

# Updated Resettlement Plan

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March 2015

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

(EVN HANOI: 220kV/110kV Chem-Tay Ho Transmission Line)

Prepared by Hanoi Power Corporation (EVN HANOI) for the Asian Development Bank (ADB). This is an updated version of the draft originally posted in December 2014 available on <http://www.adb.org/projects/46391-001/documents>.

## ABBREVIATIONS

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

## ELECTRICAL TERMINOLOGY

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

## REMARKS

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

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## TABLE OF CONTENTS

<b>ABBREVIATIONS .....</b>	<b>i</b>
<b>ELECTRICAL TERMINOLOGY.....</b>	<b>ii</b>
<b>REMARKS .....</b>	<b>ii</b>
<b>1.0. SUMMARY .....</b>	<b>6</b>
1.1. Introduction.....	6
1.2. Scope of land acquisition and resettlement .....	6
1.3. Associated structures .....	6
1.4. Socio-economic information and profile .....	6
1.5. Information disclosure, consultation, and participation .....	7
1.6. Grievance Redress Mechanism .....	7
1.7. Legal framework.....	8
1.8. Entitlements, assistance, and benefits.....	8
1.9. Relocation of housing and settlements .....	8
1.10. Income restoration and rehabilitation .....	8
1.11. Resettlement budget and financing plan.....	9
1.12. Institutional arrangements.....	9
1.13. Implementation schedule .....	9
<b>2.0. SUBPROJECT INTRODUCTION .....</b>	<b>9</b>
2.1. Objectives of the Subproject .....	9
2.2. Main features of the subproject.....	10
2.2.1. <i>Overhead line component</i> .....	10
2.2.2. <i>Chem-Tay Ho 200kV and 110kV underground cable lines</i> .....	10
2.3. Mitigation measures .....	11
2.3.1. <i>Mitigation measures for land acquisition impacts during design process</i> .....	11
2.3.2. <i>Mitigation measures for land acquisition impacts during implementation process</i> .....	11
2.4. Associated facilities.....	13
<b>3.0. SCOPE OF LAND ACQUISITION AND RESETTLEMENT IMPACTS.....</b>	<b>13</b>
3.1. Scope of impacts.....	13
3.2. Land acquisition impacts.....	15
3.2.2. Project affected households.....	16
3.3. Impacts on trees, crops, and structure.....	16
<b>4.0. SOCIO-ECONOMIC INFORMATION AND PROFILE .....</b>	<b>17</b>
4.1. Project area .....	17
4.2. Project affected people .....	17
4.2.1. <i>Demographic features</i> .....	17
4.2.2. <i>Education level of the heads of PAHs</i> .....	18
<b>5.0. INFORMATION DISCLOSURE, CONSULTATION, AND PARTICIPATION .....</b>	<b>20</b>
5.1. Stakeholders .....	20

5.2.	Objectives of consultation .....	20
5.3.	Public consultations during RP preparation .....	21
5.4.	Consultation and information disclosure plan during project implementation process .....	22
5.5.	Post-project implementation.....	24
<b>6.0.</b>	<b>GRIEVANCE REDRESS MECHANISM .....</b>	<b>24</b>
<b>7.0.</b>	<b>LEGAL FRAMEWORK.....</b>	<b>25</b>
7.1.	ADB Social Safeguards Policy Requirements .....	25
7.2.	Regulations of Vietnamese Government on resettlement .....	27
7.3.	Comparison between the Relevant Provisions of the GOV's regulations and the 2009 Safeguard Policy Statement of ADB on Social Safeguards.....	29
7.4.	Project principles.....	40
<b>8.0.</b>	<b>PROJECT'S ENTITLEMENTS, ASSISTANCE, AND BENEFITS .....</b>	<b>42</b>
8.1.	Entitlements.....	42
8.2.	Addressing the gender issues.....	48
8.3.	Assistance to vulnerable households.....	48
<b>9.0.</b>	<b>RELOCATION AND SETTLEMENTS .....</b>	<b>48</b>
<b>10.0.</b>	<b>INCOME RESTORATION AND REHABILITATION .....</b>	<b>48</b>
10.1.	Resettlement budget and financing plan.....	48
<b>11.0.</b>	<b>INSTITUTIONAL ARRANGEMENTS .....</b>	<b>49</b>
11.1.	Central level .....	49
11.2.	City level.....	50
11.3.	District and Commune/Ward level.....	51
<b>12.0.</b>	<b>IMPLEMENTATION SCHEDULE.....</b>	<b>52</b>
<b>13.0.</b>	<b>MONITORING AND REPORTING .....</b>	<b>52</b>
13.1.	Monitoring and reporting .....	52
13.2.	Internal monitoring .....	52
13.3.	External monitoring .....	53
APPENDIX 1. CORRECTIVE ACTION PLAN (CAP) FOR TAY HO 220KV SUBSTATION .....		55
APPENDIX 2. PROJECT INFORMATION BOOKLET.....		57
APPENDIX 3. SUMMARY OF COMMUNITY CONSULTATION RESULTS .....		61
APPENDIX 4. LIST OF PARTICIPANTS .....		62
APPENDIX 5. COMPENSATION, ASSISTANCE AND RESETTLEMENT COST .....		64
Appendix 5.1. Summary of Detailed Compensation Plan by Affected Households in Thuy Phuong Ward, North Tu Liem District.....		64
Appendix 5.2. Summary of Detailed Compensation Plan by Affected Households in Dong Ngac Ward, North Tu Liem District .....		65
Appendix 5.3. Summary of Detailed Compensation Plan by Affected Households in Phu Thuong Ward, Tay Ho District.....		66
APPENDIX 6. CONSULTATION AND SURVEY PICTURES.....		69
APPENDIX 7.SOCIO-ECONOMIC SURVEY AND INVENTORY OF LOSSES QUESTIONNAIRE .....		70

## LIST OF TABLES

Table- 1. Implementation Schedule .....	9
Table- 2. Features of the overhead line .....	10
Table- 3. Land acquisition area for each foundation location .....	14
Table- 4. Total affected land area .....	15
Table- 5. Detailed impacts caused by permanent land acquisition.....	15
Table- 6. Population by age group .....	17
Table- 7. Public consultations organized at the affected wards.....	22
Table- 8. Comparison between the Relevant Provisions of 2013 Land Law and Decree No. 47/2014/ND-CP and the 2009 ADB SPS.....	30
Table- 9. Entitlement Matrix .....	43
Table- 10. Compensation, assistance, and resettlement costs .....	49
Table- 11. Project implementation schedule .....	52
Figure 1. Layout of the single chamber tunnel cable .....	11
Figure 2. Layout of three-chamber tunnel cable .....	11
Figure 3. New type of tower that will minimize land acquisition impacts .....	12

## DEFINITION OF TERMS

Affected persons	Refers to any person or persons, household, firms, or public or private institutions who on account of a development project would have their: (i) standard of living adversely affected; (ii) right, title or interest in all or any part of a house, land (including residential, commercial, agricultural, plantations, forest and/or grazing land), water resources or any other moveable or fixed assets acquired, possessed, restricted or otherwise adversely affected, in full or in part, permanently or temporarily; and/or (iii) business, occupation, place of work or residence, or habitat adversely affected, with or without displacement. affected persons therefore include: (i) persons affected directly by the right-of-way (RoW) or construction work area; (ii) persons whose agricultural land or other productive assets such as trees, standing crops are affected; (iii) persons whose businesses are affected and who might experience loss of income due to the project impact; (iv) persons who lose work/employment as a result of project impact; and (v) people who lose access to community resources/property as a result of the project.
Cut-off date	This refers to the date prior to which the occupation or use of the project area makes residents/users of the same eligible to be categorised as displaced person. In this project, the cut-off date will coincide with the period of the census of affected persons and the inventory of losses (IOL) that will be conducted based on feasibility design documents. Persons not covered in the census are not eligible for compensation and other entitlements, unless they can show proof that (i) they have been inadvertently missed out during the census and the IOL; or (ii) they have lawfully acquired the affected assets following completion of the census and the IOL and prior to the conduct of the detailed measurement survey (DMS).
Detailed Measurement Survey (DMS)	With the aid of the approved detailed engineering design, this activity involves the finalisation and/or validation of the results of the IOL, severity of impacts, and list of affected persons earlier done during resettlement plan preparation. The final cost of resettlement can be determined following completion of the DMS.
Displaced persons	Per ADB's 2009 Safeguard Policy Statement, displaced persons in a project area could be of three types: (i) persons with legal rights to land lost in its entirety or in part; (ii) persons who lost the land they occupy in its entirety or in part who have no formal legal rights to such land, but who have claims to such land that are recognised or recognisable under national laws; and (iii) persons who lost the land they occupy in its entirety or in part who have neither formal legal rights nor recognised or recognisable claims to such land.
Entitlements	Refers to a range of measures comprising compensation, income

	restoration support, transfer assistance, income substitution, relocation support, etc. which are due to the affected persons, depending on the type and severity of their losses, to restore their economic and social base.
Meaningful consultation	A process that (i) begins early in the project preparation stage and is carried out on an ongoing basis throughout the project cycle; (ii) provides timely disclosure of relevant and adequate information that is understandable and readily accessible to affected people; (iii) is undertaken in an atmosphere free of intimidation or coercion; (iv) is gender inclusive and responsive, and tailored to the needs of disadvantaged and vulnerable groups; and (v) enables the incorporation of all relevant views of affected people and other stakeholders into decision making, such as project design, mitigation measures, the sharing of development benefits and opportunities, and implementation issues.
Inventory of losses	Is the process where all fixed assets (i.e., lands used for residence, commerce, agriculture, including ponds; dwelling units; stalls and shops; secondary structures, such as fences, tombs, wells; trees with commercial value; etc.) and sources of income and livelihood inside the project RoW are identified, measured, their owners identified, their exact location pinpointed, and their replacement costs calculated. Additionally, the severity of impact to the affected assets and the severity of impact to the livelihood and productive capacity of affected persons will be determined.
Land acquisition	Refers to the process whereby an individual, household, firm or private institution is compelled by a public agency to alienate all or part of the land it owns or possesses to the ownership and possession of that agency for public purposes in return for compensation at replacement costs.
Replacement cost	The term used to determine the value enough to replace affected assets and/or cover transaction costs necessary to replace the affected assets without depreciation for such assets as well as material advantage, taxes and/or travel expenses.



## **1.0. SUMMARY**

### **1.1. Introduction**

1. Chem-Tay Ho 220kV transmission line is built in order to (i) meet the electricity demands of the important loads in Hanoi area; (ii) supply electricity for Tay Ho 220/110kV substation, which is the main substation supplying electricity for the power loads in central districts of Hanoi; and (iii) reduce losses of capacity and electrical energy of the system, contributing to increase the production and business efficiency of the Electricity of Vietnam (EVN).
2. This updated RP is updated based on the results of DMS for affected assets of the affected households of 220/110kV Chem – Tay Ho transmission line. It also updates the results of consultation, participation and information dissemination to AHs and stakeholders in the RP implementation process for this project. No civil works for this subproject can begin until the updated RP has been approved and endorsed by ADB.

### **1.2. Scope of land acquisition and resettlement**

3. The total acquired land area for the subproject is 7,443.30m<sup>2</sup> including 1,193.30m<sup>2</sup> belonging to 42 households and three Ward PCs in two districts of Hanoi City will be permanently acquired. 6,250m<sup>2</sup> will be affected temporarily due to the construction activities of the subproject.
4. The subproject causes impacts on 46 households and 184 persons. The subproject does not cause any impact on house; however, there are four households whose fence wall, drilled well, and concrete path will be affected. In addition, two graves belonging to one household will be affected.
5. All of the permanently and temporarily acquired land is agricultural land being used to grow peach tree, pot plants and vegetables.
6. There is no severely affected household, vulnerable household as well as household who might be worsened off due to the project impacts.

### **1.3. Associated structures**

7. Chem-Tay Ho 220kV TL will connect to the 220kV substation. Tay Ho substation is built to connect the grid system of some transmission lines including Chem-Tay Ho 220 TL.

### **1.4. Socio-economic information and profile**

8. A total of 46 households are affected. The average household size is 4.29 persons. The rate of males is 51.3% while the rate of females is 48.7%. The population within the 35 to 55 age group accounts for the majority with 34.2%.
9. Most of the heads of households have finished the secondary school level, accounting for 35.5%. The occupational structure of the affected households is quite diversified with 83.1% engaged in agricultural sector. 5.6% are workers receiving salaries from public and 3.2% from private companies. 4% of the PAPs above 18 stay at home to do housework, 0.8% are hired labors and 0.8% are workers in the factories.

10. There is no household whose income is under poverty line (below VND 750,000/person/month)<sup>1</sup>. 8.4% of the households have the monthly per capita income level from VND 750,000 to VND 1,000,000. Most of the households (91.6%) have the per capita income more than VND 1 million per month. The primary sources of income of these affected households are from cultivation, livestock husbandry and workers. No household is classified as poor according to the standard established by Hanoi City PC.
11. 36.1% of the affected households use tap water while 61.9% have to 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.
12. There is no ethnic minority household in the project area.

#### **1.5. Information disclosure, consultation, and participation**

13. Two consultation rounds were held at the affected wards. The first round was organized in March 2014 in three wards with 59 participants including 46 representatives of PAHs and 13 WPCs' officials. The second round was conducted in November 2014. The participants included the representatives of the AHs, commune leaders, and mass organizations such as Women's Union and Communal Vietnamese Fatherland Front.
14. The consultation and information disclosure meetings were also carried out with two districts, namely Tay Ho and North Tu Liem, in May 2014.
15. Hanoi HPMB has also disclosed the draft Resettlement Plan; key information has been provided for the affected households and organizations in the community meetings.
16. The following information contained in the Public Information Booklet (PIB) distributed include: (i) a brief background of the project, specifically the civil works to be undertaken and the adverse social impacts; (ii) IOL results; (iii) basis used for asset valuations; (iv) the entitlements; (v) timing of payments and the schedule of displacement; (vi) grievance redress mechanism; and (vii) contact persons at the PMB and concerned ward people's committee (WPC).

#### **1.6. Grievance Redress Mechanism**

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

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<sup>1</sup>Decision No. 01/2011/QĐ-UBND by Hanoi City People's Committee issuing poverty and near-poverty standards of Hanoi City for the 2011-2015 periods.

### **1.7. Legal framework**

18. 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); 2013 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).
19. 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 2013 Land Law and 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, Article 38/2013/ND-CP).

### **1.8. Entitlements, assistance, and benefits**

20. 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.
21. 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.
22. One of key policy objectives of the project is to replace or compensate lost assets. All compensation is based on the principle of replacement cost. Compensation and provision of assistance will be provided and income restoration programs will be put in place prior to displacement of affected households from their houses, land, and other assets, such that they will be at least as well off as they would have been in the absence of the project, and the poorest affected households and vulnerable groups are assisted to help improve their socio-economic status.

