

Updated Resettlement Plan

June 2014

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

**(EVN HANOI: 110 kV Noi Bai Airport Substation and
Associated 110 kV Transmission Line)**

Prepared by Hanoi Power Corporation (EVN HANOI) for the Asian Development Bank. This is an updated version of the draft originally posted in December 2013 available on <http://www.adb.org/projects/46391-001/documents>.

ABBREVIATIONS

ADB	Asian Development Bank
AHs	affected households
APs	affected persons
CARB	Compensation, Assistance and Resettlement Committee
CPC	Commune People's Committee
DCARB	District Compensation, Assistance and Resettlement Committee
DMS	Detailed Measurement Survey
DPC	District People's Committee
EMA	External Monitoring Agency
EVN Hanoi	Hanoi Power Corporation
EVN	Electricity of Viet Nam
GoV	Government of the Socialist Republic of Viet Nam
HPPMB	Ha Noi City Power Projects Management Board
IOL	Inventory of losses
LURC	Land use rights certificate
ODA	Official Development Assistance
OHL	overhead line
PIB	Public information booklet
PIC	Project Implementation Consultant
PMB	Project Management Board
City PC	City People's Committee
PPMB	Power Project Management Board
RCS	Replacement Cost Survey
RoW	Right-of-Way
RP	Resettlement Plan
SES	Socio-Economic Survey
SPS	Safeguard Policy Statement
WPC	ward people's committee

ELECTRICAL TERMINOLOGY

kV	(kilovolt)	- 1,000 volts
MW	(Megawatt)	- 1,000 kW
MVA	(Megavolt-ampere)	- 1,000 kVA
VAr	(volt-ampere reactive)	- Unit of reactive power
Transmission System		- 500 kV, 220 kV, 110 kV lines
Medium Voltage Distribution (MV)		- 35 kV, 22 kV or 10 kV lines supplying distribution substations
Low Voltage Distribution (LV)		- 400/230 V distribution and service lines
Load Factor		- Ratio of average power demand to maximum power demand
Electrical Losses		- Difference between energy delivered and energy sent out

NOTE

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

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DEFINITION OF TERMS

Affected persons	Refers to 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. affected persons therefore include: (i) persons affected directly by the right-of-way (RoW) 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 displaced person. In this project, the cut-off date will coincide with the period of the census of affected persons and the inventory of losses (IOL) that will be conducted based on feasibility design documents. Persons not covered in the census are not eligible for compensation and other entitlements, unless they can show proof that (i) they have been inadvertently missed out during the census and the IOL; or (ii) they have lawfully acquired the affected assets following completion of the census and the IOL and prior to the conduct of the detailed measurement survey (DMS).
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 IOL, severity of impacts, and list of affected persons earlier done during resettlement plan preparation. The final cost of resettlement can be determined following completion of the DMS.
Displaced persons	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 affected persons, 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 losses	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 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 affected persons will be determined.
Land acquisition	Refers to the process whereby an individual, household, firm or private institution is compelled by a public agency to alienate all or part of the land it owns or possesses to the ownership and possession of that agency for public purposes in return for compensation at replacement costs.
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.

1. EXECUTIVE SUMMARY

1.1. Project Description

1. This project involves the construction of a new substation and associated transmission line to supply electricity to the new Terminal 2 currently under construction at Noi Bai International Airport. The existing Noi Bai Substation cannot supply the new load required. The new Noi Bai Airport Substation will be dedicated exclusively to supply electricity only to the airport. EVN Hanoi is responsible for the construction of the 110 kV Substation, which is located in PhuCuong Commune of Soc Son District, Ha Noi City.
2. This updated RP is updated based on the results of DMS for affected assets of the affected households of 110kV Noi Bai Airport Substation and 110kV transmission line. It also updates the results of consultation, participation and information dissemination to AHs and stakeholders in the RP implementation process for this project.

1.2. Scope of Land Acquisition and Resettlement

3. According to the DMS results, the total acquired land area for the subproject is 13,559m² which belong to 180 households (294 parcels). All of the permanently acquired lands are agricultural lands.
4. There is a 12.5m² temporary house with water tank and well of a household at Quang Minh Village who is required to relocate.
5. A total of 4.194 m² of ordinary and glutinous rice belonging to 176 AHs are permanently affected due to land acquisition.
6. There are 04 household with affected fruit-trees such as banana, lemon, orange, and grapefruit of the total 256.86 m² acquired land area.
7. There are 04 graves to be relocated in the Noi Bai Airport substation's construction area which belongs to Ma Diu field, Huong Gia village of Phu Cuong Commune, Soc Son district.
8. There are 04 severely affected household, and 53 affected households belonging to vulnerable group. There is no household who might be worsened off by the project's impacts.
9. The Project is categorized as a Category B for involuntary resettlement as per ADB's SPS 2009's classification.

1.3. Associated facilities

10. A due diligence of the associated infrastructure has been conducted for the 22kV power supply system project for T2 Terminal and power loads of Noi Bai International Airport. This Project aims to provide electricity for T2 Terminal and other areas in the Noi Bai International Airport complex and the Project Owner is Noi Bai International Airport. The due diligence results show that this is not an associated structure of Noi Bai Airport 110kV SS; therefore, there is no corrective action necessary for land acquisition of this project and the due diligence process is complete.

1.4. Socioeconomic Information

11. A total of 180 households in three communes and one town are affected by the subproject's construction. The socio-economic survey has been conducted with 57 affected households. The average household size of these AHs is 3.4. The rate of male is 53% while the rate of female is 47%.
12. 3.5% of the AHs are illiterate, 15.8% finished primary education, 82.5% attended secondary schools, 42.1% attended high school and 1.8% has university degrees.

1.5. Information Disclosure, Consultation, and Participation

13. Consultation meetings were held during the preparation phase of the subproject in October and November 2013 at three Communes and one town. The information disclosure and consultation during IOLs have been implemented in the subproject's area. The participants included representatives of the affected households, local authorities, mass organizations such as Women's Union and Fatherland's Front at the ward level. With regard to disclosure of the draft resettlement plan, key information has already been provided to the affected households and companies during the public consultation meetings. 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 results; (iii) basis used for asset valuations; (iv) the entitlements; (v) timing of payments and the schedule of displacement; (vi) grievance redress mechanism; and (vii) contact persons at the PMB and concerned ward people's committee (WPC).

1.6. Grievance Redress Mechanism

14. In order to ensure that all affected persons' 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 affected persons to air their grievances, a well-defined grievance redress mechanism has been established. All affected persons can send any questions to implementation agencies about their rights in relation with entitlement of compensation, compensation policy, rates, land acquisition, resettlement, allowance and income restoration. Affected persons are not ordered to pay any fee during the grievance and complaints at any level of trial and court. Complaints will pass through stages such as WPC, District People's Committee (DPC), and Ha Noi People's Committee before they can be elevated to a court of law as a last resort.

1.7. Legal framework

15. This Project is financed by ADB; therefore, the ADB's SPS 2009 will be applied as well as GOV policies with the aim to ensure mitigation of adverse impacts caused by land acquisition and to enhance the effectiveness of the project implementation.
16. The project resettlement policy and entitlements have been developed from the laws of the Government of the Socialist Republic of Viet Nam (GOV), principally the Constitution (2013) that confirms the right of citizens to own and protect the ownership of a house;

Land Law N° 45/2013/QH13 dated November 29 2013, providing Viet Nam with a comprehensive land administration law; Decree N°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 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 3 March 2010). Provisions and principles adopted in this project will supplement the provisions of relevant decrees currently in force in Viet Nam wherever a gap exists, consistent with Decree N°38/2013/ND-CP which provides that in case of "discrepancy between any provision in an international treaty on Official Development Assistance (ODA), to which the Socialist Republic of Viet Nam is a signatory, and the Vietnamese Law, the provision in the international treaty on ODA shall take precedence" (Article 46, Item 1).

1.8. Entitlements, assistance, and benefits

17. The project entitlements adopted are based on ADB's SPS (2009) that have been harmonized with the existing GOV laws, Ha Noi People's Committee's Decisions on land acquisition, resettlement and assistance. The entitlements in this resettlement plan may be enhanced, as necessary during the updating process, after the project and this document have been approved by the ADB and GOV, and the detailed engineering design that determines the extent of the RoW and substation. The resettlement plan updating will entail the conduct of the detailed measurement survey (DMS) and consultations with affected peoples will be held to ensure that losses are compensated at replacement cost and peoples' livelihood is restored to their pre-project levels or better. The cut-off date of eligibility is based on the start of the census of affected persons and conduct of DMS during resettlement plan updating.
18. One of key policy objectives of the project 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 income restoration programs 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 project, and the poorest affected households and vulnerable groups are assisted to help improve their socio-economic status.

1.9. Income restoration and rehabilitation

19. In order to assist affected persons restore livelihoods and income levels, the project will provide an income restoration program that is adapted to the needs and situation of the affected persons as determined in the SES. The affected persons covered by the income restoration program are identified in the entitlement matrix.
20. Income restoration program of the project includes:
 - Allowance cash for permanently acquired agricultural land, and allowance cash for job changing and creation, applying for affected households with permanently acquired agricultural land.

- Allowance cash for economic rehabilitation package applied for the households losing from 10% of their productive landholdings.
- Allowance cash for vulnerable affected households (Women headed household, elderly household heads).
- Assistance for losses on business and job.

1.10. Resettlement budget and financing plan

21. The total cost for resettlement is estimated at **VND 12,390,504,833**(or equivalent to USD 590,000). This proposed budget includes compensation and allowances, cost for DCARBs (2% cost of compensation and allowances), cost of external monitoring and contingency. EVN HA NOI and PMB will ensure the timely provision of counterpart funds for resettlement to meet any unforeseen obligations in excess of the resettlement budget estimates in order to satisfy resettlement requirements and objectives.

1.11. Institutional arrangements

22. EVN HANOI is the executing agency of the project. EVN Hanoi will establish a HPPMB at its headquarters to oversee the overall administrative and financial aspects of the project. The PMB will coordinate the consultants and closely cooperate with Ha Noi People's Committee, DPCs, DCARBs and WPCs to update the resettlement plan and implement resettlement activities.

1.12. Implementation schedule

23. Table below summarizes the steps involved in the implementation of land acquisition, compensation and resettlement activities for the project.

Table 1: Detailed Activities and Schedule

Main activities	Time-frame
<i>Preparing RP</i>	
Detailed engineering and demarcation of land to be acquired	November and December 2013
Public consultations with affected persons on draft resettlement plan	November 2013
Finalize updated resettlement plan and submit to HPPMB for review and referral	December 2013
ADB no-objection to resettlement plan	March 2014
Disclosure of approved resettlement plan	March 2014
<i>Implementing RP</i>	
DMS	February to April 2014
Update RP and submit to ADB for approval	June and July 2014
Compensation and assistances payment	July-August 2014
Implementation of rehabilitation measures	Whenever If found AH's income

	are not recovered.
Site clearance	August - September 2014
Confirm the ADB about the site be handed out and get No Objection Letter from ADB to allow construction contract award.	September 2014
Start of civil works	From September 2014

2.0. PROJECT INTRODUCTION

2.1. Geographical location of the Subproject

2.1.1. Geographical location of the substation

24. Noi Bai Airport 110 kV Substation will be built on land for rice cultivation of Phu Cuong commune, Soc Son district, Ha Noi (under agreement of Phu Cuong Commune and Soc Son District People's Committees).

25. Geographical characteristics of substation location site:

- Adjacent to rice fields in the Northern border.
- Adjacent to rice fields in the Western border.
- Adjacent to concrete roads to Phu Cuong commune in the Eastern border.
- Adjacent to concrete roads in the Southern border (the road to the air traffic observatory tower of Noi Bai Airport).

2.1.2 Geographical location of the 110 kV underground cable and OHL

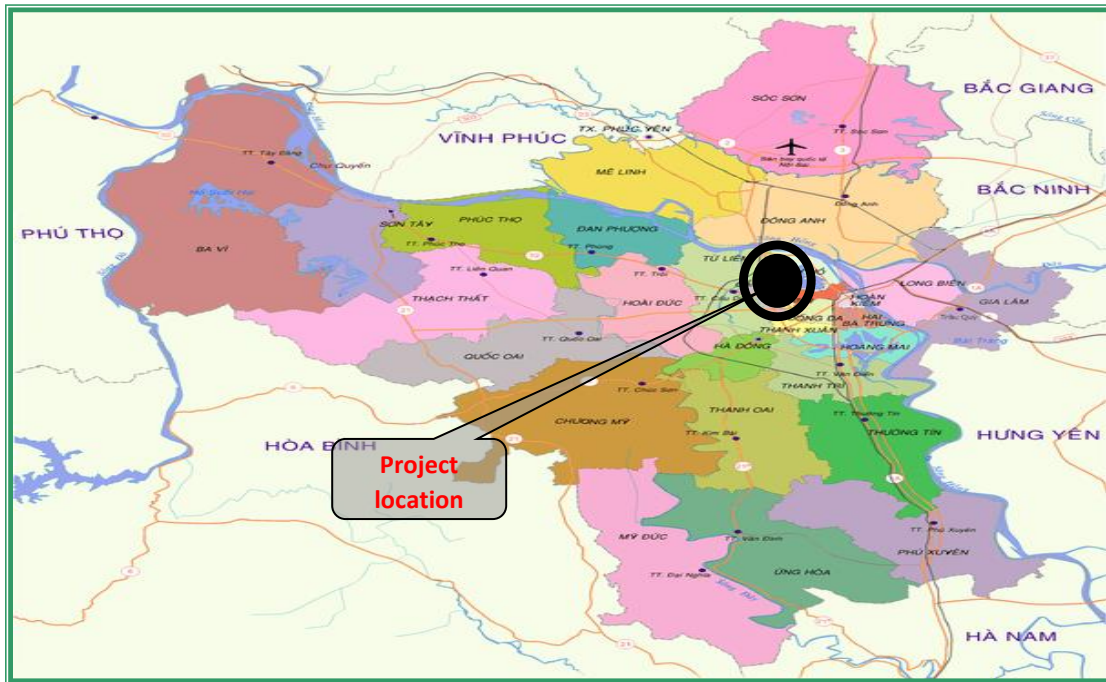
26. Start point: E09,E10 bays of Van Tri 220 kV substation.

27. End point: 110 kV gantry tower of Noi Bai Airport 110 kV substation

- Cross Ca Lo river: 01 time
- Cross 0.4 kV line: 02 times
- Cross 35 kV line: 02 times
- Cross 22 kV line: 01 time
- Cross inter-village stone-road: 01 time
- Cross Ha Noi- Lao Cai Railway: 01 time
- Cross industrial park - road: 04 times
- Cross North Thang Long -Noi Bai Highway: 01 time
- Cross 48 Highway: 01 time
- The route passes the territory of Nam Hong and Bac Hong communes, Dong Anh, Quang Minh town of Me Linh, Phu Cuong commune, Soc Son district of Ha Noi.

- 110 kV underground cable and OHL for power supply to 110 kV substation of Noi Bai International Airport mainly passes through paddy fields and goes under the pavement of internal road of Quang Minh Industrial Park and Bac Thang Long - Noi Bai road. For DD-DD1 section, the route goes along pavement of Bac Thang Long - Noi Bai road and expected planed road, currently, this area is paddy fields with relatively flat terrain. OHL section from DD1 to G3, the route goes along separating strip of road at the south of Quang Minh housing area and exhibition. G3-DC section, the route passes paddy fields with relatively flat terrain and height difference is small.

Figure 1: Location of the project



2.2. Main features

2.2.1. 110 kV OHL and underground cable

a. General

28. 110 kV underground cable and overhead line (OHL) for power supply to 110 kilovolt (kV) substation of Noi Bai International Airport starts at 110 kV bay of Van Tri 220 kV substation, and terminates at 110 kV gantry tower of Noi Bai International Airport 110 kV substation. The route passes the territory of Nam Hong and Bac Hong communes, Dong Anh, Quang Minh town of Me Linh, Phu Cuong commune, Soc Son district of Ha Noi. The overhead line passes paddy fields. The underground cable goes under the pavement of Bac Thang Long - Noi Bai road, internal road of Quang Minh Industrial Park, road at the south of housing area and Quang Minh exhibition.

- Length: 5003 meters including OHL (2708m) and underground cables (2295meters).

