

Resettlement Plan

December 2013

Viet Nam: 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 Ha Noi Power Corporation (EVN HANOI) for the Asian Development Bank (ADB).

ABBREVIATIONS

ADB	Asian Development Bank
CARC	Compensation, Assistance and Resettlement Committee
CPC	Commune People's Committee
DCARC	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
HPPMB	Ha Noi City Power Projects Management Board
IOL	Inventory of losses
km	kilometer
LURC	Land use rights certificate
ODA	Official Development Assistance
OHL	overhead line
PECC1	Power Electric Construction Consultant 1
PIB	Public information booklet
PIC	Project Implementation Consultant
PMB	Project Management Board
PMU	Project Management Unit
City PC	City People's Committee
PPMB	Power Project Management Board
RCS	Replacement Cost Survey
RoW	Right-of-Way
RPF	Resettlement Policy Framework
SES	Socio-Economic Survey
SPS	Safeguard Policy Statement
VHLSS	Vietnam Household Living Standards Survey
VWU	Viet Nam Women's Union

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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TABLE OF CONTENTS

1.0	EXECUTIVE SUMMARY	9
1.1	PROJECT DESCRIPTION	9
1.2	SCOPE OF LAND ACQUISITION AND RESETTLEMENT	9
1.3	SOCIOECONOMIC INFORMATION AND IMPACT ASSESSMENT	9
1.4	INFORMATION DISCLOSURE, CONSULTATION AND PARTICIPATION	9
1.5	GRIEVANCE REDRESS MACHANISMS	9
1.6	LEGAL FRAMEWORK	10
1.7	ENTITLEMENT, ASSISTANCE AND BENEFITS	10
1.8	RELOCATION OF HOUSEHOLDS	10
1.9	INCOME RESTORATION AND REHABILITATION	10
1.10	RESETTLEMENT BUDGET AND FINANCING PLAN	11
1.11	INSTITUTIONAL ARRANGEMENTS	11
1.12	IMPLEMENTATION SCHEDULE	11
1.13	MONITORING AND REPORTING	11
2.0	PROJECT INTRODUCTION	12
2.1	GEOGRAPHICAL OF PROJECT LOCATION	12
	2.1.1 Geographical of Substation Location	12
	2.1.2 Geographical of 110 kV underground cable and OHL Location	12
2.2	MAIN FEATURES	13
	2.2.1 110 kV OHL and under ground cable	13
	2.2.2 Substation	15
2.3	RESETTLEMENT OBJECTIVES	15
3.0	SCOPE OF LAND ACQUISTION AND RESETTLEMENT IMPACTS	15
3.1	LOCALITIES AFFECTED BY THE PROJECT	15
3.2	IMPACT ON HOUSING	15
3.3	IMPACT ON AGRICULTURAL LAND	15
3.4	IMPACT ON OTHER WORKS	16
3.5	NUMBERS OF AFFECTED PERSONS	16
4.0	SOCIO-ECONOMIC INFORMATION AND PROFILE	16
4.1	Methodology Used in SES	16
4.2	Profile of the Project Area	16
4.3	The Affected Peoples	17
4.4	Educational Levels of Affected Households	17
4.5	Occupations of Affected Households	17
4.6	Monthly Income of Affected Households	18
4.7	Water, Hygiene, Sanitation and Health Indicators	19
4.8	Energy Sources	19
4.9	Conclusion	19
5.0	INFORMATION DISCLOSURE, CONSULTATION AND PARTICIPATION	20
5.1	OBJECTIVES OF CONSULTATION	20
5.2	RESULTS OF CONSULTATION	20
	5.2.1 Opinion of People’s Committee of Nam Hong commune, Dong Anh district	21
	5.2.2 Opinions of the People’s Committee of Bac Hong commune, Dong Anh district	21
	5.2.3 Opinions of the People’s Committee of PhuCuong Commune, Soc Son district	22
	5.2.4 Opinions of the People’s Committee of Quang Minhtown, Me Linh district	22
5.3	PLAN OF CONSULTATION AND DISCLOSURE OF INFORMATION DURING PROJECT IMPLEMENTATION	22
5.4	DISCLOSURE OF INFORMATION	23
6.0	GRIEVANCE REDRESS MECHANISM	23

7.0	LEGAL FRAMEWORK	24
7.1	Asian Development Bank Policy	24
	7.1.1 Safeguards Requirement 2: Involuntary Resettlement	24
	7.1.2 Other ADB's Cross-Cutting Policy Themes	26
7.2	Regulations of Viet Nam Government on Resettlement	26
	7.2.1 Relevant Social Policy Legislation	28
7.3	Discrepancies between regulations of Government and ADB Policies	28
7.4	Project principles	31
7.5	Land Acquisition Process	32
8.0	ELIGIBILITY AND ENTITLEMENTS	33
8.1	Eligibility	33
8.2	Entitlements, Assistance and Benefits	33
8.3	Addressing the Gender Issues	39
8.4	Assistance to Vulnerable Households	39
8.5	Special Considerations	39
8.6	Unforeseen Impacts	39
8.7	Income Opportunities	40
9.0	RELOCATION OF HOUSING AND SETTLEMENTS	40
10.0	INCOME RESTORATION AND REHABILITATION	40
11.0	RESETTLEMENT BUDGET AND FINANCING PLAN	40
	11.1 Principles of Replacement Cost	40
	11.2 Compensation Rates and Assistance	41
	11.3 Administration, External Monitoring and Contingency Costs	41
	11.4 Compensation Payment and Procedures	41
	11.5 Financing of Resettlement Costs	41
12.0	INSTITUTIONAL ARRANGEMENTS	42
	12.1 Institutional features at central level	42
	12.2 Institutional Features at City Level	43
	12.3 District and Ward/Commune Levels	43
13.0	IMPLEMENTATION SCHEDULE	44
14.0	MONITORING AND REPORTING	45
	14.1 Internal Monitoring	45
	14.2 External Monitoring	45

TABLES

Table 1: Number of Affected Household Resultant from Land Acquisition	16
Table 2: Demographics of Affected Households	17
Table 3: Occupational Structure of Interviewed Households by Commune	18
Table 4: Occupation of Affected People by Age	18
Table 5: Occupation of Affected People by Commune	18
Table 6: Per Capita Income of Affected Households by Communes	19
Table 7: Energy Sources for Cooking	19
Table 8: Discrepancies between Decree 197/2004/ND-CP, Decree 69/2009/ND-CP and ADB Safeguard Policy Statement	28
Table 9: Land Acquisition Process in Vietnam as Provided for by Law	32
Table 10: Entitlement Matrix	34
Table 11: Resettlement Cost Estimates	42
Table 12: Detailed Activities and Schedule	44

FIGURES

Figure 1: Location of the project	13
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ANNEXES

Annex 1: IOL & SES Questionnaires used in resettlement surveys	
Annex 2: Public Information Brochure (PIB)	
Annex 3: Consultation meetings documentation	
Annex 4: Involuntary Resettlement Safeguards Policy Principles	
Annex 5: Relevant Decrees and Circulars on Land Acquisition in Viet Nam	
Annex 6: Detailed cost of compensation and allowances of the project	
Annex 7: Comparison between Decree 197/ND-CP, Decree 69/NCP and 2009 Social Policy Safeguards of ADB	
Annex 8: Photos of meeting on public consultation and IOL survey	
Annex 9: Individual Impact to Displaced Person	

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 categorised 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 finalisation 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 recognised or recognisable 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 recognised or recognisable 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 loss	Is the process where all fixed assets (i.e., lands used for residence, commerce, agriculture, including ponds; dwelling units; stalls and shops; secondary structures, such as fences, tombs, wells; trees with commercial value; etc.) and sources of income and livelihood inside the project 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.

1.0 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 Phu Cuong Commune of Soc Son District, Ha Noi City.

1.2 SCOPE OF LAND ACQUISITION AND RESETTLEMENT

2. There is no physical displacement but 57 affected households will lose 10,181 m² of agricultural land on a permanent basis that they use for the cultivation of rice three times per year.

1.3 SOCIOECONOMIC INFORMATION AND IMPACT ASSESSMENT

3. There are 57 affected households with 217 affected persons (104 female affected persons) in three communes and one township. The population of those less than 5 years old is only 2.8% while for people who are 55 years old, it is 18%. Some 3.5% of affected persons are illiterate but only 1.8% of affected persons have attended university, although 82.5% have attended high school. Nearly all affected households rely on agriculture as their major source of income but developments over the past decade suggest that agriculture is becoming increasingly less important. Affected households with per capita, per monthly incomes of less than VND 1,000,000 constitute 80.7% of all affected households, those with between VND 1,000,000 and VND 2,000,000 constitute 17.5%, and those with incomes of more than VND 2,000,000 but less than VND 3,000,000, constitute 1.8%. Poverty rates¹ are low, ranging from 1.3% in Phu Cuong Commune to 4.4% in Quang Minh Township. Some 14% of affected households will lose more than 10% of their productive assets but for other affected households the impacts are relatively minor.

1.4 INFORMATION DISCLOSURE, CONSULTATION AND PARTICIPATION

4. With assistance from the TA, public meetings and consultations were held in November 2013. In those joint public meetings and consultations, the different stakeholders were identified, such as: (i) Commune Peoples' Committees (CPCs); (ii) mass organisations; (iii) the residents who are not affected persons; and (v) the affected persons. In those meetings, they were given Project Information Booklets (PIBs) and discussed the topics related to the preparation of resettlement plan. Representatives of mass organisations in the commune and the ward concern have also attended, such as Vietnam Women's Union and Fatherland Front. The meetings and consultations, all held in CPC offices, were attended by 12 local officials and residents that comprised 25 males and 17 females.

1.5 GRIEVANCE REDRESS MACHANISMS

5. 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

¹Ha Noi city's poverty line: VND VND 750,000 for poor HH in urban and pre urban area.

fee during the grievance and complaints at any level of trial and court. Complaints will pass through stages such as CPC, District People's Committee (DPC), Ha Noi People's Committee before they can be elevated to a court of law as a last resort.

1.6 LEGAL FRAMEWORK

6. 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° 13/2003/QH11, providing Viet Nam with a comprehensive land administration law; Decree N°197/2004/ND-CP, on compensation, rehabilitation and resettlement in the event of land recovery by the State, as amended by Decree N°17/2006/ND-CP; Decrees N° 188/2004/ND-CP, and Decree No 69/2009/ND-CP dated 13 August 2009, specifying the methods for land pricing and land price frameworks in the event of land recovery by the State; and ADB's Safeguard Policy Statement (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).

1.7 ENTITLEMENT, ASSISTANCE AND BENEFITS

7. The project entitlements adopted are based on ADB's Safeguard Policy Statement (SPS 2009) that have been harmonised 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 Bank 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 will be based on the start of the census of affected persons and conduct of DMS during resettlement plan updating.

8. 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 programmes 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.

1.8 RELOCATION OF HOUSEHOLDS

9. There is no physical displacement of affected households.

1.9 INCOME RESTORATION AND REHABILITATION

10. There is some limited need for an income restoration and rehabilitation program because some livelihoods might be at risk because the impacts on the lands of a small number of affected persons render them severely impacted because they are losing more than 10% of their productive assets.

1.10 RESETTLEMENT BUDGET AND FINANCING PLAN

11. Total costs are estimated at VND 9,228,379,314 or US\$ 439,446 based on compensation for rice fields permanently acquired, loss of production, income restoration assistance, management and implementation costs and contingencies. EVN HANOI will be responsible for financing the costs of this resettlement plan.

1.11 INSTITUTIONAL ARRANGEMENTS

12. 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 HPPMB will closely cooperate and coordinate with the consultant, HANOI People's Committee, DPCs, CARBs and CPCs to update the resettlement plan and implement resettlement activities.

1.12 IMPLEMENTATION SCHEDULE

13. The resettlement plan shall be implemented in 10 months prior to the award of civil works contract/s. EVN HANOI through the HPPMB, will implement the updated resettlement plan upon receipt of official approval from ADB. Upon completion of resettlement plan implementation the PMB will advise EVN HANOI to request ADB for its "No Objection" for the award of civil works and fabrication contract to contractor/s. Indicators for completion of resettlement plan implementation refers to the full payment of compensation to affected persons, and no complaint and/or grievance are left unresolved. The detailed activities and schedule in updating implementing the updated resettlement plan related to the award of civil works contract is illustrated in the main report.

1.13 MONITORING AND REPORTING

14. EVN HANOI via HPPMB will be responsible for overall supervision on actives of resettlement plan. Progress reports will be submitted quarterly to ADB.

