

Involuntary Resettlement Due Diligence Report

Report
May 2016

VIE: Second Lower Secondary Education for the
Most Disadvantaged Areas Project (LSEMDAP2) –
Lang Son Province

Prepared by the Ministry of Education and Training for the Socialist Republic of Vietnam and the
Asian Development Bank.

CURRENCY EQUIVALENTS

(as of 15 May 2016)

| | | |
|---------------|---|-------------|
| Currency unit | – | dong (VND) |
| VND1.00 | = | \$0.0000449 |
| \$1.00 | = | VND 22,250 |

ABBREVIATIONS

| | | |
|---------|---|---|
| ADB | – | Asian Development Bank |
| CPMU | – | Central Project Management Unit |
| EM | – | Ethnic Minorities |
| EMSB | – | Ethnic Minority Semi Boarding |
| LSEMDAP | – | Second Lower Secondary Education for the Most Disadvantaged Project |
| LSS | – | Lower Secondary School |
| LURP | – | Land Use Right Paper |
| MOET | – | Ministry of Education and Training |
| RP | – | Resettlement Plan |

WEIGHTS AND MEASURES

| | | |
|----------------|---|--------------|
| m | – | meter |
| m ² | – | square meter |

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Involuntary Resettlement Due Diligence Report

Document Stage: Final
Project Number 46066-002
Date: May 2016

VIE: Second Lower Secondary Education for the Most Disadvantaged Areas Project (LSEMDAP2)

LANG SON PROVINCE SUBPROJECT

- Thach Dan Lower Secondary School (batch1)
- Loc Yen Lower Secondary School (batch1)
- Yen Lo Ethnic Minorities' Semi-Boarding Lower Secondary School (batch1)
- Lam Ca Ethnic Minorities' Semi-Boarding Lower Secondary School (batch1)
- Quang Trung Ethnic Minorities' Semi-Boarding Lower Secondary School (batch2)
- Bac Lang Ethnic Minorities' Semi-Boarding Lower Secondary School (batch2)

Prepared by the Ministry of Education and Training, Socialist Republic of Viet Nam, for Asian Development Bank

CURRENCY EQUIVALENTS

(as of May, 2016)

| | | |
|---------------|---|-----------------------|
| Currency unit | – | Vietnamese Dong (VND) |
| \$1.00 | = | VND 22,250 |

ACCRONYMS

| | | |
|----------|---|--|
| ADB | - | Asian Development Bank |
| CPMU | - | Central Project Management Unit |
| EMs | - | Ethnic Minorities |
| EMSB | - | Ethnic Minority Semi Boarding |
| LURP | - | Land Use Right Paper |
| MOET | - | Ministry of Education and Training |
| RP | - | Resettlement Plan |
| LSEMDAP2 | - | Second Lower Secondary Education For the Most Disadvantage Project |
| LSS | - | Lower Secondary School |

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I. INTRODUCTION

1. The Ministry of Education and Training (MOET) is implementing the Second Lower Secondary Education for the Most Disadvantaged Areas Project (LSEMDAP II, or the Project) in the 28 provinces of Viet Nam, through Loan № 3201 – VIE (SF) from Asian Development Bank. Under the Project, a total of 200 lower secondary schools (LSSs) have been selected for assistance. In the screening and categorization for social safeguards, Category A subprojects automatically excluded. While Category C subprojects shall be prioritized for financing. The subproject LSSs with minor impacts (Category B) may be considered subject to the preparation and implementation of a resettlement plan (RP) acceptable to ADB, as prescribed in 2009 Safeguard Policy Statement (SPS). The RP for Category B subproject shall be approved first by the Bank and disclosed in the ADB website before implementation by MOET.

2. Lang Son is a province in far northern Vietnam, bordering Guangxi province in China. Its capital is also called Lạng Sơn, which is a strategically important town at the border with China and is 137 kilometers northeast of Hanoi connected by rail and road. 10 beneficiary LSSs were selected for the Project, namely: (i) **Thach Dan** Lower Secondary School (Batch1); (ii) **Loc Yen** Lower Secondary School (Batch1); (iii) **Yen Lo** Ethnic Minorities' Semi-boarding Lower Secondary School Batch1); (iv) **Lam Ca** Ethnic Minorities' Semi-boarding Lower Secondary School (Batch1); (v) **Quang Trung** Ethnic Minorities' Semi-boarding Lower Secondary School (Batch2); (vi) **Bac Lang** Ethnic Minorities' Semi-boarding Lower Secondary School (Batch2); They are located in three(3) districts of the province. As screened, these schools are Category C subprojects in the Involuntary Resettlement and Category B subprojects under in Indigenous Peoples categorization (Attachments 1 to 6), since no social impacts are expected inside the schools' premises. The Central Project Management Unit (CPMU) of LSEMDAP2 has submitted this Due Diligence Report (DDR) for information of ADB and to secure its "No Objection" for the award of civil works contract for the construction of school facilities..

II. APPROACH AND METHODOLOGY FOR DUE DILIGENCE

3. The CPMU has applied the selection criteria in evaluating the LSSs included in the long list. The criteria were developed during the PPTA. Given the large number of LSSs and their geographic locations, the CPMU sent questionnaires to be filled-up by school officials whose responses were the basis for screening and selection in producing the shortlist of LSSs. The school officials of shortlisted LSSs were then given two sets of questionnaires. The first set was used in gathering information on their proposed facilities and statistical data that justify their proposal. The proposed investments were then screened and made the reasonable distribution of facilities that are urgently needed. The second set was aimed to validate if land acquisition shall be required. National Resettlement Specialist and CPMU civil work assistants conducted site visits of the proposed LSSs and consult with key officials of the Lang Son PPMU and the proposed LSSs during 15-30/ November 2015.