- Number of steering angle: 16

b. Description of line route

29. From DD to G1: 114meters long. The route goes through the territory of Nam Hong commune, Dong Anh district. Start point (ĐĐ) will be connected to gantry tower 110 kV E09, E10 bays of 220 kV Van Tri substation; the route passes through rice fields to G1. The route cross 22 kV line: 1 time.
30. From G1 to point B: 530meters long. The route goes through the territory of Nam Hong commune, Dong Anh district, Quang Minh town (Me Linh district). At G1 the route turns left $\alpha T = 89^{\circ} 45' 15''$, it goes on a rice fields, crops land to B.
31. From B to C: 179meters long. The underground cable goes through the territory of Quang Minh town, Me Linh district. At point B undergrounded the overhead line for cross Ha Noi- Lao Cai Railway.
 - Cross 3 ring roads planned: 1 time
 - Cross Ha Noi- Lao Cai Railway: 1 time
32. From point C to point C5: 498meters long. The underground cable goes through the territory of Quang Minh town, Me Linh district. At point C, underground cables turns right $\alpha P = 90^{\circ}$. The underground goes under the pavement internal road of Quang Minh Industrial Park to C5.
33. From point C5 to C6: 1135meters long. The underground cable goes through the territory of Quang Minh town, Me Linh district. At C5, the underground cable turns left $\alpha T = 91^{\circ} 05' 43''$, it goes under the pavement of BacThang Long -Noi Bai road, outside fence of Quang Minh industrial park to C6. Cross Quang Minh road: 04 times.
34. From C6 to C7: 134 meters long. The underground cable goes through the territory of Quang Minh town, Me Linh district. At C6 the route turns right $\alpha P = 89^{\circ} 35' 54''$, cross Thang Long -Noi Bai highway to C7.
35. From C7 to ĐĐ1: 350meters long. The underground cable goes under the pavement road at the south of housing area and Quang Minh exhibition, cross road to separating strip to point ĐĐ1 and connected overhead line.
36. From DD1 to G2: 389meters. The route goes through the territory of Quang Minh town, Me Linh district. At point ĐĐ1 the route turns right $\alpha P = 90^{\circ}$, the route goes along separating strip of road at the south of Quang Minh housing area and exhibition to G2. Cross 35 kV line: 1 time.
37. From G2 to G3: 150m long. The route goes through the territory of Quang Minh town, Me Linh district. At point G2 the route turns right $\alpha P = 6^{\circ} 2' 38''$, the route goes along separating strip of road at the south of Quang Minh housing area and exhibition to G3.
 - Cross inter village rocky road: 1 time
 - Cross 35 kV line: 1 time

38. From G3 to G4 (point D): 66meters long. The route goes the territory of Bac Hong commune, Dong Anh district. At G3 the route turns left $\alpha = 42^{\circ}59'29''$, the route cross the ring roads planned to G4 (point D).
39. From G4 (point D) to G5: 861.8meters long. The route goes through the territory Bac Hong commune, Dong Anh district and Phu Cuong commune, Soc Son district. At G4 (point D) the route turns right $\alpha_P = 19^{\circ}59'50''$, it goes through rice fields to G5.
- Cross 0.4 kV line: 1 time
 - Cross Ca Lo river: 1 time
40. From G5 to DDC: 597meters long. The route goes through the territory of PhuCuong commune, Soc Son district. At G2 the route turns left $\alpha_T = 5^{\circ}37'57''$, the route goes through rice field, crosses 18 Highway, then the route passes through rice fields to gantry tower of 110 kVNoi Bai Airport substation.

2.2.2. Substation

41. Need for recovery 3764m² building stations and stations on the route. In which area of the acquired land to build substation Noi Bai Airport is 3600 m² and 164 m² road into the station.

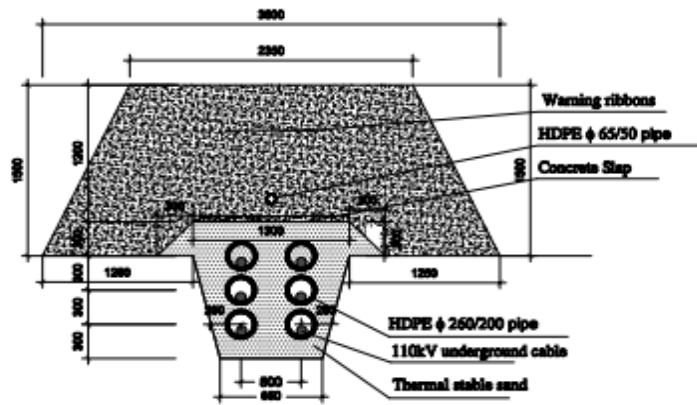
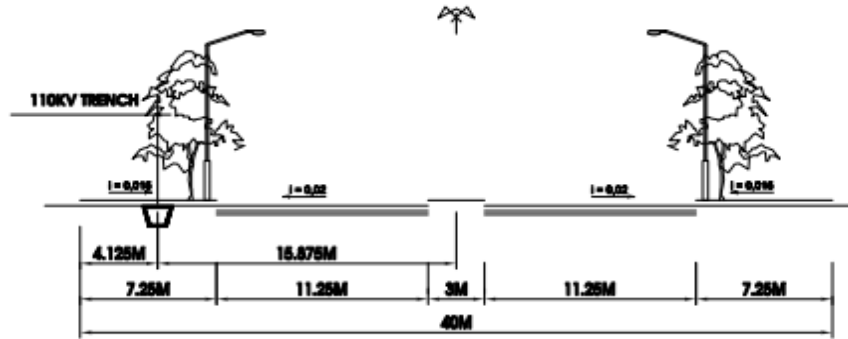
Mitigation measures for land acquisition impacts during implementation process

42. The mitigation measures for land acquisition impacts during the project implementation process have been taken into consideration. From the result of public consultation during project's preparation process, the design consultant has proposed suitable construction methods in order to minimize land acquisition impacts as well as impacts on local communities.

Figure2. Section of underground cable arrangement

SECTION 2 - 2 (UNDERGROUND CABLE ROUTE)

ON PAVEMENT ROAD AT THE SOUTH OF HOUSING AREA AND QUANG MINH EXHIBITION



DETAIL TRENCH, LANDFILL 1.5M

43. These methods include:

- For Noi Bai Airport substation, mainly use existing roads as construction road. The substation's location has the most reasonable outgoing feeder position and minimizes land acquisition on households.
- For OHL, single-column pole had been selected to reduce foundation's area thereby reducing permanently occupied land area. Majority of the pole foundation are located on public area and minimizes impact on structures, crops of households.
- Underground cable: Cable tunnel is designed to go underground, the tunnel is made of reinforced concrete; tunnel is designed adjacent to fences and goes along the existing sidewalk starting from the connection pole to the substation, which minimizes land acquisition on households.

2.3. Resettlement plan objectives

44. The Resettlement Plan is updated on the basis of the draft resettlement plan published earlier on the ADB website, by incorporating the results of the DMS and feedback from the affected communities and key stakeholders of the project. EVN HANOI has made efforts to minimize resettlement impacts and economic impacts of those affected. Since

not all impacts can be avoided, this updated RP has been prepared to ensure that the affected peoples are not worse-off compared to pre-project levels.

3.0 SCOPE OF LAND ACQUISITION AND RESETTLEMENT IMPACTS

3.1. Project area

45. The Project is located in the area of three communes and one township in three districts of Ha Noi. Specific geographical areas corresponding to each component of the subprojects are as follows:

Table 2. Project affected area

Commune	District	Impacted by	Line's length
Nam Hong	Đông Anh	OHL	520m
Bac Hong	Đông Anh	OHL	631m
Quang Minh township	Me Linh	Underground cable	2295m
		OHL	652m
Phu Cuong	Soc Sơn	Substation	3600m ²
		Substation's incoming feeder	164m ²
		OHL	905m

3.2. Project affected households

46. A total of 180 households will be affected by the project; the impacts are on agricultural lands and crops.

3.3. Impact on housing

47. Result of DMS show that there is a 12.5m² temporary house, one (01) well and one (01) water tank of a household in Quang Minh township located at the permanently acquired area to construct underground cable route.

Table 3. Project affected house and structures

Full name of AHs	TBĐ	Parcel No.	Acquired area (m ²)	Type of Assets	Specification	Unit	Amount
Tran Van Phuong (Luong)	54	281+282	95,20	Fibrocement roof temporary house, h<3m	5m x 2.5m	Unit	1
				Well	Depth<25m	Unit	1
				Water tank	1.2mx1.6mx0.8 m	m3	1,536

48. There is no affected houses or structures within the safety corridors of OHL

3.4. Land acquisition impacts

49. The total affected land area caused by the subproject is 13,559.38 m² belonging to 180 households (294 parcels)

Table 4. Total affected land area by subproject's components and geographical area

No.	Number of AHs	Number of Parcel	Total area (m ²)	Acquired area (m ²)	Remaining area (m ²)
I	TL 110kV- Bac Hong Commune				
1	7	7	6.570,09	208,65	6.361,44
II	TL –Nam Hong Commune				
1	7	8	3.286,86	266,72	3.020,14
III	TL 110kV-Quang Minh township				
1	8	14	2.831,88	193,96	2.637,92
IV	Quang Minh township underground cable				
1	132	232	55.850,70	8.920,78	46.828,02
V	TL and 110kV substation–Phu Cuong commune				
1	Pole				
1.1	8	8	3.484,00	235,27	3.258,96
2	Substation				
2.1	18	25	6.006,00	3.734,00	2.272,00
Total	180	294	78.029,53	13.559,38	64.378,48

50. The total area that needs **acquiring permanently** to build Noi Bai Airport 110kV substation is 3.734m², including 3,592.1 m² of agricultural land belonging to 18 households (25 parcels of land) and 142 m² under the management of Phu Cuong commune;

51. The OHL will be built on the area of 4 communes: Phu Cuong (Soc Son district); Quang Minh township (Me Linh district); Bac Hong and Nam Hong (Dong Anh district). Pole location and scope of impacts are as follows:

Table 5. Scope of permanent impact caused by OHL

No.	Location	Pole positions	No. of AHs	Affected land area
1	Bac Hong	Poles 9, 10, 11 and 12	7	208,65
2	Nam Hong	Poles 1, 2, 3 and 4	7	266,72
3	Quang Minh township	Poles 5, 6, 7 and 8	14	193,96
4	Phu Cuong	Poles 13, 14, 15, 16 and 17	8	235,27
	Total	17 Poles	36	904,6

52. A total area that needs acquiring permanently for constructing 17 pole foundations is 904.6 m². The temporary impacts during construction process have been taken into consideration.

53. The OHL traversing across Quang Minh township of Me Linh district has total length of 2,947m and caused impacts on 132 households (232 parcels of land). Total area that need acquiring permanently is 8,920.78 m², of which, 6,150.3 m² belonging to 132 households and 2,770.5 m² under the management and use of the agricultural cooperatives No. 6, No.7 and No.8 of Quang Minh township.

54. The entire permanently acquired land are agricultural land which allow 2 rice seasons and 1 crops seasons (Corn, variances of vegetables)

3.5. Impact on trees and crops

55. On the acquired 256.86 m²land area for growing fruit-trees, a total of 60 trees of different types belonging to 04 AH including 35 banana trees, 04 custard-apple trees, 09sapodillatrees and3pomelotrees. The remaining are timber (acacia, dracontomelum) and potted plants such as peach and bonsai trees.

Table 6. Project's impacts on crops

No	Full Name	Acquired area (m ²)	Type of crops/trees	Specification	Unit	Amount
1	Le Thi Xiem	15,80	Banana	height>1m, no bunch	Tree	9
2	Le Van Thap	114,50	Peach	150cm<height<200cm	Tree	1
			Dracontomelum	10 cm <Trunk diameter<15 cm	Tree	1

			Bonsai	20 cm <Trunk diameter<30 cm	Tree	1
			Sapodilla	15 cm <Trunk diameter<20 cm	Tree	9
			Banana	height>1m, no bunch	Tree	21
			Custard-apple	5 cm <Trunk diameter<10 cm	Tree	4
3	Tran Van Phuong (Luong)	95,20	Pomelo	3 cm <Trunk diameter<5 cm	Tree	3
			Banana	height>1m, no bunch	Tree	5
			Berry	30 cm <Trunk diameter<40 cm	Tree	1
			Acacia	20 cm <Trunk diameter<25 cm	Tree	1
4	Nguyen Duy Long	31,36	Dracontomelum	20 cm <Trunk diameter<30 cm	Tree	4
	Total					60

56. A total 4.194 m² of ordinary and glutinous rice belonging to 176 AHs are permanently lost due to land acquisition.

3.6. Impact on graves

57. There are 04 graves in Ma Diu field, Huong Gia village of Phu Cuong Commune, Soc Son district, which is located in the construction area of Noi Bai Airport Substation, to be relocated.

3.7. Impacts on public structures

58. The 110kV transmission line traversing across roads, railways, electricity lines, communication lines, underground structures, has been designed in accordance to the current regulations. There is no impact on the underground structures, military constructions as well as cultural and historical areas.

59. The internal road of Phu Cuong commune will be used as construction road for materials and machinery transportation. HPPMB committed to restore the road in case of damage.

60. **Severely affected household.** 04 household (24 APs) are severely affected due to loss of 10% or more of their total productive landholdings. All of the 04 mentioned households are living in Huong Gia village of Phu Cuong commune, Soc Son district and affected by the land acquisition of the substation.

61. Among 4 severely affected household, there are 03 households belonging to vulnerable groups. Of these three households, 01 household has a disabled member.

Table 7. Land loss proportion of the 04 severely affected households

No.	Full Name	No. of APs	Total assigned agricultural land (m ²)	Acquired area (m ²)	Percent of land acquired	Severely affected households	Vulnerable groups	
							Female headed	Disabled
	Phu Cuong commune	24	11.701	1.710	1	4	3	1
1	Tran Thi Duoc	6	3.310,0	356,00	10,8%	1	1	1
2	Nguyen Van Chinh	7	3.645,0	799,40	21,9%	1		
3	Nguyen Thi Ve	6	2.808,0	300,00	10,7%	1	1	
4	Vu Thi Hoan	5	1.938,0	254,90	13,2%	1	1	
	Total	24	11.701	1.710	1	4	3	1

3.8. Vulnerable groups

62. A total of 53 AHs belong to vulnerable groups, of which there are 7 households with the disabled, 2 poor household, 11 households who are beneficiaries of social policies for families of war invalids and martyrs; 42 households are female-headed. Of the 53 vulnerable AHs, 9 households are eligible for more than two vulnerability criteria.

Table 8. Vulnerable AHs in each commune

No.	Location	No. of AHs	Severely AHs	Vulnerability criteria			
				Female-headed	The disabled	Poor	Beneficiaries of social policies
1	Bac Hong commune	9	0	2	0	0	0
2	Nam Hong commune	2	0	1	0	0	0
3	Quang Minh township	215	0	33	4	2	11
4	Phu Cuong commune	50	4	6	3	0	0
	Total	276	4	42	7	2	11

4.0. SOCIO-ECONOMIC INFORMATION AND PROFILE

4.1. Methodology Used in SES

63. 57 households (accounting for 31.6%) of the total 180 affected households were surveyed. Typically husband and wife were interviewed together. Besides, the SES has relied on data provided by local authorities in four affected communes and information obtained and analyzed from national sources such as the Vietnam Household Living Standards Survey, which is considered the most robust statistical database in Vietnam and is used by both the GOV and providers of ODA.

4.2. Profile of the Project Area

64. The project lies to the west of Ha Noi City and is located in close proximity to Noi Bai Airport that handles both domestic and international flights seven days a week and almost on a round-the-clock basis. All of the people residing here belong to the Kinh group and are the descendants who have lived in the project area for many centuries. There has been very little in-migration to the area because in the past there was no available land. What in-migration exists now is linked to the rise of industrial estates and employment and small-business opportunities associated with Noi Bai Airport. Transport connectivity with Ha Noi and Haiphong are very good and other infrastructure (water, solid waste disposal, electricity, and communications) are well developed.