2.0 PROJECT INTRODUCTION

2.1 GEOGRAPHICAL OF PROJECT LOCATION

2.1.1 Geographical of Substation Location

15. 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).

16. 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).

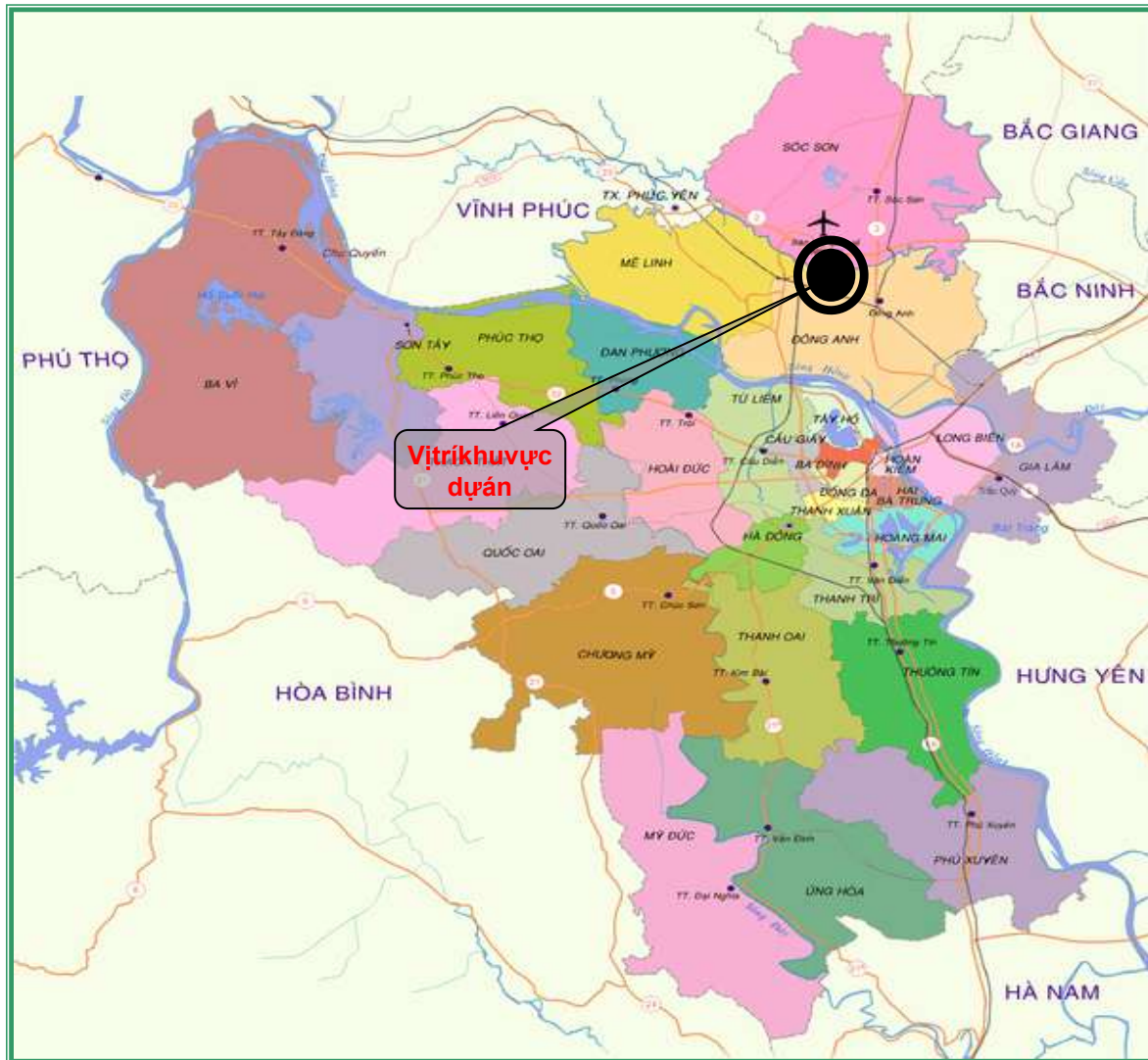
2.1.2 Geographical of 110 kV underground cable and OHL Location

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

18. 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 under ground cable

a. General

19. 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 BacThang 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 (2295 meters).
- Number of steering angle: 16

b. Description of line route

20. From ĐĐ to G1: 114 meters 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.

21. From G1 to point B: 530 meters 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.

22. From B to C: 179 meters 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

23. From point C to point C5: 498 meters 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.

24. From point C5 to C6: 1135 meters 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.

25. 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.

26. From C7 to ĐĐ1: 350 meters 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 over head line.

27. From ĐĐ1 to G2: 389 meters. 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.

28. 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

29. From G3 to G4 (point D): 66 meters long. The route goes the territory of Bac Hong commune, Dong Anh district. At G3 the route turns left $\alpha t = 42^{\circ} 59' 29''$, the route cross the ring roads planned to G4 (point D).

30. From G4 (point D) to G5: 861.8 meters 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

31. From G5 to DDC: 597 meters long. The route goes through the territory of Phu Cuong commune, Soc Son district. At G2 the route turns left $\alpha T = 50^{\circ} 37'57''$, the route goes through rice field, crosses 18 Highway, then the route passes through rice fields to gantry tower of 110 kV Noi Bai Airport substation.

2.2.2 Substation

32. The substation to be built is located on the rice field in Phu Cuong Commune, Dong Anh District, Ha Noi. The substation location is near the road, which will be convenient for management and operation.

2.3 RESETTLEMENT OBJECTIVES

33. This resettlement plan is prepared on the basis that EVN HANOI is seeking to avoid any major physical or economic displacement and has instructed detailed design specialists to ensure that such principles are actively embedded in their design approaches. However, it is accepted by EVN HANOI that some forms of economic displacement are inevitable but it applies the principle that affected people should not be worse off as a result of the project and ideally better off.

3.0 SCOPE OF LAND ACQUISITION AND RESETTLEMENT IMPACTS

3.1 LOCALITIES AFFECTED BY THE PROJECT

34. To successfully implement the project there will be the need to acquire land in three communes and one township in three districts of Ha Noi:

- Nam Hong Commune - Dong Anh District
- Bac Hong Commune - Dong Anh District
- PhuCuong Commune -Soc Son District
- Quang Minh Town - Me Linh District

35. These districts can be classified as peri-urban districts and is consistent with prevailing conceptualisations of peri-urbanism not only in Vietnam but also other developing countries at a similar level of transition.

3.2 IMPACT ON HOUSING

36. According to the field survey, there are no houses or other physical structures located in the RoW for the transmission lines.

3.3 IMPACT ON AGRICULTURAL LAND

37. The 110 kV OHL: In the route corridor, trees under 4 meters high are allowed to exist and normal cultivation can be done under the line. Therefore, the project only affects rice crops in the positions of tower foundation and compensation for route corridor section which crosses the acacia field near the Ca Lo river with a length of 82 meters. The size of the tower foundation is 6.6 meters x 6.6 meters to 11.1 meters x 11.1m. The total permanent land occupying area along the entire route is 1160 m².

38. 110 kV underground cable: Underground cable is laid mainly in cultivation land, the land under BacThang Long - Noi Bai Road project. So, clearance and compensation for plants over the whole route with the width of 5.15 meters will be conducted. The total permanent land occupying area along the entire route is 11,405 square meters (m²).

39. 110 kV Noi Bai airport substation: 110 kV Noi Bai International Airport Substation is located in the rice cultivation land of Phu Cuong Commune - Soc Son district. Clearance and compensation for plants over the area for building substation will be conducted. The total permanent land occupying area is 3,734 m² (including 3,600 m² for building substation and 134 m² for access road).

3.4 IMPACT ON OTHER WORKS

40. There are no impacts on other structures such as road, rail and communication links.

3.5 NUMBERS OF AFFECTED PERSONS

41. The following table contains the numbers of affected households and people within these households affected by the need to acquire land on a permanent basis for project purposes:

Table 1: Number of Affected Household Resultant from Land Acquisition

District	Commune	Number of AH	Number of AP	Area of affected land (m ²)
Me Linh	Quang Minh Town	13	52	2.972
Dong Anh	Nam Hong	16	55	3.324
	Bac Hong	12	41	1.145
Soc Son	PhuCuong	16	69	2.740
Total		57	217	10.181

42. Eight affected households will lose more than 10% of their productive assets in Quang Minh Town (one affected household), Nam Hong Commune (five affected household) and PhuCuong Commune (two affected household). The other 49 affected household (12 in Quang Minh Town, 11 in Nam Hong Commune, 12 in Bac Hong Commune and 14 in PhuCuong Commune) will lose less than 10% of their productive assets. All land to be acquired is highly productive rice land from which an average of 8 tonnes per hectare, per harvest (there are 3 harvests per year) and all 57 affected household have legally recognised Land User Rights Certificates (LURC).

4.0 SOCIO-ECONOMIC INFORMATION AND PROFILE

4.1 Methodology Used in SES

43. All affected households were surveyed. Typically husband and wife were interviewed together but the SES has also relied on data provided by local authorities and what can be obtained 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

44. 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 decendants 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.

45. 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 tonnes 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.

4.3 The Affected Peoples

46. The number of affected households and affected persons differentiated by gender and average household size are included in Table 2 and are typical of households in peri-urban areas of Ha Noi. Some households have noticeably more males than females whereas in other households there are marginally more females than males.

Table 2: 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

47. 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 Nam 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 PhuCuong 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.

4.4 Educational Levels of Affected Households

48. 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

49. Table 3 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.

Table 3: 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%

50. Table 4 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.

Table 4: 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%

51. Table 5 indicates that affected persons in Quang Minh and Phu Cuong 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.

Table 5: 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

52. The per capita income of affected households as presented in Table 6 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 6: 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

53. 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.

4.8 Energy Sources

54. Based on Table 7, 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 7: Energy Sources for Cooking

Commune	Electricity Supplied by Grid		Diesel or petrol Generator		LPG, CNG or Similar		Chopped Wood or Charcol		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

4.9 Conclusion

55. Based on analyzed SES data, it can be concluded that the project affected households are Kinh people and that there are no ethnic minority affected persons in the project area.

5.0 INFORMATION DISCLOSURE, CONSULTATION AND PARTICIPATION

5.1 OBJECTIVES OF CONSULTATION

56. 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.

57. Publication and dissemination of information are not only the requirements of international donors but also regulations of the Government of Vietnam in Article 39, Law on Land (2003), Article 34, 43, 52 and 53, Decree 197/2004/ND-CP and Article 49 of Decree N° 84/2007/ND-CP and Decree 69/2009/ND-CP.

58. 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, etc.)
- 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 - publish / disseminate information and collect feedback and recommendations to prepare and implement the resettlement plan.

59. 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. Consultation and participation are conducted through many different channels and tools, such as meeting with leaders of provinces, districts, communes, villages and representatives of departments to study the policies of compensation and relocation cities and provinces; principles of the and economic recovery programs.

5.2 RESULTS OF CONSULTATION

60. The EVN HANOI has sent letters to the People's Committees where the project is implemented to inform about the basic content of the project, the adverse impacts on environmental, social and economic environment of the project, and the mitigation measures against adverse impacts and required a written feedback.

5.2.1 Opinion of People's Committee of Nam Hong commune, Dong Anh district

61. EVN HANOI PPMB has received the letter CPC 106/CV-UBND dated 26 April 2013 by People's Committee of Nam Hong commune:

a) Comments on the project's adverse impacts to the natural environment and the economy - society:

62. EVN HANOI expected the negative impacts on the environment during the construction phase and when the project goes into operation. The negative impacts on the environment had been fully presented and evaluated by EVN HANOI. The Committee agrees with the content presented in the attached document.

b) Comments on the solutions and measures to minimise the adverse impacts of the project to the natural environment and the economy - society:

c) Measures to mitigate the adverse environmental effects in the project implementation phase.

63. The proposed measures are appropriate for the project.

64. People's Committee of Nam Hong commune agrees with the proposed solution.

d) Recommendations for EVN HANOI:

65. EVN HANOI and construction units should implement the mitigation measures in order to minimise adverse impacts on the environment during construction activities.

66. Strictly implement the declaration of temporary absence for staff in project implementation.

67. When an incident occurs, EVN HANOI must notify the local authorities to jointly overcome the problem caused by the project.