III. THE PROPOSED FACILITIES

4. In all, the five LSSs will construct a total of 6 regular classrooms and 2 subject rooms, 4 libraries. 40 student's dormitories. 9 teachers's housing units. 4 kitchens and 6 sanitary facilities for semi-boarded students. The construction of regular classrooms will follow the standard minimum dimension as provided for in Vietnam Standard 8794:2011 by Ministry of Science and Technology. The following dimension of each classroom depends on the number of students as follows: For the 40 student class length = 7.8 m and width = 9.8 m (7.5 m working area and 2.3 m for the corridor) ;For the 32 student class length = 7.2 m and width = 9.5 m (7.2 m working area and 2.3 m for the corridor). Each classroom shall have a minimum usable area of 49 m². .

5. The subject rooms for 40 student class shall have the following dimensions: length = 15.6 m (11.7 m for working area and 3.9 m for a preparation room of teacher) and width = 9.8 m (7.5 m for activity room and 2.3 m for the corridor). The subject rooms for 32 student class have length = 14.4 m (10.8 m for working area and 3.6 m for a preparation room of teacher) and width = 9.5 m (7.2 m for activity room and 2.3 m for the corridor). Each subject room shall have a minimum usable area of 98m² in which 74 m² for activity room and 24 m² for preparation room of the teacher.

6. The student's dormitory shall have the following dimensions: length = 10.2m including 6.6m living room, 2.1m of corridor and 1.5m behind the house for hanging clothes and width = 3,6m (area of 21.76 m² for 8 pupils)

7. The Teacher's housing room have the following dimensions: length =8.7m including 5.1m for living room, 1.5 m for corridor and 2.1m for kitchen and toilet; width = 3,6m (area of 16.7 m² for 2 teachers)

Table 1: Dimension of all type of facilities under the Project

| Type of facilities | Dimension (32 students) | | | Dimension (40 students) | | |
|---------------------------------------|-------------------------|---------|---------------------|-------------------------|-------------|---------------------|
| | L (m) | W (m) | S (m ²) | L (m) | W (m) | S (m ²) |
| Classroom | 7.2 | 7.2 | 51.84 | 7.8 | 7.5 | 58.5 |
| Corridor (classroom) | 7.2 | 2.3 | 16.56 | 7.8 | 2.3 | 17.9 4 |
| Subject room, library room | 14.4 | 7.2 | 103.68 | 15.6 | 7.5 | 117 |
| Corridor (subject room, library room) | 14.4 | 2.3 | 33.12 | 15.6 | 2.3 | 35.8 8 |
| Student dormitory | 6.6 | 3.6 | 23.76 | 6.6 | 3.6 | 23.7 6 |
| Corridor (student dormitory) | 3.6 | 2.1+1.5 | 12.96 | 3.6 | 2.1+1. 5 | 12.9 6 |
| Teacher's housing room | 3.6 | 8.7 | 31,3 | 3.6 | 8.7 | 31.3 |
| Toilet for semi-boarding / common use | 8.4 | 7.5 | 63 | 8.4 | 7.5 | 63 |

Source: CPMU of LSEMDAP II

8. The distribution of the proposed facilities in eight (8) schools is shown in Table 2.

Table 2: Proposed LSSs Facilities in Lang Son Province

| Name of the School | Classrooms | Function Rooms | library | Student's dormitory | Teacher' housing unit | kitchen | Sanitary facilities for semi boarded students | Sanitary facilities |
|---|------------|----------------|---------|---------------------|-----------------------|---------|---|---------------------|
| Thach Dan Lower Secondary School(Batch1) | | | 1 | 8 | | 1 | 1 | |
| Loc Yen Lower Secondary School Batch1) | 4 | 1 | | 4 | 3 | 1 | 1 | |
| Yen Lo Ethnic Minorities' Semi-boarding Lower Secondary School Batch1) | | | 1 | 8 | | 1 | 1 | |

| | | | | | | | | |
|---|----------|----------|----------|-----------|----------|----------|----------|--|
| Lam Ca Ethnic Minorities' Semi-boarding Lower Secondary School (Batch1) | | | | 6 | 4 | | 1 | |
| Quang Trung Ethnic Minorities' Semi-boarding Lower Secondary School (Batch2) | 2 | 1 | 1 | 10 | | 1 | 1 | |
| Bac Lang Ethnic Minorities' Semi-boarding Lower Secondary School (Batch2) | | | 1 | 4 | 2 | | 1 | |
| Total 6 | 6 | 2 | 4 | 40 | 9 | 4 | 6 | |

Source: CPMU of LSEMDAP II

IV. BRIEF PROFILE OF THE LSSs

A. Thach Dan Lower Secondary School (batch1)

9. The school became operational in 2001 and was established in Thach Dan commune of Ia Cao Loc District. The school has 2627 m² of land with only 21.7%, are used for school buildings (570m²). In school-year 2015-2016, a total of 198 students were enrolled, 109 males and 89 females. The students were composed of 50 from Grade 6, 45 in Grade 7 and 53 in Grade, 50 in grade 9. The Nung student is majority with 76.8% and Tay student is of 23.2%. Student enrolment in Cao Loc LSS increased from 174 students in school-year 2010-2011 it grew to 198 in 2015-2016.