65. It is primarily on agricultural area within the peri-urban confines of Ha Noi City and rice is the major crop cultivated three times a year. Yields for rice are very high (upwards of 8 tons per hectare) but the surplus rice sold on the domestic market is not being considered a variety in demand on the international market (unlike the Mekong Delta area of Southern Vietnam). In addition to the cultivation of rice, some farming households (although none affected by this project) also grow maize for animal feed and vegetables for the Ha Noi market. In addition to agriculture the project area is in close proximity to industrial estates where increasingly hitherto former agricultural workers are finding waged labour. This trend will continue into the foreseeable future.

66. In short, the project area is undergoing a rapid change. Although, agriculture shall not disappear totally, its importance is clearly reducing. Most of the AHs expect that their children no longer have to engage in hard agricultural activities, which partly explains for the decreased number of people involved in agricultural sector. This development trend in the project area is typical for the peri-urban areas in most of the developing countries. Hence, such socio-economic driving forces should be taken into consideration in this project context.

4.3. The Affected Peoples

67. The number of affected households and affected persons differentiated by gender and average household size are included in Table 9 and are typical of households in peri-urban areas of Ha Noi. Some households have noticeably more males than females (partly due to the tendency in the rural areas where men are regarded as more important than women; however, it might also be natural coincidence which cannot be

explained) whereas in other households there are marginally more females than males (as women tend to live longer than men if they stay at home to take care of the children and do not have to work outside).

Table 9: Demographics of Affected Households

Commune	Number of AH	Number of AP	Number of Female AP	Average HH Size
Quang Nam	13	52	27	4.0
Nam Hong	16	55	28	3.4
Bac Hong	12	41	18	3.4
PhuCuong	16	69	31	4.3
TOTAL	57	217	104	3.8

68. The population according to age indicates that the average age of affected household members is 41.5 with 2.8% of the affected persons less than 5 years of age, 5.1% from 15 to 18 years, 36.4% from 18-35 years, 37.8% from 36 to 55 years and 18% over 55 years of age. However, there are no affected persons under the age of 5 in two communes (Quang Minh and Nam Hong) and no affected persons between 5 and 18 years of age in Quang Minh. Quang Minh along with Phu Cuong has over 20% (Quang Minh 25.0% and Phu Cuong 23.2%) of over 55 years of age and while older people living in peri-urban areas of Ha Noi are not as vulnerable if they live in rural areas as they have better access to public services.

4.4. Educational Levels of Affected Households

69. There is no gender differentiated data on the educational levels of affected households but according to the data collected 3.5% are illiterate (6.3% in PhuCuong and 8.3% in Bac Hong), 15.8% completed their primary schooling, 82.5% attended high school, 42.1% attended senior high school (but 36.8%) did not complete senior high school and 1.8% completed university. Quang Minh Township has the best indicators (61.0% completing senior high school and 7.7% completing university and Nam Hong the worst indicators (25.0% completing senior high school and as with the other communes no affected households with members having completed university education.

4.5. Occupations of Affected Households

70. Table 10 indicates that the overwhelming majority of affected households rely on agricultural-based activities and there are only a small number in Bac Hong (8.3%) and Nam Hong (6.3%) that are primarily working outside of agriculture. However, the tendency is for more households in the project area to look for non-agricultural based occupations because wages and salaries afford the opportunity for higher household incomes in the long-run. Although agriculture ensures food security and sustainable livelihood with low income, it is not the direction that the AHs want their children to follow as they have realized that the living conditions of the non-agricultural HHs are often considerably higher than the conditions of those engaged in agricultural sector.

Table 10: Occupational Structure of Interviewed Households by Commune

Occupation	Communes									
	PhuCuong		Bac Hong		Quang Minh		Nam Hong		Total	
	HH	%	HH	%	HH	HH	%	HH	%	HH
Farming Activities	16	100.0	11	91.7	13	100.0	15	93.8	55	96.5
Factory Employees	-	-	-	-	-	-	1	6.3	1	1.8
Salaried Employees	-	-	1	8.3	-	-	-	-	1	1.8
Total	16	100.0%	12	100.0%	13	100.0%	16	100.0%	57	100.0%

71. Table 11 differentiates between different forms of agricultural activity but it demonstrates that agricultural cropping (primarily the cultivation of rice) is the major agricultural activity. Affected persons over 30 are marginally more likely to be employed in agricultural-based activities than affected persons under 30. However, as analysed above, most of the APs want to escape from agriculture if they can or at least not entirely depend on this activity

Table 11: Occupation of Affected People by Age

Occupation	18-30 age	31-60 age	Percentage of each category over total
Agricultural Cropping	97.5%	98.2%	98.2%
Livestock Raising	2.5%	1.8%	1.8%
Industrial Waged Worker	2.5%	3.6%	3.6%
Private Sector Salaried Employee	2.5%	1.8%	1.8%
Temporary Offshore Workers	2.5%	1.8%	1.8%
Total	100%	100%	100%

72. Table 11 indicates that affected persons in Quang Minh and PhuCuong are only dependent on agriculture whereas in Bac Hong they not only rely on agriculture but also on factory work, salaried employment and temporary employment offshore. Hence, the Resettlement Plan should understand that the motives for occupations vary in different communes and households. If it is the project that cause significantly involuntary resettlement impacts, this will be quite complicated issue. However, in this project context, it does not cause great impacts; therefore, the study of differences and similarities among the communes and towns are not necessary. Nevertheless, Poverty

and Social Analysis of the TA Consultant for Project Preparation still considers more deeply in this regard.

Table 12: Occupation of Affected People by Commune

Occupation	Quang Minh	Nam Hong	Bac Hong	PhuCuong	Total %
Agriculture	100.0%	100.0%	91.7%	100.0%	98.2%
Livestock	0.0%	6.3%	0.0%	0.0%	1.8%
Factory worker	0.0%	6.3%	0.0%	0.0%	3.5%
Work for private company	0.0%	0.0%	8.3%	0.0%	1.8%
Working Offshore	0.0%	0.0%	8.3%	0.0%	1.8%

4.6. Monthly Income of Affected Households

73. The per capita income of affected households as presented in Table 13 indicates that affected households in Bac Hong are likely to have higher per capita incomes than in the other two communes and Quang Minh Township. However, the majority of affected households in all three communes and townships have per capita incomes of less than VND 2,000,000 per month. This does not render them in danger of falling into poverty but compared to inner urban Ha Noi household per capita incomes are quite low.

Table 13: Per Capita Income of Affected Households by Communes

Commune	Less than VND 1 million/person/month		From VND 1 million to less than VND 2 million/person/month		From VND 2 million to less than 3 million/person/month		Total	
	HH	%	HH	%	HH	%	HH	%
Quang Minh town	11	84.6	2	15.4	-	.-	13	100.0
Nam Hong	13	81.3	3	18.8	-	.-	16	100.0
Bac Hong	8	66.7	3	25.0	1	8.3	12	100.0
PhuCuong	14	87.5	2	12.5	-	.-	16	100.0
Total	46	80.7	10	17.5	1	1.8	57	100.0

4.7. Water, Hygiene, Sanitation and Health Indicators

74. No data was collected on water, hygiene and sanitation but will need to be collected as part of the baseline socio-economic survey to be undertaken during the initial phase of the resettlement plan implementation. Likewise health indicators are not very clear but

according to the data collected 75.4% of affected households reported that over the past 12 months at least one household member experienced a minor upper respiratory infection. 24.6% of affected households reported that at least one household member was incapacitated for varying lengths of time because of more serious upper respiratory symptoms associated with influenza. People are more likely to get sick during the winter months than at other times of the years. No water-borne illnesses were reported such as dysentery, hepatitis and typhoid which might indicate a fairly high standard of hygiene and sanitation. However, during the rainy season in Hanoi in the last decade, petechial fever tends to increase. Nevertheless, this disease has not affected at least some AHs. It is likely that several households have not gone to the healthcare clinics when they have petechial fever.

4.8. Energy Sources

75. Based on Table 14, no affected household relies on electricity for cooking purposes because they consider liquefied petroleum gas to be cheaper and more reliable for food preparation than electricity. Over one-fifth of affected households still use charcoal because they consider it cheaper than LPG. However, 100% of affected households use electricity for lighting and other household purposes such as to power their refrigerators or to watch television.

Table 14: Energy Sources for Cooking

Commune	Electricity Supplied by Grid		Diesel or petrol Generator		LPG, CNG or Similar		Chopped Wood or Charcoal		Total	
	HH	%	HH	%	HH	%	HH	%	HH	%
Quang Minh	-	-	-	-	11	84.6	2	15.4	13	100
Nam Hong	-	-	-	-	11	68.8	5	31.3	16	100
Bac Hong	-	-	-	-	10	83.3	2	16.7	12	100
PhuCuong	-	-	-	-	12	75.0	4	25.0	16	100
Total	-	-	-	-	44	77.2	13	22.8	57	100

5.0. INFORMATION DISCLOSURE, CONSULTATION AND PARTICIPATION

5.1. Stakeholders

76. Publication and dissemination of information are not only the requirements of international donors but also regulations of the Government of Vietnam in Article 69, Law on Land (2013), and Article 28 (item 2) of Decree No. 47/2014/ND-CP.

77. In accordance with the Article 69 of Land Law 2013, and the 2011 Public Communications Policy by ADB, Hanoi PPMB, representative of EVN HANOI will foster the participation of the key stakeholders of the project. The stakeholders will participate in information disclosure and dissemination processes as well as consultation activities at community level, including (i) District Compensation Board; (ii) CPCs; (iii) local mass organizations; (iv) representatives of the affected companies/organizations; and (v) local communities in the project area.

5.2. Objectives of consultation

78. The overall objectives of the consultation program and community information campaign are to disseminate information and collect feedback from key related parties on aspects of compensation and resettlement planning:

- Minimise possible conflicts
- Minimise the risk of project delays
- Ensure that the preparation and implementation of resettlement plan is conducted transparently.

79. Key objectives and principles are:

- To share main information about the project to the affected persons, local authorities and other related parties (project background, objectives, plans for study, environmental and relocation issues).
- To gather information on the need and priorities of the affected persons, local communities, local governments, non-governmental organisations as well as reactions/feedback against the compensation, support and resettlement policies, as well as other related activities.
- To attain the cooperation and participation of the affected persons, the relevant units through all stages of planning and implementation of site clearance and resettlement.
- To ensure transparency in all activities related to land acquisition, compensation, resettlement and rehabilitation measures.
- Through the full and active participation, needs and desires of the local population will be discussed and listened. Households and other related parties will be consulted during the preparation and implementation of resettlement plan. This is a two-way process to publish and disseminate information and collect feedback and recommendations to prepare and implement the resettlement plan.
- Dissemination of information, consultation and participation should be carried out in the phase of resettlement plan establishment and will continue throughout the implementation phase of the resettlement plan.

5.3. Public consultations during RP preparation

80. During project preparation, 2 consultation rounds had been conducted. The consultations are carried out through socio-economic surveys first. After that,

consultation meeting with local authorities and affected communities had been held in October and November 2013.

81. 109 people participated in the consultations including 62 representatives of 4 affected CPCs and mass organizations such as the Fatherland's Front, the Women's Union, and representatives of 57 AHs.

82. The feedbacks received are summarized as follows

- Meeting with APs should be conducted as soon as possible to inform people beforehand on DMS and compensation plan. When start constructing, the contractor should contact with local authorities beforehand. It is required that there are no objections from people, local authorities and relative agencies.
- Entire of acquired lands are agricultural lands, closely cooperation with local authorities during compensation to ensure APs receiving the most consistent plans.
- During the pole foundation land acquisition, the in-cultivable land which stuck in the field should be also acquired and compensated in accordance to government regulations. Adequately compensation on ROW for people which using lands.
- Agree with the comments and measures in Environmental impact assessment of the project.
- Construction items do not cause major impacts to environment. The transmission line section which traversing through fields should not affected people's productivities. It is required that there are adequately construction plan to minimize impacts to fields' interior roads and people's irrigation system. In case of impaction or complaints of people on construction damages such as to route, waste/excessive materials at sites, Contractor should timely repair, compensate and restore structures. The waste/excessive material should be cleaned from lands before return to people.

5.4. Consultation and information disclosure plan during project implementation process

83. Consultation and information disclosure had been made during the project preparation phase and throughout the project construction and operation to ensure requirements on disclosure of information, consultation and participation. To ensure that people stay informed of the project, participate in consultations and other activities of the project, the following actions had been taken:

- Resettlement plan had been summarised and disclosed to the affected people in the public meetings.
- For cities and districts: The RP documents have been provided to the People's Committee Office of the City, District, Chairmen of the District People's Council with full version in Vietnamese. RP in Vietnamese has been announced at the Office of People's Committee to the public, interested organisations can access, find out;

- For the community: The summary of the RP documents in Vietnamese have been delivered to the home of the village leader.
- RP leaflets in Vietnamese are distributed to the affected households and ward leaders.
- RP in English has been disclosed on Website of ADB.

84. Consultation had been carried out throughout the DMS process. Meetings between HPPMB and the Compensation and resettlement boards of Me Linh, Soc Son and Dong Anh districts had been organized. Nearly 100% AHs had participated in those meeting before DMS.

Table 15. Consultation and information disclosure during project implementation process

Location	Date	Compositions and No. of participants
1.Dong Anh district		
Nam Hong	14/3/2014	7 members of the Land clearance committee of Dong Anh District
Bac Hong		12 Households
Quang Minh township – Me Linh district		
Morning Dong village	29/12/2013	7 members of the Land clearance committee of Me Linh District
Afternoon Gia Chung village		-133 households
Huong Gia village, Phu Cuong commune, Soc Son district	26/11/2013	7 members of the Land clearance committee of Soc Son District 25 households

85. Below are communities comments during Disclosure and DMS process of the project at 4 affected communes:

The representatives of the concerned departments of Soc Son, Dong Anh and Me Linh districts agreed with the investment in and construction of Noi Bai Airport 110 kV substation and 110 kV TL in the area.

Opinions of the district leaders and District Compensation, Assistance and Resettlement Boards

- The disclosure of Resettlement Plan is a good point of the Project; however, the current and new legal documents by the Government should be updated if the new Land Law is approved;
- Assistancess for vulnerable groups will be delivered if the Government and Hanoi City People’s Committee (CPC) approve;

- The loss of 10% or above of landholdings, which is identified as severely affected household, is a preeminent aspect of the project. However, it might cause obstacles to other projects which are being implemented in the area;
- DMS is being carried out in all project communes and it is expected that by January 28 2013 the DMS is completed;
- Site clearance must be carried out as soon as possible;
- The number of project affected households must be checked carefully. The number is higher than those AHs during the preparation process since several households share the same LURC (red book). Because during the 1990s, LURCs were issued for a group of households;
- Data must be posted publicly;
- Land acquisition should be classified into: permanent LA and temporary LA.
- It is necessary to review and classify lands acquired of the individual households as well as land managed and used by organizations/communities.
- In Hanoi, land-for-land compensation is not applied but cash compensation.
- According to the Decree No. 64/ND-CP by the Government on allocating agricultural land to households and individuals for use, currently, several households share the same land plots. Due to household separation reason, compensation and enumeration per LURCs encounter difficulties.

Opinions of local authorities of Phu Cuong, Quang Minh, Nam Hong and Bac Hong communes and the AHs

- So far, the employer has carried out the inventory and DMS; however, the DMS results have not been informed to the local authorities and AHs.
 - Compensation policies must be complied with the new policies and a common compensation policy framework should be applied to all AHs.
 - Disclosure in written documents on land acquisition, compensation and assistance.
 - It is necessary to disclose policies related to the calculation of land area of the AHs.
 - It is suggested to acquire the remaining unviable land (area less than 20 m²).
 - It is necessary to pay due attention to compensation and restoration of public structures such as road or irrigation canal system to be affected during the construction period.
 - Compensation should be considered in case of causing impacts on crops of local people due to inundation when building underground cable.
86. Consultation, participation and dissemination will be conducted during the project implementation.

5.4. Post-project implementation

87. The EVN HANOI will inform the ADB following the Project completion. As part of the appraisal, all aspects of the Project such as technical, finance, economics, environment and RP shall be evaluated if their respective objectives have been met as to their relevance, efficacy, efficiency and sustainability. The HanoiPPMB will coordinate with the commune and village officials to inform the APs to participate in the consultations and interviews that shall be conducted by the Bank's Independent Evaluation Division.

6.0. GRIEVANCE REDRESS MECHANISM

88. 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. 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.

