District/ Ward	Below 16		16 to 30		31 to 45		46 to 60		Above 60		Total
Cat Lai	7	10.45%	13	19.40%	21	31.34%	17	25.37%	9	13.43%	67
<b>Total</b>	<b>7</b>	<b>10.45%</b>	<b>13</b>	<b>19.40%</b>	<b>21</b>	<b>31.34%</b>	<b>17</b>	<b>25.37%</b>	<b>9</b>	<b>13.43%</b>	<b>67</b>

Source: SES survey results in June 2016.

## 2. Education Level of the Heads of AHs

67. Most of the heads of households completed secondary education level, accounting for 85.71%. The percentage of households who completed primary and high school level is 4.76% each. None of household head completed vocational training or university. In addition, there is one households head who did not go to school, accounting for 4.76%.

**Table 6. Education level of the heads of AHs**

Level of education	Male	Female	Total	Percentage (%)
Did not attend school	0	1	1	4.76%
Primary school	1	0	1	4.76%
Secondary school	10	8	18	85.71%
High school	1	0	1	4.76%
Vocational school	0	0	0	0.00%
University	0	0	0	0.00%
<b>Total</b>	<b>12</b>	<b>9</b>	<b>21</b>	<b>100.00%</b>

Source: SES survey results in June 2016.

## 3. Occupations of Affected Households

68. The occupational structure of the affected household is quite diversified. Most of them are engaged in business sector and industrial enterprises (such as employee and worker). Based on the surveyed result of AHs in working age, the percentage of affected persons are engaged in business sector is 23.53%. While 13.73% and 19.61% are engaged in industrial sector such as factory worker and employee, respectively. The percentage of persons attained in the public officials is 9.80%. While 5.88% is the seasonal employee; 1.96% is driver; 9.8% is homework and 13.73% is engaged in other sectors. The occupations of the affected persons in the working age are detailed in the following table.

**Table 7. Occupations of Affected Persons in Working age (18-60)**

No.	Occupation	Affected persons	Percentage (%)
1	Farming	0	0.00%
2	Livestock husbandry	0	0.00%
3	Business	12	23.53%
4	Factory Worker	7	13.73%
5	Official	5	9.80%
6	Employee	10	19.61%
7	Retired	1	1.96%
8	Seasonal Employee	3	5.88%
9	Driver	1	1.96%

No.	Occupation	Affected persons	Percentage (%)
10	Receive economic support fit from relatives	0	0.00%
11	Receive economic support from State	0	0.00%
12	Housewife	5	9.80%
13	Others	7	13.73%
Total		51	100.00%

Source: SES survey results in June 2016.

#### 4. Annual Income of Affected People

69. The poverty line of Vietnam is set by the Government, which is applied nationwide with the differences between rural and urban area. However, the Government allows the provinces, cities, depending on the specific conditions of each area, to adjust their corresponding poverty line. The Subproject locates in the Ho Chi Minh City; the ho Chi Minh City People's Committee has issued the Decision No. 58/2015/QD-UBND on December 31, 2015 on poverty and near-poverty standards of Ho Chi Minh City for the 2016-2020 period. Accordingly, the poverty line stipulated in Ho Chi Minh City is 21 million/person per year and from 21-28 million/person per year is classified as near-poverty line.

70. There is one household whose income is poverty line (VND 21 million/person/year and one household whose income is near-poverty line (VND 21 – 28 million/person/year). It accounts for 4.76% of the affected households by the Subproject. While most of the households (90.48%) have the per capita income above VND 28 million/person. The primary sources of income of these affected households are from business and workers.

**Table 8. Average Income per capital of AHs**

District/Ward	≤ 21,000,000		> 21,000,000 - 28,000,000		> 28,000,000		Total
	AHs	%	AHs	%	AHs	%	
District 2	1	4.76%	1	4.76%	19	90.48%	21
Cat Lai	1	4.76%	1	4.76%	19	90.48%	21
Total	1	4.76%	1	4.76%	19	90.48%	21

Source: SES survey results in June 2016.

#### 5. Household Utilities and Amenities

71. **Water.** 100% of the affected households in subproject area use tap-water; quality of water is good but they all have to be boiled for cooking and drinking purposes, especially for younger children and older adults.

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

#### 6. Access to Public Services

73. **Schooling.** The districts were organized activities for the day “take all children to school” and completed the enrolment task for 2015 – 2016 school year, the ratio of children at school age is 100%.



**Table 9. Statistic on schools in subproject area**

No.	District/Ward	Number of school				
		University	High school	Secondary school	Elementary school	Kindergarten
1	<i>District 9</i>					
	Phu Huu ward	1	0	1	1	1
2	<i>District 2</i>					
	Binh Trung Dong	0	0	1	1	4
	Cat Lai	0	0	1	1	1
	Binh Trung Tay	0	0	0	1	2
	An Phu	0	1	1	1	3
	Thanh My Loi	0	0	1	2	1
	Binh Khanh	0	0	1	1	1
	Binh An	0	0	1	1	6
3	<i>Binh Thanh district</i>		0			
	Ward 22	0	1	2	2	1

Source: Statistical Yearbook of Ho Chi Minh City in 2015

74. Health Services: The subproject locates in the city so hospital, regional polyclinic, preventive medicine center and medical service units were provided in districts. Activities for taking care the local people's health over the past years have been paid a great attention. Each ward of the subproject area has one medical station. The propaganda is regularly maintained as follows:

- Organizing communication sessions, broadcasting for prevention of some diseases such as Dengue, Measles, Hand food and mouth, Rubella, etc.;
- Organizing the launching ceremony for the action month for Food safety, hygiene quality for the ward's business establishments;
- Implementing initial health care for local people (reaching the ratio of over 100%), and most of the children;
- Carrying out injection of 8 types of vaccine, gaining 100%. The ratio of malnutrition in children is 0.5%;
- Continuously communicating the program of population – family planning such as fertility reduction, fertility reduction in the third children; productive health care.
- Organizing a total sanitary to respond to green Sundays and public holidays;
- Mobilizing people to join the week collecting hazardous waste

**Table 10. List of medicine units in the subproject districts**

No.	District	Medicine Unit				
		Hospital	Regional polyclinic	Prevention medicine center	Medical service	Total
1	Binh Thanh	4	0	1	20	25
2	2	1	0	1	11	13

No.	District	Medicine Unit				
		Hospital	Regional polyclinic	Prevention medicine center	Medical service	Total
3	9	2	0	1	13	16

Source: *Statistical Yearbook of Ho Chi Minh City in 2015*

75. Traffic road: all inter roads are asphalted and the others are cemented so it is convenient for local people to travel and get access easily to the ward and other surrounding areas,

76. The traffic network is advantageous to develop a comprehensive economy, exchange domestic and international trade in the fields of business production and exchange of goods;

77. Communication is good; all households in the ward have television and connect the internet.

### **7. Energy Source**

78. Electricity: 100% of affected persons in the 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.

79. Cooking: 100% of households in the subproject area use gas as main energy source.

## **V. INFORMATION DISCLOSURE, CONSULTATION AND PARTICIPATION**

### **A. Objectives of Information Disclosure and Public Consultation**

80. 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 PMB, 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 wards, such as: (i) the DCARC of the project districts; (ii) CPCs; (iii) mass organizations; (iv) non-affected HHs; (v) AHs; (vi) the affected institution/organizations.

81. 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 provide meaningful inputs into project design and implementation. The disclosure of information, with the consultation and participation of all those affected and concerned parties will minimize the risk of disputes 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.

82. Public consultation has a significant meaning, concerning the negative effects, vulnerable people and especially those who live below the poverty line. Consultations shall:

- Start 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;
- be done on a voluntary basis;
- Include the participation of relevant stakeholders designed to suit the needs of the affected and vulnerable group;
- Allow 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.