Table 3: Number of students in the last 5 years

| No | Number of students in recent 5 year | Unit | Grade 6 | Grade 7 | Grade 8 | Grade 9 | Total |
|----|-------------------------------------|---------|---------|---------|---------|---------|-------|
| 1 | From 2014 to 2015 | Student | 43 | 53 | 52 | 46 | 194 |
| 2 | From 2013 to 2014 | Student | 53 | 54 | 46 | 42 | 175 |
| 3 | From 2012 to 2013 | Student | 56 | 47 | 46 | 38 | 187 |
| 4 | From 2011 to 2012 | Student | 45 | 43 | 41 | 39 | 168 |
| 5 | From 2010 to 2011 | Student | 44 | 43 | 40 | 47 | 174 |
| | Total | Student | 241 | 240 | 226 | 212 | 898 |

10. 20 teachers are employed by the school, 2 are males and 18 are females with no EM teacher. All teachers have university education. The school has five (5) non-teaching personnel.

At present, the school has 1 two floor concrete–building(built in 2001) which has 6 class rooms, 1 single floor building(built in 2002) which has 5 Teacher's housing rooms and 1 single floor building (built in 2014) with 5 rooms used as office for school directorate .

B Loc Yen Lower Secondary School (batch1)

According to CPMU **Loc Yen** LSS district (Batch) 1 had been screened for resettlement issue during PPTA and not any resettlement need confirmed. Reconfirmation for resettlement need is not necessary according to ADB's concurrence through email dated on June 24th, 2015.

C Yen Lo Ethnic Minorities' Semi-Boarding Lower Secondary School (batch1)

11. The school became operational in 2001 and was established in Yen Lo commune of Binh Gia District. The school has 4841 m² of land with 26.5%, are used for school buildings (1285m²). In school-year 2015-2016, a total of 196 students were enrolled, 112 are males and 84 are females. The students were composed of 51 from Grade 6, 44 in Grade 7 and 48 in Grade 8, 53 in grade 9. The Nung student is majority with 89.8 % and Dao student is of 20.2 %. Student enrolment in Yen lo EMSB LSS reduced from 257 students in school-year 2010-2011 to 196 in 2015-2016.

Table 4: Number of students in the last 5 years

| No | Number of students in recent 5 year | Unit | Grade 6 | Grade 7 | Grade 8 | Grade 9 | Total |
|----|-------------------------------------|---------|---------|---------|---------|---------|-------|
| 1 | From 2014 to 2015 | Student | 49 | 55 | 58 | 44 | 206 |
| 2 | From 2013 to 2014 | Student | 60 | 61 | 45 | 41 | 207 |
| 3 | From 2012 to 2013 | Student | 61 | 47 | 42 | 65 | 215 |
| 4 | From 2011 to 2012 | Student | 51 | 44 | 68 | 71 | 243 |
| 5 | From 2010 to 2011 | Student | 45 | 73 | 77 | 62 | 257 |
| | Total | Student | 266 | 280 | 290 | 283 | 1119 |

12. 12 teachers are employed by the school, 5 are males and 7 are females with no EM teacher. All teachers have university education. The school has three (3) non-teaching personnel.

22. At present, the school has 4 single floor-building which built in 1998, 2010, 2013 which has 8 class rooms, 3 Teacher's housing rooms, 1 subject room and 3 student's dormitories.

D Lam Ca Ethnic Minorities' Semi-Boarding Lower Secondary School (batch1)

13. The school became operational in 2012 and was established in Lam Ca commune of Dinh Lap District. The school has 7690 m² of land with 12.4%, are used for school buildings (950 m²). During the school-year 2015-2016, a total of 172 students were enrolled, 97 are males and 75 are females. The students were composed of 52 from Grade 6, 39 in Grade 7 and 42 in Grade 8, 39 in grade 9. The Dao student is majority with 40.7 % and Tay student is of 39%. 20.3% are pupils of the Kinh. Student enrolment in Lam Ca EMSB LSS CONTANT from 183 students in school-year 2010-2011 to172 in 2015-2016.

Table 5: Number of students in the last 5 years

| No | Number of students in recent 5 year | Unit | Grade 6 | Grade 7 | Grade 8 | Grade 9 | Total |
|----|-------------------------------------|---------|---------|---------|---------|---------|-------|
| 1 | From 2014 to 2015 | Student | 56 | 56 | 40 | 30 | 182 |
| 2 | From 2013 to 2014 | Student | 42 | 59 | 45 | 43 | 189 |
| 3 | From 2012 to 2013 | Student | 42 | 55 | 37 | 39 | 173 |
| 4 | From 2011 to 2012 | Student | 50 | 54 | 38 | 40 | 169 |
| 5 | From 2010 to 2011 | Student | 59 | 46 | 43 | 35 | 183 |
| | Total | Student | 249 | 270 | 197 | 187 | 903 |

14. 14 teachers are employed by the school, 4 are males and 10 are females with no EM teacher All teachers have university education. The school has three (3) non-teaching personnel.

15. At present, the school has 1 two floor concrete-building built in 2003 which has 8 class rooms, 1 single floor-building(built in 2010) with 2 student's dormitories and 2 single floor-building(built in 1992) which has 1 library and 3 rooms used as office for school directorate.

