

Resettlement plan

Stage of the document: Consultation
Project/loan number: 3161/8286-VIE
September 2016

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

EVN HA NOI: T2 Transformer Capacity Increase and Bay Improvement of 110kV TIA Substation - E10.4

Prepared by the Hanoi Power Corporation (EVN HANOI) for the Asian Development Bank
(ADB)

CURRENCY EQUIVALENTS

(as of June 2016)

USD \$ 1 = VND \$22.300

ACRONYMS AND ABBREVIATIONS

ADB	Asian Development Bank
CARB	Compensation, Assistance and Resettlement Board
CityPC	City People's Committee
DCARB	District Compensation, Assistance and Resettlement Board
DMS	Detailed Measurement Survey
DPC	District People's Committee
EMA	External Monitoring Agency
EVN Hanoi	Ha Noi City Power Corporation
EVN	Electricity of Viet Nam
HNC	Ha Noi City
HANOI DPMB	Ha Noi City Power Projects Management Board
IOL	Inventory of losses
km	kilometer
LURC	Land use rights certificate
PC	Power Corporation
PDP	Power Development Plan
PIB	Public information booklet
PIC	Project Implementation Consultant
RoW	Right-of-Way
SES	Socio-Economic Survey
SPS	Safeguard Policy Statement
VWU	Viet Nam Women's Union
WPC	Ward People's Committee

ELECTRICAL TERMINOLOGY

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

NOTE

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

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

This resettlement plan is a document of the borrower. The views expressed herein do not necessarily represent those of ADB's Board of Directors, Management, or staff, and may be preliminary in nature. Your attention is directed to the "terms of use" section of this website.

In preparing any country program or strategy, financing any project, or by making any designation of or reference to a particular territory or geographic area in this document, the Asian Development Bank does not intend to make any judgments as to the legal or other status of any territory or area.

TABLE OF CONTENTS

ACRONYMS AND ABBREVIATIONS	2
ELECTRICAL TERMINOLOGY	2
I. EXECUTIVE SUMMARY	1
1.1. Introduction.....	1
1.2. Scope of Land Acquisition and Resettlement Impacts	1
1.3. Socio-economic Information	1
1.4. Information disclosure, consultation, and participation	2
1.5. Grievance Redress Mechanism	3
1.6. Legal framework	3
1.7. Entitlements, assistance, and benefits	3
1.8. Relocation and resettlement	4
1.9. Income restoration and rehabilitation	4
1.10. Resettlement budget and financing plan	4
1.11. Institutional arrangements.....	4
1.12. Implementation plan	4
1.13. Monitoring.....	5
II. SUBPROJECT INTRODUCTION.....	6
2.1. Project Background	6
2.2. Main features of the subproject.....	6
2.3. Mitigation measures.....	9
2.3.1. <i>Mitigation measures for land acquisition impacts during design process.....</i>	<i>9</i>
2.3.2. <i>Mitigation measures for land acquisition impacts during the implementation process</i>	<i>9</i>
III. SCOPE OF LAND ACQUISITION AND RESETTLEMENT IMPACTS	10
3.1. Affected Households.....	10
3.2. Impacts on land	11
3.2.1. <i>Permanently acquired land</i>	<i>12</i>
3.2.2. <i>Temporarily affected land</i>	<i>13</i>
3.3. Land tenure status.....	13
3.4. Crops and Trees.....	13
3.5. Impacts on structures.	13
3.6. Impacts on business shops.....	13
3.7. Impacts on public structures	13
3.8. Severely Affected Households	13
3.9. Vulnerable Groups.....	13
IV. SOCIO-ECONOMIC INFORMATION.....	14
4.1. Methodology Used in Socio-economic Survey	14
4.2. Subproject area	14
4.2.1. <i>Thuong Tin district</i>	<i>14</i>
4.2.2. <i>To Hieu commune</i>	<i>14</i>
4.3. Socioeconomic Profile of the Affected Households.....	14
4.3.1. <i>Demographic features</i>	<i>14</i>
4.3.2. <i>Education level of the heads of PAHs.....</i>	<i>15</i>
4.3.3. <i>Occupations of affected HHs</i>	<i>21</i>
4.3.4. <i>Monthly income and expenditure of affected HHs.....</i>	<i>21</i>
4.3.5. <i>Water, hygiene, sanitation and health indicators.....</i>	<i>22</i>
4.3.6. <i>Energy source</i>	<i>22</i>

4.3.7. <i>Gender issues</i>	22
V. INFORMATION DISCLOSURE, CONSULTATION AND PARTICIPATION.....	23
5.1. Objectives of Information Disclosure and Public Consultation.....	23
5.2. Stages of Participatory Consultations	24
5.3. Information Disclosure and Public Consultation during Project Preparation	25
5.3.1. <i>Information Disclosure and Public Consultation during RP Preparation</i>	25
5.3.2. <i>Information Dissemination before ADB Approval of RP</i>	27
5.4. Information Disclosure and Public Consultation during Project Implementation	27
5.4.2. <i>Public consultation and participation in the process of updating RP</i>	Error! Bookmark not defined.
5.4.3. <i>Public consultation and participation in implementation and monitoring of RP</i>	28
VI. GRIEVANCE REDRESS MECHANISM	28
VII. LEGAL FRAMEWORK.....	30
7.1. ADB Policies.....	30
7.2. Compensation and Resettlement Policy of the Government of Vietnam	32
7.3. Gaps between Regulations of the Government of Vietnam and Safeguard Policy	
Statement of ADB (2009)	35
7.3.1. <i>Project Policy Commitments</i>	39
7.3.2. <i>Prior to DMS and Updating RP</i>	39
7.3.3. <i>RP Implementation</i>	40
VIII. ENTITLEMENTS, ASSISTANCE AND BENEFITS	40
8.1. Eligibility	42
8.2. Specific entitlements of APs	42
8.3. Special considerations.....	47
8.4. Unforeseen impacts.....	47
IX. RELOCATION AND RESETTLEMENTS	47
X. INCOME RESTORATION AND REHABILITATION	47
10.1. Background	47
10.2. Income Restoration Allowances.....	47
XI. RESETTLEMENT BUDGET AND FINANCING PLAN	48
11.1. Procedures for Flow of Funds.....	48
11.2. Cost Estimates and Inflation Adjustment.....	48
XII. INSTITUTIONAL ARRANGEMENTS	49
12.1. Central level.....	49
12.2. City level.....	51
12.3. District and commune levels	51
XIII. IMPLEMENTATION SCHEDULE.....	52
XIV. MONITORING AND REPORTING	53
14.1. Monitoring and reporting	53
14.2. Internal monitoring.....	53

LIST OF TABLES

Table 1. Implementation plan.....	4
Table 2. The main features of T2 transformer capacity increase and bay improvement of the 110kV Tía Substation - E10.4	7
Table 3. Number of AHs by category	10
Table 4. Total affected land area	12
Table 5. Detailed impacts due to permanently acquired land of HHs	12
Table 6. Population by age group	15
Table 7. Education level of heads of PAHs	20
Table 8. Occupations of the affected people by age group	21
Table 9. Monthly average income of affected HHs.....	22
Table 10. Participatory Consultation in the Project Cycle	24
Table 11. Gaps between Government policy and ADB SPS 2009 and policy for the project	37
Table 12. Entitlement Matrix	43
Table 13. Estimated compensation, assistance, and resettlement costs	48
Table 14. Project implementation schedule.....	52

ANNEXS

Annex 1: List of Interviewed Officials	55
Annex 2: List of interviewed HHs	55
Annex 3: Summary of public consultation results	56
Annex 4: Summary of compensation	57
Annex 5: Socio-economic survey and Inventory of losses questionnaire	59
Annex 6: Project Information Booklet	69
Annex 7: Minutes of the public consultation	73
Annex 8: Photos of consultations and survey.....	77

DEFINITION OF TERMS

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

affected people and other stakeholders into decision making, such as project design, mitigation measures, the sharing of development benefits and opportunities, and implementation issues

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

I. EXECUTIVE SUMMARY

1.1. Introduction

1. This Resettlement Plan is prepared for the T2 Transformer Capacity Increase and Bay Improvement of the 110 kV Tia Substation Subproject under the Hanoi- Ho Chi Minh City Power Grid Development Sector Project financed by the ADB. The subproject aims to (i) improve the supply of electricity for the region, increase capacity for Tía Substation; (ii) ensure the reliable supply of electricity and its quality; and (iii) be consistent with grid development under the approved Planning of Hanoi city by 2015 with vision to 2020.
2. Tía 110kV Substation is located behind Thuong Tin Power Company in Tu Duong village, To Hieu commune, Thuong Tin district, Ha Noi city. According to the plan, 110kV Tía Substation will be expanded its area to the East and the South basing on the current site. The expanded area is 4,039 m² which is mainly area of pond and lake and a minor area of rice field so it is favorable for expanding area of the Substation. The former area of the Substation is 4,105.5 m² and the expanded area inside fence of the Station is 7,021.8 m².
3. This Resettlement Plan (RP) is prepared based on the results of the DMS for affected assets of the affected households (AHs) of the Subproject. The results of public consultation, participation and information dissemination to affected people and stakeholders during RP preparation are also included. The subproject's civil works will only be commenced once the RP is endorsed and approved by the Asian Development Bank (ADB).

1.2. Scope of Land Acquisition and Resettlement Impacts

4. The total permanently acquired land area for the subproject is 4,060.92m² including 124.5m² under use right of two households (make up of eight people) and 3,936.42m² of public land under management of To Hieu CPC. Of the total area of public land under the CPC's management, 3,446.82 m² are agricultural land leased for 2 households for aquaculture purpose and 489.6 m² of non-agricultural land. The subproject of upgrading and widening 110kV Substation is constructed in the area of existing Substation. Thus, there is no impact on houses of people, no temporarily acquired land during construction process and no household has to relocate.
5. The subproject affects 8 households, including 124.5 m² of rice-growing land of two households, 81.25 m² of wall of two households, 15.86 m² of temporary dwelling with fibrocement roof of one household; 23.79 m² of yard of one household; 16.5m² of iron fence of one household; 26.9 m² of fibrocement roof of one household; 21 m² of water tank of two households; and 101 trees of six households.
6. There is 01 severely affected household as they will lose from 10% to 30% of their productive landholdings. The survey reveals that there is no vulnerable household affected by the subproject. And there is no HH who might be poorer under the subproject's impacts.

1.3. Socio-economic Information

7. A total of 8 households are affected. The average household size is 4-5 persons per household. The proportion of male is 47.37% while the proportion of female is 52.63%; the population within 35-55 age group accounts for majority of 42.1%;

8. Most of the heads of households have finished the secondary school and high school levels, accounting for 37.5%; affected occupational structure of households is mainly unskilled labours in which people working in companies and factories account for 42.9%, working in agriculture sector account for 20%, doing business account for 11.4% and doing other jobs account for 25.7%, including (drivers, pupils, students, housework, and the State's officials).
9. There is no household whose income is under poverty line (below VND 700,000/person/month). Two households, accounting for 25% have the monthly income level from VND 3 million to 5 million/person/month. Most of the households (75%) have the per capita income more than VND 5 million per month. The primary sources of income of these affected households are from working in companies and factories and doing business. No household is classified as poor according to the standard established by Hanoi city PC.
10. 100% of the affected households use water from drilled well and then filter water by primitive methods at home; 100% of the households use composting latrines and 100% of them use national grid.
11. There is no ethnic minority household in the subproject area.

1.4. Information disclosure, consultation, and participation

12. Consultation meetings were held in December 2015 by consultant establishing RP prior to conducting IOL and held in January 2016 by Thuong Tin DCARC prior to conducting DMS in the office of communes with 23 participants, including 8 representatives of PAHs and 15 CPCs' officials under communal unions/organizations. With regard to disclosure of the draft resettlement plan, key information has already been provided to the affected households and organizations during the public consultation meetings. The following information contained in the Public Information Booklet (PIB) distributed include: (i) a brief background of the project, specifically the civil works to be undertaken and the adverse social impacts; (ii) IOL results; (iii) basis used for asset valuations; (iv) the entitlements; (v) timing of payments and the schedule of displacement; (vi) grievance redress mechanism; and (vii) contact persons at the PMB and concerned CPCs.
13. The DMS result and draft of compensation plan had been being publicly posted from 29 April, 2016 to 18 May, 2016 at the office of To Hieu CPC, community house of Duong Tu village and through loudspeaker system of the village. After the public posting, the consultant established minutes on May 18th 2016 to record comments on compensation and site clearance plan.
14. All of the consulted people have given their board support for the Project during the public consultations. Their primary concerns and requests have been recorded and explained by the DCARB and Hanoi DPMB regarding relevant provisions of the project resettlement policy, particularly on compensation and the need to minimize adverse social impacts and explaining the environmental management plan of the project. Their feedbacks have also been reported to the DPC for consideration and solution.

1.5. Grievance Redress Mechanism

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

1.6. Legal framework

16. The project resettlement policy and entitlements have been developed from the laws of the Government of the Socialist Republic of Viet Nam (GOV), principally the Constitution (2013) that confirms the right of citizens to own and protect the ownership of a house; Land Law N° 45/2013/QH13 dated November 29 2013, providing Viet Nam with a comprehensive land administration law; Decree N°43/2014/ND-CP dated May 15 2014 guiding implementation of some articles of the Land Law 2013; Decree No. 47/2014/ND-CP dated May 15 2014 on compensation, rehabilitation and resettlement in the event of land recovery by the State; Decree No 44/2014/ND-CP dated May 15 2014 on land prices; and ADB's Safeguard Policy Statement (SPS June 2009) guided by Operations Manual on Involuntary Resettlement (OM Section F1/OP, on 3 March 2010).
17. 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. Entitlements, assistance, and benefits

18. The project entitlements adopted are based on ADB's SPS (2009) that have been harmonized with the existing GOV laws, Ha Noi People's Committee's Decisions on land acquisition, resettlement and assistance.
19. 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.
20. 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 allowances will be put in place prior to displacement of affected households from their houses, land, and other assets, such that they will be at least as well off as they would have been in the absence of the project, and the poorest affected households and vulnerable groups are assisted to help improve their socio-economic status.

1.8. Relocation and resettlement

21. No household has to relocate.

1.9. Income restoration and rehabilitation

22. In order to assist affected persons to restore livelihoods and income levels, the project will provide income restoration allowances tailored to the needs and situation of the affected persons as determined in the SES. The affected persons covered by the income restoration allowances are identified in the entitlement matrix.