83. 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. PMB 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 fully share information adequately on the component and project activities are proposed with the affected people to make this process transparent;
- To collect information on the needs and priorities of all affected people as well as information about their response to the policy and proposed activities;
- To 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;
- To ensure transparency in all activities related to land acquisition, resettlement and reconstruction.

## B. Stages of Participatory Consultations

84. The consultation activities with communities in the affected communes are an important activity in the project. With these objectives, the PMB 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
<p><b>Project Preparation</b></p> <p>Pre-Feasibility /Feasibility Study and Drafting of Technical Design</p>	<p>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.</p> <p>Conduct census of the DPs, IOL, social impact assessment, and replacement cost study (RCS)</p> <p>Discuss the proposed Project resettlement policy with EVNHCMC and PMB and solicit their feedbacks.</p> <p>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.</p> <p>Drafting of the RP and its capsulized summary in leaflet form for submission to PMB and EVNHCMC for review and endorsement to ADB for approval.</p> <p>Distribution of information leaflets to DPs, posting of summary RP at district and commune offices.</p> <p>Posting the RP on the ADB website</p>	<p>PMB and Consultants</p> <p>Consultants, assisted by ward officials</p> <p>Consultants</p> <p>PMB and Consultants, assisted by ward officials</p> <p>Consultants</p> <p>PMB</p> <p>ADB</p>
<p><b>Project Implementation</b></p> <p>Finalization of Technical Design</p>	<p>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.</p> <p>Detailed Measurement Survey (DMS), updating unit costs (as necessary)</p> <p>Meet with DPs to discuss and consult the results of DMS, the Project resettlement policy, entitlements and relocation options</p> <p>Updating/revision of the RP and its capsulized summary in leaflet form.</p> <p>Submission of the updated RP and project information leaflet to PMB and EVNHCMC for review and endorsement to ADB for approval.</p> <p>Distribution of the updated information leaflets to DPs, posting of summary updated RP at district and commune offices</p> <p>Implementation of Updated RP.</p>	<p>PMB and PICs</p> <p>PICs assisted by commune/village officials</p> <p>PMB and PICs, assisted by commune/village officials</p> <p>PICs</p> <p>PICs</p> <p>PMB</p> <p>EVNHCMC and PMB</p>

Stages	Activities and Target Participants	Responsibility
	Internal monitoring of RP implementation.	assisted by PICs PICs
<b>Post Project Implementation</b> Appraisal of Project social safeguards objectives	Overall review of the Project completion performance and conduct interviews with the PMB, 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

85. Meaningful consultation has been carried out and will continue during document updating and implementation. In the public meetings and consultations held in September and October 2016 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.

86. Representatives of District Fatherland Front, people's committee, and affected institutions have participated in the consultation meeting. Affected households were invited to participate in 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 138 local officials and residents of the affected communities (86 men and 52 women), including 17 affected people with 6 women. 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/ Ward	Dates of consultations	Number of participants		
		Male	Female	Total
<b>District 9</b>		<b>8</b>	<b>4</b>	<b>12</b>
Phu Huu	Sep 7 <sup>th</sup> 2016	8	4	12
<b>District 2</b>		<b>72</b>	<b>45</b>	<b>117</b>
Binh Trung Dong	Oct 5 <sup>th</sup> 2016	7	3	10
Cat Lai	Sep 1 <sup>st</sup> 2016	18	12	30
Binh Trung Tay	Oct 7 <sup>th</sup> 2016	18	9	27
An Phu	Oct 7 <sup>th</sup> 2016	6	4	10
Thanh My Loi	Sep 23 <sup>rd</sup> 2016	5	2	7
Binh Khanh	Sep 29 <sup>th</sup> 2016	5	6	11

District/ Ward	Dates of consultations	Number of participants		
		Male	Female	Total
Binh An	Sep 22 <sup>nd</sup> 2016	13	9	22
<b>Binh Thanh</b>		<b>6</b>	<b>3</b>	<b>9</b>
Ward 22	Sep 22 <sup>nd</sup> 2016	6	3	9
<b>Total</b>		<b>86</b>	<b>52</b>	<b>138</b>

87. The TL traverses nine wards but causes land acquisition impacts in only two (02) wards, namely Phu Huu ward in District 9 and Cat Lai ward in District 2. Thus, most of feedbacks from the stakeholders in the consultation meetings are relevant to environmental issues. Some feedbacks that are related to land acquisition and compensation and the responses are summarized as follows:

**Table 13. Summary of feedbacks from the stakeholders and the responses**

No.	Feedbacks from the stakeholders	The responses of Subproject's Owner and Consultant.
1	APs should be compensated properly to avoid complaints.	All compensation and assistance for damages shall be completed by owner to affected households before starting construction of the subproject.
2	The project owner is required to restore the roads if any, damage is caused during construction.	All damages during construction will be compensated and restored by the contractor.
3	It is required to avoid impacts on local people during construction.	Owner and contractor commit to ensure labor safety for worker and surrounding people as well.
4	Land acquired by the subproject shall be compensated and assisted properly for affected households.	Compensation and assistance will be executed in accordance with stipulations of the Government and Ho Chi Minh City and per the approved uRP.
5	Site diagram and layout of the subproject must disclose at office of ward People's Committee for reference. Land acquisition area shall note particularly to each affected household.	Site diagram and layout will be disclosed at office of ward People's Committee for reference by the owner. Any land acquisition will be surveyed and measured particularly to each affected household before carrying out compensation.
6	Do any risks happen when people live under the 220kV transmission line? for example: electric shock may happen to local people in case of wire-broken by rain.	The subproject was designed according to the stipulation on electricity safety and the people can live within/under the right of way of 220kV transmission line when it meets a safety distance under the Decree No.14/2014/ND-CP of the Government. Electric shock may happen if operation work can not manage well. However, the operation unit always checks and maintains the transmission line during the operation phase, specially in the rainy season so the electric shock will be minimized and can not happen to local people.
7	When does the subproject construct?	Proposed construction schedule is Quarter I of 2017 and completes Quarter IV of 2017.
8	To execute well compensation and assistance	To ensure a fully compensation and

	of the subproject, owner is required to cooperate with the Department of Transportation.	assistance for affected households, Owner shall review and check completely compensation of subproject before construction commencement.
9	The land acquisition and compensation, assistance for lost and damaged assets are executed for subprojects of 220kV Cat Lai – Tan Cang TL or 110kV Cat Lai – An Khanh TL. <sup>6</sup>	220kV Cat Lai – Tan Cang transmission line will construct in advance, all the tower/poles to be constructed are within the scope of the 220kV Cat Lai – Tan Cang TL. Scope of 110kV Cat Lai – An Khanh only strings cable wire on the current tower/poles of 220kV Cat Lai – Tan Cang TL. Besides, 110kV Cat Lai – An Khanh TL uses the ROW of 220kV Cat Lai – Tan Cang TL, so all land acquisition, compensation and assistance will be executed completely within the scope of the subproject of 220kV Cat Lai – Tan Cang TL.
	Conclusion: The Ward People Committees, mass organization and subproject affected people of all wards have agreed construction of the subproject and they will support owner in the construction process.	

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

##### **1. Information dissemination before ADB approval of RP**

88. 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; (li) impact on the land and assets on land; (lii) the rights over the affected land and assets; (lv) detailed implementation plan for assistance, resettlement and compensation payments; (V) mechanisms for grievance redness; 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.

89. 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 ward chief.

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

90. 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.

91. Before implementation of DMS, the DMS plan must be discussed and agreed between PMB, DCARBs, CPCs, ward 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.

92. DCARBs and PMB coordinate with the CPC to hold various meetings with ward 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

<sup>6</sup> The public consultation meetings of 220kV Cat Lai – Tan Cang TL subproject are organized in conjunction with those of 110kV Cat Lai – An Khanh TLs subproject in seven wards where the two TL run through in the same route.

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).

93. 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 in June, 2016 at districts and ward 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**

94. 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 uRP.