5.2.2 Opinions of the People's Committee of Bac Hong commune, Dong Anh district

68. EVN HANOI PPMB has received Letter 17/CV-UBND replying to the consultation for the new construction of 110 kV substation at Noi Bai airport and 110 kV power line for the substation.

a) Adverse impacts of the project on the environment and socio-economic nature:

69. The project has evaluated the negative impact on the environment in accordance with the provisions of Circular 26/2011/TT-BTNMT, and negative impacts have been listed by the EVN HANOI.

b) Measures to minimise the environmental impact of the project:

70. Mitigation measures proposed are feasible.

71. The Committee agreed with the proposals made in the course of project implementation.

c) Recommendations for EVN HANOI:

72. Fully implement the provisions of the relevant agencies in the process of project implementation.

73. Work closely with the Committee in land acquisition compensation.

5.2.3 Opinions of the People's Committee of PhuCuong Commune, Soc Son district

74. EVN HANOI PPMB has received a letter 31/CV-UBND dated 24 February 2013 by People's Committee of PhuCuong Commune, Soc Son district replying to the consultation during the preparation of IEE. The content is as follows:

a) The adverse impacts of the project on the environment and socio-economic nature:

75. The project has made forecasting, assessment of environmental pollution in the implementation process in compliance with regulations. The assessment is made at each stage of the project: the preparation phase, construction phase and operational phase.

76. The predicted impacts are consistent with the characteristics of power sector activity.

77. The Committee agreed with the proposals.

b) Measures to minimise the environmental impact of the project:

78. EVN HANOI has proposed the mitigation measures at each stage of the project.

79. The Committee found that the proposed measures are consistent and feasible.

c) Recommendations for EVN HANOI:

80. Suggest EVN HANOI and other implementation units to coordinate closely, during the clearance work.

81. Fully implement the provisions on environmental protection, safety corridor of the power grid, safety of flight gallery during construction.

82. Strictly observe local regulations during construction organisation.

5.2.4 Opinions of the People's Committee of Quang Minhtown, Me Linh district

83. Opinions of the People's Committee of Quang Minh town, Me Linh district are detailed in Letter 248/UBND-HC dated 25 April 2013:

- The Committee fully agrees with the measures to protect the environment of the EVN HANOI PPMB for the new construction of 110 kV substation at Noi Bai airport and 110 kV power line for the substation;
- The Committee recommends the EVN HANOI to:
 - Publicise details of the progress of the project and coordinate with local agencies involved in the project;
 - Strictly implement the mitigation measures, to minimise adverse impacts on the environment caused by the project.
 - Strictly observe the provisions of the law on environmental protection.
 - When an incident occurs, the EVN HANOI must notify the local authorities to work together to solve.

5.3 PLAN OF CONSULTATION AND DISCLOSURE OF INFORMATION DURING PROJECT IMPLEMENTATION

84. Consultation and information disclosure should be 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 should be taken:

- Resettlement plan should be summarised and disclosed to the affected people in different forms.
- For cities and districts: The resettlement plan documents must be provided to the People's Committee Office of the City, District, District Council of Ministers with full version in Vietnamese.
- For the communes: The summary of resettlement plan documents in Vietnamese will be placed in the Office of People's Committee;
- For the community: The summary of the resettlement plan documents in Vietnamese will be delivered to the home of the village leader.
- Resettlement plan leaflets in Vietnamese are distributed to the affected households and village leaders.

85. The consultation should be carried out during the preparation, implementation and operation of the project. As a minimum the following activities should be undertaken:

- Consultation, disclosure of information in the form of leaflets, propaganda through loudspeaker system about information of the project prior to the survey, detailed measurement;
- Consultation, disclosure of information in the forms of public meetings throughout the project implementation process;
- Posting the survey results, detailed measurement and compensation price prior to payment;
- Consultation, disclosure of information in the form of propaganda and training on safety of power grid during the project operation.

5.4 DISCLOSURE OF INFORMATION

86. The Resettlement Plan in Vietnamese will be made available at the Office of People's Committee to the public.

87. Resettlement Plan in English will be disclosed on the website of ADB.

6.0 GRIEVANCE REDRESS MECHANISM

88. 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 needs to be 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. Otherwise, all 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 4 stages before they could be elevated to a court of law as a last resort.

- **First Stage, Commune People's Committee:** An aggrieved affected persons may bring his/her complaint to the Commune People's Committee, in writing or verbally. The member of CPC will be responsible to notify the CPC about the complaint for solving. The CPC will meet personally with the aggrieved affected persons and will have 15 days following the receiving date of the complaint to resolve it. The CPC secretariat is responsible for documenting and keeping file of all complaints handled by the CPC.

- **Second Stage, District People's Committee:** If after 15 days the aggrieved affected household does not hear from the CPC, or if the affected persons is not satisfied with the decision taken on his/her complaint, the affected persons 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. The DCARC of district must ensure this decision is notified to the displaced person
- **Third Stage, City People's Committee (CityPC):** If after 30 to 45 days the aggrieved affected persons does not hear from the DPC, or if the affected persons 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 CPC, 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.

89. The above grievance redress mechanism is subject to be disclosed and discussed with the affected persons to ensure that the affected persons understand the process. HPPMB and CARB of district are responsible to follow up the grievance process from the affected persons.

7.0 LEGAL FRAMEWORK

90. The legal and policy framework for addressing the adverse social impacts of the project is provided by relevant policies and laws of Viet Nam and of the ADB. The EVN HANOI has reconciled the provisions from Safeguard Requirements 2 of the ADB SPS (2009) and other cross-cutting policy themes of ADB, and the relevant laws of the GOV, from where the legal and policy framework for the compensation, resettlement and rehabilitation of affected persons were formulated. The framework is consistent with the governing policies of the RPF concurred by ADB and EVN HANOI that will be applied for all core and no-core projects of this Power Grid Development Sector Project.

7.1 Asian Development Bank Policy

91. The aim of ADB Policy on Involuntary Resettlement is to avoid or minimise the impacts on people, households, businesses and others affected by the acquisition of land and other assets, including livelihood and income, in the implementation of development project. Where resettlement is not avoidable, the overall goal of the ADB policy is to help restore the living standards of the affected people to at least their pre-project levels by compensating for lost assets at replacement costs and by providing, as necessary, various forms of support.

7.1.1 Safeguards Requirement 2: Involuntary Resettlement

92. 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.

93. The involuntary resettlement requirements apply to full or partial, permanent or temporary physical displacement (relocation, loss of residential land, or loss of shelter) and economic displacement (loss of land, assets, access to assets, income sources, or means of livelihoods) resulting from (a)

involuntary acquisition of land, or (b) involuntary restrictions on land use or on access to legally designated parks and protected areas. Resettlement is considered involuntary when displaced individuals or communities do not have the right to refuse land acquisition that 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.

94. 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 organisations. 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.

95. 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.

96. 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.

7.1.2 Other ADB's Cross-Cutting Policy Themes

97. 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 Viet Nam Government on Resettlement

a. Laws:

- The 2003 Land Law N°13/2003/QH11 passed by the National Assembly dated 26 November 2003.

b. Government Decrees

- GOV Decree N°81/2009/ND-CP dated 12 October 2009 on amendment and adjustment some articles of the Decree N°106/2005/ND-CP dated 17 August 2005.
- GOV Decree N°69/2009/ND-CP dated 13 August 2009 on additional provisions on land use planning, land prices, land acquisition, compensation, support and resettlement.
- GOV Decree N°123/2007/ND-CP dated 27 July 2007 on adjustment and supplementation of articles of the Decree N°188/2004/ND-CP dated 16 November 2004.
- GOV Decree N°84/2007/ND-CP dated 25 May 2007, supplementary stipulations on issue of LURC, land acquisition, land use right implementation, procedure of compensation, assistance in the event of land recovery by the state and grievance redress.
- GOV Decree N°38/2013/ND-CP date 23 April 2013 on the management and use of ODA.

- GOV Decree N°17/2006/ND-CP dated 27 January 2006 on adjustment and supplementation of decrees on implementation guidelines of Land Law.
- GOV Decree N°106/2005/ND-CP dated 17 August 2005 on safety protection of high voltage systems.
- GOV Decree N°81/2009/ND-CP on amendment and adjustment some articles of Decree N° 106/2005/ND-CP.
- GOV Decree N°197/2004/ND-CP dated 3 December 2004 on compensation, assistance, rehabilitation and resettlement in the event of land recovery by the State.
- GOV Decree N°188/2004/ND-CP dated 16 November 2004 on methods for defining prices and price framework of various types of land when land recovered by the State.

c. Circulars

- Circular N°14/2009/TT-BTNMT dated 10 January 2009 of the Ministry of Natural resources and Environment on compensation, assistance, resettlement, and sequence and procedures of land acquisition, land delivery and land lease.
- Circular N°14/2008/TTLT/BTC-BTNMT dated 31 January 2008 of the Ministry of Natural resources and Environment and the Ministry of Finance guiding some articles of Decree N°84/2007/ND-CP.
- Circular N°69/2006/TT-BTC dated 2 August 2006 amending and supplementing the Finance Ministry's Circular N° 116/2004/TT-BTC which guides the implementation of the Government's Decree N° 197/2004/ND-CP on compensation, support and resettlement upon land recovery by the State.
- Circular N°116/2004/TT-BTC dated 7 December 2004 of the Ministry of Finance guiding the implementation of Decree N°197/2004/ND-CP.
- Circular N°114/2004/TT-BTC dated 26 November 2004 of the Ministry of Finance guiding the implementation of the above stated Decree.

98. The Constitution of the Socialist Republic of Viet Nam (2013) confirms the right of citizens to own and protect the ownership of a house. In addition, the Government has enacted a number of laws, decrees and regulations that constitute the legal framework for land acquisition, compensation, assistance and resettlement. The principal documents include: the Law on Land of 2003, providing Viet Nam with a comprehensive land administration law; Decree N° 197/2004/ND-CP, Decree N°188/2004/ND-CP, Decree N° 17/2006/ND-CP, Decree N° 84/2007/ND-CP, Decree 123/2007/ND-CP, and Decree N° 69/2009/ND-CP.

99. Laws, decrees and decisions relevant to public disclosure of information include the Law on Land, N° 13/2003/QH11, Article 39, requiring disclosure of information to the displaced persons prior to recovery of agricultural and non-agricultural lands of a minimum of 90 and 180 days minimum respectively. MONRE also issued Circular N°14/2009/TT-BTNMT on the allocation of new residential land or a resettlement house or monetary compensation for displaced persons that need to relocate and granting authority to People's Committees to determine whether certain structures built after 1 July 2004 violated approved land use.

100. Decrees relevant to Detailed Regulations and Guidelines on some articles implementation in Electricity Law on safety protection for high voltage power network. That is Decree N°106/2005/ND-CP, and Decree N°81/2009/ND-CP on amendment and adjustment some articles of Decree N° 106/2005/ND-CP.

101. At the local level, the provinces issued decisions consolidating Decree 69/2009/ND-CP and other legal documents relevant to planning and implementation of resettlement at the provincial level. The Provincial Decisions stipulates that compensation for land shall be at the market rate following the provincially regulated price-frame, which is issued each January, and provides for assistance/allowances for relocation, livelihood and production stabilisation as well as occupational training

7.2.1 Relevant Social Policy Legislation

102. Public information and disclosure. Laws, decrees and decisions relevant to public disclosure of information include Article 39 of the Land Law, N° 13/2003/QH11 requiring disclosure of information to affected persons prior to recovery of agricultural and non-agricultural land, respectively, 90 and 180 days minimum. Another is Decision 3037/QD-BGTVT, 2003, making the Project Management Unit (PMU) together with the Resettlement Committee responsible for public disclosure of the Project policies and the extent of site clearance to local people, particularly those that will be affected. Also relevant is Ordinance N°34/2007/PL-UBTVQH11 promulgating regulation on the exercise of democracy including requirements for consultation with and participation of people in the communes.

103. Gender equality. The provisions on Law on gender equality are provided for in Law N° 73/2006/QH11 which was adopted by the XI Legislature of the National Assembly on 29 December 2006. The objectives of gender equality are to: (i) eliminate gender discrimination; (ii) create equal opportunities for man and woman in socio-economic development and human resources development in order to reach substantial equality between man and woman; and (iii) establish and enhance cooperation and mutual assistance between man and woman in all fields of social and family life.

7.3 Discrepancies between regulations of Government and ADB Policies

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. 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).