E Quang Trung Ethnic Minorities' Semi-Boarding Lower Secondary School (batch2)

16. The school became operational in 2006 and was established in Quang Trung commune of Binh Gia District. The school has 3637 m² of land with only 33%, are used for school buildings (1200m²). During the school-year 2015-2016, a total of 176 students were enrolled, 86 are males and 80 are females. The students were composed of 40 from Grade 6, 41 in Grade 7 and 37 in Grade 8, 58 in grade 9. The Nung student is majority with 100 %. Student enrolment in Quang Trung EMSB LSS reduced from 248 students in school-year 2010-2011 to 176 in 2015-2016.

Table 6: Number of students in the last 5 years

| No | Number of students in recent 5 year | Unit | Grade 6 | Grade 7 | Grade 8 | Grade 9 | Total |
|----|-------------------------------------|---------|---------|---------|---------|---------|-------|
| 1 | From 2014 to 2015 | Student | 42 | 37 | 58 | 57 | 194 |
| 2 | From 2013 to 2014 | Student | 37 | 58 | 57 | 64 | 216 |
| 3 | From 2012 to 2013 | Student | 58 | 57 | 64 | 84 | 263 |
| 4 | From 2011 to 2012 | Student | 57 | 64 | 84 | 54 | 259 |
| 5 | From 2010 to 2011 | Student | 64 | 84 | 54 | 46 | 248 |
| | Total | Student | 258 | 297 | 317 | 305 | 1180 |

17. 16 teachers are employed by the school, 8 are males and 8 are females with no EM teacher. All teachers have university education. The school has four (4) non-teaching personnel.

18. At present, the school has one 2 floor concrete-building (built in 2006) which has 6 class rooms. And 3 single floor building (built in 2005, 2007, and 2008) which has 7 Teacher's housing rooms. The remaining single floor half concrete building (built in 2011) has 5 student's dormitories.

F Bac Lang Ethnic Minorities' Semi-Boarding Lower Secondary School (batch2)

19. The school became operational in 2000 and was established in Bac Lang commune of Ding Lap District. The school has 1799 m² of land with 18.4%, are used for school buildings (330m²). During the school-year 2015-2016, a total of 97 students were enrolled, 60 are males and 37 are females. The students were composed of 28 from Grade 6; 28 in Grade 7 and 24 in Grade 8, 19 in grade 9. The Dao student is majority with 81.4 % and Tay student is of 15.5%. Kinh student is of 3,1%(3 students). Student enrolment in Bac Lang EMSB LSS constant from 98 students in school-year 2010-2011 to 97 in 2015-2016.

Table 7: Number of students in the last 5 years

| No | Number of students in recent 5 year | Unit | Grade 6 | Grade 7 | Grade 8 | Grade 9 | Total |
|----|-------------------------------------|---------|---------|---------|---------|---------|-------|
| 1 | From 2014 to 2015 | Student | 28 | 23 | 22 | 26 | 99 |
| 2 | From 2013 to 2014 | Student | 24 | 25 | 26 | 23 | 98 |
| 3 | From 2012 to 2013 | Student | 29 | 31 | 25 | 22 | 107 |
| 4 | From 2011 to 2012 | Student | 33 | 25 | 21 | 25 | 102 |
| 5 | From 2010 to 2011 | Student | 27 | 25 | 21 | 24 | 98 |
| | Total | Student | 141 | 129 | 117 | 117 | 504 |

20. 10 teachers are employed by the school, 4 are males and 6 are females with no EM teacher. All teachers have university education. The school has five(5) non-teaching personnel.

21. At present, the school has one 2 floor concrete -building(built in 2002) which has 4 class rooms and 2 single floor building(built in 2000) which has 2 Teacher's housing rooms, 3 rooms used as office for school directorate.

V. ASSESSMENT OF SOCIAL IMPACTS

22. There are no social impacts expected arising from land acquisition in any of the selected LSSs in Lang Son Province. The school premises are enclosed with concrete or wooden fences as protection from encroachers, and neither a house nor structure of private person was allowed by the school administration. The proposed facilities will be built within the existing respective school premises, so it is no need to acquire any land. The project will improve working, studying and living conditions for students and teachers.

Thach Dan Lower Secondary School (batch1)

- This school proposed a 03-storey building for 8 student's dormitories and 1 library in area of 182m² and a 1-store for kitchen in area of 40m² which will be built next to the 03-storey building. These buildings will be built within the existing school compound. No land acquisition is required and no third-party user will be affected. The school has site for unloading & storing construction materials. To mitigate Safety Issues, adequate safety measures to be applied by contractor during construction phase to ensure normal operation of the school.

Loc Yen Lower Secondary School (batch1)

- According to CPMU, as for Loc Yen LSS district (Batch 1), this school had been screened for resettlement issue during PPTA and no any resettlement need was confirmed. Reconfirmation for resettlement need is not necessary according to ADB's concurrence through email dated on June 24th, 2015. The school has site for unloading & storing construction materials. To mitigate Safety Issues, adequate safety measures to be applied by contractor during construction phase to ensure normal operation of the school.

Yen Lo Ethnic Minorities' Semi-Boarding Lower Secondary School (batch1)

- This school proposed a 02-storey building for eight student's dormitories in area of 182 m², three 01-storey buildings for one library, one kitchen and one sanitary facility for semi-boarded students in total area of 167m². These buildings will be built within the existing school compound. No land acquisition is required and no third-party user will be affected. The school has site for unloading & storing construction materials. To mitigate Safety Issues, adequate safety measures to be applied by contractor during construction phase to ensure normal operation of the school.