23. Income restoration allowances of the subproject includes:

- Allowance in cash for permanently acquired agricultural land, and allowance cash for job changing and creation, applying for affected households with permanently acquired agricultural land.
- Allowance in cash for economic rehabilitation package applying for affected HHs who lose more than 10% of productive land.
- Allowance for vulnerable groups (women headed HHs and single elderly).

1.10. Resettlement budget and financing plan

24. The total cost for resettlement is estimated at **VND 985,866,392** (or equivalent to **USD 44,308.60**). This proposed budget includes compensation and allowances, cost for DCARBs (2% cost of compensation and allowances) and contingency. EVN Hanoi/PMB will ensure the timely provision of counterpart funds for resettlement to meet any unforeseen obligations in excess of the resettlement budget estimates in order to satisfy resettlement requirements and objectives.

1.11. Institutional arrangements

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

1.12. Implementation plan

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

Table1. Implementation plan

Implementation plan	Schedule
<i>RP preparation</i>	
Detailed engineering and demarcation of land to be acquired	3/2015
Award contract and mobilize resettlement plan Consultants	3/2016
Public meeting and consultations with affected persons on draft resettlement plan	3/2016
Finalize resettlement plan and submit to Hanoi	6/2016

Implementation plan	Schedule
DPMB for review and referral	
ADB no-objection to final draft resettlement plan	10/2016
Disclosure of approved resettlement plan	10/2016
<i>RP Implementation</i>	
DMS	1/2016
Compensation payment	11/2016
Implementation of rehabilitation measures	11/2016
Site clearance	12/2016
Start of civil works	1/2017
Monitoring	From 1/2017

1.13. Monitoring

27. Hanoi DPMB will be responsible for the overall monitoring activities. With assistance of the Project Implementation Consultant (PIC), Hanoi DPMB will prepare biannual internal monitoring reports on RP implementation and submit to EVN HANOI and ADB for review and upload.

II. SUBPROJECT INTRODUCTION

2.1. Project Background

28. The investment and capacity increase of T2 Transformer and improvement of bay of 110kV Tía Substation - E10.4 is one of the non-core subprojects under Hanoi and Ho Chi Minh City Power Grid Development Sector Project funded by the Asian Development Bank (ADB). Given land acquisition is required for the capacity increase of T2 Transformer and bay improvement of 110kV Tía Substation - E10.4, this Resettlement Plan (RP) is prepared based on results of detailed measurement survey (DMS) and socio-economic survey (SES) conducted for affected households under the Subprojects, including public consultation with affected communities, in compliance with applicable laws of the Government of Vietnam (GoV) and with the 2009 ADB Safeguard Policy Statement (SPS).
29. The Hanoi City Power Corporation (EVN HANOI) is the Project executing agency (EA) while the Hanoi Power Development Project Management Board (Hanoi DPMB) is the implementing agency (IA).
30. The subproject of capacity increase of T2 Transformer and bay improvement of 110kV Tía Substation - E10.4 is constructed with the aim:
 - To improve the supply of electricity for the region and increase capacity for the existing Tía Substation;
 - To ensure supply of good quality and safe electricity of EVN Hanoi

2.2. Main features of the subproject

31. The 110kV Tía Substation, which is located behind Thuong Tin Power Company in Tu Duong village, To Hieu commune, Thuong Tin district, Ha Noi city, is bordered by:
 - Thuong Tin Power Company to the North and dormitory of this works;
 - Residential road to the East;
 - Residential area to the West;
 - Pond/lake to the South.
32. According to the plan, Tía 110kV Substation will be expanded its area to the East and the South basing on current site, specifically:
 - Widen 16 m of fence of the Substation to the West
 - Widen 35m of fence of the Substation to the South.
33. The widened area is 4,039 m² which is mainly area of pond and lake and a minor area of rice field so it is favorable for expanding area of the Substation. The initial area of the Substation is 4,105.5 m² and the expanded area inside fence of the Station is 7,021.8 m². Some main information on Tía 110 kV Substation is described in the table below:

The main features of T2 transformer capacity increase and bay improvement of the 110kV Tía Substation - E10.4

Contents	Features
Voltage	<ul style="list-style-type: none"> - 110kV distribution equipment and Substation are installed outdoor. - 35 and 22kV distribution equipment is arranged in the distribution room.
The side of 110kV	<p>After being upgraded and widened, the substation will be used two bus bars with six bays of line, six bays of transformer and one bay of breaker.</p> <ul style="list-style-type: none"> - Transformer <ul style="list-style-type: none"> + Change current transformer T2 with capacity of 40MVA by transformer with capacity of 63MVA. - Circuit Breaker <ul style="list-style-type: none"> + Newly install six 110 kV circuit breakers for bays of E01, E02, E03, E04, E05 and E09. + Utilize three existing 110kV circuit breakers for installation of bays of E06, E07 and E08. - Distance Switch: <ul style="list-style-type: none"> + Newly install two 110kV -1250A distance switches of three phases and two grounding lathe tools for bays of E02 and E04 + Newly two 110kV -1250A distance switches of three phases and two grounding lathe tools for bay of E09 + Newly 16 110kV distance switches of three phases (type of Pantograph) without grounding lathe tool for bay from E01 to E08. + Utilize two 110kV distance switches of one grounding lathe tool for bays of E01 and E03, + Utilize four 110kV distance switches of three phases and two grounding lathe tools for bays of E05, E06, E07 and E08. - Current transformer: <ul style="list-style-type: none"> + Newly install 24 current transformers of one phase 200-400-800-1200/1/1/1/1/1A for bays of E01 and E08. + Newly install three current transformers of one phase 800-1200-1600-2000/1/1/1/1/1A for compartment of E09. - Power transformer: <ul style="list-style-type: none"> + Newly install six power transformers of one phase in capacitor shape, three power transformers for E09 (the side of bus-bar TC2), and three power

	<p>transformers for compartments of E02, E04 and E05.</p> <ul style="list-style-type: none"> + Utilize six power transformers of one existing phase. Three power transformers for compartment of E09 (the side of bus-bar TC1), and three power transformers for compartments of E06, E07 and E08. <p>- Lightening Arrester: Newly install 18 lightening Arresters of valve 110kV for six line compartments of E02, E04, E05, E06, E07 and E08. Utilize six Lightening Arresters of existing valve being installed for compartments of substation T1, T2.</p>
The side of 35kV	<ul style="list-style-type: none"> + The point of V passes two circuits on two circuits tower (tower at G2 is for four circuits tower), the point of V passes 2 m on two circuits tower (tower at G2 is for four circuits tower) for 110kV transmission Thuong Tin – Quat Dong – Tia). Existing valve is being installed for Substations of T1 and T2 Consultation meetings with affected households are complied with regulation of the Government of Vietnam. + Bus-bar C32 g77; two circuits tower (tower at G2 is for four circuits tower), the point of V passes 2 m on two circuits tower (tower at G2 is for four circuits tower) for 110kV transmission Thuong Tin – Quat Dong – Tia). Existing valve is being installed for Substations of T1 and T2. + L2, 374, 376; 01 t 01 two circuits tower (tower at G2 is for four circuits tower), the point of V passes 2 m on two circuits tower (tower at G2 is for four circuits tower) for 110kV transmission Thuong Tin.
The side of 22kV	<p>Use all of the main equipment at the existing side of 22kV with bus-bar diagram having two sections.</p> <ul style="list-style-type: none"> + Newly install 1,272m of 24kV underground of type of XLPE, cross section copper core 1x630mm² (2 fibers/1phase). + Newly install 105 underground cable of 24kV – type of XLPE, cross section copper core 3x120mm² for compensate capacitor 24kV. + Newly install two power transformers 22kV for measurement boards of TUC41 and TUC42. + Newly install two overcurrent relays for general board 22kV. + Utilize one compensate capacitor for existing bus bar C41.

Auxiliary power source	<ul style="list-style-type: none"> + Use two existing auxiliary transformers of Substation (100kVA-23/0,4kV) which is installed in new location + Newly install battery system with capacity of 250Ah in accordance with regulation to change the existing battery system.
-------------------------------	--

2.3. Mitigation measures

2.3.1. Mitigation measures for land acquisition impacts during design process

34. During the basic design process, the design consultant agency has conducted surveys and discussions with the PMB, Branches of Power Company in districts and stakeholders in order to develop the best solution to minimize land acquisition impacts. Specifically:

- Conduct field trip;
- Use different techniques to consult with project's stakeholders;
- During the project preparation, the Design Consultant has consulted with the Department of Planning and Architecture of Hanoi City, the districts/communes in the project area and other relevant agencies to agree upon the construction plan in order to minimize land acquisition impacts;
- After researching the general plans and field survey, the Consultant calculated effectiveness of alignment options and gathered comments of functional agencies and then selected final option. According to the plan, 110kV Tía Substation will be widened its area to the South basing on existing site, specifically: widen 16 m of fence of substation to the West; widen 35m of fence of substation to the South.
- Expected area for investment and installation of substation has simple terrain which is mainly located on rice field and fish pond under management of To Hieu CPC.
- The selected option has been adjusted after updating the comments and opinions from concerned parties.

2.3.2. Mitigation measures for land acquisition impacts during the implementation process

35. Mitigation measures for land acquisition impacts during the implementation process has been also considered. Design consultant has proposed suitable construction methods in order to minimize impacts due to land acquisition and impacts on community.

36. Construction activity will be implemented in compliance with the approved construction drawing design. Site levelling, foundation excavation, gate and fence, and local road should ensure the following requirements:

- i. Selected foundation of substation must be suitable for existing foundation of 110kV Tía Substation. Excavation of substation foundation is carried out up to the design foundation level.
- ii. Excavation tower foundation, substation foundation and transformer foundation is conducted by machine. Repair of foundation is manually carried out. Excavation of tower foundation and house foundation,

grounding, cable ditch and pipeline are implemented using machine combined with manual methods.

- iii. Gate and fence around substation must be constructed in accordance with the design foundation level. Reinforcement concrete towers should be arranged a settlement joint. Area of digging tower foundation must be within land acquisition scope of the subproject.
- iv. The local road outside fence of substation must be restored to its original conditions, road surface is asphalted and talus slope is embanked.

III. SCOPE OF LAND ACQUISITION AND RESETTLEMENT IMPACTS

37. A detailed measurement survey (DMS) was conducted in January 2016 by the Thuong Tin District Compensation, Assistance and Resettlement Board.

3.1. Affected Households

38. A total number of eight HHs will be affected by the subproject; out of which, two (02) AHs are affected by permanent acquisition of their agricultural lands, two (02) are renting land of To Hieu CPC for aquaculture purpose, and four (04) other AHs are growing trees and crops on public land under the management of To Hieu CPC. Details of affected households by category are summarized in the following table.

Table 2. Number of AHs by category

No	Type of impact	AHs	AHs losing 10%	Relocated AHs	Business AHs	Vulnerable AHs	Total AHs	Total APs
I	Land	2	1	0	0	0	2	6
A	Permanently acquired land	2	1	0	0	0	2	6
1	Residential land	0	0	0	0	0	0	0
2	Agricultural land	2	1	0	0	0	2	6
B	Temporarily acquired land	0	0	0	0	0	0	0
1	Residential land	0	0	0	0	0	0	0
2	Agricultural land	0	0	0	0	0	0	0
II	Houses and structures	12 ²	0	0	0	0	12	44
1	Temporary dwelling covered by cement Fibro roof	1	0	0	0	0	1	3
2	Brick yard	2	0	0	0	0	2	6
3	Wall	2	0	0	0	0	2	8
4	Iron fence	1	0	0	0	0	1	4
5	Benched foundation of wall	1	0	0	0	0	1	5
6	Fibrocement roof	2	0	0	0	0	2	7
7	Underground water basin	1	0	0	0	0	1	3
8	Cess pit	1	0	0	0	0	1	4
9	Filtering basin	1	0	0	0	0	1	4
III	Trees and crops³							33

² One household can be affected on more than one structure.

³ One household can be affected on more than one type of tree/crop.

1	Permanently acquired crop	2	0	0	0	0	2	5
2	Fruit tree	6	0	0	0	0	6	18
3	Timber	2	0	0	0	0	2	6
4	Bonsai	2	0	0	0	0	2	4

Source: DMS data (1/2016)

3.2. Impacts on land

39. The total permanently affected land area caused by the subproject is 4,060.92m² including 124.5 m² of land of households, 3,936.42 m² of public land under management of CPC (489.6 m² of irrigation and traffic land and 3,446.82m² of land for aquaculture). No temporary land acquisition is required for the subproject.

Table 3. Total affected land areaUnit: m²

District/commune	Total affected land area	Total permanently acquired land area ((m ²))	
		Productive land of households	Public land under management of CPC (m ²)
Thuong Tin district	4,060.92	124.5	3,936.42
To Hieu commune	4,060.92	124.5	3,936.42
Total	4.060.92	124.5	3,936.42

Source: DMS data (01/2016)

3.2.1. Permanently acquired land

40. The Total area of permanently acquired land to implement the subproject is 4,060.92m² in which 124.5m² of productive land is belonged to two households and 3,936.42m² is managed by To Hieu CPC. All of the permanently acquired area from households is annual crop land.

Table 4. Detailed impacts due to permanently acquired land of HHsUnit: m²

District/commune	Total affected land area	Residential land	Annual crop land
Thuong Tin	124.5	0	124.5
To Hieu	124.5	0	124.5
Total	124.5	0	124.5

Source: DMS data (01/2016)

41. Two HHs are affected due to permanent land acquisition and these HHs have been provided with LURCs by Thuong Tin DPC.

42. Out of two HHs whose productive land is permanently affected, one HH losses less than 10% of their landholdings and one HH is affected from 10% to 30% of their productive land.

Table 5. Detailed impacts on public land under management of CPCUnit: m²

District/commune	Type of affected public land	Owned by	Area(m ²)
Thuong Tin			3,936.42
To Hieu	Aquaculture land	CPC	3,446.82
	Traffic and irrigation land	CPC	489.6
Total			3,936.42

Source: DMS data (01/2016)

43. The table shows that 3,936.42 m² public land are affected, including: 489.6 m² of traffic and irrigation land and 3,446.82 m² of aquaculture land.