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

Table 8: Discrepancies between Decree 197/2004/ND-CP, Decree 69/2009/ND-CP and ADB Safeguard Policy Statement

	197/2004/ND-CP, 69/2009/ND-CP	Revised ADB Policy	Project Policy
Severely impacted affected persons losing	Decree 69, Art 20: For significantly impacted affected persons, livelihood restoration measures cut in when affected	The involuntary resettlement impacts of an ADB-supported project are considered significant if 200 or more	Losing 10% or more of the household's assets shall be considered as threshold.

	197/2004/ND-CP, 69/2009/ND-CP	Revised ADB Policy	Project Policy
productive land	person loses at least 30% of productive agriculture land.	persons will experience major impacts, which are defined as (i) being physically displaced from housing, or (ii) losing 10% or more of their productive assets (income generating).	
Compensation for lost land	<p>Article 9, Decree 197: The compensation rates for land shall be determined by the PPC in accordance with the Government regulations for the type of land which has been used for at the time of land acquisition.</p> <p>Decree 69, Art 11, Art 16: Compensation is land for same-use land or if not available the affected person can be compensated in cash based upon the market transfer price of such land at the time of the decision to acquire. Compensation limited to the allowable land quota, unless land over limit due to inheritance or legally transferred from other persons, or unused land developed according to the land use plan approved by the authorities. If not, compensation only for improvements on that land.</p>	Land based livelihoods restoration based upon land based strategies where possible, or cash compensation at replacement value provided loss of land does not undermine livelihoods for those with legal rights to land. Provide adequate and appropriate replacement land. If land not available non-land based options built around opportunities for employment, self-employment should be provided in addition to cash compensation for land and non-land assets lost.	Where appropriate land-based compensation is not viable replacement cost surveys have been carried out and will be carried out by the project staff to ensure that project rates for all categories of loss will be equivalent to replacement cost at current market value, to be updated at the time of compensation and combined with other assistance and livelihood restoration measures to ensure full restoration and improvements. Provided affected person has legal or recognisable claim, compensation is for full amount of land acquired.
Differences between compensation rates and market rates	<p>Dec 69 Art 14(2): If compensation is through new land or allocation of land at a resettlement area or by housing and the replacement is valued at less than the land acquired, the price difference will be paid in cash. Dec 69 Art 14(2a) If replacement residential land or the amount compensated to purchase a replacement house is more than the actual replacement cost, the affected person still receives the full amount. Dec 69 Art 14(2b) if the compensated amount is less</p>	Provide physically and economically affected persons with needed assistance including 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 affected persons economically and socially into host communities, ii) transitional support and development assistance such as land development, credit facilities, training or employment	Physically displaced (relocated) affected persons are to receive relocation assistance, secured tenure to relocated land, with comparable access to production and employment opportunities, and civic infrastructure and community services as required, transitional support and development assistance such as land development, credit facilities, training or employment opportunities.

	197/2004/ND-CP, 69/2009/ND-CP	Revised ADB Policy	Project Policy
	than the replacement residential land and house the affected person will pay the difference themselves except for cases covered by Art 19(1) - this will not apply to (poor) affected persons who will be assisted by the State. If the affected person does not receive land or house at the resettlement site the affected person will receive the cash difference.	opportunities, and, iii) civil infrastructure as required.	
Compensation for structures	Dec 69 Art 24- Compensation for House, Structures on Acquired Land. Clause (1) - Compensation for affected persons residential structures based on value of newly constructed house/structure equal to technical standard issued by MoC and based on house area and unit prices issued by PPC. Clause (2) other structures compensation equal to: a) total present value using unit costs for newly constructed house/structure using MoC technical standards and depreciated to present value of acquired house/structure. Maximum value cannot exceed 100% of new value of acquired house/structure	Rate of compensation for acquired housing, land and other assets will be calculated at full replacement costs, based upon: i) fair market value, ii) transaction costs, iii) interest accrued, iv) transitional and restoration costs, v) other applicable payments.	Full compensation at replacement cost will be paid for all affected structures without any deductions for salvageable materials or depreciation, full replacement costs, based upon: i) fair market value, ii) transaction costs, iii) interest accrued, iv) transitional and restoration costs, v) other applicable payments
Compensation for registered businesses	Articles 26, Decree 197: Only registered businesses are eligible for assistance. Decree 69 Art 20(2) if business must be suspended affected person is compensated with max 30% of after tax income in one year, averaged over last 3 years as certified by Tax Dept.	Affected business owners are entitled to i) costs of re-establishing commercial activities elsewhere, ii) the net income lost during the transition period, iii) costs of transferring and reinstalling plant, machinery and equipment.	Affected business owners are entitled to i) costs of re-establishing commercial activities elsewhere, ii) the net income lost during the transition period, iii) costs of transferring and reinstalling plant, machinery and equipment.
Monitoring	No monitoring indicators indicated	Monitoring indicators specified for internal and external monitoring and reporting	The executing agency must appoint an independent external monitor and undertake internal monitoring according to the critical indicators.

	197/2004/ND-CP, 69/2009/ND-CP	Revised ADB Policy	Project Policy
Severely impacted affected persons losing productive land	Decree 69, Art 20: For significantly impacted affected persons, livelihood restoration measures cut in when affected person loses at least 30% of productive agriculture land.	The involuntary resettlement impacts of an ADB-supported project are considered significant if 200 or more persons will experience major impacts, which are defined as (i) being physically displaced from housing, or (ii) losing 10% or more of their productive assets (income generating).	Losing 10% or more of the household's assets shall be considered as threshold.
Compensation for lost land	Article 9, Decree 197: The compensation rates for land shall be determined by the PPC in accordance with the Government regulations for the type of land which has been used for at the time of land acquisition. Decree 69, Art 11, Art 16: Compensation is land for same-use land or if not available the affected person can be compensated in cash based upon the market transfer price of such land at the time of the decision to acquire. Compensation limited to the allowable land quota, unless land over limit due to inheritance or legally transferred from other persons, or unused land developed according to the land use plan approved by the authorities. If not, compensation only for improvements on that land.	Land based livelihoods restoration based upon land based strategies where possible, or cash compensation at replacement value provided loss of land does not undermine livelihoods for those with legal rights to land. Provide adequate and appropriate replacement land. If land not available non-land based options built around opportunities for employment, self-employment should be provided in addition to cash compensation for land and non-land assets lost.	Where appropriate land-based compensation is not viable replacement cost surveys have been carried out and will be carried out by the project staff to ensure that project rates for all categories of loss will be equivalent to replacement cost at current market value, to be updated at the time of compensation and combined with other assistance and livelihood restoration measures to ensure full restoration and improvements. Provided affected person has legal or recognisable claim, compensation is for full amount of land acquired.

7.4 Project principles

108. To address the discrepancies between ADB SPS (2009) and relevant GOV regulations as described in the table above, the project principles on resettlement policy are as follows:

- Involuntary resettlement and impacts on land, structures and other fixed assets will be avoided or minimised 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 recognisable 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 minimised. 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 Land Acquisition Process

109. EVN HANOI will comply with the land acquisition process as provided for in the 2003 Land Law, Decree N° 197/2004/ND-CP, Decree N° 181/2004/ND-CP, Decree N° 17/2006/ND-CP, and Decree N° 84/2007/ND-CP, which prescribes for time and procedures of land acquisition.

Table 9: Land Acquisition Process in Vietnam as Provided for by Law

Activity Process		Timetable
1.	Evaluation of land acquisition scheme	15 days (Article 51 Decree N° 84/2007/ND-CP)
2.	Approval of the scheme	7 days (Article 51)
3.	Submit the scheme to the respective Peoples Committee for land acquisition decision.	20 days from notice of land acquisition
4.	Issue the decision.	5 days from receipt of the scheme.
5.	Issue the decisions for individual land acquisition	15 days from receipt of provincial decision on land acquisition.
6.	Prepare compensation, support and	Within 60 days after the measurement of land

	resettlement scheme.	(Article 56).
7.	Announcement of the scheme for consultation.	At least for 20 days (Article 56).
8.	Revise if needed and submit for review.	7 days.
9.	District Peoples Committee approves the scheme.	15 days
10.	Announce the scheme.	3 days
11.	Payment for compensation, support and resettlement.	5 days from announcement.
12.	Handover of land to EVN HANOI	20 days from completion of payment.
	Forced land acquisition and/or eviction.	30 days from date of land handover.
13.	Resolution of complaint.	90 days from date of land acquisition decision.

Source: "Understanding Constraints to Effective Implementation of Transport Projects in the Ministry of Transport"; World Bank; 2006

110. However, the prescribed timetable may be adjusted depending on the number of affected persons in the Project areas.

8.0 ELIGIBILITY AND ENTITLEMENTS

8.1 Eligibility

111. Eligibility will be determined with regard to the cut-off date, which is taken to be the date of completing DMS for which land and/or assets affected by the projects are measured. The affected persons will be informed of the cut-off date for each project component, and any people who settle in the project area after the cut-off date will not be entitled to compensation and/or assistance under the project.

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 recognisable under national laws, or, (iii) persons who lost land they occupy in its entirety or partially who do not have any recognisable 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.

8.2 Entitlements, Assistance and Benefits

113. Table 1 in Section II summarised the potential number of affected persons and the impacts on their properties consequent to land acquisition. In the same section, it classified the affected persons and their affected properties that will be covered by compensation and entitlements, presented as follows:

- **The Displaced Persons-** The subprojects will affect 2 affected households with 2 male heads. None of 57 affected household shall be displaced and become vulnerable under the Subproject
- **Permanent land acquisition-** compensation at replacement price
- **Temporary affected land-** the subprojects only affect temporarily traffic road
- **Affected house/structure** - there are no affected houses or other structures
- **Affected trees/crops** – (i) there is no tree affected by the subprojects; (ii) crops affected by the project will be compensated at the replacement prices.
- **Other assistance and compensation** - the road sections affected by the underground cable will be recovered and rebuilt as same as or better the pre-subproject situation by the subproject contractors.

Table 10: Entitlement Matrix

Entitled Persons	Type & Level Of Impact	Number of affected households	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 organisations	More than 10 percent or more of total productive landholding affected	1 affected households	<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 DCARC for each case.</p> <p>DCARCs will determine whether the remaining holding can be viable or not and take care of this issue during DMS implementation. Full payment for affected households at least 01 months before site clearance</p>
	Less than 10 percent of total productive landholding affected	1 affected households	Cash compensation at replacement cost at current market prices for affected portion if remaining holding is viable; OR Cash compensation at replacement cost at current market prices for entire landholding, if remaining holding is not viable.	Implemented by DCARCs Decided by DPCs
A.2 Impact on agricultural land in RoW				
All affected households have agricultural land in RoW	Partially impact or totally impact	2 affected households	<p>a/ No compensation for land. b/ Compensation for crop, trees and others at market price. c/ Support for utilisation of restricted land</p>	<p>Affected land in RoW will be rehabilitated by contractors after the project construction and 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.</p>

Entitled Persons	Type & Level Of Impact	Number of affected households	Compensation Policy	Implementation Issues
B. RESIDENTIAL AND/OR NON-AGRICULTURAL LAND (e.g., commercial)				
B.1. Permanently affected residential and/or non-agricultural land				
Owners with LURC, owners in process of acquiring LURC, owners eligible to acquire LURC AND public organisations	Loss of residential and/or non-agricultural landholding without houses and structures built thereon	None	<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) 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</p> <p>Or, if affected person opts, a/ Cash compensation at replacement cost.</p>	<p>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 DCARC for each case.</p> <p>DCARCs will determine whether the remaining holding can be viable or not and take care of this issue during DMS implementation. Full payment for affected households at least 01 months before site clearance</p>
	Loss of residential land/or non-agricultural landholding with houses and structures built thereon.	3 affected households and 1 inst.	<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) 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</p> <p>b/ Compensation for houses, structures on permanently affected land;</p> <p>Or, if affected person opts, a/ Cash compensation at replacement cost); and, b/ Compensation for houses, structures on permanently affected land.</p>	<p>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 DCARC for each case.</p> <p>DCARCs will determine whether the remaining holding can be viable or not and take care of this issue during DMS implementation. Full payment for affected households at least 01 months before site clearance</p>

Entitled Persons	Type & Level Of Impact	Number of affected households	Compensation Policy	Implementation Issues
B.1. Impact on residential and/or non-agricultural land in RoW				
All affected households have residential and/or non-agricultural land in RoW	Partially impact or totally impact	3 affected households	a/ No compensation for land. b Allowance for purchasing fireproof materials and lightning arrestors for the existing house/structure or cash compensation at replacement cost of affected house/structure c/ Support for utilisation of restricted land	Affected land in RoW will be rehabilitated by contractors after the project construction and land in RoW could be used with the restricted purposes. (Described in Decree 81, 2009, article 1)
C.MAIN HOUSES AND OTHER STRUCTURES IN RoW				
C.1. Dismantled houses and other structures				
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.	6 affected households and 1 inst.	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.	2 affected households and 1 inst.	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
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 institution	- For organisations: 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	Assistance to	2 affected	affected households directly cultivate on the affected	Value of in kind assistance to be determined