Lam Ca Ethnic Minorities' Semi-Boarding Lower Secondary School (batch1)

- This school proposed a 1-store building for 6 student's dormitories in an area of 228 m², a 1-store building for 4 teacher's housing rooms in an area of 132 m² and a sanitary facilities for semi-boarded students in area of 63m² with a total area of 423 m², or 5,5 % of the 7960 m² land owned by the school. The structure will be built within the existing school compound. No land acquisition is required and no third-party user will be affected. The school has site for unloading & storing construction

materials. To mitigate Safety Issues, adequate safety measures to be applied by contractor during construction phase to ensure normal operation of the school.

Quang Trung Ethnic Minorities' Semi-Boarding Lower Secondary School (batch2)

- Two classrooms, one function room and one library in a 02-storey building in area of 254m², 10 student's dormitories in a 02-store building in area of 215m² and one kitchen, one sanitary facilities for semi-boarded students are being proposed by this school. The structure will be built within the existing school compound. No land acquisition is required and no third-party user will be affected. The school has site for unloading & storing construction materials. To mitigate Safety Issues, adequate safety measures to be applied by contractor during construction phase to ensure normal operation of the school.

Bac Lang Ethnic Minorities' Semi-Boarding Lower Secondary School (batch2)

- This school proposed a 02-storey building for four student's dormitories and one library in area of 182 m². ,a 01-storey building for two teacher's housing rooms and a sanitary facilities for semi-boarded students in total area of 131m². These buildings will be built within the existing school compound. No land acquisition is required and no third-party user will be affected. The school has site for unloading & storing construction materials. To mitigate Safety Issues, adequate safety measures to be applied by contractor during construction phase to ensure normal operation of the school.

23. With the foregoing information on the proposed subprojects in Lang Son Province, request for "No Objection" for the award of civil works contracts is being sought by MOET from ADB.

VI. GRIEVANCE REDRESS MECHANISM AND IMPLEMENTATION ARRANGEMENT

24. The CPMU under MOET's authority will coordinate with the Lang Son PMU to implement the Project and settle grievance of local people (if any) before, during or after construction. PPCs, DPCs, CPCs and chiefs of villages and other local social organizations such as the Women's Union, the Fatherland's Front, and traditional EM leaders also take part in grievance redress.

25. Grievances related to any aspect of the subprojects of LSEMDAP II will be handled through negotiation aimed at achieving resolution. A grievance redress mechanism (GRM) established aim to address grievances, complaints, and queries of local people regarding compensation and adverse impacts (if any) on people including ethnic minorities in a timely and satisfactory manner. Complaints can be in written or in verbal narrative. In the case of verbal complaints, the designated commune or district officials will record the complaint during the first meeting with the complainant.

26. The Lang Son PMU officers will serve as grievance officers. The designated commune officials will attempt to settle the issues at the commune level through appropriate community consultations. All meetings will be recorded, and copies will be provided to the complainants. A copy of the minutes of meetings and actions undertaken will also be provided to CPMU and ADB upon request.

27. Under the project, a GRM with three stages was established for seeking resolution of complaints. If grievance is still unresolved, it can be elevated to a court of law for resolution.

The complainant will be exempted from all administrative and legal fees that might be incurred in the resolution of their grievances and complaints. The GRM process is below.

- (i) *First Stage, Commune Peoples' Committee (CPC)*. The complainant may register his/her complaint verbally or in writing to any member of the CPC, either through the Village Chief or directly to the CPC. The CPC will register the complaint and meet the complainant. The CPC secretariat will document and keep the files of all complaints that it handles. The CPC has up to 30 days or 45 days (for complex cases) to resolve the complaint. If the complaint is not resolved within the given days or the complainant does not satisfy with decision of CPC on his/her case, he/she can bring complaint to the DPC.
- (ii) *Second Stage, District Peoples' Committee (DPC)*. The complainant may bring the case to any member of the DPC. The DPC has up to 30 days or 70 days (for complex cases) to resolve the complaint. The DPC documents and maintains a file of all complaints that it handles and informs the PMU (or DCRC) of any determination, decision made. The PMU (DCRC) will support the DPC to resolve the complaint. The DPC notifies the complainant of its decision. If the complainant does not hear from the DPC within the given days, or if the complainant does not satisfied with the decision taken on his/her complaint, the complainant may bring the case, either in writing, to any member of the PPC.
- (iii) *Third Stage, Provincial Peoples Committee (PPC)*. The PPC has up to 30 days or 70 days (for complicated cases or complaints in remote areas) to resolve the complaint. The PPC documents and files all complaints that it receives. Within 45 days from the date of receipt of the decision of the PPC Chairperson and if the complainant does not agree with the decision, the complainant may bring the case to the law court. The time limit for appeal should not exceed 60 days (or 70 days for complicated cases) from the date of acceptance. The agency that receives the complaint will record the proceedings done for the complaint.

28. All grievance and resolution of grievances, if any will be subject to monitoring. Internal monitoring will follow-up the progress of resolution of grievances, and compliance with the overall social safeguards policy. Monitoring of the grievances will be in a form of a completion report. External monitoring is not required.