95. 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 PMB and local authorities. The leaflet will be publicized at the CPC office and delivered to affected people;

96. 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 uRP**

97. 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 ward on detailed design of the project;
- The public consultation meetings in wards on the impact of the project; compensation policies, assistance and resettlement, detailed implementation plans for resettlement activities and grievance redress procedure;
- Detailed measurement 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);
- Preparation and implementation and monitoring of resettlement plan.



## VI. GRIEVANCE REDRESS MECHANISM

98. 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 during any of the procedures associated with seeking grievance redress, including if resolution requires legal action to be undertaken in a court of law.

99. 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 30 days to resolve the complaint. The WPC secretariat is responsible for documenting and keeping file of all complaints that it handles.

**Second Stage: District/Town People's Committee (DPC)** - If after 30 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 45 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.

100. 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).

101. The above Grievance Redness Mechanism will be disseminated and discussed with the APs in the process of preparing and implementing RP to ensure people understand the procedure. PPMB and the DCARBs will be responsible for following up the grievance process from the APs. Records of the complaints will be recorded and monitored by the project and the PIC.

## VII. LEGAL FRAMEWORK, COMPENSATION POLICY, AND ELIGIBILITY

102. 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.

103. 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

104. The ADB Safeguard Policy Statement (SPS), 2009 consolidates three existing safeguard policies: involuntary resettlement (IR), indigenous peoples (IP), and environment<sup>7</sup>. The objectives of the IR policy are to (i) avoid involuntary resettlement where 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 living standards of poor and vulnerable households.

105. 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.

106. 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,

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<sup>7</sup> The policy on environment is discussed in a separate environment report.

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 recognizable 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 program. 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.

107. 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.

108. 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.

109. The Bank's other cross-cutting policy themes consist of: (i) **Gender and Development (2006)** 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**

110. 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:

### **1. Laws**

- Land Law (2013) No. 45/2013/QH13 approved by the National Assembly dated November 29, 2013.
- Electricity Law (2004) No. 28/2004/QH11 approved by the National Assembly, dated December 3, 2004 and Law No. 24/2012/QH13 dated November 20, 2012 of the National Assembly amending and supplementing a number of articles of the Electricity Law.
- Complaint Law (2011) No 02/2011/QH13 approved by the National Assembly dated November 11, 2011.

### **2. Government's decrees**

- Decree No. 43/2014/ND-CP dated May 15, 2014 by the Government on 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 providing the collection of land use levies.
- Decree No. 46/2014/ND-CP dated May 15, 2014 by the Government providing the collection levies on 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. 16/2016/ND-CP dated March 16, 2016 by the Government on the management and use of Official Development Assistance (ODA) and concessional loans of foreign 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 Complaint Law.

### **3. 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. 36/2014/TT-BTNMT, dated June 30, 2014 by MONRE on land pricing method; compilation of and adjustment to land prices; determination of specific land prices and consultancy on land pricing;
- Circular No. 37/2014/TT-BTNMT dated June 30, 2014 by MONRE regulating compensation, assistance and resettlement in the event of land recovery by the State;
- Circular No. 76/2014/TT- BTC dated June 16, 2014 by MoF guiding some articles of Decree No. 45/2014/ND-CP on land use levy collection;
- Circular No. 77/2014/TT- BTC dated June 16, 2014 by MoF guiding some articles of Decree No. 46/2014/ND-CP on the collection levies on land lease, water surface lease;
- Circular No. 02/2015/TT-BTNMT dated January 27, 2015 by MONRE detailing some articles of GOV's Decree No. 43/2014/ND-CP and 44/2014/ND-CP dated 15 May 2014.

#### **4. 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. 63/2015/QĐ-TTg dated December 10, 2015 of the Prime Minister on policy on assistance in vocational training and job search for workers whose land is withdrawn by the State.

#### **5. Decisions of Ho Chi Minh City**

- Decision No 23/2015/QĐ-UBND dated May 15th, 2015 by the People's Committee of Ho Chi Minh City promulgating regulations on compensation, assistance and resettlement in the event of land recovery by the State in the territory of Ho Chi Minh City.
- Decision No. 51/2014/QĐ-UBND dated December 31, 2014 by the People's Committee of Ho Chi Minh City promulgating regulation on prices of various land type in Ho Chi Minh City for application from January 1, 2015 to December 31, 2019;
- Decision No. 02/2015/QĐ-UBND dated January 9, 2015 by PC of Ho Chi Minh City promulgating the list of crops/trees price in Ho Chi Minh City.

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

111. Since July 1, 2014, the Land Law of 2013 and its implementing Decrees and Circulars provided the overall framework for involuntary resettlement in Viet Nam.<sup>8</sup> 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 (SPS), 2009. There is basic congruence between Viet Nam's laws and the SPS especially with regard to the entitlement of persons with legal rights/titles. Existing legislation provides guidance for the following: (i) determining market/replacement rates and payment of compensation, assistance for various types of affected assets; (ii) options for land-for-land and cash compensation assistance; (iii) provision of relocation assistance and support to displaced households during the transition period; (iv) provision of resettlement land and housing with secure tenure; (v) additional assistance for severely affected and vulnerable households; (vi) assistance for livelihood restoration and training; and (vii) notification/disclosure, consultation, and grievance mechanisms. However, the following differences remain:

- a) 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-attached assets which are illegally established<sup>9</sup> (Article 92, LL). Moreover, structures (land-attached assets) are not compensated based 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 purpose of implementing 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. The Land Law does not require the preparation of a resettlement plan or general compensation plan prior to the conduct of DMS.
- e) SPS requires payment of compensation and other applicable entitlements to affected persons before displacement. This requirement is not explicitly stated as a condition under the Land Law. The Land Law does require payment of compensation within 30 days since the effective date of a land acquisition decision and to subsequently adjust amount in case of delay in payment (Article 93, LL).
- f) SPS requires compensation to include interest accrued. However, under the Land Law the amount is kept in an escrow account in State Treasury without interest in case the AP refuses the proffered compensation.

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<sup>8</sup> 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.

<sup>9</sup> 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.

- g) SPS requires the conduct and disclosure of monitoring and evaluation of resettlement activities. For project with significant involuntary resettlement impacts, an external monitoring agency is required. In the Land Law, monitoring and evaluation is required in a more general term 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 14. Gaps between Government policy and ADB SPS 2009 and policy for the project**

Issues	Government policy (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.
APs without LURC	Land Law 2013, Article 77, item 2 and article 92: Persons who has used land before July 1st 2004 and directly be involved in agriculture production on the acquired land without LURC or in illegality 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, l, 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.	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 created before cut-off date.  Safeguards cover involuntary restrictions on land use or on access to legally designated parks and protected areas. Covers temporary and partial losses.	Project affected people, without legal or recognizable 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.
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 and without deduction of salvageable materials.	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	The EA must undertake internal monitoring



Issues	Government policy (Land law 2013, Decree 47/2014/ND-CP, 44/2014/ND-CP)	ADB Safeguard Policy (SPS 2009)	Project Policy
		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	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**

118. 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) APs 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. The RP will be disclosed in Vietnamese to APs and APs will be involved in decision-making process concerning their resettlement issues.
- (v) The EVNHCMC will conduct due diligence on the ownership of affected assets, with assistance from representatives of the ward or town government, and identify 100% of the APs who are severely and marginally affected by land restriction and/or land acquisition. Severely affected persons refer to affected households who will (i) lose 10% or more of their total productive land and/or assets and/or (ii) lose 10% or more of their total income sources due to the subproject; and/or (iii) have to relocate while marginally affected persons are those who lose below 10% of the same.
- (vi) DMS will use a survey tool that will enable to segregate important data on APs 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 APs 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 APs, 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 APs 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 APs will not be differentiated between the male and the female household heads.