### **1.9. Relocation of housing and settlements**

23. No household has to relocate.

### **1.10. Income restoration and rehabilitation**

24. There is no severely affected household as well as vulnerable household. Thus, the project's income restoration program provides allowance cash for permanently acquired agricultural land, and allowance cash for job changing and creation, applying for affected households with permanently acquired agricultural land.

**1.11. Resettlement budget and financing plan**

25. The total cost for resettlement is estimated at **VND 1,199,468,123** (or equivalent to **USD 56,128.6**). This proposed budget includes compensation and allowances, cost for Tay Ho and North Tu Liem DCARBs (2% cost of compensation and allowances), and contingency. EVN Hanoi and PMB will ensure the timely provision of counterpart funds for resettlement to meet any unforeseen obligations in excess of the resettlement budget estimates in order to satisfy resettlement requirements and objectives.

**1.12. Institutional arrangements**

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

**1.13. Implementation schedule**

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

**Table- 1. Implementation Schedule**

<b>Main activities</b>	<b>Time-frame</b>
<i>Preparing RP</i>	
Detailed engineering and demarcation of land to be acquired	June 2014
Public meeting and consultations with affected persons on resettlement plan	March 2014 December 2014
Finalize updated resettlement plan and submit to HPPMB for review and referral	December 2014
ADB no-objection to resettlement plan	February 2015
<i>Implementing RP</i>	
DMS	October-December 2014
Compensation payment	January 2015
Site clearance	January 2015
Start of civil works	February 2015

**2.0. SUBPROJECT INTRODUCTION**

**2.1. Objectives of the Subproject**

28. The subproject is implemented with the aim:

- To meet the electricity demands of the important loads in Hanoi area; to supply electricity for Tay Ho 220/110kV substation, which is the main substation supplying

electricity for the power loads in central districts of Hanoi (Tay Ho, Ba Dinh, and Hoan Kiem)

- To reduce power losses of the system, contributing to increase the production and business efficiency of the Electricity of Vietnam (EVN).

## 2.2. Main features of the subproject

29. Chem-Tay Ho 220/110kV TL and 110kV line at outgoing feeder from Tay Ho 220kV substation is line structure and implemented in the area of Dong Ngac Commune of Tu Liem District and Phu Thuong Ward of Tay Ho District in Hanoi.
30. The 220 kV Chem-Tay Ho TL starts from the Tower No. 47 of the 220kV Chem-Van Tri and ends at the 220 kV Tay Ho SS, consisting of four components: (i) overhead line (3.8km) and 0.2 km of underground cable including (ii) 220 kV underground cable; (iii) 110 kV Chem-Tay Ho underground cable; and (iv) 110 kV Chem-Mai Dong underground cable.

### 2.2.1. Overhead line component

**Table- 2. Features of the overhead line**

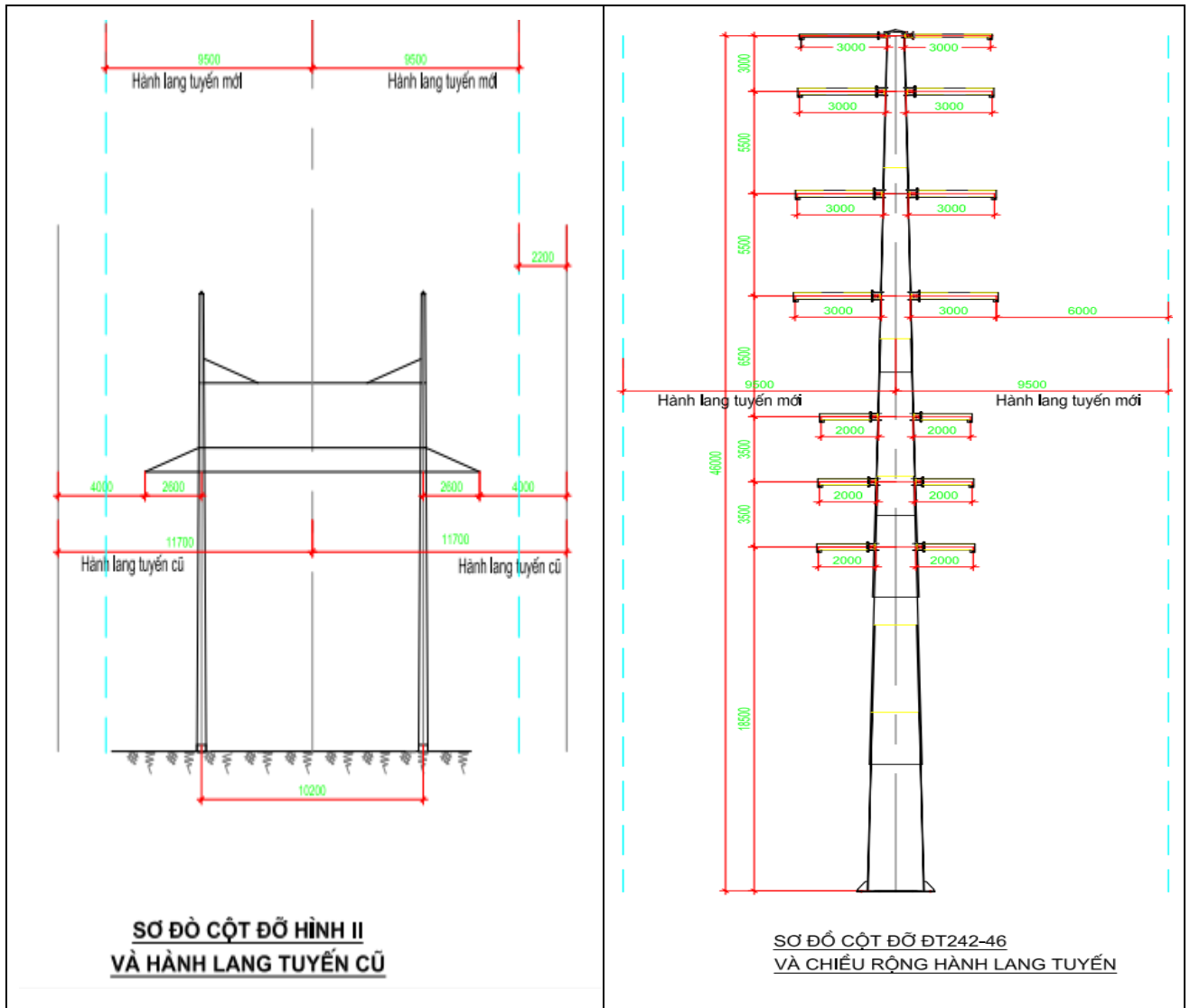
Voltage	220; 110kV
Number of circuits	4 circuits
Start point	Anchor tower numbered 47 Chem-Van Tri 220kV TL. The newly built tower at the centreline of the previous 110kV line about 20m from the VT19.
End point	220kV: Underground cable tower VT42A; 110kV: Underground cable tower VT42A.
Length	3.83 km
Electric line	ACSR500/64 for the 220kV circuit. ACSR400/51 for the 110kV circuit.
Lightning protection	Phlox116 and OPGW96
Electrical insulation	Insulation according to the IEC standard
Tower	Tubular steel tower
Foundation	Pile foundation

### 2.2.2. Chem-Tay Ho 200kV and 110kV underground cable lines

31. The line starts from VT42A, goes along the centerline of the existing overhead line and turns before the drainage, and then goes in parallel with the drainage of the access road to Tay Ho 220kV substation.
32. The plan is to improve the existing 110 kV Chem-Nhat Tan TL into two double-circuit TL (220 kV double circuit and 110 kV double circuit, using single steel column). The line section to be improved into double circuit starts from the Tower No. 19 of the 110 kV Chem-Nhat Tan TL (near the Tower No. 47 of the 220 kV Chem-Van Tri TL) and ends at the Tower No. 42A of the 110 kV Chem-Nhat Tan TL. The line will utilize the right-of-way of the existing 110 kV Chem-Nhat Tan TL.

### 2.2.3. Tay Ho-Mai Dong 110kV underground cable





**Figure 3. New type of tower that will minimize land acquisition impacts**

38. As for overhead line: Mitigation measures for land acquisition impacts include:

- (i) Improving the existing concrete and steel towers into double circuit single tower. The width of the right-of-way is enclosed by two imaginary vertical planes on both sides, parallel with the line, and the distance from the outermost conductor wire to each side is 4 meter as for the 110 kV line, 6 meter for the 220 kV line. As calculated, the ROW width from the center axis will reduce by 4.4 m<sup>2</sup> due to the use of the single tower that is designed to be more compact than the existing concrete tower.
- (ii) Arranging the new tower foundation at the existing tower foundation and increasing the tower height: The 220 kV Chem-Tay Ho is improved and upgraded

<sup>2</sup> The widths of ROW from the center axis outwards both sides for both existing and new TL are:

+ The existing 110 kV TL: 5.1+ 2.6 + 4.0 = 11.7m.

+ The new 220 kV TL: 3.5 + 6.0 = 9.5m.

from the 110 kV Chem-Nhat Tan, the foundations will be placed mainly at the existing positions. According to foundation design plan, pile foundation is used, thus land acquisition area is small, from 30 to 50m<sup>2</sup> for each position. Although, single circuit line is upgraded to double circuit line, the tower height is increased significantly (the height of the existing concrete tower is 20m while the new tower will be from 47m to 66m high). Therefore, the new line has the minimum clearance of the lowest conductor above ground level higher than the minimum ground clearance of the existing line and thus is in compliant with the Decree No. 14/2014/ND-CP by the Government on power safety, which also reduces impacts caused by restricted land use under the ROW.

- (iii) The civil works will be commenced after Tet Holidays in order to minimize impacts on trees and crops.

#### **2.4. Associated facilities**

- 39. The 220 kV Chem-Tay Ho TL will connect to the 220 kV SS. Tay Ho SS is built in order to connect the grid lines of a number of TLs including the 220 kV Chem-Tay Ho TL. Thus, there are no associated facilities for this subproject.
- 40. The construction of Chem-Tay Ho 220kV substation will cause impacts on 36 households and acquire 3,244.5m<sup>2</sup> more land. All of the acquired area is annual crop land. The affected assets include peach trees (type of trees that have high economic value of the PAPs) and four graves. No household is affected on houses or has to relocate due to land acquisition to build the substation.
- 41. So far, the payment of compensation and assistances for the impacts caused by the construction of Tay Ho 220kV substation has been completed. The total cost of VND 12,430,801,924 has been provided for 36 affected households. Policies applied to calculate the entitlements of the PAPs and the implementation processes are in compliant with the regulatory documents by the Government of Vietnam and Hanoi City PC.
- 42. In order for the land acquisition and compensation payment for the households affected by Tay Ho substation to be harmonized with the policies applied for Chem-Tay Ho 220kV TL subproject, some recommendations have been proposed to Hanoi EVN and Tay Ho DCARB.

### **3.0. SCOPE OF LAND ACQUISITION AND RESETTLEMENT IMPACTS**

#### **3.1. Scope of impacts**

- 43. The 220 kV Chem-Tay Ho is improved and upgraded from the 110 kV Chem-Nhat Tan TL. The tower foundations are thus arranged at the existing foundations. However, as the 110 kV Chem-Nhat Tan was built for a long time ago (around 1984), the investment dossier of this project has been lost, thus the compensation and land acquisition activities to serve the development of the 220 kV Chem-Tay Ho TL must be started from scratch. Specifically, the land acquisition area for each foundation is listed in the table below:



**Table- 3. Land acquisition area for each foundation location**

Foundation position	Tower foundation area (m <sup>2</sup> )	Temporarily affected area (m <sup>2</sup> )
<b><i>Thuy Phuong – North Tu Liem</i></b>		
VT19	33.64	400
VT20	49.00	
VT21	49.00	250
<b>Subtotal</b>	<b>131.64</b>	<b>650</b>
<b><i>Dong Ngac- North Tu Liem</i></b>		
VT22	33.64	200
VT23	57.40	250
VT24	33.64	200
VT25	33.64	250
VT26	49.00	250
VT27	49.00	300
VT28	33.64	200
VT29	33.64	350
<b>Subtotal</b>	<b>323.60</b>	<b>2000</b>
<b><i>Phu Thuong- Tay Ho</i></b>		
VT30	33.64	200
VT31	33.64	200
VT32	33.64	250
VT33	33.64	250
VT34	33.64	250
VT35	33.64	250
VT36	33.64	250
VT37	33.64	250
VT38	33.64	250
VT39	33.64	250
VT40	33.64	250
VT41	33.64	250

Underground cable		700
<b>Total</b>	<b>403.68</b>	<b>3600</b>

### 3.2. Land acquisition impacts

44. The subproject is implemented in three wards, namely Phu Thuong (Tay Ho District), Dong Ngac and Thuy Phuong (North Tu Liem).

**Table- 4. Total affected land area**

District/Ward	Total affected land area	Total temporarily acquired area	Total permanently acquired area
<b>I. Tay Ho District</b>	4,338.06	3,600	738.06
1. Phu Thuong	4,338.06	3,600	738.06
<b>II. North Tu Liem District</b>	3,105.24	<b>2,650</b>	<b>455.24</b>
1. Dong Ngac	2,323.60	2,000	323.6
2. Thuy Phuong	781.64	650	131.64
Total	7,443.30	<b>6,250</b>	<b>1,193.30</b>

#### 3.2.1. Permanently acquired land

45. The total acquired land area for the project development is 7,443.30 m<sup>2</sup> including 1,193.30 m<sup>2</sup> of permanently acquired area to build new tower foundations and replace the existing ones and 6,250 m<sup>2</sup> of temporarily acquired area for building tower foundations.

46. The area of 1,193.30 m<sup>2</sup> of permanently acquired land belongs to 46 households. All of the affected area is annual crop land mainly in PhuThuong Ward (736.06 m<sup>2</sup>), Dong Ngac (323 m<sup>2</sup>) and Thuy Phuong (131.64 m<sup>2</sup>).

47. The overhead line component has 23 tower locations in which 15 towers require acquisition of land of 22 households. The affected area of these 15 towers is 504.54 m<sup>2</sup>. The remaining eight towers are built on 350.72 m<sup>2</sup> of agricultural land under the management of Dong Ngac Ward PC (256.32 m<sup>2</sup>) and Thuy Phuong Ward PC (94.40 m<sup>2</sup>).

48. The underground cable component needs to acquire an addition 338.02 m<sup>2</sup> of agricultural land of 10 households in Phu Thuong Ward, Tay Ho District.

**Table- 5. Detailed impacts caused by permanent land acquisition**

Unit: m<sup>2</sup>

District/Ward	Total affected area	No. of affected HHs	Annual crop land
<b>I. Tay Ho District</b>	<b>738.06</b>	<b>36</b>	<b>738.06</b>
1. Phu Thuong	738.06	36	738.06
<b>II. North Tu Liem District</b>	<b>104.52</b>	<b>10</b>	<b>104.52</b>

1. Dong Ngac	67.28	5	67.28
2. Thuy Phuong	37.24	5	37.24
<b>Total</b>	<b>842.58</b>	<b>46</b>	<b>842.58</b>

49. Among a total 46 households who are affected by permanent LA, seven households are cultivating on the affected land area that is under the management of Phu Thuong Ward PC. Four households leasing land of the Ward PC for cultivation have land lease contracts and 32 households have legal rights to the land they are using; however, only three households have land-use rights certificates (LURCs) to their agricultural landholdings. The remaining households, although do not have LURCs, they have legal documents of their productive land areas.