Entitled Persons	Type & Level Of Impact	Number of affected households	Compensation Policy	Implementation Issues
households, displaced from housing or losing 10 percent or more of their productive, income generating irrespective of tenure status.	restore livelihoods and incomes following acquisition of land or other productive assets	households	land to be entitled: (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; (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; (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	during resettlement plan implementation. 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.	2 affected households	Cash assistance equal to 1.5 time of compensation value for affected land area but not exceed 5 (five) times of land quota in locality. If affected person has demand for training, he/she will be entitled to a free training course	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 household, the elderly)	Assistance to the poor and vulnerable households to improve their social and economic conditions.	3 woman headed households 1 elderly affected household	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
G.7 Assistance for losses on Business and Employment				
Business Enterprise	Assistance for re-	1	Business enterprises with income in excess of VND	Value of assistance to be determined during

Entitled Persons	Type & Level Of Impact	Number of affected households	Compensation Policy	Implementation Issues
being forced to cease operating as business in current location	establishing business in different location or development of different business activity.	Private Sector Company	8,000,000 will be supported at the rate of 30% for a maximum of 3 years based on the previous 3 years of taxable income for which authenticated tax payment records exists.	resettlement plan implementation.
Waged employees made redundant	Assistance for changing and finding another job	25 Waged Employees	Payment of average salary over the past 12 months for between 3 and 6 months until suitable employment of an equivalent nature with similar remuneration levels is found.	Value of assistance to be determined during resettlement plan implementation.

8.3 Addressing the Gender Issues

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

- (i) During the updating of this resettlement plan, both men and women will participate in the discussions during public meeting, providing inputs to DMS, and consultations on resettlement activities and relocation options.
- (ii) A male representative and a female representative of the affected households will be included as participant in the resolution of grievances and complaints.
- (iii) Gender issues will be included in the training on Project implementation by PICs to concerned personnel of the EVN HANOI, and HPPMB.
- (iv) 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.
- (v) 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.

8.4 Assistance to Vulnerable Households

115. This resettlement plan declared that not any DP shall become vulnerable due to land acquisitions. If during the updating of this document found out that there are affected persons that shall become vulnerable due to the Project, they shall receive applicable allowances as provided for in the Entitlement Matrix, on top of their compensation. They will be given the privilege to participate in the income restoration that will be designed by the Project with their active involvement. In order to ensure that they share the same benefits as the other affected households, they will be assisted in appointing their representatives in each commune or neighborhood clusters to participate in any meeting or consultations related to the Project, specifically on payment of compensation.

8.5 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 household head who was recorded in the IOL or DMS. In such a case, the spouse will receive the compensation in 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.

8.6 Unforeseen Impacts

117. If during the DMS when additional adverse social impacts are identified (para. 46 and/or additional affected households and affected persons are found after the cut-off date (para. 110, they are also entitled to receive Subproject entitlements as the others on condition that it can be certified by communes or village chiefs that they have actually been in the Subproject RoW even before the cut-off dates for eligibility. Likewise, new affected persons that will emerge due to changes in Subproject design or alignment prior to or even during construction works are entitled to the same entitlements as those of the other affected persons.

8.7 Income Opportunities

118. Because of the highly specialised nature of the work there are unlikely to be any local income-generation opportunities directly linked to the project but if there are the contractors will be requested to consider giving priority to affected household members if the latter are interested.

9.0 RELOCATION OF HOUSING AND SETTLEMENTS

119. There is no physical displacement of affected persons or even partial impacts to physical structures that would necessitate relocation.

10.0 INCOME RESTORATION AND REHABILITATION

120. Just over 20% of the severely affected persons from eight affected households are adults and could benefit from using allowances paid by the project for training in non-farm based income-generation activities because they live in close proximity to a range of industrial estates and are within commuting distance of other non-agricultural based waged employment opportunities in the Ha Noi area. However, the project has yet to undertake a participatory needs assessment as to what may work for these adult affected persons. During the focus group discussions undertaken, most of these affected persons stated they would prefer to receive the allowances in cash and would not seek or expect the project to provide any guidance in this matter. As for affected persons of school-age none are actually interested in working as farmers and all stated they hoped the project would enable their families to assist towards the payment of tuition fees associated with technical, vocational and university education.

121. Nevertheless, during the updating of this resettlement plan all severely affected persons will again be consulted to assess whether the opinions stated during consultations undertaken for this resettlement plan are still relevant. If there are requests made by even some of the affected persons at this time the project will work with them to decide what income restoration measures they would consider practical and sustainable. Moreover, the resettlement plan is flexible enough to ensure that at any time during implementation of the resettlement plan there are requests by affected persons to assist with income restoration measures the project will provide assistance within the framework of allowances provided in this resettlement plan.

11.0 RESETTLEMENT BUDGET AND FINANCING PLAN

11.1 Principles of Replacement Cost

122. Budgets for the compensation of DP's affected properties were based on replacement costs, in compliance with the policy requirements of the GOV and ADB. The PECC1 Consultants conducted the replacement cost surveys (RCS) that coincided with the IOL in October 2011 in order to verify and establish the current unit rates on the values of land, houses, crops and trees as well as other assets to ensure that affected persons will be compensated for their affected assets based on replacement costs. Information from both primary and secondary information were obtained. For the primary sources of information, the sample respondents were selected in the areas where the transmission line will be installed. The respondents consist of non-affected persons and were requested to share their knowledge on the current values or prices of the following: (a) price of agricultural land, (b) costs of construction materials for houses and other related structures, and (c) price of crops and trees.

123. As to secondary information, the RCS team has referred to relevant publications and the prices issued through decisions by Ha Noi City Peoples' Committee (CityPC), such as: (i) Decision No. 108/2009/QD-UBND dated 29 September 2009 issued by CityPC of Ha Noi City regulating on compensation, support and resettlement in case of State's land acquisition in Ha Noi City (ii) Decision No.

51/2012/QĐ-UBND dated 28 December 2012 issued by CityPC of Ha Noi City regarding prices of various land type in Ha Noi City. These references were used in support of the RCS.

11.2 Compensation Rates and Assistance

124. The compensation rates applied in calculating the budget is based on the replacement cost rates as established for the compensation of affected properties while the provisions for assistance complies with the prescription in relevant decisions mentioned in para. 101. In the scope of the subprojects, affected properties of affected persons are land and a non-land auxiliary structure. Replacement Cost Rates and Assistance are:

- (i) Compensation for agricultural land in Phu Cuong commune: 108,000 VND/m² and Bac Hong, Nam Hong and Quang Minh town: 350,000 VND/m².

11.3 Administration, External Monitoring and Contingency Costs

125. The budget for the administration of resettlement plan is equivalent to 5% of the total costs from the compensation and assistance package to affected persons. From which total, these were allocated to the following:

- (i) Administration and management, 42%;
- (ii) Replacement cost survey, 5%;
- (iii) Conduct of DMS, 12%;
- (iv) Meetings and consultations, 17%;
- (v) Grievance resolution, 24%.

126. External monitoring and evaluation is not required given the very minimal impacts of land acquisition to affected persons. However, during the implementation process, in case of necessity, an external monitoring agency (EMA) shall be commissioned by ADB to ensure the effective implementation of resettlement plan. Excluded from the administration costs of resettlement plan are the salaries of EVN HANOI/HPPMB and the PICs. EVN HANOI/HPPMB personnel who shall be involved in resettlement plan updating and implementation are already receiving regular salaries from their respective office. On the other hand, the professional fees of the consultants of PICs will be charged under the Subproject.

11.4 Compensation Payment and Procedures

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

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

11.5 Financing of Resettlement Costs

129. Total costs as per Table below are estimated at VND 9,228,379,314 or US\$ 439,446 based on compensation for rice fields permanently acquired, loss of production, income restoration assistance, management and implementation costs and contingencies. EVN HANOI/PPMB will ensure the timely provision of funds and will meet any unforeseen obligations in excess of the resettlement budget in order

to meet the social safeguards objectives under the Project. EVN HANOI will finance the resettlement costs.

Table 11: Resettlement Cost Estimates

N°	Compensation category	Unit	Quantity	Unit Price (VND)	Cash (VND)
1	Rice fields	m ²	10,181	135 000	1,374,435,000
2	Loss of Production	m ²	10,181	7,000	71,267,000
3	Income Restoration Assistance	57 affected household	57 affected household	118,933,947	6,779,235,000
	Subtotal Costs				8,224,937,000
1	Management and Implementation Fee at 2% of Subtotal Costs				164,498,740
2	Contingencies at 10% of all costs				838,943,574
	Total Costs				9,228,379,314

12.0 INSTITUTIONAL ARRANGEMENTS

130. 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 Committees (DCARCs) will be established at district level according to Decree 197/2004/ND-CP and Decree 69/2009/ND-CP.

12.1 Institutional features at central level

a. Ha Noi Power Corporation (EVN HANOI)

131. EVN HANOI is the Executing Agency, through HPPMB to manage the resettlement issues. The HPPMB is Implementing Agencies that are 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 organisation 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 and supervise the external independent organisation (or consultants) for external resettlement monitoring.

b. Ha Noi 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 CARB 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;
- Hire and closely coordinate with an EMA that shall perform a third-party monitoring and evaluation of the resettlement plan updating and implementation.

12.2 Institutional Features at City Level

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

12.3 District and Ward/Commune Levels

133. *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 DCARC; (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 redressed of complaints and grievance from affected persons; (vii) concurrence with the schedule of resettlement plan implementation and monitor the progress thereon; and (viii) mobilisation of the respective DCARC that will appraise the compensation and assistance to affected persons; as well as (ix) the provisions of lands to affected persons.

134. District Compensation and Resettlement Committee: The responsibilities of the DCARC 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 CPC, assist HPPMB in the timely delivery of compensation payment and other entitlements to affected persons; and (vi) assist in the resolution of complaints and grievances:

- The dissemination of the Public Information Booklet and other publicity material; ensuring that affected persons are aware of the LAR process.
- Planning and carrying out the DMS and the disbursement of compensation payments.
- The identification of severely affected and vulnerable affected persons and the planning and implementation of rehabilitation measures for these affected persons.

- Help identify any resettlement sites and new farming land for affected persons who cannot remain in their present location.
- Assist in the resolution of affected persons grievances.
- Facilitate the work of the agency appointed to undertake the external monitoring.

135. Ward/Commune People's Committee. The W/CPCs will assist the HPPMB and the DCARs 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.

13.0 IMPLEMENTATION SCHEDULE

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

Table 12: Detailed Activities and Schedule

Activities	Time
1. Preparation	November 2013
1.2. Information disclosure at Commune Level	December 2013
1.1. Draft resettlement plan is submitted to ADB for review and comment	January 2014
1.3. Updating resettlement plan based on comments of ADB and ENVHAN	February 2014
1.4. ADB's approval for the resettlement plan	February 2014
1.5. Disclosure of the resettlement plan to affected commune and town	March - June 2014
2. Implementation	Start from the DMS.
2.1. information campaign	March 2014
2.2. Detailed measurement survey (DMS)	March 2014
2.3. Preparing the compensation plan for all affected persons	April 2014
2.4. the review and approval of local authorities for the compensation plan	April 2014
2.5. Disclosure of the approved compensation plan for the affected persons	April - May 2014
2.6. The compensation Payment cost for the affected persons	May 2014
2.7. The replacement of affected persons	June 2014
2.8. Handing over land and asset to HPPMB and the commencement of the subproject's construction.	Whenever having greivances
2.9. Greivance redressing	From March to April 2014
2.10. Recruiting monitoring and evaluating contractors	From May to June 2014
2.11. Mobilising monitoring and evaluating contractors	

14.0 MONITORING AND REPORTING

137. 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.

138. 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.

14.1 Internal Monitoring

139. 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.

140. 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.

14.2 External Monitoring

141. External monitoring is not required since the overall impact of land acquisition is only marginal and no households shall be relocated. Rather, social impact monitoring and evaluation of resettlement plan implementation shall be conducted by EVN HANOI itself. However, ADB reserves the right to request EVN HANOI appoint an EMA acceptable to the ADB at the expense of EVN HANOI if it is dissatisfied with important aspects of resettlement implementation.