89. The grievance redress procedure shall be implemented as follows:

First Stage, Commune/Ward People's Committee: An aggrieved APs may bring his/her complaint to the One Door Department of the Commune/Ward People's Committee, in writing or verbally. The member of CPC/WPC at the One Door Department will be responsible to notify the CPC/WPC leaders about the complaint for solving. The Chairman of the CPC/WPC will meet personally with the aggrieved APs and will have 30 days following the receiving date of the complaint to resolve it. The CPC/WPC secretariat is responsible for documenting and keeping file of all complaints handled by the CPC/WPC.

Second Stage, District People's Committee: If after 30 days the aggrieved affected household does not hear from the CPC, or if the APs is not satisfied with the decision taken on his/her complaint, the APs may bring the case, either in writing or verbally, to any member of the DPC or the DCARC of the district. The DPC in turn will have 30 days following the receiving date of the complaint to resolve the case. The DPC is responsible for documenting and keeping file of all complaints that it handles and will inform the DCARC of district of any decision made.

Third Stage, City People's Committee (CityPC): If after 30 days the aggrieved APs does not hear from the DPC, or if the APs is not satisfied with the decision taken on his/her complaint, the affected household may bring the case, either in writing or verbally, to any member of the CityPC. The CityPC has 45 days within which to resolve the complaint to the satisfaction of all concerned. The CityPC is responsible for documenting and keeping files of all complaints handled by the CityPC

Final Stage, the Court of Law Arbitrates: If after 45 days following the lodging of the complaint with the CityPC, the aggrieved affected household does not hear from the CityPC,

or if he/she is not satisfied with the decision taken on his/her complaint, the case may be brought to a court of law for adjudication. Decision by the court will be the final decision.

90. Decision on solving the complaints must be sent to the aggrieved APs and concerned parties and must be posted at the office of the People's Committee where the complaint is solved. After three days, the decision/result on solution is available at commune/ward level and after seven days at district or city level.

91. The above grievance redress mechanism will be disclosed and discussed again with the APs prior to loan appraisal by ADB and during the updating of this RP to ensure their understanding of the process. The HanoiPPMB and the DCARCs are responsible for following-up the grievance process of the APs.

7.0. LEGAL FRAMEWORK

92. This Project is financed by ADB; therefore, the ADB's SPS 2009 will be applied in accordance with the principle of policy harmonization with GoV policies with the aim to ensure mitigation of adverse impacts caused by land acquisition and to enhance the effectiveness of the project implementation.

7.1. ADB Social Safeguards Policy Requirements

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

94. **Safeguard requirements 2 –Involuntary Resettlement:** The guiding principles on ADB's policy on Involuntary Resettlement are prescribed in Safeguard Requirements 2 of the ADB SPS (2009). The objectives are to: (i) avoid involuntary resettlement wherever possible; (ii) minimise involuntary resettlement by exploring project and design alternatives; (iii) enhance, or at least restore, the livelihoods of all displaced persons in real terms relative to pre-project levels; and (iv) improve the standards of living of the displaced poor and other vulnerable groups.

95. 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 (i) involuntary acquisition of land, or (ii) 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 result 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.

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

- Screen early to identify involuntary resettlement impacts and risks and determine the scope of resettlement planning through a survey and/or census of displaced persons, including a gender analysis, specifically related to resettlement impacts and risks.
- Carry out meaningful consultations with displaced persons, host communities, and concerned non-government organizations. Inform all displaced persons of their entitlements and resettlement options and ensure their participation in various stages of the project especially vulnerable and poor groups. Establish a grievance redress mechanism to receive and facilitate resolution of the displaced persons' concerns. Support the social and cultural institutions of displaced persons and their host population.
- Improve, or at least restore, the livelihoods of all displaced persons through (i) land-based resettlement strategies when affected livelihoods are land based where possible or cash compensation, assistance at replacement value for land when the loss of land does not undermine livelihoods; (ii) prompt replacement of assets with access to assets of equal or higher value; (iii) prompt compensation, assistance at full replacement cost for assets that cannot be restored; and (iv) additional revenues and services through benefit sharing schemes where possible.
- Provide physically and economically displaced persons with needed assistance, including the following: (i) if there is relocation, secured tenure to relocation land, better housing at resettlement sites with comparable access to employment and production opportunities, integration of resettled persons economically and socially into their host communities, and extension of project benefits to host communities; (ii) transitional support and development assistance, such as land development, credit facilities, training, or employment opportunities; and (iii) civic infrastructure and community services, as required.
- Improve the standards of living of the displaced poor and other vulnerable groups, including women head of households, to at least national minimum standards. In rural areas provide them with legal and affordable access to land and resources, and in urban areas provide them with appropriate income sources and legal and affordable access to adequate housing.
- Develop procedures in a transparent, consistent, and equitable manner if land acquisition is through negotiated settlement to ensure that those people who enter into negotiated settlements will maintain the same or better income and livelihood status.
- Ensure that displaced persons without titles to land or any recognisable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land assets.
- Prepare a resettlement plan elaborating on displaced persons' entitlements, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time-bound implementation schedule.

- Disclose both the draft and final resettlement plan in a form and language understandable to displaced persons and other stakeholders.
 - Conceive and execute involuntary resettlement as part of a development project or programme. Include the full costs of resettlement in the presentation of project's costs and benefits. For a project with significant involuntary resettlement impacts, consider implementing the involuntary resettlement component of the project as a stand-alone operation.
 - Pay compensation and provide other resettlement entitlements before physical or economic displacement. Implement the resettlement plan under close supervision throughout project implementation.
 - Monitor and assess resettlement outcomes, their impacts on the standards of living of displaced persons, and whether the objectives of the resettlement plan have been achieved by taking into account the baseline conditions and the results of resettlement monitoring. Disclose monitoring reports.
97. 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.
98. Persons or households without formal legal rights nor recognised or recognisable claims to the acquired land are still entitled to be compensated for their loss of assets other than land, such as dwellings or other improvements on the land at full replacement cost, provided that they have occupied/used the land or structures in the affected land prior to the cut-off date.
99. **Other ADB's cross-cutting policy themes:** The Bank's other cross-cutting policy themes consist of: (i) Gender and Development (1998) which adopts gender mainstreaming as a key strategy for promoting gender equity, and for ensuring that women participate and that their needs are explicitly addressed in the decision-making process for development activities; (ii) Public Communications Policy (2011) that seeks the active participation of affected people and other stakeholders during the development and review of safeguard policies on ADB-assisted programs and projects. The project executing agency shall make available the resettlement plan to affected people, consistent with ADB's OM Section F1/OP (March 2010); 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.

7.2. Regulations of Vietnamese Government on Resettlement

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

a. Law

- Land Law (2013) No. 45/2013/QH13 approved by the National Assembly dated November 29 2013.

b. Government's decrees

- 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. 43/2014/ND-CP dated May 15 2014 guiding the implementation of land Law 2013.
- Decree No. 44/2014/ND-CP dated May 15 2014 by the Government on the land prices.
- Decree No. 38/2013/ND-CP dated April 23 2013 on the management and use of Official Development Assistance (ODA) and concessional loans of donors.
- Decree No. 14/2014/ND-CP dated February 26 2014 by the government detailing the implementation of the Electricity Law regarding electricity safety.

c. Hanoi PC's decisions

The current regulations on compensation, support and resettlement of local government will be applied in RP of projects include:

- Decision No 108/2009/QD-UBND on Sep/29th/2009 promulgating regulations on compensation, support and resettlement when the State recovers land in the area of Hanoi
- Decision 02/2013/QD-UBND dated January 07, 2013; amending and supplementing a number of articles issued by Decision 108/2009/QD-UBND dated September 29, 2009 by People's committee of Hanoi on compensation, support and resettlement when the State reclaims land in the area of Hanoi;
- Decision N°48/2011/QD-UBND Dec/26th/2011 Decision on amendment of a number of articles of the Regulation issued together with Decision N°02/2010/QD - People's Committee dated Jan/18th/2010 on land acquisition, land allocation and land lease, conversion of land use purpose to carry out investment projects and housing in rural population in the area of Hanoi.

- Decision 420/QD-SXD Decision, dated January 17, 2013; announcing price of new building of houses, works and structures as the basis for compensation, as the State reclaims land in the area of Hanoi;
 - Decision N°51/2012/QD-UBND dated Dec/28th/2012 regulating the price of land in the area in Hanoi 2013.
 - Notification N° 7038/STC-BG dated Dec/31th/2012 of the Hanoi Finance Department of on the unit price compensation trees, crops and livestock on the land with water surface clearance service of the province Hanoi in 2013.
 - Notification N°4331/STC-QLCS of the Hanoi Finance Department on Sep/29th/2011 on the basis unit prices stabilize life support when the State recovers land in the area of Hanoi in 2012.
101. Laws, decrees and decisions related to information disclosure include Land Law No. 45/2013/QH13, Article 68, which requires announcement to the displaced persons at least 90 to 180 days before acquisition of agricultural land and non-agricultural land, respectively.
102. Decree No. 14/2014/ND-CP guiding in detailed the implementation of some articles of Electricity Law regarding electricity safety of high-voltage grid.
103. At the local level, provinces/cities issue decisions and other legal documents related to planning and implementation of resettlement at provincial/city level. The decisions by PPCs/City People's Committees stipulating the compensation rates for land are prepared for a period of five years with the principle to be close to the market prices. Such decisions are issued on January 1st of the first year of the 5-year period. This price framework will be adjusted in case of discrepancy/variation. The official land price must not be 20% higher than the maximum price or 20% lower than the minimum price of the land price framework provided by the Government.

7.3. Comparison between the Relevant Provisions of the GOV's regulations and the 2009 Safeguard Policy Statement of ADB on Social Safeguards

104. There is basic congruence between Viet Nam's laws and ADB's Resettlement Policy especially with regard to the entitlement of persons with legal rights/titles. Existing legislation provides guidance in (i) determining market/replacement rates and payment of compensation, assistances 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; (iv) provision of resettlement land and housing with secure tenure; (v) additional assistance for severely affected and vulnerable households; (vi) assistance to livelihood restoration and training; and (vii) notification/disclosure, consultation, and grievance mechanisms.
105. However, ADB Policy does not consider the absence of legal rights of affected persons on the acquired land as an impediment to receiving compensation for other assets and for rehabilitation assistance. Non-registration of an affected persons' business also does not bar them from being assisted in restoring their business.

106. Moreover on ADB's 2009 SPS, the 2013 Land Law has no equivalent provisions on the following principles for Indigenous Peoples Safeguards.

- Undertake a culturally appropriate and gender-sensitive social impact assessment or use similar methods to assess potential project impacts, both positive and adverse, on Indigenous Peoples. Give full consideration to options the affected Indigenous Peoples prefer in relation to the provision of project benefits and the design of mitigation measures. Identify social and economic benefits for affected Indigenous Peoples that are culturally appropriate and gender and inter-generationally inclusive and develop measures to avoid, minimize, and/or mitigate adverse impacts to Indigenous Peoples.
- Ascertain the consent of affected Indigenous Peoples communities to the following project activities: (i) commercial development of the cultural resources and knowledge of Indigenous Peoples; (ii) physical displacement from traditional or customary lands; and (iii) commercial development of natural resources within customary lands under use that would impact the livelihoods or the cultural, ceremonial, or spiritual uses that define the identity and community of Indigenous Peoples. For the purposes of policy application, the consent of affected Indigenous Peoples communities refers to a collective expression by the affected Indigenous Peoples communities, through individuals and/or their recognized representatives, of broad community support for such project activities. Broad community support may exist even if some individuals or groups object to the project activities.
- Avoid to the minimum extent possible, any restricted access to and physical displacement from protected areas and natural resources. Where avoidance is not possible, ensure that the affected Indigenous Peoples communities participate in the design, implementation, and monitoring and evaluation of management arrangements for such areas and natural resources and that their benefits are equally shared.

107. Provisions and principles adopted in this project will supplement the provisions of relevant decrees currently in force in Viet Nam wherever a gap exists, consistent with Decree N°38/20B/ND-CP which provides that in case of *“discrepancy between any provision in an international treaty on ODA, to which the Socialist Republic of Viet Nam is a signatory, and the Vietnamese Law, the provision in the international treaty on ODA shall take precedence”* (Article 46, Item 1).

108. Key differences between ADB Resettlement Policy and Viet Nam's resettlement legislation, and policy of the project are outlined in the table below.

Table16. Comparison between the Relevant Provisions of 2013 Land Law and the 2009 Safeguard Policy Statement of ADB on Social Safeguards

ADB SPS 2009	Land Law 2013; Decree 47/2014/ND-CP	Policy Gaps from ADB 2009 SPS	Reconciled Policy for the Project
Objectives			
To avoid involuntary resettlement	Compensates land users that fulfill the conditions for	While there is no explicit policy, land recovery in Viet	Since the Project shall be financed by ADB loan, it

<p>whenever possible; to minimize involuntary resettlement by exploring project and design alternatives; to enhance, or at least restore, the livelihoods of <u>all displaced persons</u>¹ in real terms relative to pre-project levels; and to improve the standards of living of the displaced poor and other vulnerable groups².</p>	<p>compensation as prescribed by Article 75, legitimate owners of land-attached assets (Article 88.1), persons/entities that plant/grow forests funded by state budget (Article 90.1.d).</p> <p>-All land users (defined in Article 5) whose land is recovered (including affected workers) are considered for receiving State support (Article 83.1 Land Law 2013 and Article 19 Decree 47/2014/ND-CP). State support is defined as assistance to those whose land is recovered in order to stabilize their livelihoods, production and development.</p>	<p>Nam in practice avoids or minimize involuntary resettlement. However, the 2013 Land Law does not provides compensation to land users who violate land legislation (Article 64), and owners of illegally established land-attached assets (Article 92.2), and unregistered land users of agricultural land after 1 July 2004 (Article 77.2). There is also no regulation to compensate unregistered business for income losses due to business disruption and support in re-establishing their business elsewhere.</p>	<p>will adopt the objectives of the Bank's 2009 SPS, consistent with clause 2 of Article 87 of the 2013 Land Law which states that... "For projects using loans from foreign and international organizations for which the State of Vietnam has committed to a policy framework for compensation, support, resettlement, that framework is applied."</p>
	<p><i>(For displaced poor and other vulnerable groups)</i></p> <p>-In case the amount of compensation/support is not enough for resettled people to buy the minimum resettlement plot, requires the State to support the balance (Article 86.4 Land Law 2013 and Article 27 Decree 47)</p> <p>-Requires to compensate, support, and resettle to stabilize livelihoods of people whose recovered land is located in areas that pose risk to human life (Article 87.3 of Land Law 2013 and Articles 19, 20, and 21 Decree 47).</p>	<p>This provision has no conflict with ADB's 2009 SPS as it is on the objective of replacement cost that will be incorporated in the Project policy.</p>	

¹ Displaced persons include persons who lost the land they occupy in its entirety or in part who (i) have formal legal rights to the land lost, (ii) have claims to such lands that are recognized or recognizable under national laws, or (iii) have neither formal legal rights nor recognized or recognizable claims to such land

² Vulnerable groups are those who may be differentially or disproportionately affected by the project because of their disadvantaged or vulnerable status.