50. Among 32 households whose productive land is permanently affected, there is no household affected more than 10% of their productive landholdings.

**3.2.2. Temporarily acquired land**

51. A total of 6,250 m<sup>2</sup> of land will be affected temporarily due to land acquisition during construction period to serve the construction of new tower foundations and displacement of the existing towers. The details of temporary impacts on land are presented in the Table 4 above.

52. All of the temporarily affected area is annual crop land. No residential land is affected. In which, the most affected productive area is in PhuThuong Ward with 3,600 m<sup>2</sup> of affected land. The affected annual crop land in NorthTuLiem District is 2,650 m<sup>2</sup> in Dong Ngac Ward (2000m<sup>2</sup>) and in Thuy Phuong Ward (650m<sup>2</sup>). The temporarily affected land will be restored and returned immediately after the construction is completed.

53. People can still use the area under the ROW to plant crops; houses are allowed to exist within the ROW in accordance with the ROW safety regulations. However, it is limited to plant trees exceeding 6 meters in height that can affect the safety of the power grid in accordance with Decree 14/2014/ND-CP.

**3.2.3. Project affected households**

54. A total of 46 affected households in Tay Ho and North Tu Liem districts including 36 households in Phu Thuong Ward, five households in Dong Ngac, and five households in Thuy Phuong are permanently affected on annual crop land.

**3.2. Impacts on trees, crops, and structure**

55. 674 trees belonging to 46 households will be affected by the project including 647 pot peach trees of 35 households, three pomelo trees and 24 kumquat trees.

56. 98.64 m<sup>2</sup> of crops of 10 households are affected due to permanent LA. The affected crops include water morning glory and broccoli.

57. Five households in Phu Thuong Ward are affected on graves, fence wall, drilled well, and concrete path. These structures will have to be dismantled and displaced. Of which, two graves belonging to one household will be relocated, 7m<sup>2</sup> of concrete path of one household and two drilled wells and brick wall of four households will be affected.

58. **Severely affected households.** There is no severely affected household as well as no household who might be worsened off due to the project's impacts.

59. **Vulnerable households.** There is no vulnerable household affected by the project.

## 4.0. SOCIO-ECONOMIC INFORMATION AND PROFILE

### 4.1. Project area

#### 4.1.1. Tay Ho District

60. Tay Ho is the fourth largest district after Ha Dong, Long Bien, and Hoang Mai districts. The district is about 2,401 ha out of the total of 17,878 ha of land in inner Hanoi, accounting for 13.4%. Among the total natural land area, the area of agricultural land is 271 ha, occupying 11.3%; the area of forestry land of the district is 500.4 ha (accounting for 20.8%), and the area of residential land is 420.2 ha, making up 17.5%.

61. Tay Ho District consists of eight wards with the total population of 145,700 people (2012). The population density of the district is 6,068 persons per square kilometer.

62. According to the development orientation of Hanoi Capital until 2020, the entire Tay Ho district belongs to the development area of the city. The district has favorable conditions to attract financial resources, human resources, and technology to promote the socio-economic development of the district in particular and of Hanoi in general.

#### 4.1.2. North Tu Liem District

63. North Tu Liem District is established according to the Decision No. 132/NQ-CP dated December 27 2013 by the Government by separating nine communes of the previous Tu Liem District.

64. The district consists of 13 wards with the total natural land area of 4,335.34 ha with the total population of 320,414 people (2013). The population density of the district is 7,377 people per square kilometer.

### 4.2. Project affected people

#### 4.2.1. Demographic features

65. Most of the surveyed households have from 3 to 4 persons (accounting for 54.8%). The percent of households comprising five to six members makes up 27.1%. The households with small size from one to two persons account for 12.3%. The remaining 5.8% are those households who have from six persons and above. The average household size is 4.09 persons. The percent of male is 51.3% while the percent of female is 48.7%.

66. 34.2% of the population is from 35 to 55 age group. The number of people belonging to 18 to 35 age group account for 27.9%. Population more than 55 years old makes up 17.5% while people in the 5 to 18 age group occupy 15.6%. The population under 5 account for 4.7%.

**Table- 6. Population by age group**

Age group	PhuThuong	Dong Ngac	Thuy Phuong	Total
Less than 5	3.0	8.1	3.3	4.7
5 to 18	17.9	13.4	9.8	15.6
18 to 35	28.8	29.2	18.0	27.9
35 to 55	36.5	28.7	39.3	34.2
More than 55	13.7	20.6	29.5	17.5
<b>Total</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>

#### 4.2.2. Education level of the heads of PAHs

67. Most of the heads of households only completed secondary education level, accounting for 35.5%. 24.5% of them have not completed high-school level and 3.2% only attained primary school level. The rate of household heads who completed high school level is 29.7% and only 5.8% of them have undergone vocational training. The number of household heads who participated university and higher is very small, only 1.3%.

#### 4.2.3. Occupations of affected households

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

69. 83.1% of the affected people above 18 are involved in agricultural sector (cultivation and livestock husbandry). 5.6% of them are public officials and 3.2% are working in the private companies. 4% of the PAPs stay at home and do housework while the number of workers and hired labors are the same (0.8%). There is no PAP above 18 who are students.

**Table 1. Occupations of the affected people by age group**

Occupations	18-30 age group	31-60 age group	Total
Agricultural sector	100.0	82.1	82.3
Livestock husbandry	0.0	0.8	0.8
Shop/store	0.0	2.4	2.4
Restaurant	0.0	0.0	0.0
Workers	0.0	0.8	0.8
Public officials	0.0	5.7	5.6
Working in private companies	0.0	3.3	3.2
Working in transport sector	0.0	0.0	0.0
Students, pupils	0.0	0.0	0.0
Housework	0.0	4.1	4.0
Hired labors	0.0	0.8	0.8
<b>Total</b>	<b>100</b>	<b>100</b>	<b>100</b>

#### **4.2.4. Monthly income and expenditure of affected households**

70. There is no PAH having income level under the poverty line, which is VND 750,000/person/month. 8.4% of the households classified as near-poor, who have monthly per capita income from VND 750,000 to VND 1 million. The majority of the PAHs (91.6%) have per capita income above VND 1 million per month.
71. The main sources of income of the PAHs are from cultivation, livestock and working at the factories, in which cultivation is the primary and most stable source. People in three wards, PhuThuong, Dong Ngac, and Thuy Phuong, have main income source from cultivation. In PhuThuong Ward, people mainly grow peach trees while in Dong Ngac and Thuy Phuong, kumquat trees are planted the most. These are types of trees that have high economic values and are sold during Tet Holidays. Civil works will be commenced after this time in order to minimize impacts on these trees.
72. Some vegetable and different types of beans are also planted on the affected area under ROW. Most of vegetable and beans are planted to sell at the markets to bring income for the households.

#### **4.2.5. Water, hygiene, sanitation and health indicators**

73. Data is available on water, hygiene and sanitation and it appears the major health-related issue is an increase in dengue during summer months but otherwise there are quite high standards of health and hygiene. Infant mortality rates at 10.5/1,000 and the under 5 MR of 15.2/100,000 are lower than for Vietnam. People with serious physical disabilities constitute 10.5% of the population, those classified as chronically unwell 9.3% but only 0.1% of the population suffers from serious communicable diseases (primarily HIV/AIDs and Tuberculosis).
74. Only 36.1% of the households in North Tu Liem District have access to hygiene clean water such as tap water supplied by water treatment plants or domestic water supplying plants. No affected household in Phu Thuong Ward, Tay Ho District uses tap water. 61.9% of the PAHs have to use water from drilled well and then filter water by primitive methods at home. 1.9% of the households are using water from dug well.
75. All of the PAHs use composting latrines.

#### **4.2.6. Energy sources**

76. 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.
77. For cooking, 100% of the households use gas as main energy source.

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

### **5.1. Stakeholders**

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

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

### **5.2. Objectives of consultation**

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

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

81. Key objectives and principles are:

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

- Dissemination of information, consultation and participation should be carried out in the phase of resettlement plan establishment and will continue throughout the implementation phase of the resettlement plan.

### **5.3. Public consultations during RP preparation**

82. Two rounds of consultations have been conducted in three wards of Tay Ho and NorthTuLiem districts. The first consultation round was carried out by the Design Consulting Agency in March 2014 and the second round was organized with the participation of Hanoi PPMB and Social and Environmental Consultant Group.
83. 59 people participated in the consultations including 46 representatives of the PAHs and 13 officials of three wards, PhuThuong, Thuy Phuong, and Dong Ngac. The representatives of mass organizations such as the Fatherland's Front, the Women's Union of the ward have attended and contributed opinions to the project.
84. The representative 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.
85. The feedbacks received are summarized as follows:
  - The subproject is invested according to the policy of the Party and State for the benefits of local communities; therefore, the communities and WPCs totally support the project.
  - The construction schedule should be clear and after the construction, site must be restored and returned. Under the TL is the cemetery area near the underground cable location; therefore, it is necessary to avoid affecting the graves here.
  - It is recommended that the PMB has close supervision mechanism of the contractors during construction period. Compensation must be paid prior to construction. And during construction period, labor safety and environmental sanitation should be guaranteed. There should be signals and signs to ensure traffic safety for people.
  - The construction plan and schedule must be appropriate. Prior to the construction, PAPs should be informed so that their crops are not affected.
  - Along the TL, there are several households growing peach trees. Therefore, during the construction period, the construction unit and PAHs should reach agreement. The PAHs suggest that prior to the construction, consultation should be organized to get comments and opinions from PAPs as there are many households growing peach trees here. During the construction process, there should be equipment to support the TL to avoid impacts on peach trees under the TL's ROW.
  - Prior to the construction, there should be consensus from the owner of the peach garden to allow construction on their land and compensation rates should be



negotiated between the owners of the peach garden and construction in case of emerging impact caused on the peach trees below the TL.

- In order to minimize impacts on PAHs and local communities during construction, the best construction time is at least one month before or after Tet Holidays as before the end of the year (Lunar Calendar), the households will grow peach trees in pots and after the Tet Holiday, they have to prepare land to grow peach trees.
- As for the PAHs, the project should ensure their entitlements and compensate for their losses according to the current regulations.
- Construction plan and schedule should be informed to the communities and the PMB should cooperate closely with the local authorities and consult with the local communities to avoid complaints and queries.
- Waste materials after displacing the foundations should be transported to another area because there is no waste landfill area in these wards.
- In the construction sites, there are rain-fed crops; during the construction period or material transportation, if there is any emerging impact on the crops, the project should compensate and support the PAPs during the time when land cannot be used.
- There should be plan and method to displace the old foundations to avoid impacts on production activities. The safety of the households under the ROW of the TL should be guaranteed.

**5.4. Consultation and information disclosure plan during project implementation process**

86. Consultation and information disclosure should be made during the project preparation phase and throughout the project construction and operation to ensure requirements on disclosure of information, consultation and participation and to ensure that people stay informed of the project, participate in consultations and other activities of the project.

**Table- 7. Public consultations organized at the affected wards**

Area	Date	Participants
Dong Ngac Ward, North Tu Liem District	22/11/2014	10 participants including: <ul style="list-style-type: none"> <li>- 4 females and 6 males.</li> <li>- Representative of the Ward VFF;</li> <li>- Representative of the Ward PC;</li> <li>- Representative of the affected residential group;</li> <li>- Representative of the PAPs in the DCARB;</li> <li>- Representative of the PAHs.</li> </ul>

<p><b>Thuy Phuong Ward, North Tu Liem District</b></p>		<p>13 participants including:</p> <ul style="list-style-type: none"> <li>- 6 females and 7 males;</li> <li>- Representative of the Ward VFF;</li> <li>- Representative of the Ward PC;</li> <li>- Representative of the affected residential group;</li> <li>- Representative of the PAPs in the DCARB;</li> <li>- Representative of the PAHs.</li> </ul>
<p><b>Phu Thuong Ward, Tay Ho District</b></p>	<p>14/11/2014</p>	<p>38 participants including:</p> <ul style="list-style-type: none"> <li>- 16 females and 22 males;</li> <li>- Representative of the Ward Party Committee;</li> <li>- Representative of the Ward People's Council;</li> <li>- Representative of the Ward VFF;</li> <li>- Representative of the Ward PC;</li> <li>- Representative of the affected residential group;</li> <li>- Representative of the PAPs in the DCARB;</li> <li>- Representative of the PAHs.</li> </ul>

87. During the process of DMS, establishment of compensation plans, the following activities have been and will be carried out:

- Resettlement plan should be summarized and disclosed to the affected people in different forms.
- For cities and districts: The RP documents must be provided to the People's Committee Office of the City, District, Chairmen of the District People's Council with full version in Vietnamese. RP in Vietnamese will be announced at the Offices of Tay Ho and North Tu Liem District People's Committees to the public, interested organizations can access, find out.
- For the wards: The summary of RP documents in Vietnamese will be placed in the WPC Offices of Thuy Phuong, Dong Ngac, and Phu Thuong;
- For the community: Public meetings have been held and the Project Information Brochure in Vietnamese have been distributed to the affected households;
- DMs results and detailed resettlement plan have been posted at the Ward PCs and the affected households have kept the copied version.

- RP in English will be disclosed on Website of ADB.

## 5.5. Post-project implementation

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

## 6.0. GRIEVANCE REDRESS MECHANISM

89. In order to ensure that all APs' grievances and complaints on any aspect of land acquisition, compensation and resettlement are addressed in a timely and satisfactory manner, and that all possible avenues are available to APs to air their grievances, a well-defined grievance redress mechanism needs to be established. All APs can send any questions to implementation agencies about their rights in relation with entitlement of compensation, compensation policy, rates, land acquisition and grievance redress. APs are not required to pay any fee during any of the procedures associated with seeking grievance redress including if resolution requires legal action to be undertaken in a court of law.

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

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

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

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

**Final Stage, the Court of Law Arbitrates:** If after 45 days following the lodging of the complaint with the CityPC, the aggrieved affected household does not hear from the CityPC, or if he/she is not satisfied with the decision taken on his/her complaint, the case may be brought to a court of law for adjudication. Decision by the court will be the final decision.

91. Decision on solving the complaints must be sent to the aggrieved APs and concerned parties and must be posted at the office of the People's Committee where the complaint is solved. After three days, the decision/result on solution is available at commune/ward level and after seven days at district or city level.
92. The above grievance redress mechanism will be disclosed and discussed again with the APs prior to loan appraisal by ADB and during the updating of this RP to ensure their understanding of the process. The HanoiPPMB and the DCARBs are responsible for following-up the grievance process of the APs.

## 7.0. LEGAL FRAMEWORK

93. The Project is financed by ADB; therefore, the ADB's SPS 2009 and some other policies will be applied with the aim for policy harmonization with other donors as well as the recipient country.