3.2.2. Temporarily affected land

44. The Subproject of upgrading and widening 110kV Substation is upgraded and expanded on the existing Substation so no temporary acquired land area is required during the construction process.

45. However, during the implementation, if there is any emerging temporary impacts, the civil works contractor will pay for any damaged crops or income loss arising from the inability of AHs to plant their crops during the temporary use of their lands, in addition to restoring temporarily affected land (if any) to their original conditions before returning to the landowners. EVN HANOI will ensure that this condition is stipulated in the contract of the civil works contractors.

3.3. Land tenure status

46. Out of 8 affected households, there are two households who claimed that they have land use right certificates (LURCs) and have used land in a stable manner, the remaining six households have land lease contract with To Hieu CPC.

3.4. Crops and Trees

47. A total of 101 trees of different types belonging to 06 households will be affected by the subproject, in which the main impacts are on fruit trees (Logan, shaddock, mango, cranberry, guava ...). These trees will be cut down during the construction process due to growing in the scope of constructing and widening Substation.

48. Two HHs have 124.5 m² of crop on land affected due to permanent land acquisition. To the extent possible, standing crops on any affected land would be harvested prior to the start of civil works by informing AHs at least 6 months in advance of the schedule for handing-over of project-recovered land

3.5. Impacts on structures

49. The expansion of substation affects 15.86 m² of temporary dwelling of one HH, 23.79 m² of brick yard of two HHs, 81.25 m² of wall of three HHs, 16.5 m² of iron fence of one HH, 26.5 m² of metal sheet roof covering and 21.15 m³ of types of tank (9.6 m³ of underground tank; 9.6 m of cess pit; filtering tank 2 m³). These items will be dismantled to construct the subproject after completing compensation.

3.6. Impacts on business shops

50. The subproject does not affect business shop

3.7. Impacts on public structures

51. Besides affected public land, no structure is affected by the project.

3.8. Severely Affected Households

52. According to the survey result, there is one HH losing from 10%-30% of their productive landholdings. However, living source of HHs mainly bases on business so that their living source is not much based on agriculture production.

3.9. Vulnerable Groups

53. According to the project's policy, vulnerable HHs include women headed HH who are single and have independent person, ethnic minority HH, the disable and the poor

HH. As recorded in the DMS results, there is no vulnerable household affected by the subproject.

IV. SOCIO-ECONOMIC INFORMATION

4.1. Methodology Used in Socio-economic Survey

54. Socioeconomic survey (SES) is conducted in parallel with the inventory of losses by a team of officials who are specialized in sociology from the design consulting agency. The survey is carried out in March 2016 in To Hieu commune, Thuong Tin district. 100% of the affected households identified have participated in this survey.

4.2. Subproject area

4.2.1. Thuong Tin district

55. Thuong Tin is a district of Hanoi city, bordered by Thanh Tri district to the North, by PhuXuyen district to the South, by the Red River to the East, and by Thanh Oai district to the West.
56. The district's natural area is 127.59 km², covering 28 communes and 01 town. The district population is about 230,000 (2010), equivalent to the population density of 1,167 people/km².
57. At the southern gateway of the capital, Thuong Tin district is a region which has great cultural tradition and known as the "area of hundred professions" with 126 trade villages scattered all around the district. This is one of the important elements to foster the socioeconomic development of district in particular and of Hanoi in general.

4.2.2. To Hieu commune

58. To Hieu commune is bordered by communes of: Van Tu to the South, Thong Nhat to the East, Le Loi to the Northeast, Thang Loi to the North, Dung Tien to the Northwest, Nghiem Xuyen to the West, Phuong Duc of Phu Duyen district to the Southwest. To Hieu commune is located in Thong Nhat railway, the former National road 1A replaced by new Phap Van – CauGie highway. Thong Nhat railway and North-South railway cross To Hieu commune and the new road 1A runs along marginal area of the East of commune. Tia and Thong NhatSS are located in the centre of commune.
59. To Hieu commune is adjacent to Ha Noi city so that it is favourable for development of trade and services. According to the survey result in 2015, there are 1,182 HHs doing business and trade in the territory of the commune. There are many sectors of industry and handicraft such as; processing of agriculture and forestry products, embroidery, carpentry, carving and construction which contribute to creating jobs and increasing income for people.
60. Population growth rate is 1%, birth rate is reduced by 5%, birth rate of the third child is decreased by 1.5% comparing to that of the previous year, the ratio of poor HH is 1.2%, reducing by 1.34%.

4.3. Socioeconomic Profile of the Affected Households

4.3.1. Demographic features

61. Out of 8 surveyed households, the proportion of surveyed households has size of 4 to 6 members. The average household size is 5 members.
62. Among 38 persons in 8 households, the percentage of male members is 47.37% while the percentage of female members is 52.63%.

63. 42.1% of the population is from 36 to 55 age group; the number of people belonging to 19 to 35 age group account for 28.9%. Population more than 55 years old make up 10.5% while people in the 5 to 18 age group occupy 10.05%. The population under 5 years old account for 7.9%.

Table 6: Population by age group

District/ Commune	< 5 years old		5 – 18 years old		19 - 35 years old		36 - 55 years old		> 55 years old		Total	
	$\frac{H}{I}$	%	$\frac{H}{I}$	%	$\frac{H}{I}$	%	$\frac{H}{I}$	%	$\frac{H}{I}$	%	$\frac{H}{I}$	%
Thuong Tin	3	7.9	4	10.5	11	28.9	16	42.1	4	10.5	38	100
To Hieu	3	7.9	4	10.5	11	28.9	16	42.1	4	10.5	38	100
Total	3	7.9	4	10.5	11	28.9	16	42.1	4	10.5	38	100

Source: SES data (03/2016)

4.3.2. Education level of the heads of PAHs

64. Most of the heads of households completed secondary and high school education level, each accounting for 37.5%. The percentage of household heads who completed primary school is 12.5%. None of household head completed vocational training or above.

Table2. Education level of heads of PAHs

District/commune	Education level of the heads of PAHs														Total	
	No formal education		Primary		Secondary		not graduate high school		High school		Training		University			
	HH	%	HH	%	HH	%	HH	%	HH	%	HH	%	HH	%	HH	%
Thuong Tin	0	0	1	12.5	3	37.5	1	12.5	3	37.5	0	0	0	0	8	100
To Hieu	0	0	1	12.5	3	37.5	1	12.5	3	37.5	0	0	0	0	8	100
Total	0	0	1	12.5	3	37.5	1	12.5	3	37.5	0	0	0	0	8	100

Source: SES data (03/2016)

4.3.3. Occupations of affected HHs

65. The occupational structure of the affected household is mainly from services, business, and working in companies and factories.
66. Seven affected people are above 18 and 20.0% of them are involved in agricultural sector, 8.6% of them are involved in livestock husbandry. 65.7% of them are involved in non-agricultural sector (the government officials, workers in private companies, and sellers) and 5.7% are pupils/students. Details of occupation by age are presented in the table below.

Table3. Occupations of the affected people by age group

Occupations	18 - 30 years old		31 - 60 years old		Above 60 years old		Total	
	HH	%	HH	%	HH	%	HH	%
Agricultural sector	2	5.7	5	14.3	0	0.0	7	20.0
Livestock husbandry	0	0.0	3	8.6	0	0.0	3	8.6
Shop/store	0	0.0	4	11.4	0	0.0	4	11.4
Restaurant	0	0.0	0	0.0	0	0.0	0	0.0
Workers	5	14.3	4	11.4	0	0.0	9	25.7
Public officials	0	0.0	1	2.9	0	0.0	1	2.9
Working in private companies	3	8.6	3	8.6	0	0.0	6	17.1
Working in transport sector	0	0.0	1	2.9	0	0.0	1	2.9
Students, pupils	2	5.7	0	0.0	0	0.0	2	5.7
Housework	0	0.0	0	0.0	2	5.7	2	5.7
Hired labours	0	0.0	0	0.0	0	0.0	0	0.0
Total	12	34.3	21	60.0	2	5.7	35	100

Source: SES data (03/2016)

4.3.4. Monthly income and expenditure of affected HHs

67. Regarding poverty line of Vietnam: The Prime Minister has issued multidimensional poverty levels for period of 2016-2020 which specifically regulates multidimensional poverty criteria applied for the period of 2016-2020; poor HH line, nearly poor HH and average HH applied for the period of 2016 - 2020. Regarding income criteria, the poverty line for rural area is the HHs who have monthly per capita income of VND 700,000; monthly per capita income of 900,000 in urban area. The nearly poor line for rural area is the HHs who have monthly per capita income of VND 1,000,000; monthly per capita income of VND 1.300.000 in urban area. Regarding criteria of lack of basic society service approach, Decision specifies that the basic social services include five services of health, education, house, fresh water, sanitation and information. The poverty line above is the base to measure and monitor the lack of income and basic social service approach of people; to identify subjects to implement policy on poverty reduce and social security; to establish socioeconomic policies in the period of 2016-2020.
68. There is no PAH having income level under the poverty line, which is VND 700.000/person/month. Households whose have monthly per capita income from VND 3 million to VND 5 million account 25%. 75% have per capita income above VND 5 million per month.

69. The sources of income of the PAHs are from business, trade, working in factories, company and traffic sector which are the main income sources for people living near the center of city. In addition, favorable travelling also facilitates in economic development.
70. The main income source of households is from business and their salary. Thus, income of households is quite high. The average income is above VND 5 million/month/household, accounting for 75% of total number of surveyed households. And average income from VND 3 to 5 million/household/month accounts 25% of total number of surveyed households. There is no household having income lower than VND 3 million/household/month. See table below for more details.

Table 4: Monthly average income of affected HHs

District/ Commune	<1.000.000		1,000,000 to 3,000,000		3,000,000 to 5,000,000		> 5,000,000		Total	
	HH	%	H H	%	HH	%	HH	%	H H	%
Thuong Tin	0	0	0	0	2	25.0	6	75.0	8	100
To Hieu	0	0	0	0	2	25.0	6	75.0	8	100
Total	0	0	0	0	2	25.0	6	75.0	8	100

Source: SES data (03/2016)

4.3.5. Water, hygiene, sanitation and health indicators

71. 100% of the affected households in To Hieu commune, Thuong Tin district use water from drilled well and then water is filtered by primitive methods at home. None of household uses water from dug well.
72. All of the PAHs use composting latrines.

4.3.6. Energy source

73. With regards to energy use, 100% of the households use national grid for lighting and operating appliances such as fridge, air conditioner, television, and so on; however, the quality of electricity is not good due to many reasons.
74. For cooking, all of the PAHs use gas as main energy source.

4.3.7. Gender issues

75. Apparently, there are no gender issues in the subproject area. Per results of the SES and interview of representatives from the Women's Union in To Hieu commune, the level of equality between women and men was relatively high. Women are involved not only in domestic chores but also in income generation and in local association's activities, including activities organized by the commune Women's Union. Both men and women are involved in household decisions.

V. INFORMATION DISCLOSURE, CONSULTATION AND PARTICIPATION

5.1. Objectives of Information Disclosure and Public Consultation

76. In compliance with GOV's Land Law 2013, SPS (2009) and ADB's Public Communication Policy: Disclosure and Exchange of Information (2011), the Hanoi DPMB, as representative of EVN HANOI, promotes the active participation of the Project-based stakeholders. They have been identified during the series of disclosures and public consultations at commune and village levels, involving stakeholders such as the (i) District Compensation Board; (ii) CPCs; (iii) local mass organizations; (iv) representatives of the affected companies/organizations; and (v) Non-AP residents as well as APs in the project area.
77. ADB Safeguards Policy Statement (SPS 2009) requires that in line with ADB's Public Communications Policy, ADB is committed to working with the borrower/client to ensure that relevant information (whether positive or negative) about social and environmental safeguard issues is made available in a timely manner, in an accessible place, and in a form and language(s) understandable to affected people and to other stakeholders, including the general public, so they can provide meaningful inputs into project design and implementation. The disclosure of information, with the consultation and participation of all APs and relevant stakeholders, will minimize the risk of disputes and Project delay. This also facilitates the Project to design resettlement and rehabilitation program as a comprehensive development program that meets the needs, preferences and social benefits of the project investment.
78. Public consultation is of a significant importance, respecting to the disadvantaged, the vulnerable and especially to people living under poor levels. The consultation shall:
- start early and throughout the project cycle, including stages of project preparation, implementation and monitoring;
 - provide timely, relevant and necessary information which is easily understandable and accessible to affected persons;
 - be done voluntarily;
 - tailor the needs of disadvantaged and vulnerable groups;
 - allow the integration of all relevant opinions of affected persons and other stakeholders into the decision-making process, such as project design, mitigation measures, sharing of benefits and changes that the project brings.
79. Key objectives and principles of public information and consultation program with the APs are:
- to ensure that local authorities as well as all APs will be presented in the planning and decision making process. Hanoi DPMB will keep the dialogue with the Hanoi City's PC and Thuong Tin DPC during the process of the project implementation. The participation of APs will be continued later by means of requesting districts to invite their representatives to the resettlement activities (asset valuation, compensation, resettlement and supervision);
 - to fully share information about the components and operation of the Project with APs in order that this process will be transparent;

- to collect information on the needs and priorities of all APs as well as information about their reactions to proposed policies and activities;
- to ensure that all APs are fully informed about the decisions that will affect their income and living standards, and that they will have the opportunity to participate in the activities and decision making on the issues that will directly affect them. Inform APs regarding entitlements, grievance redress arrangements, consultation and communication arrangements as well as resettlement plan preparation and implementation arrangements;
- to get the cooperation and participation of all APs and communities on activities necessary for the development and implementation of the resettlement plan in a bottom-up manner;
- to ensure the transparency in all activities related to land acquisition, resettlement and rehabilitation.