142. 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:

143. 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.

144. 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 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.

145. 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.

146. 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.

SOCIO-ECONOMIC SURVEY AND INVENTORY OF LOSSES QUESTIONNAIRE

Projects: Construction of 110kV Noi Bai Airport Sustation and 110kV transmission line supplying power for the substation

Questionnaire code: ___/___/___; **Survey date:** ___/___/2013

A-BACKGROUND INFO

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

B. SOCIO-ECONOMIC SURVEY

4. Household component (including head of household)

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

5 Housing facilities

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

6. Access to public facilities

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

7. Annual household income: VND

Main household income sources are from:

- | | | |
|----|---|----------------|
| 1) | Agricultural production activities | Amount_____VND |
| 2) | Business | Amount_____VND |
| 3) | Salary | Amount_____VND |
| 4) | Other sources (for example, overseas remittances) | Amount_____VND |

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

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

9. Common diseases among the community (specify)

- | | | | | | |
|----|----------------------|-----|-----|-------------|-----|
| 1. | Catch a cold | [] | 2. | Dysentery | [] |
| 3. | Influenza | [] | 4. | Hepatitis | [] |
| 5) | Respiratory diseases | [] | 6) | Intoxicated | [] |
| 7) | Malaria | [] | 8) | Others | [] |
| 9) | Cholera | [] | 10) | No answer | [] |

10. Main energy for lighting for household?

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

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

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

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

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

C. INVENTORY OF LOSSES

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

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

2. Affected houses

Types of houses	Total floor area (m ²)	Legal title	Impact degree		Project area	Notes (if there is home business, except for No. 7)
			Affected floor area (m ²)	(Partially affected=1; Fully affected=2)		
1. Villa 2. Grade1 3. Grade 2 4. Grade 3 5. Grade 4 6. Temporary 7. Shop separated from house		1. With certificate 2. Without certificate 3. Build on agricultural land 4. Rented house			1= Main canal 2= Northern Canal 3= Southern Canal 4=Management house 5=Borrow pit 6=Disposal area 7=Others	

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

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

- No. of houses: []
- Area of houses out of the project area (m²): m²

4. Other affected structures and facilities

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

Structures/ Facilities	Types of structures	Unit	Quantity	Location
				1= Transmission line 2= Station
1. Kitchen separated from the main house	1. Temporary 2. Equal to grade 4 house	m2		
2. Livestock sheds	1. Temporary 2. Equal to grade 4 house	m2		
3. Electricity meter		Electricity meter		
4. Water meter and estimate		Water		

of water pipeline length		meter		
5. Telephone				
6. Fence	1. Brick 2. Steel, wire or wood	Fence		
7. Gate	1. Brick 2. Iron, steel 2. Wood, Bamboo	m ²		
8. Latrine, bathroom (separated from the main house)	1. Brick, concrete 2. Bamboo, thatch	m ²		
9. Earth grave a) In cemetery b) Individual		Grave		
10. Built grave				
11. Well	1. Drilled 2. Dug	m		
12. Water container	1. Brick/ concrete 2. Inox 3. Plastic	m ³		
13. Yard (only cement or tiled)		m ²		
14. Fish pond (excavated amount)		m ³		
15. Others (Name and affected area)				

5. Affected trees and crops

(Only list affected perennial crops and fruit trees)

Trees and crops	Name	Unit	Amount	Location 1= Transmission line 2= Station
a) Fruit tree (main)		Tree		
1) Pomelo				
2)				
3)				
4)				

5)				
b)	Timber tree (main)		Tree	
1)				
2)				
3)				
4)				
5)				
c)	Pot plant (main)			
d)	Crops (main)		Tree	
1)	Maize			
2)	Potato			
3)	Earthnut			
4)	Bean			
5)				
e)	Surface water area for aquaculture		m2	

D. CONSULTATION

1. Only for households losing productive and agricultural land

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

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

2. Only for households losing residential land

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

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

3. Only for households losing residential land

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

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

4. What is your plan to use compensation cash?

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

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

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

If yes, what is the plan:

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

Surveyor

On behalf of the household

PUBLIC INFORMATION BROCHURE (PIB)

1. Name of construction: **Construction of 110kV Noi Bai Airport Substation and 110kV transmission line supplying power for the substation**
2. Name of Employer: **HNPC - EVN HN**
3. Rep. of Employer: **Project Management Unit (PMU) of Ha Noi Power Grid Project Management (HPGPM)**
4. Consultant prepared FS-Cost Est.: **PECC 1**

QUESTION 1: What is the subproject of 110kV Noi Bai Airport Substation and 110kV transmission line supplying power for the substation?

Answer: The subproject of 110kV Noi Bai Airport Substation and 110kV transmission line supplying power for the substation is funded by ADB and Vietnam Government with the aim of supply for power loads in Soc Son District, Dong Anh District and Me Linh District of Ha Noi.

The overall objectives of the project are to fully supply electricity to power load demand in Soc Son District, Me Linh District, Dong Anh District and Noi Bai International Airport.

QUESTION 2: How will 110kV Noi Bai Airport Substation and 110kV transmission line supplying power for the substation affect the local population?

Answer:

According to Decree No. 106/2005/ND-CP dated 08/17/2005 and Decree No. 81/2009/ND-CP October 12, 2009 to secure high-voltage power corridor, the subproject will cause the following effects:

- Buildings and other structures and buildings on land lost permanently (if any)
- Trees are cut off on the land affected permanently.
- Reduction of the use of land, buildings / infrastructure in the safety corridor of high-voltage grid (ROW)

Detail impacts:

- The Subprojects will affect on agricultural land of 57 households. Total affected lands are 3.734m² of land of permanent acquisition for the substation; and 11405m² for the underground and 1160 m² for the 110 kV OHL.

QUESTION 3: What is the main objective of resettlement plan?

Answer: The main objective of the Resettlement Plan is to ensure that all APs or community whose land will be lost or livelihood will be affected will be compensated and supported so that the AP's economic conditions will be at least equal or better they would have been in the absence of the Project.

QUESTION 4: What if my land is affected by the project?

Answer:

- (i) The appropriated land area will be prioritized for compensation with replacement land OR cash compensation at replacement value at current market prices if there is no land reserves in the locality
- (ii) If the leased land is appropriated, the land will not be compensated but the investment costs into land will be compensated.

QUESTION 5: Do we need to have a land title in the order to be compensated?

Answer: No, lack of formal legal rights to land does not prevent any APs from receiving compensation, allowances and rehabilitation assistance. Those APs who possess a land use rights certificate (LURC) or who are eligible for granting LURC in accordance with the regulation of the government are entitled to compensation for the lost land as well as assets on the land. Those APs who do not have legal/legalisable documents for affected land will only be compensated for assets on the land.

QUESTION 6: Is the compensation applied for affected houses and structures?

Answer: Yes. Compensation will be applied for all affected assets on the appropriated land including houses, barn, wells, fences... and other structures affected by the project in accordance with market price without any

deductions for building depreciation or salvageable building materials. This will ensure that the APs are able to reconstruct houses and other structures of better or at least the same quality as before.

QUESTION 7: What about affected crops and trees?

Answer: (i) Affected crops, fruit and trees on permanently-appropriated land will be compensated in cash at current market prices.

(ii) Affected crops, fruit and trees on temporarily-appropriated land in construction period:

- Crops will be compensated calculated based on the length of borrowing period and the average production in the past 3 years.

- Trees will be compensated in accordance with the market prices at the time that acquisition takes place.

QUESTION 8: Besides the compensation, how can the project help?

Answer: In addition to compensation for loss of land and other assets, the Project will provide rehabilitation assistance to eligible APs to ensure that their standard of living is maintained or improved after the Project. Eligible APs for rehabilitation assistance include:

- **Severely affected households:** Households lost over 10% of productive land will receive recovery assistance include (i) allowance for stable life (ii) allowance for income restoration such as encourage cultivation for better use the remaining area, participate in the existing credit programs or employments related projects.
- **Households that relocate:** the affected households have to dislocate are entitled to receive: (1) dislocation allowance; (2) allowance for stable life in the dislocation time; (3) allowance for renting house with market price. Allowanced levels are specified in the project policy.
- **Business owners that lose income while they relocate or rebuild their shops/businesses:** Households with small, unregistered businesses will receive cash compensation equal to the provincial minimum wage for three months. Owners of registered businesses will receive cash assistance due to loss of income equivalent to 30% taxable income in a year. Annual taxable turnover average is determined on the basis of financial statements of three years ago.
- **Employees and hired laborers who lose their jobs:** will receive cash compensation for lost salary/wages for each month they cannot work, if the loss is temporary; or, if the loss is permanent, cash compensation equivalent to the provincial minimum wage for six months or cash compensation for remaining contract period whichever is higher.
- **Allowance for changing job:** the affected households either have or not have registered certificate on their residential land that after relocation but they could not be continued, the person in working age who belonged to the affected households will be participated in the free cost training course in one of the local vocation training centers, suitable for the facts of region and their ability.

QUESTION 09: does that mean that anybody in our community can claim for compensation?

Answer: No. Entitled APs are those persons or households that will lose land or property based on the detailed measurement survey (DMS) that will be conducted following completion of the final designs for the subproject. Affected communes and local authorities will be informed about the cut-off date for compensation of the project.

QUESTION 10: Incase have grievances of compensation, could the APs have right to complain?

Answer: Yes, affected persons have the right to complain in accordance with the procedure and regulation of project, if you found that the issues were handled not right or not dissatisfactory.

Any complaints, grievances of the persons who are affected by land acquisition, compensation, resettlement and implementation will be addressed timely in accordance with the policy and they did not pay any fees in the process of complaint.

QUESTION 11: How will APs be consulted and informed?

Answer: A consultation and public information program will be organized in your commune to ensure that APs receive complete and timely information about the Project. APs will be provided information on subproject components, impacts, their rights and entitlements, grievance mechanism, rights of participation and consultation in resettlement activities, responsibilities of institutions and implementation schedule. APs are entitled to participate in preparation and implementation of RP and will be consulted on the following matters: a) participate in to preparation of resettlement measures in accordance with their benefits opinions; b) are consulted for training and suitable forms with HH's capacity and c) participating in other aspects of the project if they are competent.

QUESTION 12: As a resident in the project area, how can I help?

Answer: We would like you to participate in all consultation meetings and other subproject related activities in order to ensure that you are fully informed and consulted. Your active participation during the detailed

measurement survey (DMS) and implementation will allow us to determine measures to mitigate impacts, to identify problems or potentials problems and to identify ways of responding immediately to solve these problems.

QUESTION 13: How will you know if the objectives of this project are met?

Answer: EVNHN through the PMU of HPMGP will ensure internal monitoring of all project activities. In addition, PMU of HPMGP will recruit an independent monitoring agency to carry out independent monitoring of resettlement activities during project implementation. Every 6 months, the independent monitoring agency will submit reports to the EVNHN and ADB on the progress of resettlement. A post-resettlement impact evaluation will assess whether negative impacts have been mitigated adequately and pre-project standards of living of APs have been restored as a result of resettlement and the subproject.

FOR FURTHER INFORMATION AND SUGGESTIONS -

Please contact the PCARCs, DCARCs where you live:

1. Provincial Compensation, Assistance and Resettlement Committee (PCARC),

Address:

Person in charge:Tel.....

2. District Compensation, Assistance Resettlement Committee (DCARC) of ... District: Address:

Person in charge:Tel.....

PUBLIC CONSULTATION ON ENVIRONMENT AND SOCIAL/RESETTLEMENT

No.	Location	Date	Participants		Issues of participants	Conclusion
			Male	Female		
1	Doai village, Nam Hong commune, Dong Anh district, Ha Noi city.	30/10/2013	5	9	<p>Regarding negative environmental impacts and mitigation measures</p> <ul style="list-style-type: none"> The civil works must not affect to the environment. Construction agency must contact to local government before the start of civil works. It is necessary to ensure that the transmission line (TL) traversing paddy-rice does not affect to the production. It is needed to have solutions timely when there is the complaint/opinion from people. <p>Regarding land acquisition and assets on land issues and the policies</p> <ul style="list-style-type: none"> Coordination with affected people when having the compensation plan is essential Total acquired land area is agricultural land. Coordination with local government when executing compensation payment is essential. When acquiring agricultural land for tower foundations, the remaining land plots that are unviable for cultivation should also be acquired; 	Doai village's government and affected households within ROW agree with the construction policy.
2	Dia village, Nam Hong commune, Dong Anh district, Ha Noi city.	30/10/2013	3	2	<p>Regarding negative environmental impacts and mitigation measures</p> <ul style="list-style-type: none"> The construction does not affect to the environment significantly; however, the construction agency need to inform local government before the start of civil works; If people have complaints about the impacts of construction, i.e. deteriorate road, salvage construction material, etc. then the construction 	The local government and affected households in Dia village agree with the construction policy of 110kV TL Noi Bai Airport project.