	<p><i>(Policy principle not limited to displaced people)</i></p> <p>-Guarantees to develop policies to facilitate those who are directly involved in agricultural, forestry, aquaculture, salt production and who are lacking the land for production due to change of land use structure and economic structure (Article 26.4). Such households/ individuals shall be granted certificate of land use right, houses and other land-attached assets without having to pay land use fee (Article 101.1).</p> <p>-Requires the State to develop policies on residential land, land for public activities for ethnic minorities in accordance with customs, traditions, cultural dignity and practical situation and assist ethnic minorities directly involved in agricultural production to have land for agricultural production (Article 27)</p>	<p>Although there is no equivalent policy in ADB's 2009 SPS, this provision is consistent with Bank's overarching goal in poverty reduction.</p> <p>Comment on this provision is the same as above.</p>	
Scope and Triggers			
<p>Physical displacement (relocation, loss of residential land, or loss of shelter) and economic displacement (loss of land, assets, access to assets, income sources, or means of livelihoods) as a result of (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas. It covers them whether such losses</p>	<p>-Covers both physical and economic displacement due to land recovery (involuntary acquisition of land)</p> <p>-Considers impacts from change of land use structure and economic structures (Article 26.4)</p> <p>-Covers both temporary and permanent land recovery</p> <p>-Covers remaining investment costs on land (Article 76).</p> <p>-Covers compensation for the damage caused by limited land use and damage on land-attached assets in case of restrictions due to establishment</p>	<p>The 2013 Land Law is short in matching the coverage of 2009 SPS since Article 94 and Article 157 only provide compensation for legally recognized land users.</p>	<p>As in the comment above, the project will adopt the provision in the Bank's 2009 SPS, consistent with clause 2 of Article 87 of the 2013 Land Law which states that... "For projects using loans from foreign and international organizations for which the State of Vietnam has committed to a policy framework for compensation, support, resettlement, that framework is applied."</p>

<p>and involuntary restrictions are full or partial, permanent or temporary.</p>	<p>of safety corridors (Articles 94 and 157).</p>		
<p>Policy Principles</p>			
<p>1. Screen the project early on to identify past, present, and future involuntary resettlement impacts and risks.</p>	<p>-Requires that in the preparation of the district annual land use plan, the area and location of the land to be recovered to implement socioeconomic development projects should be assessed (Article 40.4.c).</p>	<p>-However, the Land Law does not require for screening of projects in terms of significance of involuntary resettlement impacts, with corresponding requirements for degree of preparation, implementation and monitoring.</p> <p>-Land Law 2013 (Article 87.3) and Decree No. 47/2014/ND-CP require that depending on the degree impacts, separating compensation, assistance, and resettlement activities into a stand-alone project will be decided.</p>	<p>All subprojects shall be screened and categorized according to the degree of their involuntary resettlement impacts, physical and social. It shall determine whether EMs or have collective attachments in the Project areas, and whether impacts on EMs are likely.</p>
<p>2. Carry out meaningful consultations with affected persons, host communities, and concerned non-government organizations. <u>Inform all displaced persons</u> of their entitlements and resettlement options. Ensure their participation in planning, implementation, and monitoring and evaluation of resettlement programs. Establish a</p>	<p>Starts the conduct of public consultation (including affected land users) with the preparation of the district-level land use plan (Article 43).</p> <p>-Between 90-180 days before issuing decision on land recovery, State agencies are required to notify the affected land users about the land recovery (including recovery plan, investigation, survey, measurement and inventory)(Article 67).</p> <p>-Requires that once the plan for compensation has been approved, each person whose land is recovered (<u>and meets the conditions for</u></p>	<p>Most of the provisions on consultation in the Land Law are consistent with 2009 SPS. What is missing is the provisions are the consultation with host communities and support for social and cultural institutions.</p> <p>It has no provision requiring broad community support from the EMs on Project with direct significant impacts on them.</p>	<p>Participatory consultations will include non-government organizations, host communities and civic organizations will be provided with project information booklets or brochures written in language largely understand by affected persons.</p>

<p>grievance redress mechanism³ to receive and facilitate resolution of the affected persons' concerns. Support the social and cultural institutions of displaced persons and their host population.</p>	<p><u>compensation</u>) should be notified of the decision on compensation. Requires the decision to clearly show the level of compensation and support, arrangement of the resettlement land or house (if any), time and place of payment for compensation or support, time to arrange resettlement land or house and time of hand over, and site clearance. The organization in charge of compensation/resettlement conducts consultations with affected land users and record opinions/ comments raised during the consultations. In case of disagreement, the Fatherland Association will attempt to persuade those who disagree (Article 69).</p> <p>-Gives citizens the right to supervise land management including land recovery, compensation, support and resettlement. The competent agency that receives the report from the citizen is required to act and respond back to the citizen who filed the report (Article 199).</p> <p>-Allows persons whose land is recovered to complain following the procedures and structures under the Complaints' Law. Complaints against agencies/staff involved in land management (including land recovery) can be sent to specific agencies depending on the nature of the complaint and staff involved (Article 209).</p>		
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³The grievance redress mechanism should address affected persons concerns and complaints promptly using an understandable and transparent process that is gender responsive, culturally appropriate and readily accessible to the affected persons at no cost and without retribution. The mechanism should not impede access to the country's judicial or administrative remedies. It should also pay particular attention to the impacts on vulnerable groups.

	<p>-Commits to develop policies on residential land, land for public activities for ethnic minorities in accordance with customs, traditions, cultural dignity and practical situation and assist ethnic minorities directly involved in agricultural production to have land for agricultural production (Article 27).</p>		
<p>3. Improve, or at least restore, the livelihoods of <u>all displaced persons</u> through (i) land-based resettlement strategies when affected livelihoods are land based where possible or cash compensation at <u>replacement value</u> 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 at <u>full replacement cost for assets</u>⁴ that cannot be restored, and (iv) additional revenues and services through benefit sharing schemes where possible</p>	<p>-Requires that compensation be made by allocating new land with the same land use purpose with the recovered land. If there is no land available for compensation, the land users will receive cash compensation calculated on the specific land price. Requires that compensation must be democratic, objective, equal, public, timely and legally compliant. (Article 74.2)</p> <p>-Requires that specific price of the affected plot should be determined and independent/licensed valutors should be engaged in establishing cash compensation rates (Articles 114.4, 115, and 116 of Land Law 2013 and Decree 44/2014/ND-CP). However, the requirement of engaging independent/licensed valutors is still vague: article 114, provision 3 says that the province-level land administration agency is entitled to (instead of “must”) hire</p>	<p>There are inconsistencies noted on these provisions in Land Law that do not meet this Bank policy. It does not prescribe for consulting land users on land transactions, land value by types, land titles, land use, cropping patterns and crop production, availability of land in the project area and region, and other related information where market conditions are absent or in a formative stage in determining replacement value of affected assets.</p> <p>-Does not allow compensation of certain structures as per Article 92, such as:</p> <ul style="list-style-type: none"> > land-attached assets which are illegally established > Land-attached assets which are illegally created or created after the notice 	<p>Livelihoods and socio cultural systems of all displaced persons shall be restored, improved and culturally appropriate from pre-Project level. Affected livelihoods based on land shall be restored through:</p> <ul style="list-style-type: none"> (i) land-based resettlement strategies, or cash compensation at replacement value for land when the loss of land does not undermine their livelihoods; (ii) prompt replacement of assets of equal or higher value, (iii) prompt compensation at full replacement cost for assets that cannot be restored, (iv) employment in construction works; and (v) restoration of social networks of displaced persons.

⁴The calculation of full replacement cost will be based on the following elements: (i) fair market value, (ii) transaction costs, (iii) interest accrued, (iv) transitional and restoration costs, and (v) other applicable payments, if any. Where market conditions are absent or in a formative stage, the borrower will consult with the displaced persons and host populations to obtain adequate information about recent land transactions, land value by types, land titles, land use, cropping patterns and crop production, availability of land in the project area and region, and other related information. Baseline data on housing, house types, and construction materials should be collected. Qualified and experienced experts will undertake the valuation of acquired assets. In applying this method of valuation, depreciation of structures and assets should not be taken into account (ADB SPS 2009, Appendix 2).

	<p>organizations having consultancy functions for advising on the determination of specific land prices).</p> <p>-Includes the cost for moving due to land recovery in the compensation (Article 91).</p> <p>-Requires the payment of additional compensation in case of late payment (after 30 days from decision on the land recovery)(Article 93)</p>	<p>of land recovery by a competent state agency takes effect.</p> <p>>Technical infrastructure, social infrastructure and other construction facilities which are no longer in use.</p>	
<p>4. Provide physically and economically displaced persons with needed assistance, including the following: (i) secured tenure to relocation land, better housing at resettlement sites with comparable access to employment and production opportunities; (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</p>	<p>-Entitles affected land users to also receive State support, including support for stabilizing livelihoods and production, support for training and career change and facilitating search for jobs, support for resettlement and other support (Article 83).</p> <p>-Requires resettlement sites to have uniformly developed infrastructure, ensuring construction standards, codes in accordance with the conditions, customs, practices of the specific regions, areas (Article 85.2).</p>	<p>The Land Law does not include compensation of unregistered owners of commercial structures/businesses for (i) the cost of re-establishing their business/commercial activities elsewhere; (ii) net income loss during the transition period, and (iii) cost of transferring and reinstalling plant, machinery, or other equipment.</p>	<p>Physically and/or economically displaced persons shall be provided with: (i) land use right certificates in relocation land, better housing at resettlement sites with comparable access to employment, forest resources, and/or production opportunities; (ii) transportation for transfer to resettlement sites and food subsidies to APs during transition and development assistance, such as land development, training, or employment opportunities; and (iii) access to social infrastructure and community services, as required</p>
<p>5. Improve the standards of living of the displaced poor and other vulnerable groups, including women, to at least national minimum standards. In rural areas provide them with legal and</p>	<p>-In case the amount of compensation/support is not enough to buy the minimum resettlement plot (as normally the case for poor households), requires the State to support the balance (Article 86.4)</p> <p>-Entitles people whose recovered land is located in</p>	<p>While the 2009 SPS considered them as such, women, households headed by a woman with young dependents, people with disabilities, the poor and ethnic minority people are not automatically considered as vulnerable</p>	<p>CPC shall issue certificates confirming their poor social status;</p>

<p>affordable access to land and resources, and in urban areas provide them with appropriate income sources and legal and affordable access to adequate housing.</p>	<p>areas that pose risk to human life (defined in Article 65.1) to receive compensation, support, resettlement to stabilize livelihoods (Article 87.3)</p> <p>-State guarantees to develop policies to facilitate those who are directly involved in agricultural, forestry, aquaculture, salt production and who are lacking the land for production due to change of land use structure and economic structure (Article 26.4). Such households/ individuals shall be granted certificate of land use right, houses and other land-attached assets without having to pay land use fee (Article 101.1).</p> <p>-State to develop policies on residential land, land for public activities for ethnic minorities in accordance with customs, traditions, cultural dignity and practical situation and assist ethnic minorities directly involved in agricultural production to have land for agricultural production (Article 27).</p>	<p>under the Land Law.</p> <p>Moreover, the Land Law has no explicit requirement to identify the poor and other vulnerable groups and to propose and implement targeted measures to assist them. in the cases of land recovery.</p>	
<p>6. Develop procedures in a transparent, consistent, and equitable manner if land acquisition is through negotiated settlement to ensure that those people who enter into negotiated settlements will maintain the same or better income and livelihood status.</p>	<p>-Article 73 of the Land Law covers negotiated settlement for land transfer for projects, facilities for project and business purposes..</p>	<p>Land Law 2013 and Decrees 43/2014/ND-CP, 44/2014/ND-CP and 47/2014/ND-CP have neither a provision for procedure nor regulation on negotiated settlement.</p>	<p>Per 2009 SPS (Appendix 2, para. 26), the borrower/client will ensure that any negotiations with displaced persons openly address the risks of asymmetry of information and bargaining power of the parties involved in such transactions. The borrower/client will agree with ADB on consultation processes, policies, and laws applicable to such transactions; third-party validation; mechanisms</p>

			for calculating the replacement costs of land and other assets affected; and record-keeping requirements.
7. Ensure that displaced persons without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land assets	-For relocating households who are not eligible for compensation with residential land, but have no other place to live, the State sells, leases, provides rent-to-own houses or allocates land with land use fee (Article 79.2).	The Land Law is inadequate in meeting this 2009 SPS policy. Articles 88 and 92 do not provide compensation to non-legitimate owners of land-attached assets for non-land assets.	The absence of legal rights of affected persons on the acquired land is not a hindrance to receiving compensation for other assets and for rehabilitation assistance.
8. Prepare a <u>resettlement plan</u> ⁵ elaborating on displaced persons' entitlements, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time-bound implementation schedule	The Land Law requires for a compensation plan that shows the level of compensation and support, arrangement of the resettlement land or house (if any), time and place of payment for compensation or support, time to arrange resettlement land or house (if any) and time to hand over the recovered land to the organization in charge of compensation.	At the level required under the 2009 SPS, there is no requirement for preparing a resettlement plan or Ethnic Minority Development Plan. Compensation plan is prepared only after the detailed measurement survey (DMS), and there is no requirement for preparing a draft resettlement/compensation plan.	Resettlement plan shall be prepared in case of land acquisition, complete with necessary information.
9. Disclose a draft resettlement plan, including documentation of the consultation process in a timely manner, before project appraisal, in an accessible place and a form and language(s) understandable to	-Requires that the compensation plan is disclosed to the affected land user and the community where land recovery will be made.	This provision in the Land Law is somewhat similar with 2009 SPS. However, the contents of compensation plan may not be comparable with the level of detail in 2009 SPS since the Land Law provides the general guidelines on land recovery for projects assisted by multilateral development	Disclose a draft RP including documentation of the consultation process in a timely manner, before project appraisal, in an accessible place and a form and language(s) understandable to affected persons and other stakeholders. Disclose the final RP and

⁵SPS (2009) requires that a resettlement plan should basically include the following (i) project description, (ii) scope of land acquisition and resettlement, (iii) socioeconomic information and profile, (iv) information disclosure, consultation and participation, (v) grievance redress mechanisms, (vi) legal framework, (vii) entitlements, assistance and benefits, (viii) relocation of housing and settlements, (ix) income restoration and rehabilitation, (x) resettlement budget and financing plan, (xi) institutional arrangements, (xii) implementation schedule and (xiii) monitoring and reporting

affected persons and other stakeholders. Disclose the final resettlement plan and its updates to affected persons and other stakeholders.		institutions and/or projects financed by the government.	its updates to affected persons, and other stakeholders.
10. Conceive and execute involuntary resettlement as part of a development project or program. Include the full 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.	-Integrates resettlement planning into the district annual land-use planning, which is part of the provincial and national socioeconomic development plans.	This requirement in the Land Law provides for national coverage whereas the 2009 SPS is specific to projects assisted by ADB.	RP shall be prepared as part of the Project or it may be a stand-alone document for implementation, showing the full cost of execution if the impacts shall displace persons.
11. Pay compensation and provide other resettlement entitlements before physical or economic displacement. Implement the resettlement plan under close supervision throughout project implementation	-Requires that land recovery be conducted only after the construction of houses or infrastructure in the resettlement area is completed (Article 85). -Requires affected land users to handover the land within 30 days <u>after agreeing</u> to the compensation/allowances offered. Agencies making the compensation are required to pay compensation within 30 days. In case of delay, additional compensation for delayed payment should be made.	Matched against the 2009 SPS, the Land Law has no explicit condition that the affected land user should have received the compensation/allowance before handing over the affected land/asset.	Compensation/allowances shall be received by the APs, regardless of their ethnicity, before the handing over of their land or removal of their affected assets.
12. Monitor and assess resettlement outcomes, their impacts on the	-Empowers citizens to supervise and report on breaches in land management and land use including land recovery,	Article 199 of the Land Law is consistent with the requirement of 2009 SPS. However, Article 200 does	Mechanism for resettlement monitoring and evaluation shall be established. Provision for

<p>standards of living of displaced persons, and whether the objectives of the resettlement plan have been achieved. Disclose monitoring reports.</p>	<p>compensation, support and resettlement (Article 199). -Mandates the government to develop a system for monitoring and evaluation on land management and land use including land pricing, land recovery, settlement of disputes, etc. to be sent periodically to the government and the National Assembly (Article 200).</p>	<p>not require for the monitoring and evaluation of the resettlement outcomes and the impacts on standards of living on displaced persons and in the communities of the EMs. Likewise, it has requirement to engage an external expert to monitor for projects with significant involuntary resettlement/land recovery impacts.</p>	<p>adequate and skilled personnel shall be employed as qualified and experienced experts shall be hired for external monitoring if involuntary resettlement has significant impacts to displaced persons.</p>
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7.4. Project principles

109. 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 EVN HANOI will not issue notice of possession to contractors until the EVN HANOI are 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.
- Cut-off date is the date of completing DMS for which land and/or assets affected by the project are inventoried.

7.5. Project's entitlements, assistance and benefits

110. Eligibility is decided based on the cut-off date. The APs were informed of the cut-off date on the date when DPCs announced the land acquisition of the project.