### 7.1. ADB Social Safeguards Policy Requirements

94. Objectives stated in the ADB's SPS 2009 on Involuntary Resettlement are to (i) avoid involuntary resettlement wherever possible; (ii) minimize involuntary resettlement by exploring project and design alternatives; (iii) enhance, or at least restore, the livelihoods of all displaced persons in real terms relative to pre-project levels; and (iv) improve the standards of living of the displaced poor and other vulnerable groups.
95. **Safeguard requirements 2 –Involuntary Resettlement.** The guiding principles on ADB's policy on Involuntary Resettlement are prescribed in Safeguard Requirements 2 of the ADB SPS (2009). The objectives are to: (i) avoid involuntary resettlement wherever possible; (ii) minimize involuntary resettlement by exploring project and design alternatives; (iii) enhance, or at least restore, the livelihoods of all displaced persons in real terms relative to pre-project levels; and (iv) improve the standards of living of the displaced poor and other vulnerable groups.
96. The involuntary resettlement requirements apply to full or partial, permanent or temporary physical displacement (relocation, loss of residential land, or loss of shelter) and economic displacement (loss of land, assets, access to assets, income sources, or means of livelihoods) resulting from (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas. Resettlement is considered involuntary when displaced individuals or communities do not have the right to refuse land acquisition that result to displacement. This occurs in cases where (i) lands are acquired through expropriation based on eminent domain; and (ii) lands are acquired through negotiated settlements, if expropriation process would have resulted upon the failure of negotiation.
97. Projects financed by ADB, including associated facilities that are financed by the government or other sources, are expected to observe the following policy principles:

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

- Disclose both the draft and final resettlement plan in a form and language understandable to displaced persons and other stakeholders.
  - Conceive and execute involuntary resettlement as part of a development project or programme. Include the full costs of resettlement in the presentation of project's costs and benefits. For a project with significant involuntary resettlement impacts, consider implementing the involuntary resettlement component of the project as a stand-alone operation.
  - Pay compensation and provide other resettlement entitlements before physical or economic displacement. Implement the resettlement plan under close supervision throughout project implementation.
  - Monitor and assess resettlement outcomes, their impacts on the standards of living of displaced persons, and whether the objectives of the resettlement plan have been achieved by taking into account the baseline conditions and the results of resettlement monitoring. Disclose monitoring reports.
98. 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.
99. Persons or households without formal legal rights nor recognized or recognizable claims to the acquired land are still entitled to be compensated for their loss of assets other than land, such as dwellings or other improvements on the land at full replacement cost, provided that they have occupied/used the land or structures in the affected land prior to the cut-off date.
100. **Other ADB's cross-cutting policy themes:** The Bank's other cross-cutting policy themes consist of: (i) Gender and Development (1998) which adopts gender mainstreaming as a key strategy for promoting gender equity, and for ensuring that women participate and that their needs are explicitly addressed in the decision-making process for development activities; (ii) Public Communications Policy (2011) that seeks the active participation of affected people and other stakeholders during the development and review of safeguard policies on ADB-assisted programs and projects. The project executing agency shall make available the resettlement plan to affected people, consistent with ADB's OM Section F1/OP (March 2010); and (iii) Accountability Mechanism (2012) which is part of ADB's continued efforts to enhance its capacity in responding to and/or resolving the problems associated with the implementation of its policies in all programs or projects it assists. It consists of a consultation phase and a compliance review phase, by which the problems or issues raised by the affected people and/or stakeholders are investigated and resolved.

## **7.2. Regulations of Vietnamese Government on resettlement**

101. The Constitution of the Socialist Republic of Vietnam (2013) confirms that ownership and protection of ownership of citizens of their houses. Besides, the

Government has issued a number of law, decrees, and regulations to form the legal framework for land acquisition, assistance, compensation, and resettlement. Primary documents include:

**a. Law**

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

**b. Government's decrees**

- Decree No. 43/2014/ND-CP dated May 15 2014 guiding the implementation of Land Law 2013.
- Decree No. 44/2014/ND-CP dated May 15 2014 by the Government on the land prices.
- Decree No. 45/2014/ND-CP dated May 15, 2014 by the Government providing on the collection of land use levies;
- Decree No. 46/2014/ND-CP dated May 15, 2014 by the Government providing on the collection levies of land lease, water surface lease;
- Decree No. 47/2014/ND-CP dated May 15 2014 by the Government on compensation, assistance, and resettlement in the event of land recovery by the State.
- Decree No. 38/2013/ND-CP dated April 23 2013 on the management and use of Official Development Assistance (ODA) and concessional loans of donors.
- Decree No. 14/2014/ND-CP dated February 26 2014 by the government detailing the implementation of the Electricity Law regarding electricity safety.
- Circular No. 23/2014/TT-BTNMT dated May 19 2014 by MONRE regulating Land Use Right Certificate (LURC), right to ownership of housing and other assets attached to land;
- Circular No. 24/2014/BTNMT dated May 19 2014 by MONRE regulating cadastral dossiers;
- Circular No. 25/2014/BTNMT dated May 19 2014 by MONRE, regulating cadastral maps;
- Circular No. 28/2014/BTNMT dated June 02 2014 by MONRE regulating land statistic and inventory and development of current land use map;
- Circular No. 29/2014/BTNMT dated June 02 2014 by MONRE regulating details of making and amending land use planning;
- Circular No. 30/2014/BTNMT dated June 02 2014 by MONRE regulating dossiers of handing over land, leasing land, converting land use purpose, and land acquisition;

- Circular No. 36/2014/TT-BTNMT dated June 30 2014 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;
- 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. 52/2012/QD-TTg dated November 16 2012 on employment and vocational training support policies for laborers subject to agricultural land recovery.

**c. Hanoi PC's decisions**

102. The current regulations on compensation, support and resettlement of Hanoi City PC will be applied in RP of the project include:

- Decision No. 23/2014/QD-UBND dated June 20, 2014 promulgating contents under the authority of the Hanoi City People's Committee stipulated by the 2013 Land Law and decrees of the Government on compensation, assistance, and resettlement in the event of land recovery by the state in Hanoi City.
- Decision No. 29/2014/QD-UBND dated July 22, 2014 promulgating the prices of construction of new houses, temporary houses, and structures as the basis for identifying compensation and assistance values upon land recovery by the state in Hanoi City.
- Decision No. 17/2014/QD-UBND dated March 31, 2014 issuing the price list of different types of land in North Tu Liem and South Tu Liem districts, replacing the land price list in Tu Liem District attached to the Decision No. 63/QD-UBND dated December 25, 2013 by City PC promulgating prices of lands in Hanoi City in 2014.
- Announcement No. 7495/STC-BG dated December 30, 2013 by Hanoi Department of Finance on compensation rates for affected trees, crops, livestock, and surface water in Hanoi City in 2014.
- Announcement No. 4079/STC-QLCS by Hanoi Department of Finance dated June 30, 2014 on rice price as the basis for life stabilization allowance upon land recovery by the state in Hanoi City.

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

103. There is basic congruence between Viet Nam's laws and ADB's Resettlement Policy especially with regard to the entitlement of persons with legal rights/titles. Existing legislation provides guidance in (i) determining market/replacement rates and payment of compensation, assistances for various types of affected assets; (ii) options for land-for-land and cash compensation assistance; (iii) provision of relocation assistance and support to displaced households during the transition; (iv) provision of resettlement land and housing with secure tenure; (v) additional assistance for severely affected and



vulnerable households; (vi) assistance to livelihood restoration and training; and (vii) notification/disclosure, consultation, and grievance mechanisms.

104. However, ADB Policy does not consider the absence of legal rights of affected persons on the acquired land as an impediment to receiving compensation for other assets and for rehabilitation assistance. Non-registration of an affected persons' business also does not bar them from being assisted in restoring their business.

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

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

**Table- 8. Comparison between the Relevant Provisions of 2013 Land Law and Decree No. 47/2014/ND-CP and the 2009 ADB SPS**

ADB SPS 2009	Land Law 2013; guidance decrees	Policy Gaps from ADB 2009 SPS	Reconciled Policy for the Project
Objective: To avoid involuntary resettlement whenever possible; to minimize involuntary resettlement by exploring project and design alternatives	Land Law requires the project owner to arrange the project reasonably to save the land and the Government issued Decree 42/2012/ND-CP on the protection of paddy land;	While there is no explicit policy, land recovery in Viet Nam in practice avoids or minimize involuntary resettlement	Since the Project shall be financed by ADB loan, it will adopt the objectives of the Bank's 2009 SPS <sup>3</sup> .
To enhance, or at least restore, the livelihoods of <u>all displaced persons</u> <sup>4</sup> in <u>real terms</u> relative to pre-project levels; and to improve the standards of living of the	Compensates land users that fulfill the conditions for compensation as prescribed by Article 75, legitimate owners of land-attached assets (Article 88.1), persons/entities that plant/grow forests funded by state budget (Article 90.1.d).	The 2013 Land Law does not provides compensation to land users who violate land legislation (Article 64), and owners of illegally established land-attached assets (Article 92.2), and unregistered land users of agricultural land after 1 July 2004 (Article 77.2). There is also no regulation to compensate unregistered business for	

<sup>3</sup> In line with the Item 2, Article 87, 2013 Land Law, which stipulates 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”*.

<sup>4</sup> Displaced persons include persons who lost the land they occupy in its entirety or in part who (i) have formal legal rights to the land lost, (ii) have claims to such lands that are recognized or recognizable under national laws, or (iii) have neither formal legal rights nor recognized or recognizable claims to such land

<p>displaced poor and other vulnerable groups<sup>5</sup>.</p>	<p>-All land users (defined in Article 5) whose land is recovered (including affected workers) are considered for receiving State support (Article 83.1 Land Law 2013 and Article 19 Decree 47/2014/ND-CP). State support is defined as assistance to those whose land is recovered in order to stabilize their livelihoods, production and development.</p>	<p>income losses due to business disruption and support in re-establishing their business elsewhere.</p>	
	<p>(For displaced poor and other vulnerable groups)</p> <p>-In case the amount of compensation/support is not enough for resettled people to buy the minimum resettlement plot, requires the State to support the balance (Article 86.4 Land Law 2013 and Article 27 Decree 47)</p> <p>-Requires to compensate, support, and resettle to stabilize livelihoods of people whose recovered land is located in areas that pose risk to human life (Article 87.3 of Land Law 2013 and Articles 19, 20, and 21 Decree 47).</p>	<p>Not conflict with SPS 2009 although there is small gap in identifying vulnerable group.</p>	
<p><b>Policy principles</b></p>			
<p>Physical displacement (relocation, loss of residential land, or loss of</p>	<p>The policy principles are not limited to the DPs but:</p> <p>- Have policies to create favorable conditions for</p>	<p>Although there are no similar principles as in the SPS 2009, this provision is consistent with the overall objective of the Bank on</p>	<p>Applying the objectives of the 2009 ADB SPS.</p>

<sup>5</sup> Vulnerable groups are those who may be differentially or disproportionately affected by the project because of their disadvantaged or vulnerable status.

<p>shelter) and economic displacement (loss of land, assets, access to assets, income sources, or means of livelihoods) as a result of (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas. It covers them whether such losses and involuntary restrictions are full or partial, permanent or temporary.</p>	<p>people who are directly engaged in agricultural production, forestry, aquaculture, and salt-making and do not have productive land due to the restructuring of land use and economic restructuring (Article 26.4). These households/ individuals will be granted with LURCs, ownership of housing and other assets attached to land and do not have to pay land use fee (Article 101.1).</p> <ul style="list-style-type: none"> <li>- Covers both physical and economic displacement due to land recovery (involuntary acquisition of land)</li> <li>-Considers impacts from change of land use structure and economic structures (Article 26.4)</li> <li>-Covers both temporary and permanent land recovery</li> <li>-Covers remaining investment costs on land (Article 76).</li> <li>-Covers compensation for the damage caused by limited land use (Articles 94 and 157).</li> </ul>	<p>poverty reduction.</p> <p>The 2013 Land Law is short in matching the coverage of 2009 SPS since Article 94 and Article 157 only provide compensation for legally recognized land users.</p>	
<p>1. Screen the project early on to identify past, present, and future involuntary resettlement impacts and risks.  The involuntary resettlement</p>	<p>-Requires that in the preparation of the district annual land use plan, the area and location of the land to be recovered to implement socioeconomic development projects should be assessed (Article 40.4.c).  As for severely affected</p>	<p>-The Land Law does not require for screening of projects in terms of significance of involuntary resettlement impacts, with corresponding requirements for degree of preparation, implementation and monitoring.</p>	<p>All subprojects shall be screened and categorized according to the degree of their involuntary resettlement impacts, physical and social.</p>

<p>impacts of a subproject funded by ADB is considered as significant if 200 people or more are greatly affected, defined as (i) relocating houses or (ii) losing 10% or more of their productive assets (income-generating).</p>	<p>households when the DPs lose at least 30% of their agricultural landholdings.</p>	<p>-Land Law 2013 (Article 87.3) and Decree No. 47/2014/ND-CP require that depending on the degree impacts, separating compensation, assistance, and resettlement activities into a stand-alone project will be decided.</p>	
<p>2. Carry out meaningful consultations with affected persons, host communities, and concerned non-government organizations. <u>Inform all displaced persons</u> of their entitlements and resettlement options. Ensure their participation in planning, implementation, and monitoring and evaluation of resettlement programs. Establish a grievance redress mechanism<sup>6</sup> to receive and facilitate resolution of the</p>	<p>- Starts the conduct of public consultation (including affected land users) with the preparation of the district-level land use plan (Article 43).                  -Between 90-180 days before issuing decision on land recovery, State agencies are required to notify the affected land users about the land recovery (including recovery plan, investigation, survey, measurement and inventory)(Article 67).                  -Requires that once the plan for compensation has been approved, each person whose land is recovered (<u>and meets the conditions for compensation</u>) should be notified of the decision on compensation. Requires the decision to clearly</p>	<p>Most of the provisions on consultation in the Land Law are consistent with 2009 SPS.                  What is missing is the provisions are the consultation with host communities and support for social and cultural institutions.</p>	<p>Participatory consultations will include non-government organizations, host communities and civic organizations will be provided with project information booklets or brochures written in language largely understand by affected persons.</p>

<sup>6</sup>The grievance redress mechanism should address affected persons concerns and complaints promptly using an understandable and transparent process that is gender responsive, culturally appropriate and readily accessible to the affected persons at no cost and without retribution. The mechanism should not impede access to the country's judicial or administrative remedies. It should also pay particular attention to the impacts on vulnerable groups.