5.2. Stages of Participatory Consultations

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

Table 5. Participatory Consultation in the Project Cycle

Stages	Activities and Target Participants	Responsibility
Project Preparation Pre-Feasibility /Feasibility Study and Drafting of Technical Design	Meet to discuss with the city, district, commune, and village officials, Project Management Board (PMB), and project-based stakeholders about the Project TA, the safeguard policies, and the activities of the consultants.	Hanoi DPMB and Consultants
	Conduct census of the DPs, IOL, social impact assessment of DPs, and replacement cost study (RCS)	Consultants, assisted by commune/village officials
	Discuss the proposed Project resettlement policy with EVN HANOI, Hanoi DPMB and DPs and solicit their feedbacks.	Consultants
	Disclosure of the results of IOL to DPs and discuss the proposed minimization of impacts and solicit their suggestions and/or comments thereon, including relocation options if needed.	Hanoi DPMB and Consultants, assisted by commune/village officials
	Drafting of the RP and its capsulized summary in leaflet form for submission to Hanoi DPMB and EVN HANOI for review and endorsement to ADB for approval.	Consultants
	Distribution of information leaflets to DPs, posting of summary RP at district and commune offices.	Hanoi DPMB
	Posting the RP on the ADB website	ADB
Project	Briefing of the respective compensation and resettlement committees in the province, districts	Hanoi DPMB and

Stages	Activities and Target Participants	Responsibility
<p>Implementation</p> <p>Finalization of Technical Design</p>	<p>and communes, conduct of centerline survey and demarcation of ROW boundaries, and detailed design by the PICs.</p> <p>Conducting Detailed Measurement Survey (DMS) with participation of DPs, updating unit costs (as necessary)</p> <p>Meeting with DPs to discuss and consult the results of DMS, the Project resettlement policy, entitlements and relocation options</p> <p>Updating/revision of the RP and its capsulized summary in leaflet form.</p> <p>Submission of the updated RP and project information leaflet to Hanoi DPMB and EVN HANOI for review and endorsement to ADB for approval.</p> <p>Distribution of the updated information leaflets to DPs, posting of summary updated RP at district and commune offices.</p> <p>Implementation of Updated RP.</p> <p>Internal monitoring of RP implementation.</p>	<p>PICs</p> <p>PICs assisted by commune/village officials</p> <p>EVN HANOI and PICs, assisted by commune/village officials</p> <p>PICs</p> <p>PICs</p> <p>Hanoi DPMB</p> <p>EVN HANOI and Hanoi DPMB assisted by PICs</p> <p>PICs</p>
<p>Post Project Implementation</p> <p>Appraisal of Project social safeguards objectives</p>	<p>Overall review of the Project completion performance and conduct interviews with the Hanoi DPMB, selected project-based stakeholders and the DPs if the Project social safeguards objectives have been met.</p>	<p>EVN HANOI and PICs</p>

5.3. Information Disclosure and Public Consultation during Project Preparation

5.3.1. Information Disclosure and Public Consultation during RP Preparation

81. 23 people participated in the consultations including 8 representatives (7 males and 1 female) of the PAHs and 15 officials of commune have attended and contributed opinions to the project. The meeting was organized to inform about land acquisition and publicize Decisions on establishment of Compensation Council and Site clearance Group (14 January 2016) and publicly post the result of DMS, draft of compensation, assistance and site clearance plan (29 April 2016). See Annex 7 for more details.

82. The representatives of the Project Owner and Consulting Agency have informed the public with regards to the following topics.

- Project description: the alignment of the line, location of the substations and the importance of these structures above, the financing source of the project, its objectives and components.
- Compensation policies of the project;
- Mitigation measures for the impacts to minimize impacts on and losses of people.

- Publicly informed about land acquisition plan of Thuong Tin DPC to implement the project: Capacity increase of T2 transformer, improvement of bay of 110 kV Tía Substation E10.4 in To Hieu commune, Thuong Tin district, Ha Noi city.
- Informed and publicized Decision No. 15/QĐ-UBND dated 07 January, 2016 by Thuong Tin DPC on the establishment of Compensation, Assistance and Resettlement Council of the project: Capacity increase of T2 transformer, improvement of bay of 110 kV Tía Substation E10.4 in To Hieu commune, Thuong Tin district, Ha Noi city.
- Informed and publicized Decision No. 16/QĐ-UBND dated 07 January 2016 by Thuong Tin DPC on the establishment of Site clearance Group of the project: Capacity increase of T2 transformer, improvement of bay of 110 kV Tía Substation E10.4 in To Hieu commune, Thuong Tin district, Ha Noi city.
- Carried out land acquisition plan and DMS to implement the project of expanding Tía Substation.
- Informed about compensation and assistance policy when land is acquired by the State to implement the project: Capacity increase of T2 transformer, improvement of bay of 110 kV Tía Substation E10.4 in To Hieu commune, Thuong Tin district, Ha Noi city.

83. The feedbacks received are summarized as follows:

- AHs agreed with policy of the State on construction of bay of 110kV Tía Substation;
- For HHs who rent land more than 40 years, it is proposed that the project should has fair compensation and assistance policy for HHs to ensure living condition of HHs after completing the subproject;
- For HHs earning their living by agriculture production (5% of land), it is proposed the subproject to acquire remaining land area because the remaining land area is not viable for cultivation due to the terrain, difficulty in cultivation and damage caused by mice.
- For houses adjacent to the substation, it is recommended to ensure safety measures on electromagnetic field, ensure technique and safety of power grid.
- Regarding construction and site restoration of residential road, it is proposed to be concreted to ensure favorable travelling and good drainage system.
- During the construction process, dust and noise will affect residential area around the Substation so it is proposed to ensure clean environment.
- Three sides of the subproject are adjacent to residential areas. The process of transporting machines to construction site must ensure traffic safety and control dust, noise and sanitation.
- Before commencement, CPC, village and residential cluster should be fully informed in order for them to clearly grasp construction schedule.
- Construction site temporarily borrowed from people needs to be agreed with them and restored after construction.

5.3.2. Information Dissemination before ADB Approval of RP

84. Before approved by ADB, RP has been publicized in public places. The contents of RP are discussed with the consent of the APs. Project information leaflets were prepared and distributed to affected households, in which the contents include: (i) a brief overview of the project, especially the main items to be performed and size of land acquisition; (ii) impacts on land and assets on land; (iii) the rights over the affected land and assets; (iv) detailed implementation plan for assistance, resettlement and compensation payments; (v) mechanisms for grievance redress; and (vi) the contact list of the staff of the implementing agencies and local authorities to ensure that complaints are resolved in a timely and satisfactory manner.
85. Besides project information leaflets, policies related to land acquisition, compensation, assistance and resettlement is disseminated to people to engage in public consultation meetings, copy these documents are listed in office of the CPCs and the village chief.

5.4. Information Disclosure and Public Consultation during Project Implementation

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

86. The principle of DMS is to ensure that (i) The survey was fully conducted and accurate for all land and assets on the land of affected households and communes; (ii) DMS has been fully participated by the community and the affected households, and the participation of women is required; (iii) the results of the DMS has been publicized; and (iv) complaints and appeals related to results of DMS are be resolved fully and in time before updating RP / compensation plans.
87. Before implementation of DMS, the DMS plan are be discussed and agreed between Hanoi DPMB, DCARBs, CPCs, village chiefs, representatives of local organizations and affected households and then disclosed on audio media. Women are encouraged to participate in all activities of DMS such as inventory on affected land and assets, participating in meetings to disseminate information to complete and announce the results, concerns over inventory.
88. DCARBs and Hanoi DPMB coordinate with the CPC to hold various meetings with village chiefs, representatives of mass organizations and all those affected to provide inventory form for the affected people to fill in themselves. The content of the inventory form is explained and clarified for households to easily complete. During the DMS, also involves the participation of the party as the head of household, women, heads of villages and cadastral officials, representatives of the CPC and others. DMS outcome of each household is listed in public places (office of People Committee, the Cultural house of Village) within 07 days for households to crosscheck and edit errors (if any).
89. The DMS results and draft of compensation plan of the affected households of the Tia SS Subproject have been being publicly posted from 29 April, 2016 to 18 May, 2016 at the office of To Hieu CPC, community house of Duong Tu village and through loudspeaker system of the village. After public positing period, the consultant has established minutes on May 18th 2016 to record comments on compensation and site clearance plan.

90. After the public posing of DMS and draft compensation plan, feedbacks from affected people include: (i) it is proposed to acquire the remaining land area of the affected households; (ii) consider compensation and allowance unit price because, according to the affected people, the current compensation and allowance unit price is low; (iii) allowances for crops, structures on land, and removal of tomb in 2006 are required by the affected households; (iv) it is proposed to consider allowance for earthwork volumes and investment cost in pond; (v) allowances for reclaimed land of affected households are required.
91. The DCARB and Hanoi DPMB have received feedback from affected households and responded to the aforementioned concerns by explaining relevant provisions of the project resettlement policy, particularly on compensation and the need to minimize adverse social impacts and explaining the environmental management plan of the project. The representatives of the DCARB and Hanoi DPMB also pointed out that the project is committed to help the affected households and ensure that their living standards are not worsen off. The DACRB is reporting the households' feedback and opinions to the DPC for consideration and solution.
92. Replacement cost surveys are conducted to ensure that (i) the compensation for affected land and assets on land at replacement cost; and (ii) the replacement cost survey should be carried out with the participation of those affected, the affected communities and relevant agencies at city / district / commune. Survey results on replacement cost must be publicized to the community and those affected.

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

93. The general principle of the project, as mentioned above is to ensure participation of all affected people and local community in all activities and all phases of the project. Affected households and communities can participate in the following activities:
- Public consultation in the hamlet on detailed design of the project;
 - The public consultation meetings in hamlets on the impact of the project; compensation policies, assistance and resettlement, detailed implementation plans for resettlement activities and grievance redress procedure;
 - Detailed inventory of affected assets of APs;
 - Replacement cost survey on affected land and assets;
 - Implementation of the income restoration measures to improve the livelihoods;
 - Preparation and implementation and monitoring of RP.

VI. GRIEVANCE REDRESS MECHANISM

94. In order to ensure that all APs' grievances and complaints on any aspect of land acquisition, compensation and resettlement are addressed in a timely and satisfactory manner, and that all possible avenues are available to APs to air their grievances, a well-defined grievance redress mechanism needs to be established. All APs can send any questions to implementation agencies about their rights in relation with entitlement of compensation, compensation policy, rates, land acquisition and grievance redress. APs are exempted from any fee for procedures associated with seeking grievance redress.

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

- **First Stage: Commune Peoples' Committee (CPC)** - An aggrieved AP may lodge his/her complaint to any member of the CPC, either through the Chairperson or directly to the CPC, in writing or verbally. It is incumbent upon the village chief to notify the CPC about the complaint. The CPC will meet personally with the aggrieved affected household and will have 30 days and maximum of 45 days following the lodging of the complaint, depending on complicated case or distance, to resolve it. The CPC secretariat is responsible for documenting and keeping file of all complaints that it handles.
- **Second Stage: District/Town People's Committee (DPC)** - If after thirty (30) days or 45 days (depending on complicated cases) the aggrieved affected household does not hear from the CPC, or if the affected household 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 DPC or the DRC. The DPC in turn will have thirty (30) days or maximum of 70 days following the lodging of the complaint, depending on complicated case, to resolve the case. The DPC is responsible for documenting and keeping files of all complaints that it handles and will inform the DCARB of any determination made and the DCARB is responsible for supporting DPC to resolve AH's complaint. The DPC must ensure their decision is notified to the complainant.
- **Third Stage: Provincial People's Committee (PPC)** - If after thirty (30) days to 45 days the aggrieved AP does not hear from the DPC, or if the affected household 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 PPC. The PPC has 30 days or maximum of 70 days, depending on complicated case, to resolve the complaint to the satisfaction of all concerned. The PPC secretariat is also responsible for documenting and keeping file of all complaints that it handles.
- **Final Stage: People's Court** - If after 30 days following the lodging of the complaint with the PPC, the aggrieved AP does not hear from the PPC, or if he/she is not satisfied with the decision taken on his/her complaint, the complainant can appeal again to the PPC. If the complainant is not satisfied with the second decision of the PPC, the case may be brought to a court of law for adjudication. If the court rules in favour of the complainant, then PPC will have to increase the compensation at a level to be decided by the court. In case the court will rule in favour of PPC, then the complainant will receive compensation approved by PPC.

96. Where complaints about administrative decisions or administrative acts regarding land management are settled for the first time by the presidents of the People's Committees of rural districts, but the complainants disagree with the settlement decisions, they are entitled to initiate lawsuits at people's courts or continue to complain with presidents of the provincial/municipal People's Committees. Since Hanoi City is municipality, when complaining with municipal People's Committee presidents, the decisions of the municipal People's Committee presidents shall be the final ones (According to clause 3, Article 203, Land Law 2013).

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

VII. LEGAL FRAMEWORK

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

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

7.1. ADB Policies

100. The ADB Safeguard Policy Statement (SPS) of 2009 consolidates three existing safeguard policies: involuntary resettlement (IR), indigenous peoples (IP), and environment.⁴ The objectives of the IR policy are to (i) avoid involuntary resettlement where possible, (ii) to minimize involuntary resettlement by exploring project and design alternatives, (iii) to enhance, or at least restore, the livelihoods of all displaced persons in real terms relative to pre-project levels and (iv) improve living standards of poor and vulnerable households. The IP policy objectives are to (i) design and implement projects that fosters full respect for IP's identity, dignity, human rights, livelihoods systems, and cultural uniqueness as defined by the IP themselves and (ii) ensure that IPs receive culturally appropriate social and economic benefits, do not suffer adverse impacts as a result of projects, and can participate actively in projects that affect them.

101. Safeguard policy requirement No.2 – Involuntary resettlement: principles and guidance on ADB's policies relating to involuntary resettlement are included in safeguard policy requirement No.2 of Safeguard Policy Statement (SPS) of 2009. The objectives are to (i) avoid involuntary resettlement where possible, (ii) to minimize involuntary resettlement by exploring project and design alternatives, (iii) to enhance, or at least restore, the livelihoods of all displaced persons in real terms relative to pre-project levels and (iv) improve living standards of poor and vulnerable households.

102. 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

⁴ The policy on environment is discussed in a separate environment report.

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.

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

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

- Prepare a resettlement plan elaborating on displaced persons' entitlements, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time-bound implementation schedule.
- Disclose both the draft and final resettlement plan in a form and language understandable to displaced persons and other stakeholders.
- Conceive and execute involuntary resettlement as part of a development project or 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.

104. 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.

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

106. The ADB Policy on Gender and Development (2006) adopts gender mainstreaming as a key strategy for promoting gender equity, and for ensuring that women participate in, and that their needs are explicitly addressed in the decision-making process for, development activities. The new safeguard policy also reiterates the importance of including gender issues in the preparation of safeguards documents at all stages to ensure that gender concerns are incorporated, including gender-specific consultation and information disclosure. This includes special attention to guarantee women's assets, property, and land-use rights and restoration/improvement of their living standards; and to ensure that women will receive project benefits. Other policies of the ADB that have bearing on resettlement planning and implementation are the (i) Public Communications Policy (2011), and (ii) Accountability Mechanism (2012).