- (iii) APs 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 APs whose names are included in the list of APs before the cut-off date established by the district compensation and resettlement committee are entitled to receive compensation. AP 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 HHs 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 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 from the project-based stakeholders, APs, women representatives.
- (iii) Adequate budgetary support for payment of compensation, assistance, and resettlement will be committed and timely released by EVNHCMC to APs during RP implementation.
- (iv) Reliable and efficient database system will be established through the internal monitoring of RP implementation.

## VIII. ENTITLEMENTS, ASSISTANCE AND BENEFITS

### A. Project principles

112. 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**

113. Eligibility is determined regarding to the cut-off date, which will be officially announced by the DCARBs in District 9 and District 2. The affected persons will be informed of the cut-off date, and any people who settle in the subproject area after the cut-off date will not be entitled to compensation and/or assistance under the project.

114. In case of persons that the DCARB may declare as eligible persons after the cut-off date, 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 APs; (ii) households separating from large families<sup>10</sup>; and (iii) household who bought the affected land or property after the cut-off date. Their eligibility will be declared after verification and certification by the CPC. On the other 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.

115. Any person, who encroached in the ROW after the cut-off date, will not be entitled to compensation and assistance from the Project. They will be informed in advance and required to remove the houses and/or structures 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.

116. 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**

117. Households or individuals with sufficient legal rights for compensation will be compensated for affected land and structure at replacement cost. Those without sufficient legal rights will not compensated but assisted as described in the entitlement matrix below.

118. 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 15. Entitlement Matrix**

Entitled Persons	Type & Level Of Impact	Compensation Policy	Implementation Issues
<b>A. AGRICULTURAL LAND</b>			
<i>A.1 Restriction of productive land use in RoW</i>			
All affected households with land use in RoW	Partially or totally impact (14 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

<sup>10</sup> Must be done before the cut-off date or met criteria for separating but not done before the cut-off date.

Entitled Persons	Type & Level Of Impact	Compensation Policy	Implementation Issues
			<p>purposes. (Described in Decree 14/2014/ND_CP)</p> <p>Affected households can be required to cut affected trees, subproject will pay for this work.</p> <p>Exactly eligible household will be confirmed during DMS</p>
<b>B. RESIDENTIAL AND/OR NON-AGRICULTURAL LAND (e.g., commercial)</b>			
<i>B.1. Permanently Affected Residential and/or Non-Agricultural Land</i>			
Owners with LURC, owners in process of acquiring LURC, owners eligible to acquire LURC	Loss of residential and/or non-agricultural landholding without houses and structures built thereon (2 HH)	<p>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, 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;</p> <p>OR, if affected persons opts,</p> <p>Cash compensation at replacement cost for the affected land. The compensated area does not exceed the residential land quota in the locality.</p>	<p>a/ The DPC will determine availability of replacement land</p> <p>b/ Affected landholding is under dispute: Compensation held in escrow account until land dispute is resolved.</p> <p>c/ Full payment for affected households at least 03 months before site clearance</p>
Institution with the legal land use right	Loss of residential and/or non-agricultural landholding without houses and structures built thereon (One company)	Cash compensation at replacement cost for the affected land.	Full payment for affected institution at least 03 months before site clearance.
<i>B.2. Restriction of residential land use in RoW</i>			
All affected households and institution with residential land in RoW	Partially or totally impact (21 AHs and one affected institution)	<p>a. Compensation for restricted land use (residential land) with rate at 80% of compensation rate of full acquisition.</p> <p>b. Allowance cost and technical support for installing grounding wire and equipment.</p>	Exactly eligible household and institution will be confirmed during DMS
<b>C. RESTRICTION OF HOUSES AND STRUCTURES IN ROW</b>			
Affected households with houses and/or structures in ROW	Partially or totally impact (21 AHs)	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	House and structures can be existed under ROW of 110-220 transmission line (regulated in decree

Entitled Persons	Type & Level Of Impact	Compensation Policy	Implementation Issues
		within the ROW. b. Allowance cost and technical support for installing grounding wire and equipment.	14/2014/ND-CP) but the house height is limitation and conform to some regulation on safety (e.g. grounding wire installation)
<b>D. ANNUAL AND PERENNIAL CROPS, FRUIT AND TIMBER TREES AND TREE/PLANT FENCES</b>			
	Loss of perennial crops, fruit and timber trees and tree fences (14 HHs)	Cash compensation at current market prices given the type, age and productive value of the affected crops and/or trees.	Compensation must equal in value to crops that would be harvested had acquisition not occurred. A market survey shall be carried out when updating the resettlement plan or REMDPs. Exactly eligible household will be confirmed during DMS
<b>E. REHABILITATION ASSISTANCE</b>			
<i>E1. 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 (4 HHs)	For 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. Exact eligible household will be confirmed during DMS
<i>E.2. Allowances for relocation and hand over land on time</i>			
Owners of crops and/or trees	Losing crops and/or trees on land	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 Decision No. 23/2015/QD-UBND of HCMC PC

## **D. Addressing the Gender Issues**

119. The EVNHCMC, through the PPMB 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 EVNHCMC, and PPMB.

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**

120. According to the DMS and survey results, there are four (04) AHs belonging to vulnerable groups. The special assistance for these households is presented in the entitlement matrix to support them on reducing the adverse impact of land acquisition.

121. If during the updating of this document found out that there are AHs 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 ward or neighborhood clusters to participate in any meeting or consultations related to the Project, specifically on resettlement and payment of compensation.

#### **F. Special Considerations**

122. 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**

123. If during the DMS when additional adverse social impacts are identified and/or additional AHs and APs are found after the cut-off date, they are also entitled to receive Subproject entitlements as the others on condition that it can be certified by ward or town 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.



## **IX. RELOCATION OF HOUSING AND SETTLEMENT**

124. According to the survey results undertaken in June 2016, the subproject will not cause any impact on houses of residents in the construction area of the OTL pole/tower foundations and the UGC trenches. Therefore, the project will not have to perform the relocation and preparation works.

## **X. INCOME RESTORATION AND REHABILITATION**

125. None of the AHs is severely affected as no household loses 10% or more of their total productive land and/or assets, so no AH is entitled to receive assistance for restoration of livelihoods and incomes.

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

## XI. RESETTLEMENT BUDGET AND FINANCING PLAN

### A. Principles of Replacement Cost

127. 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 Consultants conducted the replacement cost surveys (RCS) that coincided with the IOL in June 2016 in order to verify and establish the current unit rates on the values of land, houses and trees as well as other assets to ensure that DPs will be compensated for their affected assets based on replacement costs.

128. 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 land, (b) costs of construction materials for houses, and (c) price of trees.

129. As to secondary information, the RCS team has referred to relevant publications and the prices issued through decisions by Ho Chi Minh City Peoples' Committee (PPC), such as: (i) Decision No. 23/2015/QĐ-UBND dated May 15, 2015 by PC of Ho Chi Minh City promulgating regulations on compensation, assistance and resettlement in the event of land recovery by the State in the territory of Ho Chi Minh City; (ii) Decision No. 51/2014/QĐ-UBND dated December 31, 2014 by PC of Ho Chi Minh City promulgating regulation on prices of various land type in Ho Chi Minh City for application from January 1, 2015 to December 31, 2019; (iii) Decision No. 02/2015/QĐ-UBND dated January 9, 2015 by PC of Ho Chi Minh City on promulgating the list of crops/trees price in Ho Chi Minh City.

### B. Administration, Monitoring and Contingency Costs

130. The budget for the administration of RP is equivalent to 2%<sup>11</sup> 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 administration and management, replacement cost survey, conduct of DMS, meetings and consultations, and redress grievance.

131. External monitoring and evaluation is not required given the minimal impacts of land acquisition to DPs. However, internal monitoring shall be carried out by EVNHCMC/PPMB and the PICs consultants. The EVNHCMC/PPMB 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.