Involuntary Resettlement Impact Categorization Checklist

Project: **Second Lower Secondary Education for the Most Disadvantage Areas Project (LSEMDAP II)**

Subproject: **Thach Dan Lower Secondary School (batch1)**

Province: **Lang Son** District: **Cao Loc** CATEGORY: C

| Probable Involuntary Resettlement Effects | Yes | No | Not Known | Remarks |
|--|-----|----------|-----------|---|
| Involuntary Acquisition of Land | | | | |
| 1. Will there be land acquisition? | | X | | Civil works and rehabilitation shall be undertaken in school premises. |
| 2. Is the site for land acquisition known? | | X | | Land acquisition will only happen if there is an expansion of school premises. But so far, there is no proposal for expansion. |
| 3. Is the ownership status and current usage of land to be acquired known? | | | | This is not applicable to the project since there is no expansion of school premises |
| 4. Will easement be utilized within an existing Right of Way (ROW)? | | X | | The school has already an entrance and will not be touched by the construction of these building that will be built at the school premises. |
| 5. Will there be loss of shelter and residential land use to land acquisition? | | X | | Not a house or residential land shall be affected given the wide space of school premises. |
| 6. Will there be loss of agricultural and other productive assets due to land acquisition? | | X | | All civil works shall be undertaken in school premises. |
| 7. Will there be loss of crops, trees, and fixed assets due to land acquisition? | | X | | No tree or crop will be affected by the construction. |
| 8. Will there be loss of business or enterprises due to land acquisition? | | X | | Not a single business will be affected as all civil works and rehabilitation shall be done inside the school premises. |
| 9. Will there be loss of income sources and means of livelihoods due to land acquisition? | | X | | The Project will rather create livelihood or employment in the locality due to construction of school rooms. |
| Involuntary Restrictions on land use or on access to legally designated parks and protected areas | | | | |
| 10. Will people lose access to natural resources, communal facilities and services? | | X | | All Civil works and rehabilitation shall be undertaken in school premises. |
| 11. If land use is changed, will it have an adverse impact on social and economic activities? | | X | | No current use of land will be changed and therefore there is no impact on the socio-economic activities of the people |
| 12. Will access to land and resources owned by the communally or by the state be restricted? | | X | | Restriction to land resources of the community or by the state is unlikely. |
| Information on Displaced Persons | | | | |

| |
|---|
| Any estimate of the likely number of persons that will be displaced by the Project? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> Not applicable |
| If yes, approximately how many? |
| Are any of the poor, female-headed households, or vulnerable to poverty risks? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> Not applicable |
| Are any displaced persons from indigenous or ethnic minority groups? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> Not applicable |

Indigenous Peoples Impact Screening Checklist

Project: **Second Lower Secondary Education for the Most Disadvantage Areas Project (LSEMDAP II)**

Subproject: **Thach Dan Lower Secondary School (batch1)**

Province: **Lang Son** District: **Cao Loc** CATEGORY: B

| KEY CONCERNS (Please provide elaborations on the Remarks column) | YES | NO | NOT KNO WN | Remarks |
|--|----------|----------|------------------|---|
| A. Indigenous Peoples Identification | | | | |
| 1. Are there socio-cultural group present in or use the project areas who may be considered as “tribes” (hill tribes, schedules tribes, tribal peoples), “minorities” (ethnic or national minorities) or “indigenous communities” in the project area? | X | | | The land is allocated solely for the school. If there are ethnic minorities, they are among students of the school pursuing their upper secondary education |
| 2. Are there national or local laws or policies as well as anthropological researches/studies that consider these groups present in or using the project area as belonging to “ethnic minorities”, scheduled tribes, tribal peoples, national minorities, or cultural communities? | X | | | Some students are children of ethnic minorities in Vietnam who are recognized by the Government. Their rights are embodied in the 2013 Constitution. |
| 3. Do such groups self-identity as taking part of a distinct social and cultural group? | X | | | They belong to the 54 different ethnic minorities in the country |
| 4. Do such groups maintain collective attachments to distinct habitats or ancestral territories and/or to the natural resources in these habitats and territories? | | X | | The land being used by the school is exclusively for education purposes where the ethnic minorities has no collective attachments. |
| 5. Do such groups maintain cultural, economic, social, and political institutions distinct from the dominant society and culture? | X | | | Such groups maintain cultural, economic, social, and political institutions distinct from the dominant society and culture. |
| 6. Do such groups speak a distinct language or dialect? | X | | | Ethnic minority students and ethnic minority teachers speak dialects distinct from the mainstream society |
| 7. Has such groups been historically, socially and economically marginalized, disempowered, excluded, and/or discriminated against? | | X | | |
| 8. Are such groups represented as “Indigenous Peoples” or as “ethnic minorities” or “scheduled tribes” or “tribal populations” in any formal decision-making bodies at the national or local levels? | X | | | Outside of the school, such groups are represented as “ethnic minorities” in formal decision-making bodies at the national or local levels. |
| B. Identification of Potential Impacts | | | | |
| 9. Will the project directly or indirectly benefit or target Indigenous Peoples? | X | | | The students from indigenous communities will directly benefit from the Project in terms of improved quality of education. |
| 10. Will the project directly or indirectly affect Indigenous Peoples’ traditional socio-cultural and belief practices? (e.g. child-rearing, health, education, arts, and governance?) | X | | | The project shall only improve quality of education but will not impose changes in sociocultural practices of ethnic minorities. |
| 11. Will the project affect the livelihood systems of Indigenous Peoples? (e.g. food production system, natural resource management, crafts and trade, employment status) | | X | | The construction of classrooms will be done in school premises. |

| | | | | |
|--|--|----------|--|--|
| 12. Will the project be in an area (land or territory) occupied, owned, or used by Indigenous Peoples, and/or claimed as ancestral domain? | | X | | The sub-project area is inside the school premises |
|--|--|----------|--|--|