Cut-off date	Announcement no.	Area
July 30 2013	308/TB-UBND	Nam Hong commune – Dong Anh dist., Bac Hong commune – Dong Anh dist.,
July 15 2013	166/TB-UBND	Quang Minh town – Me Linh dist.,
May 8 2013	81 /TB-UBND	Phu Cuong commune – Soc Son dist.,

111. APs in the communes have been informed about the cut-off dates above. DMS has been carried out after these dates and begun since late December 2013 in the affected communes and Quang Minh Town.

112. 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.

7.6. Entitlements Matrix

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

Table 27. Entitlement Matrix

Entitled Persons	Type & Level of Impact	Number of AH	Compensation Policy	Implementation Issues
A. AGRICULTURAL LAND				
A.1 Permanently affected agricultural land				
Owners with LURC, owners in process of acquiring LURC, owners eligible to acquire LURC AND public organizations	More than 10 percent or more of total productive landholding affected	03 HHs	<p>a/ As a priority, allocation of replacement land: (i) equal in area to affected land up to a maximum of land quota in the locality; (ii) of same category (or productive capacity); (iii) at a location satisfactory to affected person; (iv) with full title in the names of both the household head and his/her spouse; and (v) without charge for taxes, registration and land transfer charges; and</p> <p>b/ Economic rehabilitation package (see G, below);</p> <p>Or, if affected person opts, a/ Cash compensation at replacement cost); and, b/ Economic rehabilitation package (see G, below).</p>	<p>If remaining land holding is not economically viable i.e. is too small to be economically cultivated, the project will acquire the entire land holding and not just the affected portion. The size of the entire holding will be the basis for providing replacement land or cash compensation. The economically remaining land area will be identified by DCARBs for each case.</p> <p>DCARBs will determine whether the remaining holding can be viable or not and take care of this issue during DMS implementation.</p> <p>Full payment for affected households at least 01 months before site clearance</p>
	Less than 10 percent of total productive landholding affected	177 HHs	<p>Cash compensation at replacement cost at current market prices for affected portion if remaining holding is viable; or</p> <p>Cash compensation at replacement cost at current market prices for entire landholding, if remaining holding is not viable.</p>	<p>Implemented by DCARBs Decided by DPCs</p>
A.2 Impact on agricultural land in RoW				
All affected households have	Partially impact or	None	a/ No compensation for land.	Affected land in RoW will be rehabilitated by contractors after the project construction and

agricultural land in RoW	totally impact		b/ Compensation for crop, trees and others at market price. c/ Support for utilization of restricted land	land in RoW could be used with the restricted purposes. (Described in Decree 81, 2009, article 1) Affected households can be required to cut affected trees; project will pay for this work.
B. RESIDENTIAL AND/OR NON-AGRICULTURAL LAND (e.g., commercial)				
<i>Permanently affected residential and/or non-agricultural land</i>				
Owners with LURC, owners in process of acquiring LURC, owners eligible to acquire LURC AND public organizations	Loss of residential and/or non-agricultural landholding without houses and structures built thereon	None	a/ As a priority, allocation of replacement land: (i) equal in area to affected land up to a maximum of land quota in the locality; (ii) at a location satisfactory to affected person; (iii) with full title in the names of both the household head and his/her spouse; and (iv) without charge for taxes, registration and land transfer charges; and Or, if affected person opts, a/ Cash compensation at replacement cost.	If remaining land holding is not economically viable i.e. is too small to build house, structures, the project will acquire the entire land holding and not just the affected portion. The size of the entire holding will be the basis for providing replacement land or cash compensation. The economically remaining land area will be identified by DCARBs for each case. DCARBs will determine whether the remaining holding can be viable or not and take care of this issue during DMS implementation. Full payment for affected households at least 01 months before site clearance
	Loss of residential land/or non-agricultural landholding with houses and structures built	None	a/ As a priority, allocation of replacement land: (i) equal in area to affected land up to a maximum of land quota in the locality; (ii) at a location satisfactory to affected person; (iii) with full title in the names of both the household head and his/her spouse; and (iv) without charge for taxes, registration and land transfer charges; and b/ Compensation for houses, structures on permanently affected land;	If remaining land holding is not economically viable i.e. is too small to build house, structures, the project will acquire the entire land holding and not just the affected portion. The size of the entire holding will be the basis for providing replacement land or cash compensation. The economically remaining land area will be identified by DCARBs for each case.

	thereon.		Or, if affected person opts, a/ Cash compensation at replacement cost); and, b/ Compensation for houses, structures on permanently affected land.	DCARBs will determine whether the remaining holding can be viable or not and take care of this issue during DMS implementation. Full payment for affected households at least 01 months before site clearance
C.MAIN HOUSES AND OTHER STRUCTURES IN RoW				
<i>C.1. Dismantled houses and other structures</i>				
All affected households have houses and structures which are dismantled	Totally or partially dismantled but the rest portion will not ensure the safety so the houses or structures will be removed and rebuilt.	1 HH	a/ Compensation for the whole houses, structures by the replacement price b/ Assistance for removing (if relocation).	Full payment for affected households at least 01 months before site clearance
	Partially dismantled but the rest portion will not affect the safety so the houses or structures don't have to remove.		a/ Compensation for the part of houses or structures dismantled. b/ Allowances for partially dismantled houses/ structures and reuse	Full payment for affected households at least 01 months before site clearance

D.Compensation for affected trees and crops				
Land owners/ Users with lease whose trees and crops are affected	Affected annual crops and rain-fed crops, aquaculture	4 HHs	Compensation for annual crops and aquatic equivalent to current market value of crops / aquaculture at the time of compensation.	Full payment for affected households at least 01 months before site clearance
			The owner/grower of perennials, trees and crops will be compensated according to the average market price of trees and crops based on average annual volume and/or replacement costs applicable to perennials.	Full payment for affected households at least 01 months before site clearance
Land owners/ Users with lease whose trees and crops are affected	Trees are allowed to grow under ROW		The owner/grower of perennial crops and trees under ROW that must be cut and trimmed will be compensated at 30% of the average market price of fruit trees based on the average annual volume and/or replacement cost applicable to perennial crops. Owner/grower of rain-fed crops affected under the ROW will be compensated based on annual average volume and seasonal affected.	Full payment for affected households at least 01 months before site clearance
G. REHABILITATION ASSISTANCE				
G.1. Transportation assistance				
All affected households have houses and structures which are dismantled and have to remove	Assistance for removing	1 HH	- For organizations: funding for dismantling, moving and installation as stipulated by the Compensation Committee of the project who will determine the level of support for each specific case. In case of difficulties they may hire consultants to determine this cost.	Value of assistance to be determined during resettlement plan implementation.
G.2. Assistance for rehabilitation and production				
Severely affected households,	Assistance to restore	4 HH	affected households directly cultivate on the affected land to be entitled:	Value of in kind assistance to be determined during resettlement plan implementation.

displaced from housing or losing 10 percent or more of their productive, income generating irrespective of tenure status.	livelihoods and incomes following acquisition of land or other productive assets		<p>(i) Losing from 10 to 30% of land holding: Cash assistance equal to 30 kg of rice (valued at market price) per month per household member for 3 months, if not relocating; for 6 months if relocating; and for 12 months if relocating in a harsh living condition area;</p> <p>(ii) Losing more than 30% to 70% of total land holding. Cash assistance equal to 30 kg of rice (valued at market price) per month per household member for 6 months, if not relocating; for 12 months if relocating; and for 24 months if relocating in a harsh living condition area;</p> <p>(iii) Losing more than 70% of total land holding Cash assistance equal to 30 kg of rice (valued at market price) per month per household member for 12 months, if not relocating; for 24 months if relocating; and for 36 months if relocating in a harsh living condition area; AND</p>	Income Restoration Programmes will be designed during project implementation with the assistance of an agency specialised in livelihoods/labour or vocational assistance and with the active involvement of the affected households.
G.3 Assistance for job changing and creation				
affected households with agricultural land required permanently	Assistance for job changing and creation.	179HH	<p>Cash assistance equal to 5 time of compensation value for affected land area but not exceed 5 (five) times of land quota in locality.</p> <p>If affected person has demand for training, he/she will be entitled to a free training course</p>	Eligibility will be confirmed during DMS.
G.4. Special allowance for social and economically vulnerable households				
Vulnerable affected households (the poor, war invalid person, woman headed	Assistance to the poor and vulnerable households to improve	62 HHs	For other vulnerable affected persons, assistance of VND 5,000,000 per household to improve their social and economic conditions	Eligible households are those who are classed as vulnerable

household, the elderly)	their social and economic conditions.			
<i>G.5 Assistance for losses on Business and Employment</i>				
Business Enterprise/Business HH being forced to cease operating as business in current location	Assistance for re-establishing business in different location or development of different business activity.	None	Assistance equivalent to 30% of after-tax income in a year according to the average income of the 03 years preceding confirmed by the tax authorities; In case the business time is less than 3 years, the assistance is based on the average amount during the actual business duration.	Value of assistance to be determined during resettlement plan implementation.
Waged employees made redundant	Assistance for changing and finding another job	None	The allowance is equivalent to the minimum wage multiplied by the level of employment of the respective occupation in accordance with current regulations of the State in a maximum period of 06 months.	Value of assistance to be determined during resettlement plan implementation.

7.7. Addressing the gender issues

114. The EVN HANOI, through the HPPMB with assistance from PICs, carried out the following specific actions to address gender issues in the subprojects:

- During DMSs process, meeting had been conducted with both men and women to discuss on DMS implementation plan. Representatives of HPPMB and designing consultants had introduced the projects. Affected households had been consulted on resettlement activities and land acquisition methodologies.
- A representative of the commune women's union has been invited to participate into the resolution of grievances and complaints.

During the implementation of land acquisition plan, the following item will be applied:

- Gender issues will be included in the training on project implementation by PICs to concerned personnel of the Project Management Unit, EVN HA NOI, and HPPMB.
- Special attention will be extended to elderly, disabled and women-headed households during relocation and in the provision of assistance as defined in the project policy.
- 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.

7.8. Assistance to vulnerable households

115. According to the DMS results and consultation, showed 62 households affected vulnerable due to land acquisition. These households will receive an additional support, in addition to the compensation they receive. They will be the priority right to participate actively in the activities of livelihoods recovery project design.

7.9. Special considerations

116. Between the periods after the cut-off dates were established in each district towards the implementation of the updated resettlement plan, some unfortunate developments could happen to any affected persons. One example is the passing away of the households 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.

7.10. Unforeseen impacts

117. Between the periods after the cut-off dates were established in each district towards the implementation of the updated resettlement plan, some unfortunate developments could happen to any affected persons. One example is the passing away of the households 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.

8.0 RELOCATION OF HOUSING AND SETTLEMENTS

118. The project caused impact on a temporary house, water tank and well which belonging to 1 household. Those assets will be compensated in accordance to the mentioned above project principles. Compensation amount for those assets will be calculated base on the the cost of replacement and should not including depreciation or any turnover values.

9.0 INCOME RESTORATION

9.1. Background

119. In order to assist affected persons restore livelihoods and income levels, the project will provide an income restoration program that is adapted to the needs and situation of the affected persons as determined in the socio-economic surveys. The affected persons covered by the income restoration program are identified in the entitlement matrix.

120. The scope of the entitlements includes an allowance to cover living costs during a period of reduced income while affected persons restore current livelihood and income-generating activities or make a transition to new income-generating activities. In-kind assistance to strengthen or initiate income-generating activities will also be provided.

121. In-kind assistance to strengthen or initiate income-generating activities will be decided in consultation with local authorities and affected persons eligible for the income restoration.

9.2. Income restoration program

122. There are 4 severely affected household is identified during DMS process; when implementing updated RP, the following regulations will be applied:

- Cash allowance for permanently acquired agricultural land: it is estimated at 5 times of land unit price)
- Allowance for training and finding occupation: it is estimated as VND 6,000,000 person in labor ages.

123. Vulnerable affected households will receive assistance of VND 5,000,000 per household to restore their income to pre-project levels.

124. Assistance for employees losing their jobs at least three months and up to six months.

10.0 RESETTLEMENT BUDGET AND FINANCING PLAN

125. The IOLs and DMS of the project had been started from January to April 2014. The resettlement plan's cost given in this resettlement plan had been calculated by the Compensation and resettlement boards of Soc Son, Me Linh and Dong Anh districts based on results of IOL and DMSs data on all of affected communes.
126. HanoiEVN/HPPMU will be responsible for payment directly to AHs under monitoring of DCARBs and CPCs and social-political organizations representatives. The compensation amount that payment for AHs at the cost has been calculated by DCARBs.
127. As shown in the table below, the overall cost of resettlement plan updating and implementation was estimated at VND 12,390,504,833 for inclusion in the project investment. The EVN HANOI/HPPMB will ensure the timely provision of funds and will meet any unforeseen obligations in excess of the resettlement budget in order to meet the social safeguards objectives under the project. The financing of which can be drawn from the equity funds of EVN HANOI.

Table 18. Estimated compensation, assistance, and resettlement costs

No.	Category	Unit	Quantity	Rates (đ/m ²)	In cash (VND)
I	Compensation for land		13,366.42		1,697,296,680
1	Land for substation construction (Phu Cuong Commune - Soc Son district)	m ²	3734.00	108,000	403,272,000
2	Agricultural lands at Phu Cuong commune - Soc Son	m ²	235.28	108,000	25,410,240
3	Agricultural lands at Bac Hong, Nam Hong communes - Dong Anh	m ²	475.39	135,000	64,177,650
4	Agricultural lands at Quang Minh township - Me Linh	m ²	8921.75	135,000	1,204,436,790
II	Other				9,156,582,672
1	Living, producing stabilization land acquired				630,000,000
2	Job changing and creation at Phu Cuong commune	m ²	13,366.42	540,000	2,143,411,200
3	Job changing and creation at Bac Hong, Nam Hong and Me Linh town.	m ²	9,397.14	675,000	6,343,072,200
4	Progress bonus	m ²	13,366.42	3,000	40,099,272
III	Compensation for trees and crops				154,931,392

1	Glutinous rice (80% area estimated)	m ²	13,366.42	10,000	106,931,392
2	Longan 10cm ≤ Trunk diameter < 15cm; h ≥ 3m	Tree	50	400,000	20,000,000
3	Acacia 20cm ≤ Trunk diameter < 25cm	Tree`	350	80,000	28,000,000
IV	Compensation for structures				54,140,000
	Provisionally estimation				54,140,000
V	Total (I+II+III+IV) :	-			11,062,950,744
	Compensation, assistance, resettlement implementation cost 2%	-			221,259,015
	Contingency cost (10% of V)	-			1,106,295,074
VI	TOTAL	-			12,390,504,833

11.0 INSTITUTIONAL ARRANGEMENTS

128. Implementation of the resettlement plan requires the participation of relevant agencies from the Central to province, district, and commune level. The executing agency has the overall responsibility for implementation of the resettlement plans. District Compensation, Assistance and Resettlement Boards (DCARBs) will be established at district level according to Decree 47/2014/ND-CP.

11.1 Central level

129. **EVN HANOI** is the executing agency, through HPPMB to manage the resettlement issues. The HPPMB is the implementing agency that is mandated for the overall management and supervision of projects funded by ODA. For the management of a particular project, the EVN HANOI creates the HPPMB within its organization that is supported by full-time qualified and experienced social safeguard specialist to manage the resettlement related issues. EVN HANOI will:

- Provide overall management and coordination of the project;
- Liaise with IAs to carry out the project;
- Coordinate with ADB in providing resettlement consultant services for the project;
- Support the HPPMB for updating resettlement plan of the project;
- Consolidate project progress reports on land acquisition and resettlement submitted by the HPPMB for relevant ministries and ADB; and
- Recruit a consulting agency consisting of international specialist and national specialist to support the project implementation.

130. Ha Noi City Power Project Management Board (HPPMB)

- Actively participate in the resettlement plan updating and implementation activities in collaboration with the concerned organisation at the Province, District and Commune levels;
- Liaise with the Provincial People's Committee (PPC) to facilitate the establishment of the CARB at the provincial/city and district levels.
- Provide an orientation, to the concerned People's Committees of the province/city, districts, and wards and communes, the DCARB and related groups on the project, its Resettlement Policy, process flow, and on the specific tasks of these groups relative to the updating and implementation of the district-level resettlement plan;
- Take the lead in the public disclosure of the project resettlement plan in coordination with the concerned People's Committees, and participate in project information dissemination and holding of consultation meetings with affected households and other stakeholders;
- Monitor grievances related to the project and calls the attention of concerned government offices where complaints have remained outstanding beyond prescribed action periods;
- Design and implement an internal monitoring system that shall capture the overall progress of the resettlement plan updating and implementation; and prepare quarterly progress reports for submission to EVN HANOI and ADB.