<p>affected persons' concerns. Support the social and cultural institutions of displaced persons and their host population.</p>	<p>show the level of compensation and support, arrangement of the resettlement land or house (if any), time and place of payment for compensation or support, time to arrange resettlement land or house and time of hand over, and site clearance. The organization in charge of compensation/resettlement conducts consultations with affected land users and record opinions/comments raised during the consultations. In case of disagreement, the Fatherland Association will attempt to persuade those who disagree (Article 69).</p>		
<p>3. Improve, or at least restore, the livelihoods of <u>all displaced persons</u> through (i) land-based resettlement strategies when affected livelihoods are land based where possible or cash compensation at <u>replacement value</u> for land when the loss of land does not undermine livelihoods, (ii) prompt replacement of assets with access to assets of equal or higher value, (iii) prompt compensation at</p>	<p>-Requires that compensation be made by allocating new land with the same land use purpose with the recovered land. If there is no land available for compensation, the land users will receive cash compensation calculated on the specific land price. Requires that compensation must be democratic, objective, equal, public, timely and legally compliant. (Article 74.2)                  -Requires that specific price of the affected plot should be determined and independent/licensed valuers should be engaged in establishing cash compensation rates (Articles 114.4, 115, and 116 of Land Law 2013 and Decree 44/2014/ND-CP). However, the requirement of engaging</p>	<p>There are inconsistencies noted on these provisions in Land Law that do not meet this Bank policy. It does not prescribe for consulting land users on land transactions, land value by types, land titles, land use, cropping patterns and crop production, availability of land in the project area and region, and other related information where market conditions are absent or in a formative stage in determining replacement value of affected assets.</p>	<p>Livelihoods and socio cultural systems of all displaced persons shall be restored, improved and culturally appropriate from pre-Project level. Affected livelihoods based on land shall be restored through: (i) land-based resettlement strategies, or cash compensation at replacement value for land when the loss of land does not undermine their livelihoods; (ii) prompt replacement of assets of equal or higher value, (iii) prompt compensation at full replacement cost for assets that cannot be restored, (iv) employment in construction works; and (v) restoration of social networks of displaced persons.</p>

<p><u>full replacement cost for assets</u><sup>7</sup> that cannot be restored, and (iv) additional revenues and services through benefit sharing schemes where possible.</p>	<p>independent/licensed valuers is still vague: article 114, provision 3 says that the province-level land administration agency is entitled to (instead of “must”) hire organizations having consultancy functions for advising on the determination of specific land prices).</p> <p>-Includes the cost for moving due to land recovery in the compensation (Article 91).</p> <p>-Requires the payment of additional compensation in case of late payment (after 30 days from decision on the land recovery) (Article 93).</p>		
<p>4. Provide physically and economically displaced persons with needed assistance, including the following: (i) secured tenure to relocation land, better housing at resettlement sites with comparable access to employment and production opportunities; (ii)</p>	<p>-Entitles affected land users to also receive State support, including support for stabilizing livelihoods and production, support for training and career change and facilitating search for jobs, support for resettlement and other support (Article 83).</p> <p>-Requires resettlement sites to have uniformly developed infrastructure, ensuring construction standards, codes in accordance with the conditions, customs, practices of the specific regions, areas (Article</p>	<p>The Land Law does not include compensation of unregistered owners of commercial structures/businesses for (i) the cost of re-establishing their business/commercial activities elsewhere; (ii) net income loss during the transition period, and (iii) cost of transferring and reinstalling plant, machinery, or other equipment.</p>	<p>Physically and/or economically displaced persons shall be provided with: (i) land use right certificates in relocation land, better housing at resettlement sites with comparable access to employment, forest resources, and/or production opportunities; (ii) transportation for transfer to resettlement sites and food subsidies to APs during transition and development assistance, such as land development, training, or employment opportunities; and (iii)</p>

<sup>7</sup>The calculation of full replacement cost will be based on the following elements: (i) fair market value, (ii) transaction costs, (iii) interest accrued, (iv) transitional and restoration costs, and (v) other applicable payments, if any. Where market conditions are absent or in a formative stage, the borrower will consult with the displaced persons and host populations to obtain adequate information about recent land transactions, land value by types, land titles, land use, cropping patterns and crop production, availability of land in the project area and region, and other related information. Baseline data on housing, house types, and construction materials should be collected. Qualified and experienced experts will undertake the valuation of acquired assets. In applying this method of valuation, depreciation of structures and assets should not be taken into account (ADB SPS 2009, Appendix 2).

<p>transitional support and development assistance, such as land development, credit facilities, training, or employment opportunities; and (iii) civic infrastructure and community services, as required.</p>	<p>85.2).</p>		<p>access to social infrastructure and community services, as required.</p>
<p>5. Improve the standards of living of the displaced poor and other vulnerable groups, including women, to at least national minimum standards. In rural areas provide them with legal and affordable access to land and resources, and in urban areas provide them with appropriate income sources and legal and affordable access to adequate housing.</p>	<p>-In case the amount of compensation/support is not enough to buy the minimum resettlement plot (as normally the case for poor households), requires the State to support the balance (Article 86.4)</p> <p>-Entitles people whose recovered land is located in areas that pose risk to human life (defined in Article 65.1) to receive compensation, support, resettlement to stabilize livelihoods (Article 87.3)</p> <p>-State guarantees to develop policies to facilitate those who are directly involved in agricultural, forestry, aquaculture, salt production and who are lacking the land for production due to change of land use structure and economic structure (Article 26.4). Such households/ individuals shall be granted certificate of land use right, houses and other land-attached assets without</p>	<p>While the 2009 SPS considered them as such, women, households headed by a woman with young dependents, people with disabilities, the poor, and ethnic minority people are not automatically considered as vulnerable under the Land Law.</p> <p>Moreover, the Land Law has no explicit requirement to identify the poor and other vulnerable groups and to propose and implement targeted measures to assist them in the cases of land recovery.</p>	<p>Ward PC/ CPC shall issue certificates confirming their poor social status. Other vulnerable groups as defined by ADB will be provided with assistance according to the regulations of the project.</p>

	having to pay land use fee (Article 101.1).		
6. Develop procedures in a transparent, consistent, and equitable manner if land acquisition is through negotiated settlement to ensure that those people who enter into negotiated settlements will maintain the same or better income and livelihood status.	-Article 73 of the Land Law covers negotiated settlement for land transfer for projects, facilities for project and business purposes – not in the event of land recovery by the state.	Land Law 2013 and Decrees 43/2014/ND-CP, 44/2014/ND-CP and 47/2014/ND-CP have neither a provision for procedure nor regulation on negotiated settlement.	Per 2009 SPS <sup>8</sup> , the borrower/client will ensure that any negotiations with displaced persons openly address the risks of asymmetry of information and bargaining power of the parties involved in such transactions. The borrower/client will agree with ADB on consultation processes, policies, and laws applicable to such transactions; third-party validation; mechanisms for calculating the replacement costs of land and other assets affected; and record-keeping requirements.
7. Ensure that displaced persons without titles to land or any recognizable legal rights to land are eligible for full resettlement assistance and compensation for loss of non-land assets at 100% (as long as they settled in the project area before the cut-off date)	-For relocating households who are not eligible for compensation with residential land, but have no other place to live, the State sells, leases, provides rent-to-own houses or allocates land with land use fee (Article 79.2).  -Not compensating for the assets which are (i) illegally created; (ii) created after the notice of land recovery; and (iii) social infrastructure and other construction facilities which are no longer in use (Article 92) of the Land Law.	The Land Law is inadequate in meeting this 2009 SPS policy. Articles 88 and 92 do not provide compensation to non-legitimate owners of land-attached assets for non-land assets.	The absence of legal rights of affected persons on the acquired land is not a hindrance to receiving compensation for other assets and for rehabilitation assistance.
8. Prepare a	The Land Law requires for	At the level required under	Resettlement plan shall

<sup>8</sup>Appendix 2, Paragraph 25.



<p><u>resettlement plan</u><sup>9</sup> elaborating on displaced persons' entitlements, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time-bound implementation schedule.</p> <p>Incorporating into the plan all of the resettlement costs when presenting the cost and benefits of the project.</p>	<p>a compensation plan that shows the level of compensation and support, arrangement of the resettlement land or house (if any), time and place of payment for compensation or support, time to arrange resettlement land or house (if any) and time to hand over the recovered land to the organization in charge of compensation.</p> <p>As for the projects that have significant impacts on involuntary resettlement, it is necessary to consider the implementation of the involuntary resettlement component of the project as a stand-alone project;</p> <p>Resettlement cost is included in the total investment.</p>	<p>the 2009 SPS, there is no requirement for preparing a resettlement plan or Ethnic Minority Development Plan.</p> <p>Compensation plan is prepared only after the detailed measurement survey (DMS), and there is no requirement for preparing a draft resettlement/compensation plan.</p>	<p>be prepared in case of land acquisition, complete with necessary information (See footnote 10).</p>
<p>9. Disclose a draft resettlement plan, including documentation of the consultation process in a timely manner, before project appraisal, in an accessible place and a form and language(s) understandable to affected persons and other</p>	<p>-Requires that the compensation plan is disclosed to the affected land user and the community where land recovery will be made.</p>	<p>This provision in the Land Law is somewhat similar with 2009 SPS. However, the contents of compensation plan may not be comparable with the level of detail in 2009 SPS since the Land Law provides the general guidelines on land recovery for projects assisted by multilateral development institutions and/or projects financed by the government.</p>	<p>Disclose a draft RP including documentation of the consultation process in a timely manner, before project appraisal, in an accessible place and a form and language(s) understandable to affected persons and other stakeholders. Disclose the final RP and its updates to affected persons, and other stakeholders.</p>

<sup>9</sup>SPS (2009) requires that a resettlement plan should basically include the following (i) project description, (ii) scope of land acquisition and resettlement, (iii) socioeconomic information and profile, (iv) information disclosure, consultation and participation, (v) grievance redress mechanisms, (vi) legal framework, (vii) entitlements, assistance and benefits, (viii) relocation of housing and settlements, (ix) income restoration and rehabilitation, (x) resettlement budget and financing plan, (xi) institutional arrangements, (xii) implementation schedule and (xiii) monitoring and reporting

<p>stakeholders.                  Disclose the final resettlement plan and its updates to affected persons and other stakeholders.</p>			
<p>10. Pay compensation and provide other resettlement entitlements before physical or economic displacement. Implement the resettlement plan under close supervision throughout project implementation</p>	<p>-Requires that land recovery be conducted only after the construction of houses or infrastructure in the resettlement area is completed (Article 85).                  -Requires affected land users to handover the land within 30 days <u>after agreeing</u> to the compensation/allowances offered. Agencies making the compensation are required to pay compensation within 30 days. In case of delay, additional compensation for delayed payment should be made.</p>	<p>Matched against the 2009 SPS, the Land Law has no explicit condition that the affected land user should have received the compensation/allowance before handing over the affected land/asset.</p>	<p>RP shall be prepared as part of the Project or it may be a stand-alone document for implementation, showing the full cost of execution if the impacts shall displace persons.                  Compensation/allowances shall be received by the APs, before the handing over of their land or removal of their affected assets.</p>
<p>11. Grievance redress mechanism</p>	<p>- Citizens have the right to supervise land management including land recovery, compensation, assistance and resettlement. The competent state agencies upon receiving opinions from citizens have to examine, settle and respond to the opinions of the reporting organizations or individuals (Article 199).                  - Allowing the DPs whose land is acquired to send petition according to the mechanism and procedures of the Law on Complaints and</p>	<p>SPS 2009 defines a grievance redress mechanism in accordance with the National Law and easily accessed by the DPs.</p>	<p>A four-step grievance redress mechanism in compliant with the Complaint Law will be established and disseminated to the stakeholders.                  Complaint fees are the responsibilities of the project owner.</p>

	<p>Denunciations. For violations committed by civil servants or public employees working at a land administration agency (including land acquisition), the petition shall be sent to the competent agencies depending on the nature of the petition and concerned civil servants or public employees (Article 209).</p>		
<p>12. Monitor and assess resettlement outcomes, their impacts on the standards of living of displaced persons, and whether the objectives of the resettlement plan have been achieved. Monitoring indicators are defined for internal monitoring and external monitoring; Disclosing monitoring reports.</p>	<p>-Empowers citizens to supervise and report on breaches in land management and land use including land recovery, compensation, support and resettlement (Article 199).                  -Mandates the government to develop a system for monitoring and evaluation on land management and land use including land pricing, land recovery, settlement of disputes, etc. to be sent periodically to the government and the National Assembly (Article 200).                  Monitoring indicators are not specified.</p>	<p>Article 199 of the Land Law is consistent with the requirement of 2009 SPS. However, Article 200 does not require for the monitoring and evaluation of the resettlement outcomes and the impacts on standards of living on displaced persons. Likewise, it has requirement to engage an external expert to monitor for projects with significant involuntary resettlement/land recovery impacts.</p>	<p>Mechanism for resettlement monitoring and evaluation shall be established. An internal monitoring mechanism and/or an external monitoring agency/expert will be recruited to implement monitoring activities of the project (if necessary).</p>

#### 7.4. Project principles

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

- Involuntary resettlement and impacts on land, structures and other fixed assets will be avoided or minimized where possible by exploring all alternative options.

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

- Cut-off date was the date when Tay Ho and North Tu Liem DPCs issue the announcements on land acquisition for the project development. Specifically:
  - **Tay Ho District**: Announcement No. 152/TB-UBND dated June 12, 2014 by Tay Ho DPC on land acquisition for the implementation of the 220 kV Chem-Tay Ho Transmission Line Project in Phu Thuong Ward, Tay Ho District, Hanoi City;
  - **North Tu Liem District**: Announcement No. 242 to No. 251/TB-UBND dated October 20, 2014 by North Tu Liem DPC on land acquisition for the implementation of the 220 kV Chem-Tay Ho Transmission Line Project.

## **8.0. PROJECT'S ENTITLEMENTS, ASSISTANCE, AND BENEFITS**

108. Eligibility was determined with regard to the cut-off date. The affected persons have been informed of the cut-off date for each project component, and any people who settle in the project area after the cut-off date are not entitled to compensation and/or assistance under the project.
109. 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.