7.2. Compensation and Resettlement Policy of the Government of Vietnam

107. The Constitution of the Socialist Republic of Vietnam (2013) confirms that ownership and protection of ownership of citizens of their houses. Besides, the Government has issued a number of law, decrees, and regulations to form the legal

framework for land acquisition, assistance, compensation, and resettlement. Primary documents include:

a. Law

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

b. Government's Decrees

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

c. Circulars

- Circular No. 23/2014/TT-BTNMT, dated May 19, 2014 by MONRE regulating Land Use Right Certificate (LURC), right to ownership of housing and other assets attached to land.
- Circular No. 24/2014/BTNMT, dated May 19, 2014 by MONRE regulating cadastral dossiers.
- Circular No. 25/2014/BTNMT, dated May 19, 2014 by MONRE, regulating cadastral maps.
- Circular No. 28/2014/BTNMT, dated June 2, 2014 by MONRE regulating land statistic and inventory and development of current land use map.
- Circular No. 29/2014/BTNMT, dated June 2, 2014 by MONRE regulating details of making and amending land use planning.
- Circular No. 30/2014/BTNMT, dated June 2, 2014 by MONRE regulating dossiers of handing over land, leasing land, converting land use purpose, and land acquisition.

- Circular No. 36/2014/TT-BTNMT, dated June 30, 2014 on land pricing method; compilation of and adjustment to land prices; determination of specific land prices and consultancy on land pricing.
- Circular No. 37/2014/TT-BTNMT, dated June 30, 2014 on compensation, assistance and resettlement in the event of land recovery by the State.
- Circular No. 76 dated June 16, 2014 by MOF guiding some articles of Decree No. 45/2014/ND-CP on land use levy collection.
- Circular No. 77 dated June 16, 2014 by MOF guiding Decree No. 46/2014/ND-CP on collection of land rental water surface.
- Circular No. 02/2015/TT-BTNMT, dated January 27, 2015 by MONRE detailing a number of articles of Decree No. 43/2014/ND-CP and Decree No.44/2014/ND-CP dated May 15, 2014 by the Government.

d. Decisions of the Government

- Decision No. 1956/2009/QD-TTg, dated November 17, 2009 by the Prime Minister approving the Master Plan on vocational training for rural workers to 2020.
- Decision No. 63/2015/QD-TTg dated December 10, 2015 of the Prime Minister on policy on assistance in vocational training and job search for workers whose land is withdrawn by the State

e. Hanoi City PC's Decisions

- Decision No. 22/2014/QD-UBND, dated June 20, 2014 by Hanoi City PC promulgating the jurisdiction of the City PC in accordance with the 2013 Land Law and government's decrees on land allocation quota, land use rights, minimum size and area of land for household separation in Hanoi area.
- Decision No. 23/2014/QD-UBND dated June 20, 2014 by Hanoi City PC promulgating the jurisdiction of the City PC in accordance with the 2013 Land Law and government's decrees on compensation, assistance and resettlement upon land recovery by the state in Hanoi area.
- Decision No. 74/2014/QD-UBND dated October 2, 2014 by Hanoi City PC promulgating the jurisdiction of the City PC in accordance with the 2013 Land Law and government's decrees and circulars by the MONRE and MOF in determining specific land prices in Hanoi area.
- Decision No. 96/2014/QD-UBND dated December 29, 2014 by Hanoi City PC promulgating the land prices in Hanoi from January 1 2015 to December 31 2019.
- Decision No. 179/QD-UBND dated 14/01/2015 by Ha Noi City's PC on promulgating land price adjustment coefficient in 2016 to be the base for determining land price in some cases of using land regulated by the law in Ha Noi City.
- Decision No. 02/2016/QD-UBND dated 21/01/2016 by Ha Noi City's PC on promulgating new construction price for house, temporary house and material to be the base for determining compensation and assistance price when land is acquired by the State in Ha Noi City.

- Official Notification No. 7218/STC-BG dated 30/12/2015 by Ha Noi City's Department of Finance on unit price of compensation and assistance for types of tree, crop and fish yield serving site clearance in Ha Noi City IN 2016.

7.3. Gaps between Regulations of the Government of Vietnam and Safeguard Policy Statement of ADB (2009)

108. Since 1 July 2014, the Land Law of 2013 and its implementing decrees and circulars provide the overall framework for involuntary resettlement in Viet Nam.⁵ There are several aspects of the 2013 Land Law that are similar to the policy objectives and principles of the ADB safeguard policy on involuntary resettlement as provided by the 2009 Safeguard Policy Statement (SPS). There is basic congruence between Viet Nam's laws and the SPS especially with regard to the entitlement of persons with legal rights/titles. Existing legislation provides guidance for the following: (i) determining market/replacement rates and payment of compensation, assistance for various types of affected assets; (ii) options for land-for-land and cash compensation assistance; (iii) provision of relocation assistance and support to displaced households during the transition period; (iv) provision of resettlement land and housing with secure tenure; (v) additional assistance for severely affected and vulnerable households; (vi) assistance for livelihood restoration and training; and (vii) notification/disclosure, consultation, and grievance mechanisms. However, the following differences remain:

- SPS requires that displaced persons without titles (legal rights) to land be provided with resettlement assistance and compensated for loss of non-land assets (constructed before the cut-off date). On the other hand, the Land Law does not allow compensation of land-attached assets that are illegally established⁶ (Article 92, LL). Moreover, structures (land-attached assets) are not compensated based on the value of a new structure, except for structures used for residential purposes (Article 89.2, LL).
- SPS requires exploring additional revenues and services through benefit sharing schemes where possible. This is not required under the Land Law.
- SPS requires conducting social impact assessment to identify poor and other vulnerable groups who may be disadvantaged and disproportionately affected by land acquisition for the purpose of implementing measures to assist them. The Land Law does not clearly require projects to identify displaced poor and other vulnerable groups that are impacted by a development project and to implement measures to assist them. However, in case the amount of compensation and support is not enough to buy the minimum plot in a resettlement site, the State will shoulder the balance.
- The level of detail and information required for resettlement planning under SPS differs from what is required by the Land Law. The Land Law does not

⁵ The Land Law of 2013 replaces the Land Law of 2003. Decrees 43, 44 and 47 supersede previously issued decrees related to land acquisition including Decrees 181/2004, 188/2004, 197/2004, 17/2006, 84/2007, 123/2007, 69/2009, 88/2009, 59/2011, and 189/2013.

⁶ There are 3 types of illegally established land-attached assets: (i) those constructed on illegal land, (ii) illegally constructed structures (not based on the approved land use purpose) on legal land, and (iii) structures constructed after land acquisition announcement.

require the preparation of a resettlement plan or general compensation plan prior to the conduct of DMS.

- SPS requires payment of compensation and other applicable entitlements to affected persons before displacement. This requirement is not explicitly stated as a condition under the Land Law. The Land Law does require payment of compensation within 30 days since the effective date of a land acquisition decision and to subsequently adjust amount in case of delay in payment (Article 93, LL).
- SPS requires compensation to include interest accrued. However, under the Land Law the amount is kept in an escrow account in State Treasury without interest in case the AP refuses the proffered compensation.
- SPS requires regularly conducting internal monitoring on implementation of resettlement activities. For project with significant involuntary resettlement impacts, an external monitoring agency is required. In the Land Law, monitoring and evaluation is required in a more general term and includes all aspects of the implementation of the Land Law (Article 200, LL). There is also no requirement for independent monitoring for projects with significant involuntary resettlement impacts.

Table 6. Gaps between Government policy and ADB SPS 2009 and policy for the project

Issues	Government policy	ADB Safeguard Policy (SPS 2009)	Project Policy
Severely affected persons	Decree 47/2014/ND-CP, Article 19, Item 3: APs losing at 30% or more of productive agriculture land are considered severely impacted and are entitled to livelihood restoration measures.	The involuntary resettlement impacts of an ADB-supported project are considered significant if 200 or more persons will experience major impacts, which are defined as (i) being physically displaced from housing, or (ii) losing 10% or more of their productive assets (income generating).	Losing 10% or more of the household's productive assets shall be considered as threshold.
APs without LURC	Land Law 2013, Article 77, item 2 and article 92: Persons who has used land before 1st July 2004 and directly be involved in agriculture production on the acquired land without LURC or illegalizable will be compensated for the acquired land area but not exceed quota of agricultural land allocation. But no compensation for non-land assets in the following cases: (i) the assets subject to the land recovery as stipulated in one of items a, b, d, đ, e, l, clause 1, article 64 and items b, d, clause 1, article 65 of the Land Law 2013; the assets created after the notification on land acquisition; and (iii) unused public infrastructures and other works.	Those APs without legal title to land will be included in consultations. Ensure that APs without titles to land, or any recognizable legal rights to land, are eligible for resettlement assistance and compensation for loss of non-land assets including dwellings, structures and other improvements to land such as crops, irrigation, at full replacement cost, if created before cut-off date.	Project affected people, without legal or recognizable legal claims to land acquired, will be equally entitled to participation in consultations and project benefit schemes where possible, and be compensated for their lost non-land assets such as dwellings and structures occupied before cut-off date. They will be entitled to resettlement assistance and other compensation and social support to assist them to improve or at least restore their pre-project living standards and income levels.

Compensation for structures	Land Law 2013, Article 89, item 1: houses/structures used for living purpose will be compensated at replacement cost. Decree 47, article 9: Houses/structures used for other purposes will be compensated equal to the remaining value of the affected house plus some percentage of current value but total compensation amount is not exceed value of the new house/structure.	Rate of compensation for acquired housing, land and other assets will be calculated at full replacement costs, based upon: i) fair market value, ii) transaction costs, iii) interest accrued, iv) transitional and restoration costs, v) other applicable payments and without deduction of salvageable materials.	Full compensation at replacement cost will be paid for all affected structures without any deductions for salvageable materials or depreciation, full replacement costs, based upon: i) fair market value, ii) transaction costs, iii) interest accrued, iv) transitional and restoration costs, v) other applicable payments
Monitoring	No monitoring indicators indicated	Monitoring indicators specified for internal and external monitoring and reporting. In case of significant or sensitive impacts, an external monitoring organization is required to conduct monitoring on RP and EMDP implementation	The EA must undertake internal monitoring according to the critical indicators. Anticipated negative impacts of the project are minor, it is no need to recruit an external monitoring organization.
Third-party validation of consultation related to land donations	Not required.	The borrower is required to engage an independent third-party to document the negotiation and settlement processes to openly address the risks of asymmetry of information and bargaining power of the parties involved in such transactions.	In case of land donations involving marginal portions of land, the LIC will verify and report on the negotiation and settlement processes as part of the due diligence report. A voluntary donation form signed by the landowners, witnesses, and village leaders will be attached in the report.

7.4. Project Policy Commitments

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

7.4.1. Prior to DMS and preparing RP

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

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

7.4.2. RP Implementation

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

7.4.3. Management and Administration of RP Implementation

- Effective institutional arrangements and human resources for consultation, liaison, land acquisition, resettlement and monitoring will be established to ensure the efficient implementation of RP.
- Effective mechanism for arbitration of grievance redress will be established with their members from the project-based stakeholders, APs, women representatives.
- Adequate budgetary support for payment of compensation, assistance, and resettlement will be committed and timely released by EVN HANOI to APs during RP implementation.
- Reliable and efficient database system will be established through the internal monitoring of RP implementation.

VIII. ENTITLEMENTS, ASSISTANCE AND BENEFITS

110. In order to harmonize the above-mentioned gaps between the regulations of GoV and ADB's SPS 2009, the Article 87 of the Land Law 2013 requires that "For projects using loans from international or foreign organizations for which Vietnam has committed to a policy framework for compensation, support and resettlement, that

framework policy shall apply". The regulations of the Project in this RP are based on the approved updated Resettlement Policy Framework of the project. Details are as follows:

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

place; (ii) already-compensated, assisted displaced persons have handed over the affected area in a timely manner; and (iii) the area is free from any encumbrances.

8.1. Eligibility

111. Eligibility is determined regarding to the cut-off date, which was officially announced by the DCARB in Thuong Tin district. The affected persons will be informed of the cut-off date, 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 case of persons that the DCARB may declare as eligible persons after the cut-off date, such as: (i) person who is occupying or using the land or assets before the cut-off date but who was not in the list of APs; (ii) households separating from large families⁷; and (iii) household who bought the affected land or property after the cut-off date. Their eligibility will be declared after verification and certification by the CPC. On the other hand, there are also people who shall be provided assistance after the cut-off date, such as, (a) newly born child, (b) people who have retired from military service and (c) people who have just returned from school to live with the affected household.
113. Any person, who encroached in the project area after the cut-off date, will not be entitled to compensation and assistance from the Project. They will be informed in advance and required to remove the houses and/or structures before Project implementation. If all actions of diplomacy with the encroacher have been exhausted, compulsory eviction will be the solution.
114. In addition, the extent of eligibility for compensation with regard to land is determined by legal rights to the land concerned. There are three types of affected persons: (i) persons with LURCs to land lost in entirety or partially; (ii) persons who lost land they occupy in its entirety or partially who do not currently possess a LURC but have a claim that is recognizable under national laws; or (iii) persons who lost land they occupy in its entirety or partially who do not have any recognizable claim to that land. Affected persons included under (i) and (ii) above shall be compensated for the affected land and assets upon land. Affected persons included under (iii) shall not be compensated for the affected land, but for the affected assets upon land and are entitled to assistance if they have to relocate.

8.2. Specific entitlements of APs

115. Households or individuals with sufficient legal rights for compensation are compensated for affected land and structure at replacement cost. Those without sufficient legal rights aren't compensated but assisted as described in the entitlement matrix below.

⁷Must be done before the cut-off date or met criteria for separating but not done before the cut-off date.