11.2 City level

131. **City People's Committee:** The main responsibilities of the CityPC include: (i) establishment and mobilisation of City Compensation and Resettlement Board; (ii) organisation and mobilisation of all organisations and individuals concerning compensation, support and resettlement policies and ground clearance according to the land recovery decisions of competent State bodies; (iii) updating the unit costs to reflect the replacement cost of project-affected private and public assets; (iv) planning resettlement arrangements, job change training plans according to their assigned competence; (v) 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; (vii) authorising the DPC to apply coercion to cases of deliberately failing to abide by the State's land recovery decisions; and (viii) responsible for the resettlement budget.

11.3 District and Commune/Ward level

132. **District People's Committee:** the DPC will be responsible for the following: (i) extension of support for updating and preparation as well as implementation of the resettlement plan; (ii) review and submit resettlement plan to CityPC as endorsed by

DCARBs; (iii) review the accuracy of and validate the cost estimates for compensation and assistance; (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) assist in the redress of complaints and grievance from affected persons; (vii) concurrence with the schedule of resettlement plan implementation and monitor the progress thereon; (viii) mobilisation of the respective DCARBs that will appraise the compensation and assistance to affected persons; as well as (ix) the provisions of lands to affected persons.

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

- The dissemination of the PIB and other publicity material; ensuring that affected persons are aware of the land acquisition and resettlement 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.

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

12.0 IMPLEMENTATION SCHEDULE

135. The implementation schedule must ensure the synchronised linkage between resettlement plan implementation and commencement of civil works, i.e. the appropriate compensation schedule and construction schedule. The compensation payment shall be completed prior to the commencement of the relevant project components.

136. The proposed resettlement plan implementation schedule is as follows:

Table 19: Detailed Activities and Schedule

Main activities	Time-frame
<i>Preparing RP</i>	
Detailed engineering and demarcation of land to be acquired	November and December 2013
Public consultations with affected persons on draft resettlement plan	November 2013
Finalise updated resettlement plan and submit to HPPMB for review and referral	December 2013
ADB no-objection to resettlement plan	March 2014
Disclosure of approved resettlement plan	March 2014
<i>Implementing RP</i>	
DMS	February to April 2014
Update RP and submit to ADB for approval	June and July 2014
Compensation and assistances payment	July-August 2014
Implementation of rehabilitation measures	Whenever if found AH's income are not recovered.
Site clearance	August - September 2014
Confirm the ADB about the site be handed out and get No Objection Letter from ADB to allow construction contract award.	September 2014
Start of civil works	From September 2014

13.0 MONITORING AND REPORTING

137. 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. Towards this end, resettlement monitoring will be done by an internal body and by an external organisation.

13.1. Monitoring and reporting

138. The project will establish systems for internal and external (if necessary) monitoring and evaluation. 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.

139. 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.

13.2. Internal monitoring

140. The HPPMB will conduct the internal monitoring of resettlement plan implementation for EVN HANOI 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.

141. An initial 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, relocation, payment of subsistence and moving allowances.
- Delivery of income restoration and social support entitlements.
- Public information dissemination and consultation procedures.
- Adherence to grievance procedures and outstanding issues requiring management's attention.
- Priority of affected persons regarding the options offered.
- Coordination and completion of resettlement activities and award of civil works contract
- The EVN HANOI will incorporate the status of resettlement plan implementation in the overall project progress report to ADB.

13.3. External monitoring

142. Social impact monitoring and evaluation of resettlement plan implementation shall be conducted by EVN HANOI itself. Besides, Project Implementing Consultant (PIC) shall be responsible for supporting EVN HANOI and HPPMB in monitoring and evaluation of resettlement plan implementation.

143. The key objectives of social impact monitoring and evaluation are to: (i) assess whether resettlement objectives have been met, specifically the maintenance of livelihoods and the enhancement of affected persons' living standards; (ii) assess resettlement efficiency, effectiveness, impact and sustainability, drawing lessons as guide to future resettlement policy formulation for forthcoming ADB-assisted projects in EVN HANOI; and (iii) the need for further mitigation measures as needed. In this respect, the EVN HANOI will carry out a post-resettlement survey at six or twelve months after the completion of resettlement activities. It will conduct a rapid appraisal in areas inhabited by the affected persons, hold public consultations, and conduct a socioeconomic survey by interviewing a random sample of 20% of the affected persons whose responses will be recorded in a structured questionnaire. EVN HANOI will compare with their pre-resettlement conditions, to assess the success and/or failure of the resettlement programme. Specific to monitoring the social impacts, EVN HANOI will produce but not limited to the following in its assessments:

- Capacity of affected persons to restore livelihoods and living standards. This will include assessment on the effectiveness and/or inadequacy of technical assistance, allowances and other measures, and to what extent the affected persons have maintained their livelihoods and living standards to pre-project levels.
- Public consultation and awareness of resettlement plan policies. EVN HANOI will validate if the affected persons have been fully informed and consulted about land acquisition and relocation activities. It will also inquire the affected persons and other stakeholders if they were aware of the compensation and entitlements policies and various options available to affected persons. Included in EVN HANOI's validation is the process on how the public consultations were conducted, the problems and issues raised during the meeting and the solutions proposed either by the affected persons and stakeholders or from the side of EVN HANOI/HPPMB.
- Level of affected persons' satisfaction. EVN HANOI will assess the affected persons' level of satisfaction on compensations, allowances and assistance received as well as on resettlement plan implementation, and the degree of efficiency and equity in handling grievances and resolution of complaints.

Change in living standards. Some indicators in the performance evaluation of resettlement plan implementation are very useful in assessing the living standards of the affected persons, particularly from Section III of this resettlement plan. From the indicators, EVN HANOI will compare and assess the progress of affected persons in coping with the restoration of their livelihoods that define their living standards. Special attention to disparities between their pre-project and post-resettlement social conditions will be analysed, and disaggregated by gender and per capita income levels. Any factors or issues relevant to restoration of the affected persons living standards will be disclosed in the social impact evaluation report. The EVN HANOI will discuss its findings with the ADB and advice follow-up actions, where appropriate, to bring to closure the social issues arising from land acquisition and resettlement.

ANNEX 1 - LIST OF PARTICIPANTS

No.	Name	Male	Female	Position	Organization/Address
I	Soc Son District				
1	Do Thu Nga		x	Deputy Chief of the Secretariat	Soc Son DPC
2	Ta Van Dao	x		Vice chairman	Soc Son DPC
3	Le Duc Ngoc	x		Deputy Director	Soc Son DRC
4	Nguyen Van Dung	x		Deputy leader	Soc Son District Safety team
5	Nguyen Huy Du	x		Staff	Uban Management Division
6	Trinh Hoang Long	x		Vice Head	Soc Son District Planning and Finance.
7	Dam Than Thang	x		Deputy Director	Soc Son CLFD
8	Tran Duc Hien	x		Director	Soc Son DRC
9	Do Tien Do	x		Staff	Soc Son Tax Division
10	Tạ Thu Trang		x	Staff	Soc Son District economic Division
11	Nguyen Dang Hai	x		Vice Chairman	Soc Son Distr., Fatherland Front
12	Truong Thanh Nhan	x		Staff	Soc Son District Women's Union
13	Nguyen Thu Huong		x	Staff	Soc Son DPC
14	Nguyen Kim Thuy		x	Staff	Soc Son DPC
15	Tran Kien	x		Staff	Soc Son DPC
16	Tran Thi Nu		x	Staff	Phu Cuong commune Women's Union
17	Nguyen Van Huynh	x		Vice Chairman	Phu Cuong CPC
18	Nguyen Quang Tuat	x		Chairman	Phu Cuong Fatherland Front
19	Nguyen Thi Nhu		x	Staff	Soc Son DRC
20	Tran Van Thong	x		Head of village	Huong Gia village
21	Vu Van Huong	x		Castradal staff	Phu Cuong CPC
II	Dong Anh District				
22	Ha Van Khanh	x		Vice Chairman	Dong Anh DPC
23	Nghiem Thi Minh		x	Staff	Dong Anh DPC
24	Doan Quang Phuc	x		Staff	Dong Anh DPC
25	To Van Dam	x		Deputy Director	Dong Anh DRC
26	To Viet Dung	x		Staff	Dong Anh DRC
27	Nguyen Le Hien	x		Staff	Dong Anh DRC
28	Hoang Van Dung	x		Staff	Dong Anh Planning and Finance Division
29	Do Huu Chat	x		Staff	Dong Anh district Economic Division

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30	Nguyen Van Soai	x		Staff	Dong Anh District Urban Management Division
31	To Van Oanh	x		Deputy Head of division	Environment and resources division
32	Nguyen Tien Duc	x		Vice chairman	Nam Hong CPC
33	Pham Thi Triet		x	Chairman	Nam Hong Fatherland Front
34	Ngo Thi Ut		x	Castradal staff	Nam Hong CPC
35	Nguyen Trung Thu	x		Vice chairman	Bac Hong CPC
36	Nguyen Anh Dong	x		Castradal staff	Bac Hong CPC
37	Nguyen Thi Kim Oanh		x	Staff	Bac Hong CPC
	Me Linh District				
38	Dao Trong Phu	x		Director	Me Linh DRC
39	Pham Ngoc Tuan	x		Deputy Director	Me Linh DRC
40	Ta Thi Chuc		x	Chairman	Me Linh Fatherland Front
41	Ngo Thi anh		x	Chairman	Melinh WU
42	Ngo Duong Trong	x		Secretary	Quang Minh town Party Committee
43	Le Van Hoan	x		Chairman	Quang Minh town PC
44	Trinh Xuan Ca	x		Vice Chairman	Quang Minh town PC
45	Ha Thanh Nhuan	x		Vice Chairman	Quang Minh Fatherland Front
46	Le Ngoc Nhuan		x	Castradal staff	Quang Minh town PC
47	Nguyen Van Trang	x		Head of village	No 6 Village
48	Truong Quang Luyen	x		Head of village	No 7 Village
49	Truong Van Hien	x		Deputy Secretary of the Party Committee	No 7 Village
50	Le Van Dong	x		Head of village	No 8 Village
51	Nguyen Xuan Binh	x		Vice Head of village	No 6 Village
52	Truong Van Da	x		AP	
53	Dam Duy Khe	x		Staff	Me Linh Fatherland Front
54	Ngo Chi Nghia	x		Staff	Me Linh Fatherland Front
55	Truong Quang Net	x		AP	
56	Nguyen Van Ninh	x		AP	
57	Nguyen Van SAch	x		AP	
58	Le Van Chai	x		AP	
59	Bui Huy Dia	x		AP	
60	Nguyen Thanh Nam	x		Vice Director	HPPMB
61	Dang Tuan Anh	x			HPPMB
62	Mai Chan Chien	x		Staff	Compensation Division of HPPMB
63	Pham Huu Hanh	x		Staff	Compensation Division of HPPMB
64	Pham Hoang Hong Ha	x			Design Consultant
65	Bui Van Nghia	x			Design Consultant

ANNEX 2- SUMMARY OF MINUTES ON DISCLOSURE OF COMPENSATION, ASSISTANCE AND RESETTLEMENT POLICIES

Project: Construction of Noi Bai Airport 110kV substation and 110kV transmission line

I. Consultation content

- **Project design consultant:** location of the substation, alignment of the line, location and length of the TL in the commune and ward areas.
- **ADB Consultants introduced about the social and resettlement policies of the Project:** Resettlement Plan by ADB; impacts caused by acquisition of land and assets on land; policies of the Socialist Republic of Vietnam and the local authorities, Project policies on compensation for losses in the event of land recovery by the State; anticipated land acquisition and resettlement impacts in the area; proposed compensation plans (*in accordance with the approved Project Policy Framework*); implementation organization, and implementation schedule for the resettlement plan.

II. Feedback

The representatives of the concerned departments of Soc Son, Dong Anh and Me Linh districts agreed with the investment in and construction of Noi Bai Airport 110 kV substation and 110 kV TL in the area.

Opinions of the district leaders and District Compensation, Assistance and Resettlement Boards

- The disclosure of Resettlement Plan is a good point of the Project; however, the current and new legal documents by the Government should be updated if the new Land Law is approved;
- Assistances for vulnerable groups will be delivered if the Government and Hanoi City People's Committee (CPC) approve;
- The loss of 10% or above of landholdings, which is identified as severely affected household, is a preeminent aspect of the project. However, it might cause obstacles to other projects which are being implemented in the area;
- DMS is being carried out in all project communes and it is expected that by January 28 2013 the DMS is completed;
- Site clearance must be carried out as soon as possible;
- The number of project affected households must be checked carefully. The number is higher than 57 AHs since several households share the same LURC (red book). Because during the 1990s, LURCs were issued for a group of households;
- Data must be posted publicly;
- Land acquisition should be classified into: permanent LA and temporary LA.
- It is necessary to review and classify lands acquired of the individual households as well as land managed and used by organizations/communities.
- In Hanoi, land-for-land compensation is not applied but cash compensation.

- According to the Decree No. 64/ND-CP by the Government on allocating agricultural land to households and individuals for use, currently, several households share the same land plots. Due to household separation reason, compensation and enumeration per LURCs encounter difficulties.

Opinions of local authorities of Phu Cuong, Quang Minh, Nam Hong and Bac Hong communes and the AHs

- So far, the employer has carried out the inventory and DMS; however, the DMS results have not been informed to the local authorities and AHs.
- Compensation policies must be complied with the new policies and a common compensation policy framework should be applied to all AHs.
- Disclosure in written documents on land acquisition, compensation and assistance.
- It is necessary to disclose policies related to the calculation of land area of the AHs.
- It is suggested to acquire the remaining unviable land (area less than 20 m²).
- It is necessary to pay due attention to compensation and restoration of public structures such as road or irrigation canal system to be affected during the construction period.
- Compensation should be considered in case of causing impacts on crops of local people due to inundation when building underground cable.

Feedback from the Consultants

- It is required that during the project implementation process, information disclosure and dissemination should be conducted as soon as the RP is approved by ADB;
- Policies described in RP are in accordance with the policy framework by the GoV as well as ADB SPS; the GoV has issued documents promulgating the compliance with international treaties for the ODA-funded projects. These regulations are included in the Land Law 2003; Decree No. 197/2004/ND-CP and Decree No. 38/2013/ND-CP on management and use of ODA;
- Compensation policies are applied to all APs;
- The acquisition of the remaining unviable land area will be in compliance with the regulations of Hanoi CPC and considered on case-by-case basis by the DCARBs;
- All affected public structures during the construction process will be compensated at the replacement cost or restored;
- For the design of underground cable in Quang Minh Town, it is necessary to build higher than the rice field to create a small dyke to prevent water. The Design Consultant will add the drainage options. During the construction process, if crops are affected due to inundation or lack of water, they will be compensated at the replacement cost and based on the number of affected crops;
- As for the households sharing the same LURC, after the DMS results are available, the AHs whose names are not in the list attached to the RP will be added during the RP updating process.