### **8.1. Entitlements**

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

**Table- 9. Entitlement Matrix**

Entitled Persons	Type & Level Of Impact	Number of AH	Compensation Policy	Implementation Issues
<b>A. AGRICULTURAL LAND</b>				
<b>A.1 Permanently affected agricultural land</b>				
Owners with LURC, owners in process of acquiring LURC, owners eligible to acquire LURC AND public organizations	More than 10 percent or more of total productive landholding affected	0 HH	<p>a/ As a priority, allocation of replacement land: (i) equal in area to affected land up to a maximum of land quota in the locality; (ii) of same category (or productive capacity); (iii) at a location satisfactory to affected person; (iv) with full title in the names of both the household head and his/her spouse; and (v) without charge for taxes, registration and land transfer charges; and</p> <p>b/ Economic rehabilitation package (see G, below);</p> <p>Or, if affected person opts, a/ Cash compensation at replacement cost); and, b/ Economic rehabilitation package (see G, below).</p>	<p>If remaining land holding is not economically viable i.e. is too small to be economically cultivated, the project will acquire the entire land holding and not just the affected portion. The size of the entire holding will be the basis for providing replacement land or cash compensation. The economically remaining land area will be identified by DCARBs for each case.</p> <p>DCARBs will determine whether the remaining holding can be viable or not and take care of this issue during DMS implementation.</p> <p>Full payment for affected households at least 01 months before site clearance</p>
	Less than 10 percent of total productive landholding affected	32 HHs	<p>Cash compensation at replacement cost at current market prices for affected portion if remaining holding is viable; or</p> <p>Cash compensation at replacement cost at current market prices for entire landholding, if remaining holding is not viable.</p>	<p>Implemented by DCARBs Decided by DPCs</p>
<b>A.2 Impact on agricultural land in RoW</b>				
All affected households have agricultural land in RoW	Partially impact or totally impact	46 HHs	<p>a/ No compensation for land.</p> <p>b/ Compensation for crop, trees and others at market price.</p> <p>c/ Support for utilisation of restricted land</p>	<p>Affected land in RoW will be rehabilitated by contractors after the project construction and land in RoW could be used with the restricted purposes. (Described in Decree 81, 2009, article 1)</p>

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

<b>C.MAIN HOUSES AND OTHER STRUCTURES IN RoW</b>				
<b>C.1. Dismantled houses and other structures</b>				
All affected households have houses and structures which are dismantled	Totally or partially dismantled but the rest portion will not ensure the safety so the houses or structures will be removed and rebuilt.	None	a/ Compensation for the whole houses, structures by the replacement price b/ Assistance for removing (if relocation).	Full payment for affected households at least 01 months before site clearance
	Partially dismantled but the rest portion will not affect the safety so the houses or structures don't have to remove.	06 HHs	a/ Compensation for the part of houses or structures dismantled. b/ Allowances for partially dismantled houses/ structures and reuse	Full payment for affected households at least 01 months before site clearance
<b>D.Compensation for affected trees and crops</b>				
Land owners/ Users with lease whose trees and crops are affected	Affected annual crops and rain-fed crops, aquaculture	46 HHs	Compensation for annual crops and aquatic equivalent to current market value of crops / aquaculture at the time of compensation.	Full payment for affected households at least 01 months before site clearance
			The owner/grower of perennials, trees and crops will be compensated according to the average market price of trees and crops based on average annual volume and/or replacement costs applicable to perennials.	Full payment for affected households at least 01 months before site clearance
Land owners/ Users with lease whose trees and	Trees are allowed to grow under	46 HHs	The owner/grower of perennial crops and trees under ROW that must be cut and trimmed will be compensated at 30% of the average market price of	Full payment for affected households at least 01 months before site clearance



crops are affected	ROW		fruit trees based on the average annual volume and/or replacement cost applicable to perennial crops.  Owner/grower of rain-fed crops affected under the ROW will be compensated based on annual average volume and seasonal affected.	
<b>G. REHABILITATION ASSISTANCE</b>				
<b>G.1. Transportation assistance</b>				
All affected households have houses and structures which are dismantled and have to remove	Assistance for removing	None	- For organizations: funding for dismantling, moving and installation as stipulated by the Compensation Committee of the project who will determine the level of support for each specific case. In case of difficulties they may hire consultants to determine this cost.	Value of assistance to be determined during resettlement plan implementation.
<b>G.2. Assistance for rehabilitation and production</b>				
Severely affected households, displaced from housing or losing 10 percent or more of their productive, income generating irrespective of tenure status.	Assistance to restore livelihoods and incomes following acquisition of land or other productive assets	None	affected households directly cultivate on the affected land to be entitled:  (i) Losing from 10 to 30% of land holding: Cash assistance equal to 30 kg of rice (valued at market price) per month per household member for 3 months, if not relocating; for 6 months if relocating; and for 12 months if relocating in a harsh living condition area;  (ii) Losing more than 30% to 70% of total land holding. Cash assistance equal to 30 kg of rice (valued at market price) per month per household member for 6 months, if not relocating; for 12 months if relocating; and for 24 months if relocating in a harsh living condition area;  (iii) Losing more than 70% of total land holding Cash assistance equal to 30 kg of rice (valued at market price) per month per household member for 12 months, if not relocating; for 24 months if relocating;	Value of in kind assistance to be determined during resettlement plan implementation.  Income Restoration Programmes will be designed during project implementation with the assistance of an agency specialised in livelihoods/labour or vocational assistance and with the active involvement of the affected households.

			and for 36 months if relocating in a harsh living condition area; AND	
<b>G.3 Assistance for job changing and creation</b>				
affected households with agricultural land required permanently	Assistance for job changing and creation.	None	Cash assistance equal from 3.5 times to 5 times of compensation value for affected land area but not exceed 5 (five) times of land quota in locality.  If affected person has demand for training, he/she will be entitled to a free training course	Eligibility will be confirmed during DMS.
<b>G.4. Special allowance for social and economically vulnerable households</b>				
Vulnerable affected households (the poor, war invalid person, woman headed household, the elderly)	Assistance to the poor and vulnerable households to improve their social and economic conditions.	None	For other vulnerable affected persons, assistance of VND 5,000,000 per household to improve their social and economic conditions	Eligible households are those who are classed as vulnerable
<b>G.5 Assistance for losses on Business and Employment</b>				
Business Enterprise/Business HH being forced to cease operating as business in current location	Assistance for re-establishing business in different location or development of different business activity.	None	Assistance equivalent to 30% of after-tax income in a year according to the average income of the 03 years preceding confirmed by the tax authorities; In case the business time is less than 3 years, the assistance is based on the average amount during the actual business duration.	Value of assistance to be determined during resettlement plan implementation.
Waged employees made redundant	Assistance for changing and finding another job	None	The allowance is equivalent to the minimum wage multiplied by the level of employment of the respective occupation in accordance with current regulations of the State in a maximum period of 06 months.	Value of assistance to be determined during resettlement plan implementation.

## **8.2. Addressing the gender issues**

111. The EVN Hanoi, through the HPPMB with assistance from PICs, have carried out and will carry out the following specific actions to address gender issues in the subprojects:
- i. During the updating of this resettlement plan, both men and women have participated in the discussions during public meetings and DMS. Women from the affected households have been consulted in terms of entitlements and project policies on compensation, assistance, and resettlement.
  - ii. A male representative and a female representative of the affected households have been included as participant in the DCARBs.
  - iii. Gender issues have been included in the training on project implementation by PICs to concerned personnel of the EVN Hanoi, and HPPMB.
  - iv. Special attention will be extended to elderly, disabled and women-headed households during relocation and in the provision of assistance as defined in the project policy.
  - v. Disaggregated monitoring indicators by gender will be developed for monitoring social benefits, economic opportunities, livelihood, and resettlement activities as well as in the restoration of livelihoods and living standards during post-project implementation.

## **8.3. Assistance to vulnerable households**

112. According to the DMS and survey results, there is no affected person belonging to vulnerable group and no affected household that will become vulnerable due to land acquisition.

## **9.0. RELOCATION AND SETTLEMENTS**

113. The Project does not cause resettlement impacts.

## **10.0. INCOME RESTORATION AND REHABILITATION**

114. According to the DMS results, there is no severely affected household.

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

115. Compensation and resettlement costs have been calculated based on the regulations on compensation rates by Hanoi City PC. These rates are informed to all of the affected people and receive their consent.
116. The detailed compensation and assistance plans have been posted within 20 days for the households to review and check the compensation amount they will receive.
117. The EVN Hanoi/HPPMB will be responsible for channeling funds for the compensation for land acquisition and resettlement to DPCs/DCARBs through the Ha Noi People's Committee or directly to DPCs. DPCs/DCARBs will be responsible for delivering payment directly to affected persons with respect to affected land, structures, crops and trees.
118. As shown in the table below, the overall cost of resettlement plan implementation is **VND 1,199,468,123** (or equivalent to **USD 56,128.6**) for inclusion in the project

investment. The EVN Hanoi/HPPMB will ensure the timely provision of funds and will meet any unforeseen obligations in excess of the resettlement budget in order to meet the social safeguards objectives under the project.

**Table- 10. Compensation, assistance, and resettlement costs**

No.	Category	Area			In cash (VND)
		Thuy Phuong	Dong Ngac	Phu Thuong	
1	Compensation for land	9,384,480	16,954,560	127,571,976	153,911,016
2	Compensation for structures	15.889.000	-	35,264,000	51,153,000
3	Compensation for trees and crops	670,320	2,885,520	101,262,085	104,817,925
4	Assistances				
4.1	Assistances for changing jobs	46,922,400	84,772,800	628,740,000	760,435,200
4.2	Assistances for public land	23.788.800	64.592.640	0	88,381,440
4.3	Assistance for life stabilization	0	0	0	0
5.	Progress bonus	111,720	201,840	16,937,000	17,250,560
<b>6</b>	<b>Sub-total</b>	<b>96.766.720</b>	<b>169.407.360</b>	<b>909.775.061</b>	<b>1,175,949,141</b>
7	Implementing cost (2%)				23,518,982
<b>8</b>	<b>Total</b>				<b>1,199,468,123</b>

## 11.0. INSTITUTIONAL ARRANGEMENTS

119. 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 are Tay Ho and North Tu Liem District Compensation, Assistance and Resettlement Boards (DCARBs).

### 11.1. Central level

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

- Provide overall management and coordination of the project;
- Liaise with IAs to carry out the project;

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

**121. Ha Noi City Power Project Management Board (HPPMB)**

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

**11.2. City level**

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

abide by the State's land recovery decisions; and (viii) responsible for the resettlement budget.

### 11.3. District and Commune/Ward level

123. **District People's Committee:** the DPC will be responsible for the following: (i) extension of support for updating and preparation as well as implementation of the resettlement plan; (ii) review and submit resettlement plan to CityPC as endorsed by DCARBs; (iii) review the accuracy of and validate the cost estimates for compensation and assistance; (iv) acquisition of Land Use Rights Certificates (LURCs) for households and individuals who have lands and/or houses entirely-recovered; (v) adjustment of LURCs for households and individuals whose lands and houses have been partially affected; (vi) assist in the redress of complaints and grievance from affected persons; (vii) concurrence with the schedule of resettlement plan implementation and monitor the progress thereon; (viii) mobilisation of the respective DCARBs that will appraise the compensation and assistance to affected persons; as well as (ix) the provisions of lands to affected persons.
124. **District Compensation and Resettlement Board:** The responsibilities of the DCARB will be the following: (i) organise and carry out resettlement activities in the district on behalf of the DPC; (ii) assist in the DMS, public consultations and disclosure activities; (iii) review and submit to DPC proposed compensation, assistance and resettlement alternatives; (iv) assist in the identification and allocation of land for the affected persons; (v) along with the WPC, assist HPPMB in the timely delivery of compensation payment and other entitlements to affected persons; and (vi) assist in the resolution of complaints and grievances:
- The dissemination of the PIB and other publicity material; ensuring that affected persons are aware of the land acquisition and resettlement process.
  - Planning and carrying out the DMS and the disbursement of compensation payments.
  - The identification of severely affected and vulnerable affected persons and the planning and implementation of rehabilitation measures for these affected persons.
  - Help identify any resettlement sites and new farming land for affected persons who cannot remain in their present location.
  - Assist in the resolution of affected persons' grievances.
  - Facilitate the work of the agency appointed to undertake the external monitoring.
125. **Ward/Commune People's Committee.** The WPCs will assist the HPPMB and the DCARBs in the following tasks: (i) remind the affected persons about the compensation plan and the process of delivery, income restoration plans, relocation strategies and land clearance requirements based on the approved resettlement plan; (ii) maintain the list of eligible affected persons that will be provided after the DMS has been conducted; (iii) assign commune officials to extend assistance in the update and/or preparation as well as the implementation of the resettlement plan; (iv) identify

replacement lands for the affected persons; (v) sign the Agreement Compensation Forms along with the affected persons; and (vi) assist in the resolution of grievances and in other related-resettlement activities and concerns.

## 12.0. IMPLEMENTATION SCHEDULE

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

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

**Table- 11. Project implementation schedule**

Main activities	Time-frame
<b>Preparing RP</b>	
Detailed engineering and demarcation of land to be acquired	June 2014
Public meeting and consultations with affected persons on draft resettlement plan	March 2014 December 2014
Finalize updated resettlement plan and submit to HPPMB for review and referral	December 2014
ADB no-objection to resettlement plan	February 2015
<b>Implementing RP</b>	
DMS	October-December 2014
Compensation payment	January 2015
Site clearance and handing over site	January 2015
Start of civil works	February 2015

## 13.0. MONITORING AND REPORTING

128. The implementation of resettlement will be monitored regularly to help ensure that the resettlement plan is implemented as planned and that mitigating measures designed to address adverse social impacts are adequate and effective. Towards this end, resettlement monitoring will be done by an internal body and by an external organization.

### 13.1. Monitoring and reporting

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

### 13.2. Internal monitoring

130. The HPPMB will conduct the internal monitoring of resettlement plan implementation for EVN Hanoi to identify as early as possible the activities achieved and the cause(s) of problems encountered so that arrangements in resettlement plan

implementation can be adjusted. Related information will be collected monthly from the field to assess the progress of resettlement plan implementation and will be consolidated every quarter.

131. An initial key indicator set is the payment of compensation, relocation to new sites, and rehabilitation assistance being in place before award of civil contracts and these will be monitored under each of the civil contracts. The other main indicators that will be monitored regularly are:

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

### **13.3. External monitoring**

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

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



- Capacity of affected persons to restore livelihoods and living standards. This will include assessment on the effectiveness and/or inadequacy of technical assistance, allowances and other measures, and to what extent the affected persons have maintained their livelihoods and living standards to pre-project levels.
- Public consultation and awareness of resettlement plan policies. EVN Hanoi will validate if the affected persons have been fully informed and consulted about land acquisition and relocation activities. It will also inquire the affected persons and other stakeholders if they were aware of the compensation and entitlements policies and various options available to affected persons. Included in EVN Hanoi's validation is the process on how the public consultations were conducted, the problems and issues raised during the meeting and the solutions proposed either by the affected persons and stakeholders or from the side of EVN Hanoi/HPPMB.
- Level of affected persons' satisfaction. EVN Hanoi will assess the affected persons' level of satisfaction on compensations, allowances and assistance received as well as on resettlement plan implementation, and the degree of efficiency and equity in handling grievances and resolution of complaints.
- Change in living standards. Some indicators in the performance evaluation of resettlement plan implementation are very useful in assessing the living standards of the affected persons, particularly from Section III of this resettlement plan. From the indicators, EVN Hanoi will compare and assess the progress of affected persons in coping with the restoration of their livelihoods that define their living standards. Special attention to disparities between their pre-project and post-resettlement social conditions will be analyzed, and disaggregated by gender and per capita income levels. Any factors or issues relevant to restoration of the affected persons living standards will be disclosed in the social impact evaluation report. The EVN Hanoi will discuss its findings with the ADB and advice follow-up actions, where appropriate, to bring to closure the social issues arising from land acquisition and resettlement.

## **APPENDIX 1. CORRECTIVE ACTION PLAN (CAP) FOR TAY HO 220KV SUBSTATION**

The 220 kV Tay Ho SS is identified as the associated facility of the 220/110 kV Chem-Tay Ho TL Project. The corrective actions proposed below must be carried out in order to harmonize the policies of the two projects.