Table 7. Entitlement Matrix

Type of Impact	Level Of Impact	Entitled Persons	Entitlements	Implementation Issues
A. AGRICULTURAL LAND				
A.1. Permanently Affected Agricultural Land				
Permanently affected agricultural land	More than 10 percent or more of total productive landholding affected	Owners with LURC, owners in process of acquiring LURC, owners eligible to acquire LURC AND public organizations (1 HHs)	<p>a/ Cash compensation at replacement cost for affected land; and,</p> <p>b/ Compensation for standing-crops (if any) on the affected land at the market price; and</p> <p>c/ Economic rehabilitation package (see C, below).</p>	<p>If remaining land holding is not economically viable i.e. is too small to be economically cultivated, the Subproject will acquire the entire land holding and not just the affected portion. The size of the entire holding will be the basis for providing replacement land or cash compensation. The economic value of 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.</p> <p>Full payment for AHs is made before site clearance</p>

Type of Impact	Level Of Impact	Entitled Persons	Entitlements	Implementation Issues
	Less than 10 percent of total productive landholding affected; OR No suitable replacement land available	Owners with LURC, owners in process of acquiring LURC, owners eligible to acquire LURC (1 HH)	Cash compensation for affected area at replacement cost and provision of rehabilitation assistance package (see part C).	Implemented by DCARCs If remaining holding land parcel is not viable, cash compensation at replacement cost at current market prices for entire parcel landholding. Decided by DPCs
Eligible organizations	Any impacted items	To Hieu CPC	a/ No compensation for affected land but support equivalent with 70% of compensation value of the affected land; and b/ Cash compensation at current market prices for all non-land affected assets on the affected land and allowance for transfer assets, If any.	The compensation amount must be paid to account of affected commune and used for infrastructure improvement of the commune
B. Annual Crops, Trees and Tree/Plant Fence				
Loss of annual crops	Affected annual crops and rain-fed crops, aquaculture	Owners of crops (2 AHs)	If standing crops are ripening and cannot be harvested, cash compensation of un-harvested crops at market values based on the average production over past 3 years.	A minimum of 2 months' notice to harvest crops; Owners of crops and/or trees are entitled to compensation regardless of whether they possess land use rights.
Loss of perennial crops, fruit and timber trees and tree fences	Affected perennial crops, fruit and timber trees and tree fences	Owners of trees (6 AHs)	Cash compensation at current market prices given the type, age and productive value of the affected crops and/or trees	Compensation must equal in value to crops that would be harvested had acquisition not occurred.

Type of Impact	Level Of Impact	Entitled Persons	Entitlements	Implementation Issues
C. REHABILITATION ASSISTANCE				
<i>C.1. Economic Rehabilitation Package</i>				
Loss of 10 percent or more of productive landholding	Assistance to restore livelihoods and incomes following acquisition of agricultural land or other productive assets	Severely affected APs, displaced from housing or losing from 10 percent to less than 30 percent of their productive land (income generating) irrespective of tenure status. (1 HH)	AHs directly cultivate on the affected land to be entitled: (i) Losing from 10 to less than 30% of agricultural land holding: Cash assistance equal to 30 kg of rice (valued at market price) per month per household member for 3 months, if not relocating; for 6 months if relocating; and for 12 months if relocating in a harsh living condition area; (iv) In-kind assistance to be decided in consultation with eligible APs. Forms of assistance may include, but are not limited to, agricultural extension assistance, and training for non-agricultural occupations. And (v) Participating in income restoration programmes ().	Value of in kind assistance was determined during RP implementation.
	Assistance for job changing and creation.	2 households	Cash assistance equal to 5 times of compensation value for affected land area for the affected households and individuals who have not received cash assistance for job changing and creation, and have not allocated with	HHs do not participate in occupational training and looking for job due to high age and not having demand.

Type of Impact	Level Of Impact	Entitled Persons	Entitlements	Implementation Issues
			commercial land, residential land or apartment. The cash assistance must not exceed 5 (five) times of land quota in locality. (Article 22, Decision 23/2014/QD-UBND by Hanoi City PC).	
C.2. Bonus for timely handing over land				
Affected households losing agricultural land	Bonus for timely handing over land	Owners with LURC, owners in process of acquiring LURC, owners eligible to acquire LURC 2 Ahs	Agricultural land owners eligible for compensation as stipulated who timely hand over land will be provided cash bonus of VND 3,000 per square meter but not exceed a total of VND 3,000,000 per land owner. (Article 23, Item 4, Decision 23/2014/QD-UBND by Hanoi City PC).	

8.3. Special considerations

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

8.4. Unforeseen impacts

117. If during construction when additional adverse social impacts are identified and/or additional affected households and affected persons are found after the cut-off date, they are also entitled to receive subproject entitlements as the others on condition that it can be certified by communes or village chiefs that they have actually been in the subproject area 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 during construction works are entitled to the same entitlements as those of the other affected persons.

IX. RELOCATION AND RESETTLEMENTS

118. According to the DMS results and the survey carried out in January 2016, the Project does not cause resettlement impacts and only some households are affected insignificantly on their land/ structures/trees and crops.

X. INCOME RESTORATION AND REHABILITATION

10.1. Background

119. In order to assist affected persons to restore livelihoods and income levels, the subproject will provide income restoration allowances tailored to the needs and situation of the affected persons as determined in the socio-economic surveys. The affected persons covered by the income restoration allowances are identified in the entitlement matrix.

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

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

10.2. Income Restoration Allowances

122. One severely affected household is identified during DMS process. When RP is implemented, the following regulations are applied for this severely affected household:

- Cash allowance for permanently acquired agricultural land as assistance for change of job: applied by five times of compensation value for the same type of agriculture land for affected land but not exceed land quota in locality..
- Out of cash allowance for change of job as regulation, the affected household by lose agriculture land are entitled to get a vocational training supports, job creation, and loan as current regulations. But the consultation outcomes indicate that the affected HHs do not register to participate in occupational training and looking for job due to high age and not having demand. On the other hand, their main living source is not from agriculture but from business.

XI. RESETTLEMENT BUDGET AND FINANCING PLAN

11.1. Procedures for Flow of Funds

123. The EVN HANOI/ Hanoi DPMB will bear the full cost of resettlement. It is responsible for ensuring that funds for resettlement are sufficient and are available on a timely manner. EVN HANOI/ Hanoi DPMB will disburse funds for resettlement to DPC/DCARB through the Hanoi City PC or directly to DPC/DCARB. The DPC/DCARB will deliver compensation and allowance of the AHs at Commune PC Office. AHs will be notified in advance on the date of payment of compensation and allowance. AHs will likewise be advised to bring with them their copy of their compensation plan.

11.2. Cost Estimates and Inflation Adjustment

124. EVN HANOI and Hanoi DPMB, in collaboration with the Hanoi City PC will ensure that adjustment of compensation rates will be made to reflect current market rates when payment of compensation and allowance is not done within the year of the conduct of the RCS.

125. As shown in the table below, the overall cost of resettlement plan updating and implementation was estimated at VND 985,866,392 or equivalent to USD 44,308.60 for inclusion in the subproject investment. The EVN Hanoi/HANOI DPMB will ensure the timely provision of funds and will meet any unforeseen obligations in excess of the resettlement budget in order to meet the social safeguards objectives under the project. The financing of which can be drawn from the equity funds of EVN Hanoi.

Table8. Estimated compensation, assistance, and resettlement costs

No.	Category	Unit	Quantity	Rates (average)	In cash (VND)
1	Compensation for annual crop land	VND/m2	124.5	135,000	16,807,500
2	Compensation for trees and crops	VND/tree	101		4,501,500
3	Compensation for aquaculture	VND/m2	1,834	15,000	27,505,500

No.	Category	Unit	Quantity	Rates (average)	In cash (VND)
4	Compensation for structure				196,343,970
5	Assistance				102,093,629
5.1	Assistance for stabilizing the livelihood and production for severely AH				6,960,000
5.2	Assistance for training job, changing jobs and employment				84,037,500
5.3	Bonus for timely land handing over				6,000,000
5.4	Assistance for investment cost in land				5,096,129
6	Total				531,416,700
7	Total (1+...+6)				878,668,799
8	2% of 7(cost of implementation of compensation, assistance and resettlement)	%	2		17,573,376
9	Total (7+8+9)				896,242,174
10	Contingency (10% of 9)	%			89,624,217
	Total (VND)				985,866,392
	Total (USD)				44,308.60
	At exchange rate: USD1 = VND 22.250				

XII. INSTITUTIONAL ARRANGEMENTS

126. 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. Thuong Tin District Compensation, Assistance and Resettlement Boards (DCARB) will be established at district level according to Decree 47/2014/ND-CP.

12.1. Central level

127. EVN Hanoi is the executing agency, through HANOI DPMB to manage the resettlement issues. The HANOI DPMB is the implementing agency that is mandated for the overall management and supervision of projects funded by ODA. For the

management of a particular project, the EVN Hanoi creates the HANOI DPMB within its organization that is supported by full-time qualified and experienced social safeguard specialist to manage the resettlement related issues. EVN Hanoi will:

- Provide overall management and coordination of the project;
- Liaise with IAs to carry out the project;
- Coordinate with ADB in providing resettlement consultant services for the project;
- Support the HANOI DPMB for updating resettlement plan of the project;
- Consolidate project progress reports on land acquisition and resettlement submitted by the HANOI DPMB for relevant ministries and ADB; and
- Recruit and supervise PIC for internal resettlement monitoring if this is considered necessary by the ADB; and
- Responsible for resettlement budget.

128. Ha Noi Power Development Project Management Board (Hanoi DPMB)

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

12.2. City level

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

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

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

- The dissemination of the PIB and other publicity material; ensuring that affected persons are aware of the land acquisition and resettlement process.
- Planning and carrying out the DMS and the disbursement of compensation payments.
- The identification of 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 assigned agencies to implement external monitoring.

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

XIII. IMPLEMENTATION SCHEDULE

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

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

Table 9. Project implementation schedule

Main activities	Schedule
<i>RP preparation</i>	
Detailed engineering and demarcation of land to be acquired	3/2015
Award contract and mobilize resettlement plan Consultants	3/2016
Public meeting and consultations with affected persons on draft resettlement plan	3/2016
Finalize resettlement plan and submit to Hanoi DPMB for review and referral	6/2016
ADB no-objection to final draft resettlement plan	10/2016
Disclosure of approved resettlement plan	10/2016
<i>RP Implementation</i>	
DMS	1/2016
Compensation payment	11/2016

Main activities	Schedule
Implementation of rehabilitation measures	11/2016
Site clearance	12/2016
Start of civil works	1/2017
Monitoring	From 1/2017

XIV. MONITORING AND REPORTING

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

14.1. Monitoring and reporting

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

137. 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.

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

14.2. Internal monitoring

139. The HANOI DPMB 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. Internal monitoring report should be prepared and submitted to ADB in semi-annual basis.

Annex 1: List of Interviewed Officials

No.	Full name	Position	Address	Date
1	Phung Thanh Tuyen	Secretary of CPC	To Hieu commune	2/3/2016
2	Tran Van Thang	Vice Secretary of CPC	To Hieu commune	2/3/2016
3	Pham Huu Tri	Chairman	To Hieu commune	2/3/2016
4	Luong Van Manh	Deputy Chairman	To Hieu commune	2/3/2016
5	Pham Van My	President of Communal Council	To Hieu commune	2/3/2016
6	Le Dai Thanh	President of Father land Front	To Hieu commune	2/3/2016
7	Ngo Minh Khoi	Chief Police of commune	To Hieu commune	2/3/2016
8	Luong Xuan Hiep	Official	To Hieu commune	2/3/2016
9	Pham Thi Cuc	Official in charge of environment	To Hieu commune	2/3/2016
10	Le Thi Thuy	Cadastral official	To Hieu commune	2/3/2016
11	Nguyen Thanh Truyen	Cadastral official	To Hieu commune	2/3/2016
12	Dao Hong Thai	Accountant	To Hieu commune	2/2/2016
13	Le Minh Tien	Deputy Head of Tia stress	To Hieu commune	2/3/2016
14	Le Chi Son	Secretary of Tu Duong village	To Hieu commune	2/3/2016
15	Ngo Hong Tam	Head of Tu Duong village	To Hieu commune	2/3/2016

Annex 2: List of interviewed HHs

No.	Full name	Commune	District	No.
1	Le Trung Phan	Tu Duong	To Hieu	Thuong Tin
2	Le Van Hanh	Tu Duong	To Hieu	Thuong Tin
3	Tran Thi Duyen	Tu Duong	To Hieu	Thuong Tin
4	Dang Thach Cuong	Tu Duong	To Hieu	Thuong Tin
5	Dang Ngoc Toan	Tu Duong	To Hieu	Thuong Tin
6	Nguyen Van Thang	Tu Duong	To Hieu	Thuong Tin
7	Vu Van Loi	Tu Duong	To Hieu	Thuong Tin
8	Duong Thanh Tung	Tu Duong	To Hieu	Thuong Tin

Annex 3: Summary of public consultation results

District/commune	Feedbacks of public consultation
<p>To Hieu commune, Thuong Tin district (Consult with leaders and affected HHs)</p>	<ul style="list-style-type: none"> • Affected HHs agreed with policy of the State on constructing Tia Substation, 110kV bay. • For HHs renting land (more than 40 years), it is proposed that the project should have policy on compensation and assistance for HHs to ensure their living condition after completing the subproject. • For HHs earning their living by agriculture production (5% of land), it is proposed the subproject to acquire remaining land area because the remaining land area cannot be used due to out of shape terrain, difficulty in cultivation and damage caused by mouse. • For houses adjacent to the Substation, it is recommended to ensure safety measures on electromagnetic field, ensure technique and safety of power grid. • Regarding construction and site restoration of residential road, it is proposed to be concreted to ensure favourable travelling and good drainage system. • During the construction process, dust and noise will affect residential area around the Substation so it is proposed to ensure clean environment. • Three sides of the subproject are adjacent to residential areas. The process of transporting machines to construction site must ensure traffic safety and control dust, noise and sanitation. • Before commencement, it needs to fully inform CPC, village and residential cluster in order for them to clearly grasp construction schedule. • Construction site temporarily borrowed from people needs to be agreed with them and restored after construction.