### C. Compensation Payment and Procedures

132. Following the approval of budget by EVNHCMC, it will advise the PPMB for the schedule of release of funds and payment to DPs. The PPMB will be responsible for channeling 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 PPMB will be responsible for coordination with DPC that will then allocate the land and the issuance of LURCs.

133. 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.

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<sup>11</sup> 2% as stipulated in decree 47/2014/ND-CP date 15 May 2014 regulating on compensation, assistance and resettlement

#### D. Financing of Resettlement Costs

134. As in Table 16, the overall cost of RP updating and implementation was estimated at **VND 21,429,919,840 (USD\$ 937,237)** for inclusion in the Subproject investment. The EVNHCMC/PPMB 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 Cat Lai – Tan Cang 220 kV TL**

No	Items for compensation	Unit	Quantity	Unit price (VND)	Amount (VND)
<i>I</i>	<i>Compensation for permanently acquired land</i>				<b>1,696,200,000</b>
	<i>Residential land in Phu Huu ward</i>	<i>m<sup>2</sup></i>	<i>278</i>	<i>2,400,000</i>	<i>667,200,000</i>
	<i>Residential land in Cat Lai ward</i>	<i>m<sup>2</sup></i>	<i>150</i>	<i>6,860,000</i>	<i>1,029,000,000</i>
<i>II</i>	<i>Compensation for affected trees in the ROW</i>				<b>46,300,000</b>
	<i>Fruit trees</i>	<i>Tree</i>	<i>65</i>	<i>660,000</i>	<i>42,900,000</i>
	<i>Nipa trees</i>	<i>Tree</i>	<i>68</i>	<i>30,000</i>	<i>2,040,000</i>
	<i>Miscellaneous trees</i>	<i>Tree</i>	<i>34</i>	<i>40,000</i>	<i>1,360,000</i>
<i>III</i>	<i>Compensation for restrictions in utilization of lands and houses in the RoW</i>				<b>17,351,357,000</b>
III.1	Residential land in the RoW				14,744,432,000
	<i>Phu Huu ward</i>	<i>m<sup>2</sup></i>	<i>1,937</i>	<i>1,920,000</i>	<i>3,719,040,000</i>
	<i>Cat Lai ward</i>	<i>m<sup>2</sup></i>	<i>2,009</i>	<i>5,488,000</i>	<i>11,025,392,000</i>
III.2	Perennial crop land in the RoW				188,775,000
	<i>Cat Lai ward</i>	<i>m<sup>2</sup></i>	<i>2,517</i>	<i>75,000</i>	<i>188,775,000</i>
III.3	Houses in the RoW (21 houses of grade 4 with aggregate 987m <sup>2</sup> of affected areas)	<i>m<sup>2</sup></i>	<i>987.0</i>	<i>2,450,000</i>	<i>2,418,150,000</i>
<i>IV</i>	<i>Assistance</i>				<b>40,000,000</b>
IV.1	Special allowance for social and economically vulnerable households	HH	5	5,000,000	25,000,000
IV.2	Allowances for handing over land on time	HH	2	7,500,000	15,000,000
	<b>Sub-total: Direct cost of resettlement (I+...V)</b>				<b>19,133,857,000</b>
	Cost contingencies (10% of direct costs)				1,913,385,700
	Administrative costs (2% of direct costs)				382,677,140
	<b>Grand total *</b>				<b>21,429,919,840</b>
	<i>In US Dollars</i>				<b>937,237</b>
	<i>Foreign Exchange Rate</i>				<b>22.865</b>

## XII. INSTITUTIONAL ARRANGEMENT

135. 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

### A. Institutional Features at Central level

136. **EVNHCMC:** 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 PMB to carry out the Project component in Ho Chi Minh City; (iv) coordinate with ADB to engage resettlement consultant services for the Project; (v) support the PMB for updating the RP; and (vi) prepare Project progress reports on land acquisition and resettlement submitted by PMB for information of relevant ministries and ADB. Upon advice by PMB, 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.

137. **PMB:** The PMB will: (i) actively participate in the updating and implementation activities in collaboration with the concerned organizations at the District and Ward 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.

### B. Institutional Features at City Level

138. **City People’s Committee:** The main responsibilities of the City PC include: (i) establishment and mobilization of City Compensation and Resettlement Board (CCARB); (ii) organization and mobilization of all organizations 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) authorizing 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.

### C. District and Ward Levels

139. **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) mobilization 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.

140. **District Compensation and Resettlement Board:** The responsibilities of the DCARB will be the following: (i) organize 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 PMB 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.

141. **Ward People's Committee.** The WPCs will assist the PMB 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.

### XIII. IMPLEMENTATION SCHEDULE

142. As envisaged, the RP shall be implemented prior to the commencement of civil works contract. The EVNHCMC, through the PMB, 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. The table below 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
<b>1. Preparation</b>	
1.1. Draft RP is submitted to ADB for review and comment	September 2016
1.2. Information disclosure at province level	October - November 2016
1.3. Updating RP based on comments of ADB and HCMC	December 2016 – February 2017
1.4. ADB's approval for the RP	March 2017
1.5. Disclosure of the RP to the host districts and wards	–March - April 2017
<b>2. Implementation</b>	
2.1. Information campaign	Start from the DMS.
2.2. Detailed measurement survey (DMS)	April 2017
2.3. Preparing the compensation plan for all DPs and update the RP	May 2017
2.4. The review and approval of local authorities for the compensation plan	June 2017
2.5. Disclosure of the approved compensation plan for the DPs	July 2017
2.6. The compensation Payment cost for the DPs	July - August 2017
2.7. Handing over land and asset to PMB and the commencement of the subproject's construction.	September 2017
2.9. Grievance redress	Whenever having grievances
2.10. Monitoring and evaluation	April - September 2017

## **XIV. MONITORING AND REPORTING**

143. The implementation of resettlement will be monitored regularly to help ensure that the resettlement plan is implemented as planned and that mitigating measures designed to address adverse social impacts are adequate and effective. Toward this end, resettlement monitoring will be done by PMB.

### **A. Monitoring and Reporting**

144. The project will establish an internal monitoring and evaluation systems. The main purpose of the monitoring and evaluation programme is to ensure that resettlement and acquisition of land and properties has been implemented in accordance with the policies and procedures of the resettlement plans.

145. The objectives of the monitoring and evaluation programme are to (i) ensure that the standard of living of affected persons is restored or improved; (ii) monitor whether the time lines are being met; (iii) assess if compensation, rehabilitation measures and social development support programmes are sufficient; (iv) identify problems or potential problems; and (v) identify methods of responding immediately to mitigate problems.

146. The PMB shall submit semi-annual reports to EVNHCMC unless either request more frequent reports. One post-subproject assessment survey will be undertaken by the EVN after completion of compensation and resettlement activities.

### **B. Internal Monitoring**

147. The PMB will conduct the internal monitoring of resettlement plan implementation of EVNHCMC to identify as early as possible the activities achieved and the cause(s) of problems encountered so that arrangements in resettlement plan implementation can be adjusted. Related information will be collected monthly from the field to assess the progress of resettlement plan implementation and will be consolidated every quarter.

148. An internal key indicator will be, as per assurances to the ADB, the payment of compensation, relocation to new sites and rehabilitation assistance being in place before award of civil contracts and these will be monitored under each of the civil contracts. The other main indicators that will be monitored regularly are:

- Payment of compensation to all affected persons in various categories, according to the compensation policy described in the resettlement plan;
- Delivery of technical assistance, restoration, payment of subsistence;
- 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

149. The EVNHCMC will incorporate the status of resettlement plan implementation in the overall project progress report to ADB. Internal monitoring report should be prepared and submitted to ADB in semi-annual basis.