| KEY CONCERNS (Please provide elaborations on the Remarks column) | YES | NO | NOT KNOWN | Remarks |
|--|------------|-----------|------------------|--|
| C. Identification of Special Requirements <i>Will the project activities include:</i> | | X | | There is no commercial development of cultural resources as the sub-project involves the construction of classrooms. |
| 13. Commercial development of the cultural resources and knowledge of Indigenous Peoples? | | X | | Physical displacement from traditional or customary lands will not happen in the sub-project |
| 14. Physical displacements from traditional or customary lands? | | X | | The activities in the sub-project area will involve the construction of these buildings at the school premises. |
| 15. Commercial development of natural resources (such as minerals, hydrocarbons, forest, water, hunting or fishing ground) within customary lands under use that would impact the livelihoods or the cultural ceremonial, spiritual uses that define the identity and community of Indigenous Peoples? | | X | | The sub-project will only involve the construction of classrooms. |
| 16. Establishing legal recognition of rights to lands and territories that are traditionally owned or customarily used, occupied or claimed by indigenous peoples? | | X | | There is no acquisition of lands |
| 17. Acquisition of lands that are traditionally owned or customarily used, occupied or claimed by indigenous peoples? | | X | | There is no commercial development of cultural resources as the sub-project involves the construction of classrooms. |

D. Anticipated Project Impacts on Indigenous Peoples

| Project component/ activity/output | Anticipated positive effects | Anticipated negative effects |
|--|---|-------------------------------------|
| 1. Construction of 03-storey building for 8 student's dormitories and 1 library in area of 182m ² and a 1-store for kitchen in area of 40m ² within the school premise. It will follow the standard dimension as provided for in Vietnamese Standard TCVN 8794-2011. | The provisions of new classrooms will accommodate the increasing number of lower secondary education students. It will also facilitate in providing quality lower secondary education to them | |

Involuntary Resettlement Impact Categorization Checklist

Project: **Second Lower Secondary Education for the Most Disadvantage Areas Project (LSEMDAP II)**

Subproject: : **Yen Lo Ethnic Minorities' Semi-Boarding Lower Secondary School (batch1)**

Province: **Lang Son** District: **Binh Gia** CATEGORY: C

| Probable Involuntary Resettlement Effects | Yes | No | Not Known | Remarks |
|---|-----|----------|-----------|---|
| Involuntary Acquisition of Land | | | | |
| 1. Will there be land acquisition? | | X | | Civil works and rehabilitation shall be undertaken in school premises. |
| 2. Is the site for land acquisition known? | | X | | Land acquisition will only happen if there is an expansion of school premises. But so far, there is no proposal for expansion. |
| 3. Is the ownership status and current usage of land to be acquired known? | | | | This is not applicable to the project since there is no expansion of school premises |
| 4. Will easement be utilized within an existing Right of Way (ROW)? | | X | | The school has already an entrance and will not be touched by the construction of these building that will be built at the school premises. |
| 5. Will there be loss of shelter and residential land use to land acquisition? | | X | | Not a house or residential land shall be affected given the wide space of school premises. |
| 6. Will there be loss of agricultural and other productive assets due to land acquisition? | | X | | All civil works shall be undertaken in school premises. |
| 7. Will there be loss of crops, trees, and fixed assets due to land acquisition? | | X | | No tree or crop will be affected by the construction. |
| 8. Will there be loss of business or enterprises due to land acquisition? | | X | | Not a single business will be affected as all civil works and rehabilitation shall be done inside the school premises. |
| 9. Will there be loss of income sources and means of livelihoods due to land acquisition? | | X | | The Project will rather create livelihood or employment in the locality due to construction of school rooms. |
| Involuntary Restrictions on land use or on access to legally designated parks and protected areas | | | | |
| 10. Will people lose access to natural resources, communal facilities and services? | | X | | All Civil works and rehabilitation shall be undertaken in school premises. |
| 11. If land use is changed, will it have an adverse impact on social and economic activities? | | X | | No current use of land will be changed and therefore there is no impact on the socio-economic activities of the people |
| 12. Will access to land and resources owned by the communally or by the state be restricted? | | X | | Restriction to land resources of the community or by the state is unlikely. |
| Information on Displaced Persons | | | | |
| Any estimate of the likely number of persons that will be displaced by the Project? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> Not applicable | | | | |

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|--|
| If yes, approximately how many? |
| Are any of the poor, female-headed households, or vulnerable to poverty risks? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> Not applicable |
| Are any displaced persons from indigenous or ethnic minority groups? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> Not applicable |

Indigenous Peoples Impact Screening Checklist

Project: **Second Lower Secondary Education for the Most Disadvantage Areas Project (LSEMDAP II)**

Subproject: **Yen Lo Ethnic Minorities' Semi-Boarding Lower Secondary School (batch1)**