Annex 4: Summary of compensation

Table1.1. Compensation for permanent acquired land(m2)

District/commune	Unit	Quantity	Unit cost	Cost
To Hieu	VND/m ²	124.5	135,000	16,807,500
Total		124.5		16,807,500

Table1.2. Compensation for affected structures in To Hieu Commune, Thuong Tin District

District/commune	Unit	Quantity	Unit cost	Cost (VND)
1. Temporary house covered by fibrocement roof	VND/m ²	15.86	1,141,000	18,096,260
2. Brick yard	VND/m ²	23.79	164,000	3,901,560
3. Wall	VND/m ²	81.25	601,000	48,831,250
4. Iron fence	VND/m ²	16.50	477,000	7,870,500
5. Benched foundation	VND/m ²	42.75	1,078,000	46,084,500
6. Metal sheet roof covering	VND/m ²	26.90	395,000	10,625,500
7. Underground tank	VND/m ³	9.60	2,917,000	28,003,200
8. Septic	VND/m ³	9.60	2,917,000	28,003,200
9. Filter tank	VND/m ³	2.00	2,464,000	4,928,000
Total		228.25		196,343,970

Table1.3: Compensation for trees, crops and fish pond in To Hieu Commune, Thuong Tin District

No.	District/ward/commune	Unit	Quantity	Unit cost	Cost (VND)
1	Rice	VND/m ²	124.5	7,000	871,500
2	Apple	VND/tree	3	80,000	240,000
3	Banana	VND/tree	73	15,000	1,095,000
4	Kudzu	VND/cluster	2	30,000	60,000
5	Mango	VND/tree	2	100,000	200,000
6	Annona squamosa	VND/tree	1	130,000	130,000
7	Chinaberry	VND/tree	3	100,000	300,000

No.	District/ward/commune	Unit	Quantity	Unit cost	Cost (VND)
8	Grapefruit	VND/tree	3	150,000	450,000
9	Kumquat	VND/tree	1	80,000	80,000
10	Guava	VND/tree	2	120,000	240,000
11	Papaya	VND/tree	1	25,000	25,000
12	Lemon	VND/tree	3	40,000	120,000
13	Barringtonia	VND/tree	1	90,000	90,000
14	Ficusbenjamina	VND/tree	3	75,000	225,000
15	Dracaena fragrans	VND/tree	1	25,000	25,000
16	Logan	VND/tree	2	175,000	350,000
17	Fish pond	VND/m ²	1.834	15,000	27,505,500
Total					32,007,000

Table1.5: Allowancesfor affected households in To Hieu Commune, Thuong Tin District

No.	Item	Unit	Quantity	Unit cost	Cost
1	<i>Assistance for stabilizing the livelihood: Acquiring with from 10% to <30% of their total agricultural land use and do not have to move house</i>	Person	4	1,740,000	6,960,000
2	Assistance for training job, changing jobs and employment	VND/m ²	124.5	675,000	84,037,500
3	Bonus for timely handover of land	VND/HH	2	3,000,000	6,000,000
4	Assistance for investment cost in land	VND/m ²	377.491	13,500	5,096,129
Total					102,093,629

Annex 5: Socio-economic survey and Inventory of losses questionnaire

SOCIO-ECONOMIC SURVEY AND INVENTORY OF LOSSES QUESTIONNAIRE

Projects: Capacity increase of T2 Transformer, improvement of 110kV bay of Tía Substation - E10.4

Questionnaire code: ___/___/___; **Survey date:** ___/___/2014

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.....City.....

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	0=Illiterate 1=Primary school 2=Secondary school 3=Yet graduated from high school 4=High school 5=Vocational training
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= under 1 km	2= from 1 to 2 km	3= from 2 to 5 km	4= over 5 km
a. Health service						
1. Communal health centre						
2. Hospital/General Clinic						
3. Private medical center						
4. Pharmacy						
b. Market						
c. Kindergarten and school						
5. Kindergarten						
6. Primary school						

land 7=Others							private land	
		Within	Beyond					
Plot 1								
Plot 2								
Plot 3								
Plot 4								
Plot 5								
Plot 6								
Plot 7								
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)
		1. With certificate 2. Without certificate 3. Build on agricultural land 4. Rented house	Affected floor area (m ²)	(Partially affected=1; Fully affected=2)	1= Main canal 2= Northern Canal 3= Southern Canal 4=Management house 5=Borrow pit 6=Disposal area 7=Others	
1. Villa 2. Grade 1 3. Grade 2 4. Grade 3 5. Grade 4 6. Temporary 7. Shop separated from house						

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	m ²		

2.	Livestock sheds	1. Temporary 2. Equal to grade 4 house	m ²		
3.	Electricity meter		Electricity meter		
4.	Water meter and estimate of water pipeline length		Water meter		
5.	Telephone				
6.	Fence	1. Brick 2. Steel, wire or wood	Fence		
7.	Gate	1. Brick 2. Iron, steel 2. Wood, Bamboo	m ²		
8.	Latrine, bathroom (separated from the main house)	1. Brick, concrete 2. Bamboo, thatch	m ²		
9.	Earth grave				
a)	In cemetery		Grave		
b)	Individual				
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		m ²	

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

Annex 6: Project Information Booklet

1. Name of the project: Capacity increase of T2 Transformer, improvement of 110kV bay of Tía Substation - E10.4

2. Executing agency: Hanoi City People's Committee and Electricity of Vietnam

3. Representative of the executing agency: Hanoi Power Project Management Board

Question 1: What is the Subproject of Capacity increase of T2 Transformer, improvement of 110kV bay of Tía Substation - E10.4?

Answer: the Subproject of Capacity increase of T2 Substation, improvement of 110kV bay of Tía Substation - E10.4 is financed by the Asian Development Bank (ADB) and the Government of Vietnam with the aim to supply sufficient electricity to Ha Dong district, improve power network, and minimize electricity losses in the area.

Question 2: How the Subproject of Capacity increase of T2 Transformer, improvement of 110kV bay of Tía Substation - E10.4 affect local communities?

Answer: According to the Decree No. 14/2014/ND-CP dated 26/02/2014 on the safety protection of high voltage power grid, the subproject will cause the following impacts:

- Permanent loss of houses and structures due to construction of tower foundation for power line and structures serving living (if any);
- Permanently cut down trees on the affected land area;
- Restriction to the use of land area/house/structure in the RoW.

Details of impacts:

- The project will affect 8 HHs. The permanently affected land area is 4,060.92m² for increasing capacity of T 2 Substation, improvement of 110kV Tía Substation.

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

- **Answer:** The main objective of the Resettlement Plan is to ensure that all APs will be at least as well-off, if not better-off, than they would have been in the absence of the Project.

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

Answer: (i) In case the subproject acquires more land of the households, you will be offered a choice of replacement land as priority of equal area and productive capacity at a location acceptable to you OR cash compensation at replacement value at current market prices if communal land fund is not available.

(ii) In case the affected land is leased land, the value of land shall not be compensated but the investment costs in 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 any other form of written agreement to utilise the land are entitled to

compensation for the lost land as well as assets on the land. Those APs who do not have legal/legalisable or temporary/lease rights for affected land will be compensated for the assets on affected land.

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

Answer: Yes. Compensation will be applied for all affected assets including houses, stores, wells, and fences as well as other fixed assets at replacement value at current market prices without any deductions for building depreciation or salvageable building materials. This will ensure that the Affected Persons 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) Permanently affected crops and trees will be compensated in cash at current market prices.

(ii) As for trees and crops temporarily affected during construction period:

- Compensation for non-harvested crops will be based on the time of impacts and the average production in the past 3 years.
- Trees and crops will be compensated at market prices at the time of land acquisition.

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:

- Affected households: these households losing more than 10% of their productive landholdings will receive the following assistances: (i) life stabilization allowances; (ii) income restoration allowances and provision of technical assistance and agricultural extension techniques to improve output in the remaining area, existing credit programs or employments related to the project;
- Households that relocate shall receive (i) relocation allowances; (ii) assistances to mobilize life during transition period; (iii) rental allowances at market prices. Assistance levels are identified clearly in the project policies.
- 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 compensation equal to 30% of their taxed income of one year. The annual taxed income is determined in the financial reports of the previous three years.
- Employees and hired labours 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.

- Job changing allowances: As for the affected households who have or have not registered for LURC after resettlement and do not have job, if you are in the working age, you can participate in a vocational training in the area without tuition fee.

Question 9: 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 of the cut-off date (the date of DMS) for the subproject.

Question 10: If there are any disagreements or problems about land acquisition, compensation or other general disputes during project implementation, do APs have the right to voice their complaints?

Answer: Yes, APs can voice their complaints (in verbal or written form) to responsible local authorities and resettlement committees. Their complaints can be filed first at the ward or commune level, and can be elevated to the district and provincial level and taken to provincial court if the APs are not satisfied with the decision of lower levels. APs will be exempted from all taxes, administrative and legal fees. All complaints of APs on any aspect of land acquisition, compensation, resettlement and implementation will be addressed in a timely and satisfactory manner.

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 project components, impacts, their rights and entitlements, grievance mechanism, rights of participation and consultation, resettlement activities, responsibilities of institutions and implementation schedule. APs will participate in resettlement planning and implementation and they will also be consulted on the following issues: a) resettlement options according to their entitlement, b) training and training preferences in current or new occupations, c) other project aspects.

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: EVN through HANOI DPMB will ensure internal monitoring all Project activities. In addition, HANOI DPMB will engage an independent external monitoring agency to conduct external monitoring of resettlement activities during Project implementation. Every 6 months, the independent monitoring agency will submit a report to HANOI DPMB and ADB on resettlement implementation progress. 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 Project. **FOR FURTHER INFORMATION AND SUGGESTIONS –**

Please contact the DCARBs where you live:

Provincial Compensation, Assistance Resettlement Board (PCARB) of ... District;
Address:.....

Person in charge:.....Tel.....

District Compensation, Assistance Resettlement Board (DCARB) of ... District;
Address:.....

Person in charge:.....Tel.....

Annex 7: Minutes of the public consultation

**DỰ ÁN NÂNG CÔNG SUẤT MBA T2, CẢI TẠO NGĂN LỘ
110KV TBA TÍA - E10.4**

BIÊN BẢN THAM VẤN CỘNG ĐỒNG
(Tham vấn các cơ quan/hộ dân bị ảnh hưởng)

I. Thời gian và địa điểm tham vấn

1. Thời gian: Ngày 02 tháng 02 năm 2016.

2. Địa điểm: ... UBND Xã Đa Hòa, Huyện Thường Tín, Thành phố Hà Nội.

II. Thành phần tham dự

1. Đại diện UBND xã/phường

- Ông: ... Phạm Thái Trí	Chức vụ: ... CT UBND
- Ông: ... Lương Văn Mạnh	Chức vụ: ... P.C.T. UBND
- Ông: ... Lê Đức Thanh	Chức vụ: ... CT Mặt trận TĐ quốc
- Ông: ... Nguyễn Văn Kiên	Chức vụ: ... Ch. Ban chính

2. Đại diện các hộ dân bị ảnh hưởng (BAH)

Tổng số người tham dự họp: ... 8 ... người.


Trong đó: Nam ... 7 ...; Nữ: ... 1 ...; Số người dân tộc thiểu số người: ... 0 ...;

Phụ nữ đơn thân ... 0 ...; Thương binh ... 0 ...; Hộ nghèo ... 0 ...; Người già neo đơn ... 0 ...

Độ tuổi tham dự khoảng

3. Đại diện nhóm tham vấn

- Ông: ... Lê Đức Huy	Chức vụ: ... Chuyên gia tài chính
- Ông: ... Vũ Chí Công	Chức vụ: ... Chuyên gia môi trường
- Ông: ... Nguyễn Văn Bằng	Chức vụ: ... Cán bộ hỗ trợ
- Ông:	Chức vụ:



III. Mục đích và nội dung tham vấn

1. Mục đích

(i) Giới thiệu và phổ biến thông tin về dự án đến các hộ dân bị ảnh hưởng bởi dự án và các nguyên tắc về bồi thường, hỗ trợ; yêu cầu và mục tiêu của việc lập Kế hoạch Bồi thường và hỗ trợ cho Dự án “Nâng công suất MBA T2, cải tạo ngăn lộ 110kV TBA Tía - E10.4”. Phát tờ rơi tóm tắt về dự án và Kế hoạch bồi thường, hỗ trợ;

(ii) Thu thập ý kiến, nguyện vọng của các hộ dân liên quan đến bồi thường, hỗ trợ, vấn đề về giới và nhóm dễ bị tổn thương, và tham vấn các biện pháp/chương trình phục hồi thu nhập cho người bị ảnh hưởng.

2. Nội dung

a. Phát tờ rơi thông tin về bồi thường, hỗ trợ và tái định cư của dự án;

b. Nhóm tham vấn giới thiệu và trình bày về dự án, mục đích và các nội dung tham vấn;

c. Thảo luận, lấy ý kiến tham gia của những người tham dự và những giải thích của nhóm tham vấn.

3. Tóm tắt kết quả tham vấn và ý kiến của những người tham dự

1

b. Một số ý kiến khác:

Biên bản kết thúc cùng ngày và đã được cuộc họp nhất trí thông qua.

Xác nhận của UBND Xã/ Phường Số 11/2011.....