### **Proposed actions**

In order to harmonize the land acquisition and compensation payment activities of Tay Ho substation project with the policies applied for Chem-Tay Ho 220kV TL, the following recommendations are proposed to Hanoi EVN and Tay Ho DCARB:

#### **(i) Information disclosure and consultation**

Findings. The information disclosure and consultation during the project design process have not been carried out with the PAHs;

Consultation, information dissemination, and negotiations for land acquisition were carried out by Tay Ho DCARB and working group during site clearance process of the project;

Correction action: Continue disseminating information to minimize difficulties for the project during construction period;

#### **(ii) DMS**

Findings. DMS was not supported by the PAHs, leading to mistakes in the process. Six households have been missed out from the list of PAHs.

Correction action: During construction period, all of the emerging impacts should be identified, measured and negotiated for compensation immediately.

#### **(iii) Entitlement calculation**

Findings. Compensation rates applied for compensation for affected land and structures are lower than the market prices, particularly the compensation rates for land and peach trees.

Correction action. Other assistances should be provided for the PAHs to compensate for impacts on their livelihoods and incomes. It is proposed that socio-economic survey should be conducted for 38 PAHs and identify their main sources of income. As for households whose main source of income is from growing peach trees, it is necessary to design income restoration measures for the PAHs.

#### **(iv) Assistances**

Findings. Livelihood stabilization assistances are only applied for some households. 16 households are not entitled to receive these assistances as they have received assistances from Nhat Tan Bridge Project. Other allowances for poor households and vulnerable households are not applied.

Correction action: Review list of PAHs to apply additional assistances for the households belonging to vulnerable group.

As for livelihood stabilization assistance, it is necessary to calculate based on the ratio of

acquired area to the total land area to see whether the households are entitled to assistance. It is not appropriate to add up with other projects. Complying with best practice for resettlement implementation, the impacts caused by Nhat Tan Bridge Project should be taken into consideration to calculate assistances for the PAHs as a result of accumulative impacts of land acquisition.

Review the proportion of acquired area of the PAHs and assess their needs. Provide job changing assistance as well as income restoration activities for PAHs losing more than 10% of their productive landholdings.

**(v) Grievance redress**

Findings. Complaints of the PAHs have been solved and replied in written document. The solution is that some adjustments in compensation rates for affected assets have been made.

Correction action: Increase dialogues and negotiations with the PAHs who have complaints at the grassroots level. Documents replying to complaints and solutions should be provided for the PAPs who have complaints and disclosed publicly at the ward office.

**(vi) Monitoring**

Findings. There is no monitoring activity from an external monitoring agency. There is no involvement from the mass organizations in the ward and district who should monitor and cooperate in solving queries during site clearance implementation process.

Correction action. The participation of Women's Union, Ward and District Fatherland Front in monitoring of site clearance implementation should be increased. The investment owner should recruit an independent monitoring agency/individual to carry out monitoring of compensation and site clearance activities.

## APPENDIX 2. PROJECT INFORMATION BOOKLET

1. *Name of the Project:* Construction and Rehabilitation of Chem-Tay Ho 220kV Transmission Line

2. *Executing agency:* Electricity of Vietnam- Hanoi (EVN HANOI)

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

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***Question 1: What is the Construction and Rehabilitation of Chem-Tay Ho 220kV Transmission Line project?***

Answer: The construction and rehabilitation of Chem-Tay Ho 220 kV transmission line project is financed by the Asian Development Bank (ADB) and the Government of Vietnam with the aim to supply sufficient electricity in Tay Ho, North Tu Liem and northern area of Red River.

***Question 2: How Chem-Tay Ho 220kV Transmission Line subproject 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:

- 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 subproject will cause impacts on agricultural land of 46 households. The permanently acquired land area is 1,193.30 m<sup>2</sup> to build the overhead power line.

***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.

(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:

- **Some 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 labors 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.

***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 HPPMB will ensure internal monitoring all Project activities. In addition, HPPMB will engage an independent external monitoring agency to conduct external monitoring of resettlement activities during Project implementation. Every 3 months, the independent monitoring agency will submit a report to HPPMB 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 PCARCs and DCARCs where you live:

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

Address:.....

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

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

Address:.....

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

### APPENDIX 3. SUMMARY OF COMMUNITY CONSULTATION RESULTS

Area	Summary of feedbacks
Dong Ngac Ward, North Tu Liem District, Hanoi	<ul style="list-style-type: none"> <li>- The acquired area is between the land plot, dividing the existing plot into two parts, of which one part is too small (scattered area) for cultivation, it is recommended to consider adjusting the tower location and support the scattered area.</li> <li>- Totally support the project implementation of the City, compensation and assistance for the households whose land is acquired according to the regulation. As it is now at the end of the year, what is the difference between the 2014 and 2015 compensation rates? How is the compensation for affected trees and crops during construction period?</li> </ul>
Thuy Phuong Ward, North Tu Liem District, Hanoi	<ul style="list-style-type: none"> <li>- In some land acquisition announcements, the households' addresses are not correct, it is recommended to correct them.</li> <li>- The construction unit should disclose the compensation rates for damages to crops during construction process.</li> <li>- Can the construction unit inform how many tower foundations that need acquiring land in Thuy Phuong ward and if land is acquired and the remaining area is less than 1.2 m<sup>2</sup>, the project should acquire the remaining area as it is not viable for production.</li> <li>- It is recommended that the DPC should add Mr. Nguyen Truong Giang, leader of the Group 1, to participate in the working group.</li> </ul>
Phu Thuong Ward, Tay Ho District, Hanoi	<ul style="list-style-type: none"> <li>- Agree on the compensation plans; however public land area should be clarified. As for these areas, there should be supports.</li> <li>- There should be additional support together with compensation for trees and land so that the affected people are not at the disadvantage.</li> <li>- Please clarifying on compensation plan for affected land area that has origin so-called 5%/10%.</li> <li>- Additional compensation if causing any impact on trees and crops during construction process;</li> <li>- The PMB should create the most favorable conditions for people to harvest their trees and crops, to avoid disadvantage for people.</li> </ul>



## APPENDIX 4: LIST OF PARTICIPANTS

No.	Name	Male	Female	Address
1	Pham Thi Diem Hang		x	Dong Ngac
2	Nguyen Thi Xuan Thuy		x	Dong Ngac
3	Pham Huu Manh	x		Dong Ngac
4	Nguyen Thi Thom		x	Dong Ngac
5	Nguyen Van Phu	x		Dong Ngac
6	Pham Manh Quan	x		Dong Ngac
7	Nguyen Huu Ban	x		Dong Ngac
8	Pham Thi Be		x	Dong Ngac
9	Pham The Long	x		Dong Ngac
10	Nguyen Ngoc Nam	x		Thuy Phuong
11	Nguyen Viet Phuong	x		Thuy Phuong
12	Nguyen Thi Binh		x	Thuy Phuong
13	Nguyen Thi Giang		x	Thuy Phuong
14	Nguyen Van Nhung	x		Thuy Phuong
15	Nguyen Thi Bay		x	Thuy Phuong
16	Nguyen Dang Hoa	x		Thuy Phuong
17	Nguyen Thi Tuyet		x	Thuy Phuong
18	Nguyen Van Bon	x		Thuy Phuong
19	Nguyen Van Vuong	x		Thuy Phuong
20	Nguyen Van Duong	x		Thuy Phuong
21	Nguyen Thi Gai		x	Thuy Phuong
22	La Thi Hong Chien		x	Thuy Phuong
23	Nguyen Thi Duc Hanh		x	Thuy Phuong
24	Nguyen Thi Duong		x	Thuy Phuong
25	Kieu Van Tam			Phu Thuong
26	Nguyen Quoc Thien	x		Phu Thuong
27	Hy Da Truong	x		Phu Thuong
28	Nguyen Van Thanh	x		Phu Thuong
29	Nguyen Van Son	x		Phu Thuong
30	Nguyen Quang Hoa	x		Phu Thuong
31	Ho Van Quang	x		Phu Thuong
32	Cong Van Hau	x		Phu Thuong
33	Nguyen Van Thang	x		Phu Thuong
34	Mai Duc Khanh	x		Phu Thuong
35	Cong Van Hai	x		Phu Thuong
36	Nguyen Thi Dao		x	Phu Thuong
37	Cong Van Lai	x		Phu Thuong
38	Nguyen Tien Thanh	x		Phu Thuong
39	Vu Thi Vuong		x	Phu Thuong

<b>40</b>	Pham Thi Mat		x	Phu Thuong
<b>41</b>	Do Thi May		x	Phu Thuong
<b>42</b>	Nguyen Thi Thieng		x	Phu Thuong
<b>43</b>	Pham Van Ty	x		Phu Thuong
<b>44</b>	Ho Thanh Tuan	x		Phu Thuong
<b>45</b>	Cong Nghia Phuong	x		Phu Thuong
<b>46</b>	Pham Hong Son	x		Phu Thuong
<b>47</b>	Nguyen Kim Thanh	x		Phu Thuong
<b>48</b>	Pham Thi Sen		x	Phu Thuong
<b>49</b>	Nguyen Van Hoi	x		Phu Thuong
<b>50</b>	Nguyen Thi Lan		x	Phu Thuong
<b>51</b>	Nguyen Van Tan	x		Phu Thuong
<b>52</b>	Nguyen Thi Hang		x	Phu Thuong
<b>53</b>	Pham Thi Toan		x	Phu Thuong
<b>54</b>	Hy Chung	x		Phu Thuong
<b>55</b>	Pham Xuan Thuy	x		Phu Thuong

## APPENDIX 5. COMPENSATION, ASSISTANCE AND RESETTLEMENT COST

### Appendix 5.1. Summary of Detailed Compensation Plan by Affected Households in Thuy Phuong Ward, North Tu Liem District

No.	Name	Acquired area			Compensation for land allocated according to Decree 64		Assistance for public agricultural land	Job changing assistance 252,000 x 5 (VND/m <sup>2</sup> )	Compensation and assistance for trees and crops	Life and production stabilization allowance	Agricultural land clearance progress bonus (3,000 VND/m <sup>2</sup> )	Compensation and assistance for structures	Total compensation and assistance amount
		Total area	Compensation		Area	In cash 252,000 VND/m <sup>2</sup>							
			Of HHs	Ward PC									
A	B	(m <sup>2</sup> )	(m <sup>2</sup> )	(m <sup>2</sup> )	(m <sup>2</sup> )	(VND)	(VND)	(VND)	(VND)	(VND)	(VND)	(VND)	(VND)
1		2.5	2.5		2.5	630,000	0	3,150,000	45,000	0	7,500		3,832,500
2		23.4	23.4		23.4	5,896,800	0	29,484,000	421,200	0	70,200		35,872,200
3		7.74	7.74		7.74	1,950,480	0	9,752,400	139,320	0	23,220		11,865,420
4		3.6	3.6		3.6	907,200	0	4,536,000	64,800	0	10,800		5,518,800
5		0	0		0	0	0	0	0	0	0	15,889,000	15,889,000
6		94.4	0	94.4	0	0	23,788,800	0	0	0	0		23,788,800
<b>Total</b>		<b>131,6</b>	<b>37.2</b>	<b>94.4</b>	<b>37.2</b>	<b>9,384,480</b>	<b>23,788,800</b>	<b>46,922,400</b>	<b>670,320</b>	<b>0</b>	<b>111,720</b>	<b>15,889,000</b>	<b>96,766,720</b>

**Appendix 5.2. Summary of Detailed Compensation Plan by Affected Households  
in Dong Ngac Ward, North Tu Liem District**

No.	Name	Acquired land area			Compensation for land allocated according to the Decree 64		Support for public agricultural land		Job changing allowance 252,000 x 5 (dong/m <sup>2</sup> )	Compensation and assistance for trees and crops	Allowances for stabilizing life and production	Agricultural land clearance progress bonus (3,000 dong/m <sup>2</sup> )	Total compensation and assistance amount
		Total area	Compensation		Area	In cash 252,000 dong/m <sup>2</sup>	Ward PC	HHs					
			Of HHs	Of Ward PC									
A	B	(m <sup>2</sup> )	(m <sup>2</sup> )	(m <sup>2</sup> )	(m <sup>2</sup> )	(VND)	(VND)	(VND)	(VND)	(VND)	(VND)	(VND)	(VND)
1		33.64	33.64		33.64	8,477,280	0		42,386,400	0	0	100,920	50,964,600
2		21.04	21.04		21.04	5,302,080	0		26,510,400	378,720	0	63,120	32,254,320
3		12.6	12.6		12.6	3,175,200	0		15,876,000	226,800	0	37,800	19,315,800
4		0	0		0	0	0		0	1,800,000	0	0	1,800,000
5		0	0		0	0	0		0	480,000	0	0	480,000
6		256.32	0	256.32	0	0	64,592,640		0	0	0	0	64,592,640
<b>Total</b>		<b>323.6</b>	<b>67.3</b>	<b>256.3</b>	<b>67.3</b>	<b>16,954,560</b>	<b>64,592,640</b>		<b>84,772,800</b>	<b>2,885,520</b>	<b>0</b>	<b>201,840</b>	<b>169,407,360</b>

**Appendix 5.3. Summary of Detailed Compensation Plan by Affected Households  
 in Phu Thuong Ward, Tay Ho District**

No.	Land user	Acquired agricultural land (m <sup>2</sup> )	Residential land (m <sup>2</sup> )	Other land (m <sup>2</sup> )	Compensation and assistances for land (VND)	Compensation and assistances for assets on land (VND)	Other compensation and assistances (VND)	Total amount (VND)
1		0.50	0	0	126,000	170,000	631,500	927,500
2		23.10	0	0	5,821,200	3,570,000	29,175,300	38,566,500
3		6.40	0	0	1,612,800	1,020,000	8,083,200	10,716,000
4		26.20	0	0	0	2,846,185	0	2,846,185
5		7.44	0	0	0	306,000	0	306,000
6		11.10	0	0	2,797,200	1,586,500	14,019,300	18,403,000
7		22.54	0	0	5,680,080	2,550,000	28,468,020	36,698,100
8		5.94	0	0	1,496,880	1,020,000	7,502,220	10,019,100
9		17.80	0	0	4,485,600	3,060,000	22,481,400	30,027,000
10		9.90	0	0	2,494,800	1,700,000	12,503,700	16,698,500
11		30.20	0	0	7,610,400	4,420,000	38,142,600	50,173,000
12		3.44	0	0	866,880	680,000	4,344,720	5,891,600
13		33.64	0	0	0	1,071,000	0	1,071,000
14		10.70	0	0	0	373,200	0	373,200

Hanoi And Ho Chi Minh City Power Grid Development Sector Project  
Updated RP- 220kV Chem-Tay Ho Transmission Line