## **Appendices**

Appendix 1: IOL and SES questionnaires

Appendix 2: Master list of the AHs

Appendix 3: Consultation minutes

Appendix 4: Results of the RCS

## Appendix 1. IOL and SES Questionnaires

### SOCIO-ECONOMIC SURVEY AND INVENTORY OF LOSSES QUESTIONNAIRE

Subprojects: 220kV Cat Lai – Tan Cang transmission line

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Questionnaire code: \_\_\_/\_\_\_/\_\_\_; Survey date: \_\_\_/\_\_\_/201...

#### A. BACKGROUND INFO

1. Name of head of household: .....Age..... Gender: [ ] (Male=1; female=2)
  - a) Ethnicity: [ ] (1=Kinh; 2=Thai; 3=Tay; 4=Nung; 5= Muong; 6=Tho; 7=Others)
  - b) Education Level: [ ] (1=Illiterate; 2=Primary school; 3=Secondary school; 4= Yet graduated from high school; 5=High school; 6=Vocational training; 7=University and post graduate; 8=Others)
  - c) Main occupation: [ ] (1= Agriculture; 2=Livestock husbandry; 3=Selling goods; 4=Restaurant ; 5=Factory worker; 6=official; 7=private company; 8=transportation; 9=driver 10= receive domestic economic support; 11=receive economic support from abroad ; 12=housewife; 13=Others)
  - d) Secondary jobs: [ ] (1=Livestock husbandry; 2=perennial crops; 3=aquaculture; 4=handicraft; 5=forestry; 6=small business; 7=mechanic)
2. Home address: Village: .....Commune: .....District.....Province .....
3. Vulnerable group: [ ] (Woman headed=1; Ethnic minority=2; Disabled=3; Poor household=4; Social policy household=5)

#### B. SOCIO-ECONOMIC SURVEY

4. Household component (including head of household)

No.	Name	Gender	Relation to the household head	Age	Ethnicity	Main Occupation	Education level (7 and above)
		1=Male 2=Female	0=head 1=Husband/wife 2=Father/mother 3=Son/daughter 4=Son-in-law/ Daughter-in-law 5=Grand child 6=Niece/ nephew 7=Others		1=Kinh 2=Thai 3=Tay 4=Nung 5=Muong 6=Tho 7=Others	1= Agriculture; 2=Livestock husbandry; 3=Selling goods; 4=Restaurant ; 5=Factory worker; 6=official; 7=private company; 8=transportation; 9=driver 10= receive domestic economic support; 11=receive economic support from abroad ; 12=housewife; 13=Others	0=Illiterate 1=Primary school 2=Secondary school 3=Yet graduated from high school 4=High school 5=Vocational training 6=University 7=Others
1							
2							
3							
4							
5							
6							
7							
8							
9							

**5. Housing facilities**

a.	Source of water – drinking / cooking: _____	1- Rain water	5- Purchased
b.	Source of water – washing / bathing: _____	2- Traditional / shallow well	6- Public tap
c.	Sanitation: _____	3- Deep well	7- Piped water
d.	Source of energy – lighting _____	4- Canal, river, pond	8- Other
e.	Source of energy – cooking: _____	1- Pit latrine	3- Public toilet
		2- Toilet in house	4- None
		1- Electricity (from government)	6- Wood
		2- Private generator	7- Coal
		3- Car battery	8- Cylinder gas
		4- Kerosene / gas	9- None
		5- Paraffin / candle	10 - Other

**6. Access to public facilities**

Facilities/Social service	1.Yes	2.No	1= under1 km	2= from 1 to 2 km	3= from 2 to 5 km	4= over 5 km
<b>a. Health service</b>						
1. Communal health center						
2. Hospital/General Clinic						
3. Private medical center						
4. Pharmacy						
<b>b. Market</b>						
<b>c. Kindergarden and school</b>						
5. Kindergarden						
6. Primary school						
7. Secondary school						
8. High school						
9. Community college/Vocational training						
<b>d. Other community facilities</b>						
10. Cultural communal house						
11. Pagodas, temples, churches						
12. Sport center, stadium						

**7. Annual household income: ..... VND**

**Main household income sources are from:**

- 1) Agricultural production activities Amount \_\_\_\_\_ VND
- 2) Business Amount \_\_\_\_\_ VND
- 3) Salary Amount \_\_\_\_\_ VND
- 4) Other sources (for example, overseas remittances) Amount \_\_\_\_\_ VND

**8. Water use: water sources for domestic use (tick the corresponding bracket)**

- 1) Dug well [ ]
- 2) Village well [ ]
- 3) Tap water [ ]
- 4) Rain water [ ]
- 5) River, stream, pond, lake [ ]
- 6) Buy water [ ]
- 7) Creek [ ]
- 8) Others [ ]

**9. Common diseases among the community (specify)**

- 1) Catch a cold [ ]
- 2) Dysentery [ ]

- |                         |     |                |     |
|-------------------------|-----|----------------|-----|
| 3) Influenza            | [ ] | 4) Hepatitis   | [ ] |
| 5) Respiratory diseases | [ ] | 6) Intoxicated | [ ] |
| 7) Malaria              | [ ] | 8) Others      | [ ] |
| 9) Cholera              | [ ] | 10) No answer  | [ ] |

**10. Main energy for lighting for household?**

- |                     |     |                               |     |
|---------------------|-----|-------------------------------|-----|
| 1) Grid electricity | [ ] | 2) Power generator/hydropower | [ ] |
| 3) Battery          | [ ] | 4) Kerosene lamp              | [ ] |
| 5) Wood/coal        | [ ] | 6) Others                     | [ ] |

**11. Main energy for cooking of the household? (Can select more than 1)**

- |                    |     |              |     |
|--------------------|-----|--------------|-----|
| 1) Electricity     | [ ] | 2) Biogas    | [ ] |
| 3) Power generator | [ ] | 4) Others    | [ ] |
| 5) Gas/oil         | [ ] | 6) No answer | [ ] |
| 7) Wood            | [ ] |              |     |

**12. Has the living condition of the household changed during the last 3 years ?**

- 1) Remain the same [ ]; Reason \_\_\_\_\_
- 2) Better [ ]; Reason: \_\_\_\_\_
- 3) Worse [ ]; Reason: \_\_\_\_\_

**C. INVENTORY OF LOSSES**

**1. Land use situation of the household (affected land is in the scope of acquisition for the project)**

Types of land	Land within and beyond the project area (m <sup>2</sup> )		Impact degree		Land tenure	Legal title	Impacts caused by
			Total area of affected land (m <sup>2</sup> )	(1) Partially affected  (2) Fully affected			
1= Residential land 2=Land for growing rice 3=Garden land 4=Aquaculture land 5=Forestry land 6=Non-agricultural land 7=Others					1=Owner 2=Lease	1=LURC 2=Without LURC but are eligible for granting LURC 3= Ineligible for granting LURC 4= Land is in the planning area of the state 5=Long-term lease of government land 6=Lease of private land	1= Tower/ pole 2= ROW
	Within	Beyond					
Plot 1							
Plot 2							
Plot 3							
Plot 4							
Plot 5							
Plot 6							
Plot 7							
Plot 8							
<b>Total</b>							

**2. Affected houses**

Types of houses	Total floor area (m <sup>2</sup> )	Legal title	Impact degree		Project area	Notes (if there is home business, except for No. 7)
			Affected floor area (m <sup>2</sup> )	(Partially affected=1; Fully affected=2)		
1. Villa 2. Grade1 3. Grade 2 4. Grade 3 5. Grade 4 6. Temporary 7. Shop separated from house		1. With certificate 2. Without certificate 3. Build on agricultural land 4. Rented house			1= Tower/ pole 2= ROW	

**NB:** A household can be impacted on several houses, thus it is necessary to fill full information of all affected houses.