Nhóm tham vấn



PHÓ CHỦ TỊCH
Luong Van Manh

[Signature]
Nguyễn Văn Đông

Đại diện hộ dân

[Signature]
Phạm Thị Cúc
[Signature]
Trần Thị Thanh

[Signature]
Lê Minh Kiên
[Signature]
Nguyễn Hữu

[Signature]
Hương
[Signature]

[Signature]
Dương Văn
[Signature]
Lê Đại Thành



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

BIÊN BẢN LÀM VIỆC

Đã tiến hành họp tại Trụ sở UBND xã Phú Thọ
Hôm nay, hồi 14 giờ 00 phút ngày 14 tháng 4 năm 2016.
Tại Trụ sở UBND xã Phú Thọ

I. THÀNH PHẦN GỒM:

Đại diện cơ quan chức năng huyện và tổ công tác:

- Ông/Bà Đỗ Đình Phương chức vụ: Phó giám đốc Chi nhánh PT&A
- Ông/Bà Nguyễn Văn Lâm chức vụ: Chi Đồn T.M.B
- Ông/Bà Nguyễn Văn Hùng chức vụ: Chi Đồn Q.L.B.T
- Ông/Bà Nguyễn Văn Tuấn chức vụ: Chi Đồn P.T&A
- Ông/Bà Phạm Văn Xuân chức vụ: Chi Đồn P.T&A
- Ông/Bà Nguyễn Văn Dũng chức vụ: Chi Đồn P.T&A
- Ông/Bà L. Văn Tiến chức vụ: Chi Đồn P.T&A
- Ông/Bà : chức vụ:

*** Đại diện UBND xã Tô Hiệu và tổ công tác:**

- Ông/Bà Phạm Văn Tuấn chức vụ: Bí thư Công an xã
- Ông/Bà Phạm Văn Mỹ chức vụ: Phó Chi Đồn P.T&A xã
- Ông/Bà L. Văn Mạnh chức vụ: Phó Chi Đồn UBND xã
- Ông/Bà L. Văn Tuấn chức vụ: Chi Đồn P.T&A xã
- Ông/Bà Đào Văn Tuấn chức vụ: Chi Đồn P.T&A xã
- Ông/Bà Nguyễn Văn Tuấn chức vụ: Chi Đồn P.T&A xã
- Ông/Bà L. Văn Tuấn chức vụ: Chi Đồn P.T&A xã
- Ông/Bà Nguyễn Văn Tuấn chức vụ: Chi Đồn P.T&A xã
- Ông/Bà L. Văn Tuấn chức vụ: Chi Đồn P.T&A xã
- Ông/Bà Nguyễn Văn Tuấn chức vụ: Chi Đồn P.T&A xã
- Ông/Bà : chức vụ:

*** Đại diện đơn vị chủ đầu tư**

- Ông/Bà : Phạm Văn Tuấn Phó Chi Đồn P.T&A xã
- Ông/Bà : Nguyễn Văn Tuấn Chi Đồn P.T&A xã

*** Đại diện các hộ gia đình**

- Ông/Bà : L. Văn Tuấn
- Ông/Bà : L. Văn Tuấn
- Ông/Bà : Nguyễn Văn Tuấn
- Ông/Bà : Nguyễn Văn Tuấn
- Ông/Bà : Nguyễn Văn Tuấn



Có' a' bích thân gia tại hủ nghĩa
Mười... của... thời
Mười... của... thời
Mười... của... thời
Mười... của... thời
Mười... của... thời
Mười... của... thời
Mười... của... thời
Mười... của... thời
Mười... của... thời
Mười... của... thời

2) Về... Chi... và...
Về... Chi... và...
Về... Chi... và...
Về... Chi... và...
Về... Chi... và...
Về... Chi... và...
Về... Chi... và...
Về... Chi... và...
Về... Chi... và...
Về... Chi... và...
Về... Chi... và...

4) Về... Chi... và...
Về... Chi... và...
Về... Chi... và...
Về... Chi... và...
Về... Chi... và...
Về... Chi... và...
Về... Chi... và...
Về... Chi... và...
Về... Chi... và...
Về... Chi... và...
Về... Chi... và...

Về... Chi... và...
Về... Chi... và...
Về... Chi... và...
Về... Chi... và...
Về... Chi... và...
Về... Chi... và...
Về... Chi... và...
Về... Chi... và...
Về... Chi... và...
Về... Chi... và...
Về... Chi... và...

Đại biểu Hội đồng nhân dân xã...
Đã họp vào ngày...
Số...
Đã họp vào ngày...
Số...

Hiện bản kết thúc hồi lễ gia đình cùng ngày, đã được thông qua cho mọi người có mặt cùng nghe, thống nhất lý do như sau:

Các hộ gia đình cá nhân

Người ghi biên bản

Trần Thị Duyên

Trần Văn Thành

Lê Hoàng Phan

Các thành viên tổ công tác

Đặng Xuân Cường

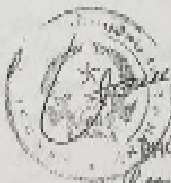
Nguyễn Thanh Trường

Trần Văn Hải

TM UBND XÃ

DD chủ đầu tư

Trần Văn Hải



ĐẠI CHỦ TỊCH
Trần Văn Hải

Trần Văn Thành

Lê Văn Hải

ĐD cho khách PT & D

Nguyễn Xuân Cường

Trần Văn Thành

THÔNG BÁO

**Về việc công khai Dự thảo Phương án bồi thường, hỗ trợ GPMB
dự án: Nâng công suất MBA T2, cải tạo ngắn lộ 110kV TBA Tia – E10.4
tại xã Tô Hiệu, huyện Thường Tín;**

Thực hiện Khoản 4 điều 33 Quyết định số 28/2014/QĐ-UBND ngày 20/6/2014 của UBND thành phố Hà Nội;

Trên cơ sở Công văn số 09 /GPMB ngày 29/4/2016 của Ban Bồi thường GPMB huyện về việc thẩm định dự thảo Phương án bồi thường, hỗ trợ GPMB dự án: Nâng công suất MBA T2, cải tạo ngắn lộ 110kV TBA Tia – E10.4 tại xã Tô Hiệu, huyện Thường Tín;

Chỉ trích Phát triển quỹ đất Thường Tín thông báo công khai dự thảo Phương án bồi thường, hỗ trợ, GPMB dự án: Nâng công suất MBA T2, cải tạo ngắn lộ 110kV TBA Tia – E10.4 tại xã Tô Hiệu, huyện Thường Tín;

Thời gian công khai: 20 ngày từ ngày 29/4/2016 đến hết ngày 18/5/2016.

Địa điểm công khai: Tại Trụ sở Ủy ban nhân dân xã Tô Hiệu, nhà văn hóa thôn Tô Dương xã Tô Hiệu.

UBND xã Tô Hiệu có trách nhiệm:

Lập biên bản niêm yết công khai, biên bản kết thúc niêm yết công khai dự thảo phương án bồi thường, hỗ trợ GPMB số sắc lệnh của đại diện Ủy ban nhân dân xã, đại diện Ủy ban Mặt trận Tổ quốc xã, đại diện những người có đất thu hồi; ghi rõ số lượng ý kiến không đồng ý, số lượng ý kiến khác của người bị thu hồi đất đối với dự thảo phương án bồi thường, hỗ trợ GPMB dự án.

Nơi nhận :

- Hội đồng BT, HT và HCC (để báo);
- Ban bồi thường GPMB (để PH);
- UBND xã Tô Hiệu (để TH);
- Lưu VT.

**KT, GIÁM ĐỐC
PHÓ GIÁM ĐỐC**



Đỗ Hùng Phong

**ỦY BAN NHÂN DÂN
XÃ TÔ HIỆU**

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

**Biên bản công khai Dự thảo Phương án bồi thường, hỗ trợ GPMB dự án:
Nâng công suất MBA T2, cải tạo ngăn lộ 110kV TBA Tía – E10.4
tại xã Tô Hiệu, huyện Thường Tín.**

Hôm nay, hồi 8 giờ 30', ngày 29 tháng 4 năm 2016
Tại: Trụ sở UBND xã Tô Hiệu, huyện Thường Tín, TP Hà Nội

* Thành phần gồm:

- Ông: Lương Văn Mạnh Phó Chủ tịch UBND xã Tô Hiệu.
- Ông: Nguyễn Thanh Truyền Cán bộ địa chính xã Tô Hiệu
- Ông: Lê Đại Thanh Chủ tịch MTTQ xã Tô Hiệu
- Ông: Lê Chí Sơn Bí thư chi bộ thôn Từ Dương xã Tô Hiệu
- Ông: Ngô Hồng Tâm Trưởng thôn Từ Dương xã Tô Hiệu
- Ông: *Dũng Thạch Cường* Đại diện hộ gia đình có đất thu hồi

NỘI DUNG LÀM VIỆC

Thực hiện Thông báo số 63/TB-PTQĐ ngày 29/4/2016 của Chi nhánh PTQĐ Thường Tín về việc Thông báo công khai Dự thảo Phương án bồi thường, hỗ trợ GPMB dự án: Nâng công suất MBA T2, cải tạo ngăn lộ 110kV TBA Tía – E10.4 tại xã Tô Hiệu, huyện Thường Tín.

UBND xã Tô Hiệu tiến hành lập biên bản tổ chức công khai dự thảo phương án bồi thường, hỗ trợ GPMB dự án.

Thời gian công khai 20 ngày từ ngày 29/4/2016 đến hết ngày 18/5/2016 tại trụ sở UBND xã, Nhà văn hoá thôn Từ Dương và thông báo trên hệ thống truyền thanh xã

Nếu các hộ gia đình các nhân nào có kiến nghị liên quan đến dự thảo phương án bồi thường, hỗ trợ GPMB dự án: Nâng công suất MBA T2, cải tạo ngăn lộ 110kV TBA Tía – E10.4 tại xã Tô Hiệu, huyện Thường Tín gửi về trụ sở UBND xã Tô Hiệu để tổng hợp báo cáo Hội đồng bồi thường hỗ trợ và TEDC huyện.

Biên bản kết thúc hồi 9 h 00 phút cùng ngày đã thông qua cho các thành phần có mặt cùng nghe.

THỦ KÝ

[Signature]

MẶT TRẦN TỐ QUỐC XÃ

[Signature]

TM. ỦY BAN NHÂN DÂN XÃ



PHÓ CHỦ TỊCH

Lương Văn Mạnh
Đại diện cơ sở thôn

Nguyễn Thanh Truyền

Đại diện hộ có đất thu hồi

[Signature]
Dũng Thạch Cường

[Signature]
Lê Chí Sơn

ỦY BAN NHÂN DÂN
XÃ TÔ HIỆU

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

Biên bản kết thúc công khai Dự thảo Phương án bồi thường, hỗ trợ GPMB
dự án: Nâng công suất MBA T2, cải tạo ngăn lộ 110kV TBA Tin – E10.4
tại xã Tô Hiệu, huyện Thường Tín.

Hôm nay, hồi 16 giờ 30', ngày 18 tháng 5 năm 2016
Tại: Trụ sở UBND xã Tô Hiệu, huyện Thường Tín, TP Hà Nội

* Thành phần gồm:

- | | |
|------------------------------|--|
| - Ông: Lương Văn Mạnh | Phó Chủ tịch UBND xã Tô Hiệu. |
| - Ông: Nguyễn Thanh Truyền | Cán bộ địa chính xã Tô Hiệu |
| - Ông: Lê Đại Thanh | Chủ tịch MTTQ xã Tô Hiệu |
| - Ông: Lê Chí Sơn | Bi thư chi bộ thôn Tứ Dương xã Tô Hiệu |
| - Ông: Ngô Hồng Tâm | Trưởng thôn Tứ Dương xã Tô Hiệu |
| - Ông: <i>Đặng Văn Cường</i> | Đại diện hộ gia đình có đất thu hồi |

NỘI DUNG LÀM VIỆC

Thực hiện Thông báo số 63/TB-PTQĐ ngày 29/4/2016 của Chi nhánh PTQĐ
Thường Tín về việc Thông báo công khai Dự thảo Phương án bồi thường, hỗ trợ
GPMB dự án: Nâng công suất MBA T2, cải tạo ngăn lộ 110kV TBA Tin – E10.4
tại xã Tô Hiệu, huyện Thường Tín.

UBND xã Tô Hiệu đã tiến hành công khai dự thảo phương án bồi thường, hỗ trợ
GPMB dự án. Thời gian công khai 20 ngày từ ngày 29/4/2016 đến hết ngày
18/5/2016 tại trụ sở UBND xã. Nhà văn hoá thôn Tứ Dương và thông báo trên hệ
thống truyền thanh xã. Trong thời gian công khai UBND xã nhận được các ý kiến phản
ánh, kiến nghị đến dự thảo phương án chi tiết bồi thường, hỗ trợ GPMB dự án như sau:

1. Đề nghị UBND huyện báo cáo cấp có thẩm quyền xem xét thu hồi phần diện
điện tích còn lại tại thửa đất thu hồi (hộ ông Phạm, hộ ông Năng).
2. Mức giá bồi thường, hỗ trợ thấp Đề nghị xem xét đơn giá bồi thường, hỗ trợ
GPMB (hộ ông Cường, hộ ông Năng, hộ ông Phan, hộ ông Tùng, hộ bà thơ).
3. Đề nghị điều chỉnh lại vị trí quy hoạch thực hiện dự án (hộ ông Dương Thanh
Tùng, hộ bà Trịch Thị Thơ).
4. Hộ ông Cường có đề nghị những nội dung sau:
 - Xem xét lại mức hỗ trợ về cây cối, công trình VKT trên đất; Hỗ trợ tiền di
chuyển mồ mã từ thời điểm 2006 và một số mồ do gia đình xây đơn còn lại
xây tập thể.
 - Hỗ trợ tiền điện tích quý đất 1 do gia đình di chuyển mồ đặt ở đó.

- Số diện tích ao 1847,7 m² bị thu hồi trong đó có 1440 m² đất thuê của Chi hội người cao tuổi thôn Từ Dương, diện tích còn lại 407,7 m² là đất do gia đình mua của bà Đặng Bích Ngọc và bà Nguyễn Thị Diên (con trai Nguyễn Văn Thọ) có nguồn gốc đất do khai hoang, phục hóa. Đề nghị hỗ trợ theo quy định.

5. Hồ ông Hùng có đơn đề nghị về những nội dung:

- Hỗ trợ khôi phục đê đập 1240 m² chuyển từ đất lúa sang đất ao.

- Xem xét 170 m² khai hóa Hồ bơm thành ao.

Đề nghị Hội đồng bồi thường, hỗ trợ và TĐC huyện báo cáo UBND huyện xem xét giải quyết để dự án được tiến khai thác bồi đắp tiến độ.

Hội đồng kết thúc hồi 17h 00' phút cùng ngày đã thông qua cho các thành phần có mặt cùng nghe.

THỦ KÝ

Nguyễn Văn Mạnh

Nguyễn Văn Mạnh

MẶT TRÁN TỔ QUỐC

Lê Đại Thành

ĐẠI DIỆN HỘ DÂN CỘ ĐẤT THU HỒI

Đặng Thanh Cường



PHÓ CHỦ TỊCH

Nguyễn Văn Mạnh

ĐẠI DIỆN CƠ SỞ THÔN

Nguyễn Văn Mạnh

Lê Đại Thành

Annex1:Photos of consultations and survey



Photo 1: Together with design consultant to receive the site of subproject



Photo 2: Consult with official of To Hieu CPC



Photo 3: Organization of community consultation in To Hieu commune



Photo 4: Mr. Dang Thach Cuong – affected HH is raising question



Photo 5: Position of Tía Substation



Photo 6: expanded area of Tía Substation



Photo 7: Main impacts caused by the subproject



Photo 8: Main impacts caused by the subproject