No.	Location	Date	Participants		Issues of participants	Conclusion
			Male	Female		
					<p>agency must have the solutions timely. The damages must be compensated.</p> <p>Regarding land acquisition and assets on land issues and the policies</p> <ul style="list-style-type: none"> • The compensation plans must be appropriate for affected people. • There should be a consensus among people, local government and concerned organisations • When acquiring agricultural land for tower foundations, the remaining land plots that are unviable for cultivation, should also be acquired. 	
3	Thuy Ha village, Bac Hong commune, Dong Anh district, Ha Noi city.	30/10/2013	7	4	<p>Regarding negative environmental impacts and mitigation measures</p> <ul style="list-style-type: none"> • The civil works do not affect to the environment substantially. Construction agency need to contact local government before starting the construction. • It is necessary to ensure that the transmission line (TL) traversing paddy-rice does not affect to the production. • It is needed to have solutions timely when there is the complaint/opinion from people. <p>Regarding land acquisition and assets on land issues and the policies</p> <ul style="list-style-type: none"> • When having the compensation plan, it is necessary to hold the meeting with affected people by the project's TL. • Coordinate with local government to determine the compensation mechanism that is in line with the State laws. • Compensate properly for the impacts of ROW 	The local government and affected households agree with the construction policy of 110kV TL and Substation supplying power for Noi Bai Airport.

No.	Location	Date	Participants		Issues of participants	Conclusion
			Male	Female		
					on the people who are currently using the land.	
4	Huong Gia village, Phu Cuong commune, Dong Anh district, Ha Noi city.	12/11/2013	10	2	<p>Regarding negative environmental impacts and mitigation measures</p> <ul style="list-style-type: none"> The civil works do not affect the environment substantially. Construction agency need to contact to local government before starting the construction. It is necessary to ensure that the transmission line (TL) traversing paddy-rice does not affect to the production. It is needed to have solutions timely when there is the complaint/opinion from people. <p>Regarding land acquisition and assets on land issues and the policies</p> <ul style="list-style-type: none"> When having the compensation plan, it is necessary to hold the meeting with affected people by the project's TL. Coordinate with local government to determine the compensation mechanism that is in line with the State laws. When acquiring agricultural land for tower foundations, the remaining land plots that are unviable for cultivation, should also be acquired. Compensate properly for the impacts of ROW on the people who are currently using the land. 	The local government and affected households agree with the construction policy of 110kV TL and Substation supplying power for Noi Bai Airport.

Involuntary Resettlement Safeguards Policy Principles

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

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

Policy Principles:

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

12. Monitor and assess resettlement outcomes, their impacts on the standards of living of displaced persons, and whether the objectives of the resettlement plan have been achieved by taking into account the baseline conditions and the results of resettlement monitoring. Disclose monitoring reports.

Relevant Decrees and Circulars on Land Acquisition in Vietnam

Decrees and Date of Promulgation	Title and/or Nature of the Decrees and Circulars
Decree No. 81/2009/ND-CP, dated October 12, 2009.	Providing for the amendment or supplement a number of articles of Government Decree No. 106/2005/ND-CP, dated August 17, 2005, which details and guides a number of articles of the Electricity Law.
Decree No. 69/2009/ND-CP, dated August 13, 2009.	Additional Regulations on Land Use Plan, Land Price, Land Acquisition, Compensation, Assistance and Resettlement.
Decree No. 123/2007/ND-CP, dated July 27, 2007.	Providing for the Amendment and Additional Regulations of Government Decree No.188/2004/ND-CP, dated November 16, 2004.
Decree No. 84/2007/ND-CP, dated May 25, 2007.	Providing for the Amendment on the Issuance of LURC, Land Acquisition, Land Use Right Implementation, Procedure for Compensation, Land Recovery by the State, and Procedure for Grievance Redress. Circular No. 14/2008/TTLT/BTC-BTNMT, dated January 31, 2008 jointly issued by the Ministry of Natural Resources and Environment and the Ministry of Finance, provides for guidelines in some articles of this Decree.
Decree No. 131/2006/ND-CP, dated November 9, 2006.	Provisions for the Use and Management of Funds from Official Developments Assistance (Article 2, Item 5).
Decree No. 17/2006/ND-CP, dated January 27, 2006.	Amendment and Additional Regulations on the Implementation of the 2003 Land Law. This decree has amended Decree No. 181/2004/ND-CP dated October 29, 2004.
Decree No. 106/2005/ND-CP, dated August 17, 2005.	Guidelines for the Implementation of a Number of Articles of the Electricity Law on protection from and safety of high voltage power grid works.
Decree No. 198/2004/ND-CP, dated December 3, 2004.	Implementing Rules and Regulations on Land Use Fees which was elaborated in Circular No. 114/2004/TT-BTC, dated November 26, 2006,
Decree No. 197/2004/ND-CP, dated December 3, 2004.	Guidelines on Compensation, Assistance, and Rehabilitation when Land is Acquired or Recovered by the State. The implementing rules and regulations was issued through Circular No. 116/2004/TT-BTC, dated December 7, 2004, which was amended further under Circular No.69/2006/TT-BTC, dated August 2, 2006, both issued by the Ministry of Finance. Also relevant to the Decree is Circular No. 57/2010/TT-BTC, dated April 16, 2010, prescribing the estimation and settlement of funds for compensation, assistance and resettlement. In Circular No. 14/2009/TT-BTNMT, issued by the Ministry of Natural Resources on October 1, 2009, it also details the compensation, assistance and procedures for land acquisition. Allocation and leases.
Decree No. 188/2004/ND-CP, dated November 16, 2004.	Methods of Setting Prices on Various Types of Land when land is acquired and/or recovered by the State. The implementing rules and regulation were defined in Circular No.114/2004/TT-BTC, dated November 26, 2004 issued by the Ministry of Finance.
Decree No. 182/2004/ND-CP, dated October 29, 2004.	Sanctions and Penalties for Administrative violations in Land Issues.

Decree No. 181/2004/ND-CP, dated October 29, 2004.

Guidelines for the Implementation of the 2003 Land Law.

Detailed cost of compensation and allowances of the project

A. Estimate cost of compensation, assistance and resettlement

No.	Cost contents	Unit	Quantity	Unit price (VND)	Total (VND)
A	LAND COMPENSATION				1,374,436,000
I	Residential land				
1.1	Me Linh district				
1.1.1	Quang Minh town	VND/m2	-	-	-
1.2	Dong Anh distric				
1.2.1	Nam Hong commune	VND/m2	-	-	-
1.2.2	Bac Hong commune	VND/m2	-	-	-
1.3	Soc Son district				
1.3.1	Phu Cuong commune	VND/m2	-	-	-
II	Annual crop land		10,181		1,374,436,000
2.1	Me Linh district		2,972		401,220,000
2.1.1	Quang Minh town	VND/m2	2,972	135,000	401,220,000
2.2	Dong Anh distric		4,469		603,315,000
2.2.1	Nam Hong commune	VND/m2	3,324	135,000	448,740,000
2.2.2	Bac Hong commune	VND/m2	1,145	135,000	154,575,000
2.3	Soc Son district		2,740		295,920,000
2.3.1	Phu Cuong commune	VND/m2	2,740	108,000	295,920,000
B	TREE COMPENSATION		-	-	-
1.1	Me Linh district		-	-	-
1.1.1	Quang Minh town	VND/cây	-	-	-
1.2	Dong Anh distric		-	-	-
1.2.1	Nam Hong commune	VND/cây	-	-	-
1.2.2	Bac Hong commune	VND/cây	-	-	-
1.3	Soc Son district		-	-	-
1.3.1	Phu Cuong commune	VND/cây	-	-	-
C	CROP COMPENSATION		10,181	-	71,267,000
1.1	Me Linh district		2,972		20,804,000

1.1.1	Quang Minh town	VND/m2	2,972	7,000	20,804,000
1.2	Dong Anh distric		4,469		31,283,000
1.2.1	Nam Hong commune	VND/m2	3,324	7,000	23,268,000
1.2.2	Bac Hong commune	VND/m2	1,145	7,000	8,015,000
1.3	Soc Son district		2,740		19,180,000
1.3.1	Phu Cuong commune	VND/m2	2,740	7,000	19,180,000
D	ASSISSTANCE				6,779,235,000
1.1	Me Linh District				2,058,060,000
1.1.1	Quang Minh town	VND			2,058,060,000
1.2	Dong Anh District				3,167,655,000
1.2.1	Nam Hong commune	VND			2,346,780,000
1.2.2	Bac Hong commune	VND			820,875,000
1.3	Soc Son district				1,553,520,000
1.3.1	Phu Cuong commune	VND			1,553,520,000
E	Total		-		-
F	Total (A to E)				8,224,937,000
G	Management and Implementation Fee	%	2		164.498,740
I	Total (F+G)				8,389,435,740
J	Contingency (10% of I)	%	10		835,943,574
K	Total (VND)				9,228,379.314
	Total (USD)				435,493.99

Exchange rate: 1 USD=21.000VND

A1. Annual cropland compensation

Or.	Dist./ward/commune	Unit	Quantity	Unit	Total (VND)
1.1	Me Linh district		2.972		401.220.000
1.1.1	Quang Minh town	VND/m2	2.972	135.000	401.220.000
1.2	Dong Anh distric		4.469		603.315.000
1.2.1	Nam Hong commune	VND/m2	3.324	135.000	448.740.000
1.2.2	Bac Hong commune	VND/m2	1.145	135.000	154.575.000
1.3	Soc Son district		2.740		295.920.000
1.3.1	Phu Cuong commune	VND/m2	2.740	108.000	295.920.000
	Total		10.181		1.300.455.000

A2. Crop compensation

Or.	Dist./ward/commune	Unit	Quantity	Unit	Total (VND)
I	Me Linh district		2.972		20.804.000
1.1	Quang Minh town		2.972		20.804.000
	Rice	VND/m2	2.972	7.000	20.804.000
II	Dong Anh distric		4.469		31.283.000
2.1	Nam Hong commune		3.324		23.268.000
	Rice	VND/m2	3.324	7.000	23.268.000
2.2	Bac Hong commune		1.145		8.015.000
	Rice	VND/m2	1.145	7.000	8.015.000
III	Soc Son district		2.740		19.180.000
3.1	Phu Cuong commune		2.740		19.180.000
	Rice	VND/m2	2.740	7.000	19.180.000
	Total		10.181		71.267.000

A3. Assistance

Or.	Dist./ward/commune	Unit	Quantity	Unit	Total (VND)
I	Me Linh district				2.058.060.000
1	Quang Minh town				2.058.060.000
1.1	Assistance to stabilize production and living standard				
1.1.1	- Agricultural production household having land acquisition of 20-70% land ownership	Khẩu	-		-
a	<i>Not to be relocated</i>		4	3.240.000	12.960.000
b	<i>To be relocated</i>		-		-
1.1.2	- Agricultural production household having land acquisition of over 70% land ownership	Khẩu	-		
a	<i>Not to be relocated</i>		-		-
b	<i>To be relocated</i>		-		-
1.2	Assistance for job switching and job training	VNĐ/m2	2.972	675.000	2.006.100.000
1.3	Vulnerable group				
	Poor HHS	VNĐ/Hộ	-		-
1.4	Bonus for compliance with relocation regulations	VNĐ/Hộ			-
	<i>Productive land</i>	VNĐ/Hộ	13	3.000.000	39.000.000
II	Dong Anh distric				3,167,655,000
1	Nam Hong commune				2,346,780,000
1.1	Assistance to stabilize production and living standard				
1.1.1	- Agricultural production household having land acquisition of 20-70% land ownership	Khẩu	-		-
a	<i>Not to be relocated</i>		17	3.240.000	55.080.000
b	<i>To be relocated</i>		-		-
1.1.2	- Agricultural production household having land acquisition of over 70% land ownership	Khẩu	-		
a	<i>Not to be relocated</i>		-		-
b	<i>To be relocated</i>		-		-
1.2	Assistance for job switching and job training	VNĐ/m2	3.324	675.000	2.243.700.000