**3. Information related to houses out of the project area (if any):**

- No. of houses: [ ]
- Area of houses out of the project area (m<sup>2</sup>): ..... m<sup>2</sup>

**4. Other affected structures and facilities**

(List auxiliary structures separated from affected houses listed above and facilities)

Structures/ Facilities	Types of structures	Unit	Quantity	Location 1= Tower/ pole 2= ROW
1. Kitchen separated from the main house	1. Temporary 2. Equal to grade 4 house	m2		
2. Livestock sheds	1. Temporary 2. Equal to grade 4 house	m2		
3. Electricity meter		Electricity meter		
4. Water meter and estimate of water pipeline length		Water meter		
5. Telephone				
6. Fence	1. Brick 2. Steel, wire or wood	Fence		
7. Gate	1. Brick 2. Iron, steel 2. Wood, Bamboo	m <sup>2</sup>		
8. Latrine, bathroom (separated from the main house)	1. Brick, concrete 2. Bamboo, thatch	m2		
9. Earth grave a) In cemetery b) Individual		Grave		
10. Built grave				
11. Well	1. Drilled 2. Dug	m		

12. Water container	1. Brick/ concrete 2. Inox 3. Plastic	m <sup>3</sup>		
13. Yard (only cement or tiled)		m <sup>2</sup>		
14. Fish pond (excavated amount)		m <sup>3</sup>		
15. Others (Name and affected area)				

**5. Affected trees and crops**

(Only list affected perennial crops and fruit trees)

Trees and crops	Name	Unit	Amount	Location 1= Tower/ pole 2= ROW
<b>a) Fruit tree (main)</b>		<b>Tree</b>		
1)				
2)				
3)				
4)				
5)				
<b>b) Timber tree (main)</b>		<b>Tree</b>		
1)				
2)				
3)				
4)				
5)				
<b>c) Pot plant (main)</b>				
<b>d) Crops (main)</b>		<b>m2</b>		
1)				
2)				
3)				
4)				
5)				
<b>e) Surface water area for aquaculture</b>		<b>m2</b>		

**D. CONSULTATION**

**1. Only for households losing productive and agricultural land**

**If agricultural or other productive lands are affected (acquired), which compensation option does your family chooses?**

- a) Land-for-land (if land fund in the commune is available) with equal type of land and area/nature [ ]
- b) Compensation in cash [ ]
- c) Not yet decided [ ]

**2. Only for households losing residential land**

**Is the remaining residential land area out of the project area enough for the household to rebuild house?**

- 1- Yes [ ]
- 2- No [ ]

**3. Only for households losing residential land**

**If the remaining residential land area is not viable to rebuild house (the remaining area is smaller than 40m2 in the urban area or 100m2 in the rural area), which relocation option does the household choose?**

- a) Self relocate to another land plot of the household [ ]
- b) Self relocate to another place decided by the household [ ]
- c) Project's resettlement site [ ]
- d) Move to the resettlement site arranged by the local authorities [ ]
- e) Not yet decided [ ]

**4. What is your plan to use compensation cash?**

- a) Build or repair house [ ]
- b) Buy new land [ ]
- c) Buy other properties [ ] ; Specify \_\_\_\_\_
- d) Invest in small business [ ]
- e) Bank saving [ ]
- f) Spend on children's study [ ]
- g) Others [ ] Describe \_\_\_\_\_

**5. At present does the family have plan to replace production/income from agricultural land and/or restore business?**

- 1. No [ ]
- 2. Yes: [ ]

If yes, what is the plan:

- a) Buy new agricultural land for production [ ]
- b) Reestablish business in the new place [ ]
- c) Business [ ]
- d) Open small shop [ ]
- e) Handicraft [ ]
- f) Look for new job [ ]
- g) Others [ ] Describe \_\_\_\_\_

\_\_\_\_\_  
**Surveyor**

\_\_\_\_\_  
**On behalf of the household**

## Appendix 2. Master List of the AHs

No.	Code	Name of household heads	Gender	People	Ward	District	Landholding (m <sup>2</sup> )	Percentage of acquired land (%)	Permanently affected lands (m <sup>2</sup> )	Affected land in ROW (m <sup>2</sup> )	Total affected land (m <sup>2</sup> )
1		Le Phan Company			Phu Huu	No.9			278	1,937	2,215
2		Other lands (traffic land, arroyos...)			Phu Huu	No.9				2,537	2,537
3		Other lands (traffic land, arroyos...)			Binh Trung Dong	No.2			298	17,918	18,216
4	HK01	Nguyen Van Phuong	1	1	Cat Lai	No.2	1,078			710	710
5	HK02	Vo Hong Phu	1	1	Cat Lai	No.2	2,365	3.17%	75	995	1,070
6	HK03	Nguyen Ba Son	1	1	Cat Lai	No.2	2,066			1,000	1,000
7	HK04	Bui Van Sanh	1	1	Cat Lai	No.2	102			102	102
8	HK05	Bui Van Qua	1	1	Cat Lai	No.2	139			139	139
9	HK06	La Van Bay	1	1	Cat Lai	No.2	158			158	158
10	HK07	Bui Thi Kim Hoa	2	1	Cat Lai	No.2	116			29	29
11	HK08	Bui Van Minh	1	1	Cat Lai	No.2	98			93	93
12	HK09	Nguyen Thi Ma	2	1	Cat Lai	No.2	134			122	122
13	HK10	Vo Thi Nu	2	1	Cat Lai	No.2	119			61	61
14	HK11	Nguyen Thanh Phong	1	1	Cat Lai	No.2	128			58	58
15	HK12	Tran Thi Kim Tiet	2	1	Cat Lai	No.2	171			58	58
16	HK13	Le Thi Phuc	2	1	Cat Lai	No.2	281			119	119
17	HK14	Nguyen Van tinh	1	1	Cat Lai	No.2	187			17	17
18	HK15	Nguyen Huu Thuan	1	1	Cat Lai	No.2	152			83	83
19	HK16	Nguyen Thi Y	2	1	Cat Lai	No.2	124			31	31
20	HK17	Nguyen thi Nhung	2	1	Cat Lai	No.2	187			8	8
21	HK18	Nguyen Van Dung	1	1	Cat Lai	No.2	249	30.12%	75	144	219
22	HK19	Nguyen Thi Anh Thu	2	1	Cat Lai	No.2	358			39	39
23	HK20	Nguyen Van Le	1	1	Cat Lai	No.2	785			500	500
24	HK21	Nguyen Thi Thu Thuy	1	1	Cat Lai	No.2	70			60	60
25		Other lands (traffic land, arroyos...)			Cat Lai	No.2			222	16,332	16,554
26		Other lands (traffic land, arroyos...)			Thanh My Loi	No.2			1,025	55,163	56,188
27		Other lands (traffic land, arroyos...)			Binh Trung Tay	No.2			94	6,858	6,952
28		Other lands (traffic land, arroyos...)			An Phu	No.2			139	2,809	2,948
29		Other lands (traffic land, arroyos...)			Binh An	No.2					
30		Other lands (traffic land, arroyos...)			Binh Khanh	No.2					
31		Other lands (traffic land, arroyos...)			Ward 22	Binh Thanh					



### Appendix 3. Sample of Consultation Minutes

#### Cat Lai ward, district 2, Ho Chi Minh City

CỘNG HÒA XÃ HỘI CHỦ NGHĨA VIỆT NAM  
Độc lập - Tự do - Hạnh phúc

#### BIÊN BẢN THAM VẤN CỘNG ĐỒNG DÂN CƯ CHỊU TÁC ĐỘNG TRỰC TIẾP BỞI DỰ ÁN

Tên dự án: Đường dây 220kV Cát Lái – Tân Cảng và

Đường dây 110kV Cát Lái – An Khánh

Thời gian họp: ngày...tháng...năm 2016

Địa điểm: UBND phường Cát Lái, quận 2, thành phố Hồ Chí Minh.