15		22.94	0	0	5,780,880	5,086,700	28,973,220	39,840,800
16		33.64	0	0	847,728	4,590,000	0	5,437,728
17		33.64	0	0	8,477,280	5,610,000	42,487,320	56,574,600
18		3.40	0	0	856,800	510,000	4,294,200	5,661,000
19		9.30	0	0	2,343,600	1,530,000	11,745,900	15,619,500
20		5.10	0	0	128,520	850,000	0	978,520
21		15.84	0	0	3,991,680	2,550,000	20,005,920	26,547,600
22		0.40	0	0	100,800	170,000	505,200	776,000
23		33.24	0	0	8,376,480	4,420,000	41,982,120	54,778,600
24		30.94	0	0	779,688	5,270,000	0	6,049,688
25		2.70	0	0	68,040	340,000	0	408,040
26		5.90	0	0	1,486,800	1,020,000	7,451,700	9,958,500
27		7.30	0	0	1,839,600	1,190,000	9,219,900	12,249,500
28a		27.30	0	0	3,729,600	3,213,000	18,692,400	25,635,000
28b		14.80	0	0	3,729,600	2,550,000	18,692,400	24,972,000
29		46.40	0	0	11,692,800	7,820,000	58,603,200	78,116,000
30		0.90	0	0	226,800	170,000	1,136,700	1,533,500
31		9.20	0	0	2,318,400	8,806,500	11,619,600	22,744,500

Hanoi And Ho Chi Minh City Power Grid Development Sector Project  
 Updated RP- 220kV Chem-Tay Ho Transmission Line

32		18.40	0	0	4,636,800	3,230,000	23,239,200	31,106,000
33		105.12	0	0	26,490,240	23,240,000	143,206,560	192,936,800
34		76.20	0	0	0	9,805,000	0	9,805,000
35		26.50	0	0	6,678,000	4,590,000	33,469,500	44,737,500
36					0	15,592,000	5,000,000	20,592,000
	<b>Total</b>	<b>738.06</b>			<b>127,571,976</b>	<b>136,526,085</b>	<b>645,677,000</b>	<b>909,775,061</b>

## APPENDIX 6. CONSULTATION AND SURVEY PICTURES



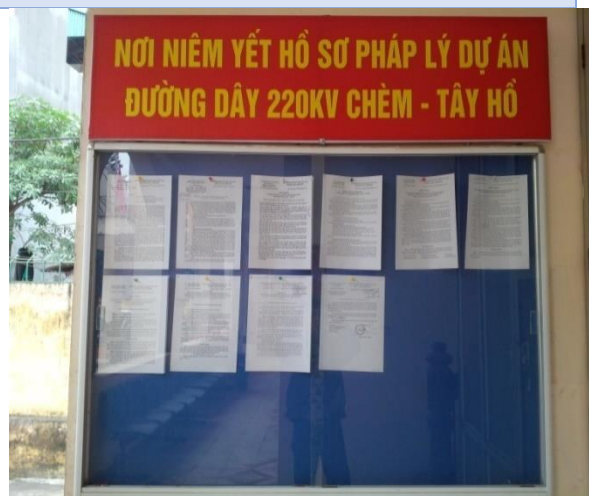
Consultation at Phu Thuong Ward, Tay Ho District



Public consultation at Thuy Phuong Ward,  
North Tu Liem District



Public consultation at Dong Ngac Ward, North Tu Liem  
District



Public posting of the project information



## APPENDIX 7.

# SOCIO-ECONOMIC SURVEY AND INVENTORY OF LOSSES QUESTIONNAIRE

Hanoi and Ho Chi Minh City Power Grid Development Sector Project  
 Construction and Rehabilitation of Chem-Tay Ho 220kV Transmission Line

-----  
 Questionnaire code: \_\_\_/\_\_\_/\_\_\_; Survey date: \_\_\_/\_\_\_/2014

### A-BACKGROUND INFO

1. Name of head of household: .....

- Home address: Village: .....Commune: .....District.....Hanoi.
- Vulnerable group: [ ] (Woman headed=1; Ethnic minority=2; Disabled=3; Poor household=4; Single elderly household=5; Social policy household=6; Drug addict=7; HIV=8; Others=9)

2. Household component

	1	2	3	4	5	6	7	8	9
No.	Name	Sex	Relation to the household head	Age	Ethnicity	Main occupation	Education level (7 and above)	Skills of each member	Skills expected to be trained
		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						
					Please refer to the code list below				
1									
2									
3									
4									
5									
6									
7									
8									
9									
2.6: Ethnicity code		2.7: Education level code		2.8: Occupation code		2.9: Skills of each member		2.10: Skills expected to be trained	

1=Kinh 2=Thai 3=Tay 4=Nung 5=Muong 6=Hoa 7=Others	0=Illiterate 1=Primary school 2=Secondary school 3=Yet graduated from high school 4=High school 5=Vocational training 6=University and higher education 7=Others	1= Agriculture (farming) 2=Livestock husbandry 3=Selling goods 4=Restaurant 5=Factory worker 6=State official 7=Working for private company 8=Transportation 9= Student 10=Housework 11=Hired labor 12=Others	1=Sewing 2=Mechanics 3=Electronics 4=Embroidering 5=Others	1=Sewing 2=Mechanics 3=Electronics 4=Embroidering 5=Others
---	---	--	--	--

**3. Housing facilities**

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

**4. Access to public facilities**

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

**5. Household's assets**

- Agricultural equipment
  - Tractor ploughing [ ] Quantity: .....
  - Tractor [ ] Quantity: .....
  - Mower [ ] Quantity: .....
  - Others [ ] Quantity: .....

- Business equipment of the household
  - Glass cabinet [ ] Quantity: .....
  - Table and chair (set) [ ] Quantity: .....
  - Trolley [ ] Quantity: .....
  - Others..... [ ] Quantity: .....
- Vehicles
  - Car [ ] Quantity: .....
  - Motorbike [ ] Quantity: .....
  - Bicycle [ ] Quantity: .....
  - Truck [ ] Quantity: .....
  - Rickshaw [ ] Quantity: .....
  - Others [ ] Quantity: .....
- Equipment for cooking
  - Gas stove [ ] Quantity: .....
  - Oven [ ] Quantity: .....
  - Rice cooker [ ] Quantity: .....
  - Other cooking equipment [ ] Quantity: .....
- Electronic, refrigeration equipment
  - Washing machine [ ] Quantity: .....
  - Fridge [ ] Quantity: .....
  - Radio [ ] Quantity: .....
  - DVD player [ ] Quantity: .....
  - TV [ ] Quantity: .....
  - Others [ ] Quantity: .....
- General condition of house
  - Very good [ ] Good [ ]
  - Average [ ] Bad [ ]
- General condition of furniture
  - Very good [ ] Good [ ]
  - Average [ ] Bad [ ]

**6. Living conditions of the household**

- Main household income sources are from:
 

1) Agriculture [ ]	2) Business [ ]
3) Services [ ]	4) Handicraft [ ]
5) Salary [ ]	6) Transportation [ ]
7) Livestock husbandry [ ]	8) Social allowance [ ]
9) Leasing real estates [ ]	10) Assistance from relatives [ ]
11) Hired labor [ ]	12) Other (specify) [ ]
- Who are responsible for the main income sources of the household?
  - Household head [ ]
  - HH head+ spouse [ ]
  - HH head+ spouse + grown up son/daughter [ ]
  - Grown up son/daughter [ ]
  - Others [ ]
- What are the secondary income sources?
 

1) Agriculture [ ]	2) Business [ ]
3) Services [ ]	4) Handicraft [ ]
5) Salary [ ]	6) Transportation [ ]
7) Aquaculture [ ]	8) Social allowance [ ]
9) Leasing real estates [ ]	10) Assistance from relatives [ ]
11) Hired labor [ ]	12) Other (specify) [ ]
- Total income of the household?

Income source	VND/month	VND/year
1) Main		
2) Secondary		
<b>Total</b>		

- Household expenditure

Expenditure	VND/month	VND/year
1) Food		
2) Healthcare		
3) Education		
4) Traveling		
5) Festival, religion/social		

**7. Loans**

Loans	Loan size/ amount	Purpose 1=Agricultural production 2=Business 3=Education 4=Build/repair house 5=Other (specify)
1) Bank		
2) Loan from other organizations		
3) Loan from relatives, friends		
4) Others		

**8. Balance of income and spending of household**

- Not saving (income is sufficient for expenditures) [ ]
- Saving (income higher than spending ) [ ].....VND
- Income less than expenditure

**B. PROJECT'S IMPACTS ON LAND ACQUISITION**

**1. Land use situation of the household**

Land use (Tick the box to classify land)		Impact degree		Land use status (Number as referred below)	Legal title (Number by the code below)	Types of impacts	Impacts caused by	
<b>Map No.</b>	Number of land plot and type of land (the plot number in the Plot Column and the code for different types of land in the next column) 1=Residential land 2=Perennial crop land 3=Annual crop land 4=Pond land 5=Non-agricultural land 6=Others (specify)	Total landholdings (m <sup>2</sup> ) <i>(including both area inside and outside the project area)</i>		Total acquired area (m <sup>2</sup> )	1. Land owner and using land 2. Land owner and leasing land 3. Leasing land from the government 4. Leasing from other people 5. Given by the parents 6. Others (specify)	1. Having LURC 2. Does not have LURC but have legal papers 3. Does not have any legal paper 4. Being legalized 5. In dispute 6. Having land lease contract 7. Does not have land lease contract 8. Others (specify)	1. Permanent 2. Temporary	1. SS 2. ROW 3. Tower foundation 4. Foundation + ROW 5. SS + ROW
	Plot _____							
	Plot _____							
	Plot _____							
	Plot _____							
	Plot _____							

	Plot____								
	Plot____								
	<b>Total</b>								

**2. Affected houses**

Type of houses	Total area (m <sup>2</sup> )	Use status		Legal title	Impact degree (m <sup>2</sup> )	
		Code	Is the business household registered (as for status 4 and 5) 1. Yes 2. No		Total affected area (m <sup>2</sup> )	1. Partly 2. Fully
1. Villa 2. Grade 4, type 1 3. Grade 4, type 2 4. Grade 4, type 3 5. Grade 4, type 4 6. Grade 3, type 1 7. Grade 3, type 2 8. Grade 3, type 3 9. Grade 3, type 4 10. Temporary house 11. Others (specify)				1. Have ownership certificate 2. Does not have ownership certificate 3. Being legalized 4. Only have construction permit 5. Does not have construction permit 6. Does not have any paper 7. Leasing		

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):**

- 3.1. No [ ]2;
- 3.2. Yes [ ]1
- 3.2.1. Number of houses: [ ]
- 3.2.2. Area of houses outside the project area (m<sup>2</sup>): ..... m<sup>2</sup>

**4. Other affected structures and facilities**

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

Structures/ Facilities	Types of structures	Unit	Quantity
1. Kitchen separated from the main house	1. Temporary 2. Equal to grade 4 house	m <sup>2</sup>	
2. Livestock sheds	1. Temporary 2. Solid	m <sup>2</sup>	
3. Electricity meter		Electricity meter	

4. Water meter		Water meter	
5. Telephone			
6. Fence	1. Brick 2. Steel, wire or wood	Fence	
7. Gate	1. Brick 2. Iron, steel 3. Wood, Bamboo	m <sup>2</sup>	
8. Latrine, bathroom (separated from the main house)	1. Temporary 2. Solid	m <sup>2</sup>	
9. Earth grave	1 Reburial 2 Not yet	Grave	
10. Built grave	1 Reburial 2 Not yet		
11. Well	1 Drilled 2. Dug	m	
12. Water container	1. Concrete 2. Inox 3. Plastic	m <sup>3</sup>	
13. Water pipe	1. Diameter ...Φ= ??_____	md	
14. Yard (only cement or tiled)		m <sup>2</sup>	
15. Fish pond		m <sup>3</sup>	
16. Others (Name and affected area)			

**5. Impacts on business outside house (in the project area)**

5.1. 1. Yes [ ] If yes, continue with the relevant questions below.

5.2. 2. No [ ]

5.3. Type of business: [ ] (1=Company; 2=Shareholder; 3=Household)

5.3.1. Business registration; 1. Yes [ ] 2. No [ ]

5.3.2. Type of business:.....

5.3.3. Monthly income from business: \_\_\_\_\_dong (Only for households whose business is affected, including business combined with house in the Section B2).

**6. Trees, crops and livestock on affected area**

(Specifies the number, types and specifications of the original diameter of perennial crops/ timber trees; height of plants; productivity, yield, harvest time for aquatic products, plant density on the area as guided and informed by the Department of Finance. Particularly as for potted plants do not declare)

Name of trees and crops	Type of trees/livestock (specify)	Unit	Quantity
1. Annual crops		M <sup>2</sup>	
2. Timber trees, shade trees (list the main trees)			
3. Fruit trees, industrial crops (list the main trees)			
4. Livestock in pond (specify type and estimated quantity)			

**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. What is your expectation concerning job changing and creating and income restoration program?
  - 2.1. Participating in vocational training [ ]
  - 2.2. Receiving cash and finding job themselves [ ]
  - 2.3. Participating in job creating programs organized by the project [ ]
  - 2.4. Not yet decided [ ]
- 3. Is the remaining residential land area outside the project area sufficient to build house? (Only for those affected on residential land)
  - 1- Yes [ ]
  - 2- No [ ]
- 4. If the remaining area is not sufficient for building house (remaining area less than 40m<sup>2</sup> in the urban area and less than 100m<sup>2</sup> in the rural area), which of the following options the household will choose for relocation? (Only for those affected on residential land).
  - 4.1. Self-relocation [ ]
  - 4.2. Receiving resettlement land of the project and build new house [ ]
  - 4.3. Receiving resettlement land and house of the project [ ]
  - 4.4. Not yet decided [ ]
- 5. What is your plan to use compensation cash?
  - 5.1. Building or repairing house [ ]
  - 5.2. Buying new land [ ]
  - 5.3. Buying other assets [ ]; Name \_\_\_\_\_
  - 5.4. Investing in small business [ ]
  - 5.5. Bank saving [ ]
  - 5.6. Spending on children's education [ ]
  - 5.7. Investing in agricultural production, livestock husbandry [ ]
  - 5.8. Others [ ]; Describe \_\_\_\_\_
- 6. At present does the family have plan to replace production/income from agricultural land and/or restore business?
  - 6.1. No: [ ]
  - 6.2. Yes [ ]
- If yes, what is the plan?:
  - 6.2.1. Buying new agricultural land for production [ ]
  - 6.2.2. Reestablishing business in the new place [ ]
  - 6.2.3. Shifting to business and services [ ]
  - 6.2.4. Opening small store [ ]
  - 6.2.5. Handicraft [ ]
  - 6.2.6. Finding new job [ ] Continue with question 7
  - 6.2.7. Others [ ] Describe \_\_\_\_\_
- 7. If the household wants to find new job, which job do you want to choose? Reason (specify)
 

.....

.....

.....
- 8. Which of the following project information does the household know?
  - 8.1. General information. [ ]
  - 8.2. Information on resettlement site location [ ]
  - 8.3. Information on compensation rates [ ]
  - 8.4. Information on compensation payment schedule [ ]
  - 8.5. Others [ ] Specify
- 9. What is the source of information?

- 9.1. Commune meeting
- 9.2. From design staff of the project
- 9.3. From information dissemination session
- 9.4. From other mass media
- 9.5. Other sources.....  Specify

Thank you for your participation in the survey.

Name of the surveyor

On behalf of the household