1.3	Vulnerable group				
	Poor HHs	VNĐ/Hộ			
1.4	Bonus for compliance with relocation regulations	VNĐ/Hộ			
	<i>Productive land</i>	VNĐ/Hộ	16	3.000.000	48.000.000
2	Bac Hong commune				820.875.000
1.1	Assistance to stabilize production and living standard				
1.1.1	- Agricultural production household having land acquisition of 20-70% land ownership	Khẩu	-		-
a	<i>Not to be relocated</i>				-
b	<i>To be relocated</i>		-		-
1.1.2	- Agricultural production household having land acquisition of over 70% land ownership	Khẩu	-		-
a	<i>Not to be relocated</i>		-		-
b	<i>To be relocated</i>		-		-
1.2	Assistance for job switching and job training	VNĐ/m2	1.145	675.000	772.875.000
1.3	Vulnerable group				
	Poor HHs	VNĐ/Hộ	1	3.000.000	3.000.000
1.4	Bonus for compliance with relocation regulations	VNĐ/Hộ			
	<i>Productive land</i>	VNĐ/Hộ	12	3.750.000	45.000.000
II	Soc Son distric				1.553.520.000
1	Phu Cuong commune				1.553.520.000
1.1	Assistance to stabilize production and living standard				
1.1.1	- Agricultural production household having land acquisition of 20-70% land ownership	Khẩu	-		-
a	<i>Not to be relocated</i>		8	3.240.000	25.920.000
b	<i>To be relocated</i>		-		-
1.1.2	- Agricultural production household having land acquisition of over 70% land ownership	Khẩu	-		-
a	<i>Not to be relocated</i>		-		-

b	<i>To be relocated</i>		-		-
1.2	Assistance for job switching and job training	VNĐ/m2	2.740	540.000	1.479.600.000
1.3	Vulnerable group				
	Poor HHs	VNĐ/Hộ			
1.4	Bonus for compliance with relocation regulations	VNĐ/Hộ			
	<i>Productive land</i>	VNĐ/Hộ	16	3.000.000	48.000.000
	Total				6.779.235.000

**Comparison between Decree 197/ND-CP, Decree 69/NDCP
and 2009 Social Policy Safeguards of ADB**

Policy Areas of Comparison	197/2004/ND-CP, 69/2009/ND-CP	ADB SPS 2009	Subproject Policy
Severely impacted DPs losing productive land	Decree 69, Art 20: For significantly impacted DPs, livelihood restoration measures cut in when DP loses at least 30% of productive agriculture land.	The involuntary resettlement impacts of an ADB-supported subproject are considered significant if 200 or more persons will experience major impacts, which are defined as (i) being physically displaced from housing, or (ii) losing 10% or more of their productive assets (income generating).	Losing 10% or more of the household's productive assets shall be considered as threshold.
DPs without LURC	Decree 69: Article 23: Persons whose main income is derived from agricultural production whose land is acquired by the Government and cannot satisfy LURC and compensation conditions stipulated in Article 8 of Decree No. 197/2004/ND-CP and Articles 44, 45 and 46 of Decree No. 84/2007/ND-CP, will be referred to the Provincial Peoples' Committee for consideration of the level of assistance to be provided in conformity with the locality's actual conditions	Those DPs without legal title to land will be included in consultations. Ensure that DPs without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land assets including dwellings, structures and other improvements to land such as crops, irrigation, at full replacement cost. Safeguards cover involuntary restrictions on land use or on access to legally designated parks and protected areas. Covers temporary and partial losses.	Subproject affected people, without legal or recognisable legal claims to land acquired, will be equally entitled to participation in consultations and subproject benefit schemes where possible, and be compensated for their lost non-land assets such as dwellings and structures occupied before cut-off date. They will be entitled to resettlement assistance and other compensation and social support to assist them to improve or at least restore their pre-subproject living standards and income levels.

Policy Areas of Comparison	197/2004/ND-CP, 69/2009/ND-CP	ADB SPS 2009	Subproject Policy
<p>Compensation for lost land</p>	<p>Decree 197, Article 9: The compensation rates for land shall be determined by the PPC in accordance with the Government regulations for the type of land which has been used for at the time of land acquisition.</p> <p>Decree 69, Art 11, Art 16: Compensation is land for same-use land or, if not available, the DP can be compensated in cash based upon the market transfer price of such land at the time of the decision to acquire. Compensation limited to the allowable land quota, unless land over limit due to inheritance or legally transferred from other persons, or unused land developed according to the land use plan approved by the authorities. If not, compensation only for improvements on that land.</p>	<p>Land based livelihoods restoration based upon land based strategies where possible, or cash compensation at replacement value provided loss of land does not undermine livelihoods for those with legal rights to land. Provide adequate and appropriate replacement land. If land not available non-land based options built around opportunities for employment, self-employment should be provided in addition to cash compensation for land and non-land assets lost.</p>	<p>Where appropriate and when land-based compensation is not viable, replacement cost surveys will be carried out by the subproject staff to ensure that subproject rates for all categories of loss will be equivalent to replacement cost at current market value. This work will be updated at the time of compensation and will combined with other assistance and livelihood restoration measures to ensure full restoration and improvements. Provided DP has legal or recognisable claim, compensation will be for full amount of land acquired. Based on the ADB SPS 2009 land-for-land compensation strategy is mandatory in the case of involuntary resettlement impact on Ethnic Minorities.</p>
<p>Differences between compensation rates and market rates</p>	<p>Decree 69, Article 14(2): If compensation is through new land or allocation of land at a resettlement area or by housing and the replacement is valued at less than the land acquired, the price difference will be paid in cash. Decree 69, Article 14(2) (a): If replacement residential land or the amount compensated to purchase a replacement house is more than the actual replacement cost, the DP still receives the full amount. Decree 69, Article 14(2) (b) if the compensated amount is less than the replacement residential land and house the DP will pay the difference themselves except for cases covered by Article 19(1) – this will not apply to (poor) DPs who will be assisted by the State. If the DP does not receive land or house at the resettlement site the DP will receive the cash difference.</p>	<p>Provide physically and economically DPs with needed assistance including:(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 DPs economically and socially into host communities;(ii) transitional support and development assistance such as land development, credit facilities, training or employment opportunities; and (iii) civil infrastructure as required.</p>	<p>Physically displaced persons will receive relocation assistance, secured tenure to relocated land, with comparable access to production and employment opportunities, and civic infrastructure and community services as required, transitional support and development assistance such as land development, credit facilities, training or employment opportunities.</p>

Policy Areas of Comparison	197/2004/ND-CP, 69/2009/ND-CP	ADB SPS 2009	Subproject Policy
Compensation for structures	<p>Decree 69, Art 24: Compensation for House, Structures on Acquired Land.</p> <p>Clause (1) – Compensation for DPs residential structures based on value of newly constructed house/structure equal to technical standard issued by Ministry of Construction (MOC) and based on house area and unit prices issued by PPC. Clause (2) other structures compensation equal to: a) total present value using unit costs for newly constructed house/structure using MOC technical standards and depreciated to present value of acquired house/structure. Maximum value cannot exceed 100% of new value of acquired house/structure</p>	<p>Rate of compensation for acquired housing, land and other assets will be calculated at full replacement costs, based upon: i) fair market value, ii) transaction costs, iii) interest accrued, iv) transitional and restoration costs, v) other applicable payments.</p>	<p>Full compensation at replacement cost will be paid for all affected structures without any deductions for salvageable materials or depreciation, full replacement costs, based upon: i) fair market value, ii) transaction costs, iii) interest accrued, iv) transitional and restoration costs, v) other applicable payments</p>
Compensation for registered businesses	<p>Decree 197, Article 26: Only registered businesses are eligible for assistance. Decree 69, Article 20(2): if business must be suspended DP is compensated with max 30% of after tax income in one year, averaged over last 3 years as certified by Tax Dept.</p>	<p>Affected business owners are entitled to (i) costs of re-establishing commercial activities elsewhere, (ii) the net income lost during the transition period; and(iii) costs of transferring and reinstalling plant, machinery and equipment.</p>	<p>Affected business owners are entitled to (i) costs of re-establishing commercial activities elsewhere, (ii) the net income lost during the transition period; and(iii) costs of transferring and reinstalling plant, machinery and equipment.</p>
Compensation for non-registered businesses	<p>Decree 69 only recognises formal registered businesses as entitled to compensation for lost income based upon Tax Office records</p>	<p>No distinction between registered or non-registered businesses in regards to compensation entitlement for lost income and other assistance.</p>	<p>The DPC will certify that the DP has a business in current operation and approve the level of lost income.</p>
Monitoring	<p>No monitoring indicators indicated</p>	<p>Monitoring indicators specified for internal and external monitoring and reporting</p>	<p>The EA will appoint an independent external monitor and undertake internal monitoring of RP/REMDP implementation according to the critical indicators.</p>

Photos of meeting on public consultation and IOL survey



Photo 1. Consultation meeting in Doai village, Nam Hong commune, Dong Anh district, Ha Noi city, dated October 30th 2013



Photo 2. Consultation meeting in Doai village, Nam Hong commune, Dong Anh district, Ha Noi city, dated October 30th 2013



Photo 3. Consultation meeting in Doai village, Nam Hong commune, Dong Anh district, Ha Noi city, dated October 30th 2013



Photo 4. Consultation meeting in Dia village, Nam Hong commune, Dong Anh district, Ha Noi city, dated October 30th 2013



Photo 5. Consultation meeting in Thuy Ha village, Bac Hong commune, Dong Anh district, Ha Noi city, dated October 30th 2013



Photo 6. Consultation meeting in Thuy Ha village, Bac Hong commune, Dong Anh district, Ha Noi city, dated October 30th 2013



Photo7. Consultation meeting in Huong Gia village, Phu Cuong commune, Dong Anh district, Ha Noi city, dated November 12th 2013



Photo8. Consultation meeting in Huong Gia village, Phu Cuong commune, Dong Anh district, Ha Noi city, dated November 12th 2013



Photo9. Consultation meeting in Quang Minh commune, Dong Anh district, Ha Noi city, dated November 30th 2013



Photo10. Consultation meeting in Quang Minh commune, Dong Anh district, Ha Noi city, dated November 30th 2013

Individual Impact to Displaced Person

A. Phu Cuong Commune, Soc Son District

No.	Full Name of Householders	Total Agricultural Land in use	Land Use Status	
			With Land Use Right Certificate	Without Land Use Right Certificate
1		1800	Yes	
2		2600	Yes	
3		2500	Yes	
4		4200	Yes	
5		3600	Yes	
6		2450	Yes	
7		3650	Yes	
8		2800	Yes	
9		2400	Yes	
10		3200	Yes	
11		3650	Yes	
12		1800	Yes	
13		2400	Yes	
14		1950	Yes	
15		2480	Yes	
16		2400	Yes	
Total		43880	16	0

B. Bac Hong Commune, Dong Anh District

No.	Full Name of Householders	Total Agricultural Land in use	Land Use Status	
			With Land Use Right Certificate	Without Land Use Right Certificate
1		1600	Yes	
2		2300	Yes	
3		2700	Yes	
4		3200	Yes	
5		2600	Yes	
6		3200	Yes	
7		3500	Yes	
8		2500	Yes	
9		2400	Yes	
10		2250	Yes	
11		2400	Yes	
12		1700	Yes	
Total		30350	12	0

C. Nam Hong Commune, Dong Anh District

No.	Full Name of Householders	Total Agricultural Land in use	Land Use Status	
			With Land Use Right Certificate	Without Land Use Right Certificate
1		2000	Yes	
2		2450	Yes	
3		3200	Yes	
4		2800	Yes	
5		3400	Yes	
6		2400	Yes	
7		2560	Yes	
8		2500	Yes	
9		2400	Yes	
10		2600	Yes	
11		3600	Yes	
12		2800	Yes	
13		2500	Yes	
14		2460	Yes	
15		2400	Yes	
16		2400	Yes	
Total		42470	16	0

D. Quang Minh town, Me Linh District

No.	Full Name of Householders	Total Agricultural Land in use	Land Use Status	
			With Land Use Right Certificate	Without Land Use Right Certificate
1		3000	Yes	
2		3500	Yes	
3		2900	Yes	
4		3200	Yes	
5		2600	Yes	
6		3600	Yes	
7		3800	Yes	
8		4200	Yes	
9		3200	Yes	
10		3800	Yes	
11		3500	Yes	
12		2800	Yes	
13		3500	Yes	
Total		43600	13	0