#### 11. Thành phần tham dự

##### ❖ Địa phương

Stt	Họ và tên	Chức vụ	Ký tên
1	Đinh Ngọc Đào	Chủ tịch KDCB	
2	Nguyễn Hoàng Châu	PCCT HỘI LHPDP	
3	Nguyễn Thanh Hùng	Bí thư Đoàn	
4	Nguyễn Thị Hoàng	Trưởng KP2	
5	Moai Kiên Kiên	ĐTKV	
6	Võ Hoàng Hải	ĐC - XD	
7	Nguyễn Đức Tiến	ĐCT	
8	Nguyễn T. Ngọc Sơn	CT HTTQ	
9	Nguyễn Hữu Khanh	ĐC - XD	
10			

##### ❖ Chủ đầu tư và Đơn vị Tư vấn

Stt	Họ và tên	Đơn vị	Chức vụ	Ký tên
1	Đoàn Cấp Phước	Ban QLDA ĐL TP HCM		
2	Nguyễn Thạch Xuất	Chy CP TV XD Miền 2		
3	Đoàn Thị Thuý Duyên	"		
4	Nguyễn Thị Như Quỳnh	"		

#### 12. Nội dung và diễn biến cuộc họp

2.1. Người chủ trì cuộc họp thông báo lý do cuộc họp và giới thiệu thành phần tham dự.

2.2. Chủ dự án trình bày tóm tắt báo cáo ĐTM của dự án gồm các nội dung của dự án, các tác động tích cực và tiêu cực của dự án đến môi trường và sức khỏe cộng đồng, các biện pháp giảm thiểu.

2.3. Thảo luận, trao đổi giữa cộng đồng dân cư chịu tác động trực tiếp với chủ dự án, Ủy ban nhân dân cấp xã/phường về các vấn đề mà dự án đã trình bày tại cuộc họp.

- 1/ Quá trình thi công dự án làm sao để không ảnh hưởng đến người dân.
- 2/ Đất đai người dân bị ảnh hưởng trực tiếp sẽ đất đai của họ phải được đền bù thỏa đáng.
- 3/ Cho dân biết đi về qua cái đền bù để người dân biết.
- 4/ Công cấp và đền bù, hưởng tuyền của dự án cho địa phương và người dân bị ảnh hưởng được biết.
- 5/ Người dân ở dưới đường dây 220KV có nguy hiểm không khi thi mùa đứt dây người dân sẽ bị điện giật.
- 6/ Thời gian thi công dự án là khi nào?
- 7/ Khi kết hợp với bên giao hàng để thực hiện đền bù cho tốt.

\* Ý kiến trả lời của chủ dự án và đơn vị tư vấn

- 1/ Chủ dự án sẽ phối hợp với chính quyền xây dựng đảm bảo an toàn và giảm thiểu đến mức thấp nhất các tác động đến người dân địa phương để quá trình thực hiện dự án.



- 2/ Đền bù đất đai bị về đất bị ảnh hưởng bởi dự án sẽ được thực hiện theo các quy định của chính phủ và UBND thành phố Hồ Chí Minh.

- 3/ Hồ sơ và hưởng tuyền đường dây sẽ được công bố tại UBND phường để địa phương và người dân tham khảo. Các ảnh hưởng về đất đai tác động của dự án sẽ được điều tra, kiểm tra cụ thể cho từng hộ dân bị ảnh hưởng trước khi thực hiện đền bù.

- 4/ Trong quá trình thiết kế dự án đã thực hiện theo các an toàn về điện, người dân có thể sinh hoạt chức năng làng tuyền đường dây 220KV nên đảm bảo không cách an toàn theo quy định tại Nghị định 14/2014/NĐ-CP.

Của chính phủ  
Nếu công tác quản lý vận hành tuyến đường dây không  
đảm bảo thì mức độ điện giật có thể xảy ra tùy thuộc  
các đơn vị vận hành thường xuyên kiểm tra, bảo trì và các  
đường tuyến đường dây trong suốt quá trình hoạt động,  
đặc biệt là trong mùa mưa nên mức độ về điện giật  
cho người dân dọc tuyến đường dây được giảm thiểu  
đến mức tối đa vì không thể xảy ra

5/ Theo dự kiến tiến độ dự án từ quý I 2017 và hoàn  
thành quý IV 2017.

6/ Chỉ dẫn tư có trách nhiệm kiểm tra và thực hiện công  
tác bồi thường cho người dân sinh hướng trước khi di dời  
thị công dự án



3. Người chủ trì cuộc họp tuyên bố kết thúc cuộc họp.

ĐẠI DIỆN UBND PHƯỜNG  
PHÓ CHỦ TỊCH  
  
*Nguyễn Đức Kiên*

ĐẠI DIỆN CHỦ DỰ ÁN  
*Laput*  
*Đoàn Tập Thuật*



Danh sách thành dự họp tham vấn cộng đồng về nội dung báo cáo đánh giá tác động môi trường dự án Đường dây 220kV Cát Lái - Tân Cảng.


Họp ngày 01/9/2016

STT	Họ và tên	Đơn vị	Ký tên
1	Nguyễn Văn Lê	877 Nguyễn Thị Đình, T. Cát Lái	Lê
2	Nguyễn Thị Thu Thủy	877 Nguyễn Thị Đình	Thủy
3	Nguyễn Văn Phương	1065 Nguyễn Thị Đình	Phương
4	Nguyễn Thanh Phong	907/7 Nguyễn Thị Đình	Phong
5	Nguyễn Thị Anh Thư	907/7 Nguyễn Thị Đình	Thư
6	Trần Thị Kim Ngọc	907/7 Nguyễn Thị Đình	Ngọc
7	Bùi Thị Kim Hoa	907/4 Nguyễn Thị Đình	Hoa
8	Bùi Văn Minh	907/4 Nguyễn Thị Đình	Minh
9	Bùi Văn Sơn	907/2/1 Nguyễn Thị Đình	Sơn
10	Nguyễn Thị Mã	907/4 Nguyễn Thị Đình	Mã
11	Bùi Văn Quốc	907/6 Nguyễn Thị Đình	Quốc
12	Võ Thị Phức	1123 Nguyễn Thị Đình	Phức
13	Võ Hồng Phú	1082 Nguyễn Thị Đình	Phú
14	Nguyễn Bá Sơn	54 Nguyễn Thị Đình	Sơn
15	Võ Thị Kiều	907/1	Kiều
16	Nguyễn Hữu Thuận	907/5	Thuận
17	Lê Văn Bảo	907/2/3	Bảo
18			

7

STT	Họ và tên	Đơn vị	Ký tên
19			
20			
21			
22			
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31			
32			

Người lập danh sách

  
 Võ Hoàng Hải

#### Appendix 4. Results of the RCS

The results and price comparison are presented in the below tables.

##### 1. Unit cost of Land

No.	Location	Unit	Unit price of the Province*	Market price	Proposed unit price
1	Phu Huu				
	- Perennial cropland	m <sup>2</sup>	190,000	250,000	250,000
	- Residential land	m <sup>2</sup>	2,100,000	2,400,000	2,400,000
2	Cat Lai				
	- Perennial cropland	m <sup>2</sup>	190,000	250,000	250,000
	- Residential land	m <sup>2</sup>	5,488,000	6,860,000	6,860,000

\*Note: Decision No.51/2014/QĐ-UBND dated Dec 31, 2014 of Ho Chi Minh City People's Committee

##### 2. Unit cost of Crops and Trees

No.	Type of trees	Unit	Unit price of the Province*	Market price	Proposed unit price
2	Fruit tree	Tree	469,957	660,000	660,000
2	Nipa tree	Tree	24,000	30,000	30,000
3	Miscellaneous tree	Tree	30,000	40,000	40,000

\*Note: Decision No.02/2015/QĐ-UBND dated Jan 9, 2015 of Ho Chi Minh City People's Committee

##### 3. Unit cost of Houses

No.	Type of structure	Unit	Unit price of the Province*	Market price	Proposed unit price
1	House of grade 4	m <sup>2</sup>		3,500,000	3,500,000

## Appendix 5. Map of subproject's route