ANNEX 3 LIST OF AP

Or.	Full Name	Position	No. Of person
I	Nam Hong commune		30
1		Doai village	5
2		Doai village	5
3		Doai village	4
4		Doai village	5
5		Doai village	6
6		Dia village	5
II	Bac Hong commune		22
1		Thuy Ha village	4
2		Thuy Ha village	5
3		Thuy Ha village	5
4		Thuy Ha village	6
5		Thuy Ha village	2
6		Thuy Ha village	
III	Quang Minh town		718
1		Dong village	4
2		Dong village	8
3		Dong village	4
4		Dong village	9
5		Dong village	15
6		Dong village	10
7		Dong village	6
8		Dong village	6
9		Dong village	8

10		Dong village	2
11		Dong village	2
12		Dong village	8
13		Dong village	5
14		Dong village	11
15		Dong village	4
16		Dong village	8
17		Gia Trung village	1
18		Gia Trung village	5
19		Gia Trung village	4
20		Gia Trung village	5
21		Gia Trung village	5
22		Gia Trung village	2
23		Gia Trung village	5
24		Gia Trung village	1
25		Dong village	1
26		Dong village	1
27		Gia Trung village	7
28		Gia Trung village	4
29		Gia Trung village	6
30		Gia Trung village	8
31		Gia Trung village	10
32		Gia Trung village	3
33		Gia Trung village	6
34		Gia Trung village	8
35		Gia Trung village	7
36		Gia Trung village	16

37		Dong village	3
38		Dong village	6
39		Dong village	7
40		Dong village	8
41		Dong village	5
42		Gia Trung village	5
43		Gia Trung village	6
44		Gia Trung village	7
45		Gia Trung village	2
46		Gia Trung village	4
47		Dong village	12
48		Dong village	4
49		Dong village	5
50		Dong village	4
51		Dong village	9
52		Dong village	4
53		Dong village	7
54		Dong village	6
55		Dong village	5
56		Dong village	9
57		Dong village	5
58		Dong village	7
59		Gia Trung village	7
60		Gia Trung village	3
61		Gia Trung village	6
62		Gia Trung village	6
63		Gia Trung village	7

64		Dong village	5
65		Dong village	3
66		Dong village	9
67		Dong village	3
68		Dong village	6
69		Dong village	6
70		Dong village	6
71		Dong village	9
72		Dong village	9
73		Dong village	4
74		Dong village	6
75		Dong village	4
76		Dong village	16
77		Dong village	4
78		Dong village	1
79		Dong village	3
80		Dong village	4
81		Dong village	8
82		Dong village	5
83		Dong village	4
84		Dong village	6
85		Dong village	5
86		Dong village	5
87		Dong village	7
88		Dong village	11
89		Dong village	4
90		Dong village	6

91		Dong village	5
92		Dong village	5
93		Dong village	7
94		Dong village	7
95		Dong village	6
96		Dong village	6
97		Dong village	4
98		Dong village	3
99		Dong village	4
100		Dong village	6
101		Dong village	5
102		Dong village	6
103		Dong village	3
104		Dong village	7
105		Dong village	6
106		Dong village	3
107		Dong village	6
108		Dong village	5
109		Dong village	4
110		Dong village	3
111		Dong village	5
112		Dong village	6
113		Dong village	3
114		Dong village	5
115		Dong village	6
116		Dong village	5
117		Dong village	7

118		Dong village	3
119		Dong village	5
120		Dong village	6
121		Dong village	2
122		Gia Trung village	4
123		Gia Trung village	2
124		Gia Trung village	5
125		Gia Trung village	3
126		Gia Trung village	5
127		Gia Trung village	3
128		Gia Trung village	4
129		Gia Trung village	1
130		Gia Trung village	4
IV	Phu Cuong commune		118
1		Huong Gia village	6
2		Huong Gia village	5
3		Huong Gia village	5
4		Huong Gia village	5
5		Huong Gia village	7
6		Huong Gia village	5
7		Huong Gia village	7
8		Huong Gia village	6
9		Huong Gia village	2
10		Huong Gia village	5
11		Huong Gia village	5
12		Huong Gia village	9
13		Huong Gia village	2

14		Huong Gia village	4
15		Huong Gia village	6
16		Huong Gia village	5
17		Huong Gia village	5
18		Huong Gia village	5
19		Huong Gia village	3
20		Huong Gia village	6
21		Huong Gia village	5
22		Huong Gia village	5
23		Huong Gia village	5
	Total		888

• **Note: Names deleted for confidentiality**

ANNEX 3.1 LIST OF AFFECTED AGRICULTURAL LAND HHs

Or.	Full Name	Position	No. Of person	Total of agricultural land area (m ²)	Recovered agricultural area (m ²)	Percent	Severely AHs
(1)	(2)	(3)	(13)	(5)	(9)	$\frac{(11)-(9)}{(5)}*100\%$	
I	Nam Hong commune		30	11.685	259	0	0
1		Doai village	5	3.047	63	2%	
2		Doai village	5	1.751	35	2%	
3		Doai village	4	1.296	102	8%	
4		Doai village	5	2.079	27	1%	
5		Doai village	6	1.823	1	0%	
6		Dia village	5	1.689	31	2%	
II	Bac Hong commune		22	6.708	203	0	0
1		Thuy Ha village	4	1.159	7,00	1%	
2		Thuy Ha village	5	992	44,84	5%	
3		Thuy Ha village	5	1.615	20,60	1%	
4		Thuy Ha village	6	2.263	68,00	3%	
5		Thuy Ha village	2	679	31,36	5%	
6		Thuy Ha village			31,36		
III	Quang Minh town		718	393.655	6.249	249	0
1			4	2979,4	18,60	0,62	
2			8	2122,7	77,70	3,66	
3			4	3184,2	1,80	0,06	
4			9	3193,6	113,40	3,55	
5			15	3715,8	54,10	1,46	
6			10	3404,5	13,90	0,41	

7			6	3191,9	17,00	0,53	
8			6	2211,5	121,60	5,50	
9			8	4569,5	6,80	0,15	
10			2	2563,4	15,00	0,59	
11			2	2682,9	16,90	0,63	
12			8	4439,1	5,60	0,13	
13			5	2096,9	79,70	3,80	
14			11	1605,2	106,70	6,65	
15			4	2613,6	100,10	3,83	
16			8	2786,6	52,60	1,89	
17			1	751,9	45,10	6,00	
18			5	3895,3	110,20	2,83	
19			4	2733,6	26,20	0,96	
20			5	2716,4	27,30	1,01	
21			5	3401,3	13,40	0,39	
22			2	2437,1	107,50	4,41	
23			5	2351,8	16,00	0,68	
24			1	625,1	32,60	5,22	
25			1	1347,1	36,40	2,70	
26			1	1236,7	69,40	5,61	
27			7	5597,1	32,94	0,59	
28			4	3635,6	15,80	0,43	
29			6	3013,2	54,50	1,81	
30			8	2845,4	40,40	1,42	
31			10	2333,3	4,30	0,18	
32			3	1982,1	56,50	2,85	
33			6	4505,0	107,30	2,38	

34			8	743,3	68,70	9,24	
35			7	2365,3	76,80	3,25	
36			16	2550,3	89,90	3,53	
37			3	2039,4	35,20	1,73	
38			6	2864,0	52,90	1,85	
39			7	3145,0	40,70	1,29	
40			8	2776,8	15,40	0,55	
41			5	3525,6	25,30	0,72	
42			5	3515,0	97,00	2,76	
43			6	3269,8	33,60	1,03	
44			7	4912,6	19,80	0,40	
45			2	1315,9	29,30	2,23	
46			4	1969,3	28,60	1,45	
47			12	2987,0	75,50	2,53	
48			4	2066,2	116,60	5,64	
49			5	1792,2	25,10	1,40	
50			4	1536,9	5,50	0,36	
51			9	2872,9	39,90	1,39	
52			4	3016,8	16,30	0,54	
53			7	2485,9	39,30	1,58	
54			6	2708,0	15,30	0,56	
55			5	2199,7	114,50	5,21	
56			9	2928,8	116,50	3,98	
57			5	2605,1	4,00	0,15	
58			7	2049,7	32,90	1,61	
59			7	4643,7	38,20	0,82	
60			3	1878,7	100,10	5,33	

61			6	6321,2	49,00	0,78	
62			6	3610,4	39,00	1,08	
63			7	4145,8	66,60	1,61	
64			5	2029,4	88,20	4,35	
65			3	2258,7	26,20	1,16	
66			9	2044,4	110,90	5,42	
67			3	1339,5	22,90	1,71	
68			6	2238,6	6,30	0,28	
69			6	4290,0	130,70	3,05	
70			6	4127,3	25,70	0,62	
71			9	4224,2	35,00	0,83	
72			9	6702,0	54,00	0,81	
73			4	3241,1	29,40	0,91	
74			6	4281,7	46,70	1,09	
75			4	2740,0	58,90	2,15	
76			16	4134,0	36,10	0,87	
77			4	1145,5	27,70	2,42	
78			1	797,0	70,80	8,88	
79			3	2181,0	45,80	2,10	
80			4	2091,8	55,40	2,65	
81			8	5600,5	118,90	2,12	
82			5	2018,8	11,40	0,56	
83			4	2669,5	50,24	1,88	
84			6	4904,9	28,30	0,58	
85			5	3515,0	108,20	3,08	
86			5	3830,8	18,60	0,49	
87			7	2197,6	86,40	3,93	

88			11	3128,9	9,30	0,30	
89			4	2747,1	32,20	1,17	
90			6	4148,6	30,20	0,73	
91			5	4035,0	62,30	1,54	
92			5	3294,0	14,50	0,44	
93			7	4734,5	48,30	1,02	
94			7	4921,3	45,40	0,92	
95			6	4305,1	96,10	2,23	
96			6	3744,7	17,80	0,48	
97			4	2842,8	23,30	0,82	
98			3	2037,3	14,50	0,71	
99			4	2491,3	5,70	0,23	
100			6	4224,0	47,30	1,12	
101			5	3513,4	99,00	2,82	
102			6	4402,6	9,50	0,22	
103			3	2033,9	81,50	4,01	
104			7	4940,1	185,50	3,75	
105			6	5331,7	101,20	1,90	
106			3	2479,0	37,40	1,51	
107			6	4288,9	93,10	2,17	
108			5	3829,0	17,40	0,45	
109			4	2671,1	37,20	1,39	
110			3	2746,1	21,00	0,76	
111			5	3866,2	127,20	3,29	
112			6	3970,0	10,20	0,26	
113			3	2313,4	50,60	2,19	
114			5	3557,2	37,80	1,06	

115			6	3720,2	32,10	0,86	
116			5	3514,0	19,20	0,55	
117			7	5572,2	17,90	0,32	
118			3	2098,8	13,20	0,63	
119			5	3443,0	42,20	1,23	
120			6	2873,1	95,20	3,31	
121			2	1624,6	20,40	1,26	
122			4	2813,2	29,40	1,05	
123			2	1670,4	9,00	0,54	
124			5	3481,2	28,50	0,82	
125			3	1964,8	0,70	0,04	
126			5	4282,3	60,60	1,42	
127			3	2108,8	65,50	3,11	
128			4	2884,3	19,20	0,67	
129			1	640,1	36,20	5,66	
130			4	2153,0	6,50	0,30	
IV	Phu Cuong commune		118	57.898	3.817	1	4
1		Huong Gia village	6	3.310,0	356,00	10,8%	1
2		Huong Gia village	5	2.409,0	56,50	2,3%	
3		Huong Gia village	5	2.427,0	8,40	0,3%	
4		Huong Gia village	5	1.512,0	41,80	2,8%	
5		Huong Gia village	7	3.388,0	232,10	6,9%	
6		Huong Gia village	5	2.933,0	262,40	8,9%	
7		Huong Gia village	7	3.645,0	799,40	21,9%	1
8		Huong Gia village	6	1.928,0	82,00	4,3%	
9		Huong Gia village	2	2.398,0	165,00	6,9%	
10		Huong Gia village	5	2.421,0	156,00	6,4%	

11		Huong Gia village	5	2.140,0	116,10	5,4%	
12		Huong Gia village	9	3.844,0	372,96	9,7%	
13		Huong Gia village	2	3.360,0	287,80	8,6%	
14		Huong Gia village	4	2.449,0	115,70	4,7%	
15		Huong Gia village	6	2.808,0	300,00	10,7%	1
16		Huong Gia village	5	1.938,0	254,90	13,2%	1
17		Huong Gia village	5	2.400,0	59,00	2,5%	
18		Huong Gia village	5	1.920,0	24,86	1,3%	
19		Huong Gia village	3	1.944,0	6,50	0,3%	
20		Huong Gia village	6	2.880,0	29,60	1,0%	
21		Huong Gia village	5	2.400,0	27,40	1,1%	
22		Huong Gia village	5	2.472,0	31,36	1,3%	
23		Huong Gia village	5	972,0	31,36	3,2%	
	TOTAL		888	469.946	10.528	250	4

• **Note: Names deleted for confidentiality**

ANNEX 3.2 LIST OF PERMANENTLY AFFECTED HHs

No.	Full Name	Address	No. of person	No. of severely AHs
(1)	(2)	(3)	(4)	
I	Nam Hong commune		0	0
II	Bac Hong commune		0	0
III	Quang Minh town		0	0
IV	Phu Cuong commune		24	4
1		Huong Gia village	6	1
7		Huong Gia village	7	1
15		Huong Gia village	6	1
16		Huong Gia village	5	1
	Total		24	4

• **Note: Names deleted for confidentiality**

ANNEX 3.3 LIST OF VULNERABLEHHS

Or.	Full Name	Address	No. of person	Types of impacts			
				Woman-headed HHS	Disabled	Poor	Policy HHS
I	Nam Hong commune		9	2	0	0	0
2		Doai village	5	1			
3		Doai village	4	1			
II	Bac Hong commune		2	1	0	0	0
5		Thuy Ha village	2	1			
III	Quang Minh town		215	33	4	2	11
12			8	1			
13			5	1			1
14			11	1			
15			4	1			
16			8	1			
17			1	1			
18			5	1			1
20			5				1
21			5	1			
22			2	1			
23			5	1			
24			1	1			
25			1	1			
26			1	1			
27			7	1			
28			4	1			
44			7		1		

65			3	1			
66			9	1		1	
67			3	1			
68			6	1			
71			9				1
72			9	1	1		
73			4	1			
74			6	1			
75			4	1			1
76			16	1			
77			4	1			1
78			1	1			
79			3	1			
80			4	1			
81			8	1			
88			11			1	
103			3				1
107			6		1		
115			6	1	1		
116			5	1			1
122			4				1
125			3				1
126			5	1			1
127			3	1			
IV	Phu Cuong commune		50	6	3	0	0
1		Huong Gia village	6	1	1		
5		Huong Gia village	7		1		

7		Huong Gia village	7				
12		Huong Gia village	9	1			
13		Huong Gia village	2		1		
15		Huong Gia village	6	1			
16		Huong Gia village	5	1			
18		Huong Gia village	5	1			
19		Huong Gia village	3	1			
	Total		276	42	7	2	11

• **Note: Names deleted for confidentiality**

ANNEX 4 AFFECTED TREES ASSISTANCE COST

Or.	Full Name	No. of plots	Recover ed area (m ²)	Kind of trees and assets	Specification	Unit	Qualit y	Unit price (d/unit)	Rate of assistan ce (%)	Amount (đ)	Notes
1		443	15.80	Banana	Height>1m, have not fruit	Tree	9	15.000	100%	135.000	
2		286	114.50	Peach	150cm< Height <200cm	Tree	1	100.000	80%	80.000	
				Dracontomelum tree	10 cm < truck diameter<15 cm	Tree	1	200.000	80%	160.000	
				Bonsai tree	20 cm < truck diameter <30 cm	Tree	1	110.000	80%	88.000	
				Sapodilla	15 cm < truck diameter <20 cm	Tree	9	250.000	80%	1.800.000	
				Banana	Height>1m, have not fruit	Tree	21	15.000	100%	315.000	
				Cusrard-apple tree	5 cm < truck diameter <10 cm	Tree	4	80.000	80%	256.000	
3		281+282	95.20	Grapefruit	3 cm < truck diameter <5 cm	Tree	3	40.000	80%	96.000	
				Banana	Height>1m, have not fruit	Tree	5	15.000	100%	75.000	
				Berry tree	30 cm < truck diameter <40 cm	Tree	1	150.000	80%	120.000	
				Acacia	20 cm < truck diameter <25 cm	Tree	1	80.000	80%	64.000	
4				Acacia							
	Total									3,189.000	

• Note: Names deleted for confidentiality

ANNEX 4.1 OTHER ASSISTANCE COST

Or.	Full Name	No of Map	No. of plots	Recover ed area (m ²)	Kind of assets	Specification	Unit	Quality	Unit price (d/unit)	Rate of assistance (%)	Amount (VND)	Notes
1		7	281+282	95,20	Tabernacle with fibrocement roof, height<3m	5m * 2.5m	Hous e	1	1.241,000	10%	1.551,250	
					Drilling well	Deep<25m	Unit	1	2.457,000	100%	2.457,000	
					Water tank	1.2m*1.6m*0.8m	m3	1,536	2.001,000	100%	3.073,536	
	Total										7.081,786	

• Note: Name deleted for confidentiality