Province: **Lang Son** District: **Binh Gia** CATEGORY: B

| KEY CONCERNS (Please provide elaborations on the Remarks column) | YES | NO | NOT KNOW N | Remarks |
|--|----------|----------|------------------|---|
| A. Indigenous Peoples Identification | | | | |
| 1. Are there socio-cultural group present in or use the project areas who may be considered as "tribes" (hill tribes, schedules tribes, tribal peoples), "minorities" (ethnic or national minorities) or "indigenous communities" in the project area? | X | | | The land is allocated solely for the school. If there are ethnic minorities, they are among students of the school pursuing their upper secondary education |
| 2. Are there national or local laws or policies as well as anthropological researches/studies that consider these groups present in or using the project area as belonging to "ethnic minorities", scheduled tribes, tribal peoples, national minorities, or cultural communities? | X | | | Some students are children of ethnic minorities in Vietnam who are recognized by the Government. Their rights are embodied in the 2013 Constitution. |
| 3. Do such groups self-identity as taking part of a distinct social and cultural group? | X | | | They belong to the 54 different ethnic minorities in the country |
| 4. Do such groups maintain collective attachments to distinct habitats or ancestral territories and/or to the natural resources in these habitats and territories? | | X | | The land being used by the school is exclusively for education purposes where the ethnic minorities has no collective attachments. |
| 5. Do such groups maintain cultural, economic, social, and political institutions distinct from the dominant society and culture? | X | | | Such groups maintain cultural, economic, social, and political institutions distinct from the dominant society and culture. |
| 6. Do such groups speak a distinct language or dialect? | X | | | Ethnic minority students and ethnic minority teachers speak dialects distinct from the mainstream society |
| 7. Has such groups been historically, socially and economically marginalized, disempowered, excluded, and/or discriminated against? | | X | | |
| 8. Are such groups represented as "Indigenous Peoples" or as "ethnic minorities" or "scheduled tribes" or "tribal populations" in any formal decision-making bodies at the national or local levels? | X | | | Outside of the school, such groups are represented as "ethnic minorities" in formal decision-making bodies at the national or local levels. |
| B. Identification of Potential Impacts | | | | |
| 9. Will the project directly or indirectly benefit or target Indigenous Peoples? | X | | | The students from indigenous communities will directly benefit from the Project in terms of improved quality of education. |
| 10. Will the project directly or indirectly affect Indigenous Peoples' traditional socio-cultural and belief practices? (e.g. child-rearing, health, education, arts, and governance?) | X | | | The project shall only improve quality of education but will not impose changes in sociocultural practices of ethnic minorities. |
| 11. Will the project affect the livelihood systems of Indigenous Peoples? (e.g. food production) | | X | | The construction of classrooms will be done in school premises. |

| | | | | |
|--|--|----------|--|--|
| system, natural resource management, crafts and trade, employment status) | | | | |
| 12. Will the project be in an area (land or territory) occupied, owned, or used by Indigenous Peoples, and/or claimed as ancestral domain? | | X | | The sub-project area is inside the school premises |

| KEY CONCERNS (Please provide elaborations on the Remarks column) | YES | NO | NOT KNOWN | Remarks |
|--|------------|-----------|------------------|--|
| C. Identification of Special Requirements <i>Will the project activities include:</i> | | X | | There is no commercial development of cultural resources as the sub-project involves the construction of classrooms. |
| 13. Commercial development of the cultural resources and knowledge of Indigenous Peoples? | | X | | Physical displacement from traditional or customary lands will not happen in the sub-project |
| 14. Physical displacements from traditional or customary lands? | | X | | The activities in the sub-project area will involve the construction of these buildings at the school premises. |
| 15. Commercial development of natural resources (such as minerals, hydrocarbons, forest, water, hunting or fishing ground) within customary lands under use that would impact the livelihoods or the cultural ceremonial, spiritual uses that define the identity and community of Indigenous Peoples? | | X | | The sub-project will only involve the construction of classrooms. |
| 16. Establishing legal recognition of rights to lands and territories that are traditionally owned or customarily used, occupied or claimed by indigenous peoples? | | X | | There is no acquisition of lands |
| 17. Acquisition of lands that are traditionally owned or customarily used, occupied or claimed by indigenous peoples? | | X | | There is no commercial development of cultural resources as the sub-project involves the construction of classrooms. |

D. Anticipated Project Impacts on Indigenous Peoples

| Project component/ activity/output | Anticipated positive effects | Anticipated negative effects |
|--|---|-------------------------------------|
| 1. Construction of 02-storey building for eight student's dormitories in area of 182 m2 , three 01-storey buildings for one library ,one kitchen and one sanitary facilities for semiboarded students in total area of 167m2 within the school premise. It will follow the standard dimension as provided for in Vietnamese Standard TCVN 8794-2011. | The provisions of new classrooms will accommodate the increasing number of lower secondary education students. It will also facilitate in providing quality lower secondary education to them | |

Involuntary Resettlement Impact Categorization Checklist

Project: **Second Lower Secondary Education for the Most Disadvantage Areas Project (LSEMDAP II)**

Subproject: **Lam Ca Ethnic Minorities' Semi-Boarding Lower Secondary School (batch1)**

Province: **Lang Son** District: **Dinh Lap** CATEGORY: C

| Probable Involuntary Resettlement Effects | Yes | No | Not Known | Remarks |
|--|-----|----------|-----------|---|
| Involuntary Acquisition of Land | | | | |
| 1. Will there be land acquisition? | | X | | Civil works and rehabilitation shall be undertaken in school premises. |
| 2. Is the site for land acquisition known? | | X | | Land acquisition will only happen if there is an expansion of school premises. But so far, there is no proposal for expansion. |
| 3. Is the ownership status and current usage of land to be acquired known? | | X | | This is not applicable to the project since there is no expansion of school premises |
| 4. Will easement be utilized within an existing Right of Way (ROW)? | | X | | The school has already an entrance and will not be touched by the construction of these building that will be built at the school premises. |
| 5. Will there be loss of shelter and residential land use to land acquisition? | | X | | Not a house or residential land shall be affected given the wide space of school premises. |
| 6. Will there be loss of agricultural and other productive assets due to land acquisition? | | X | | All civil works shall be undertaken in school premises. |
| 7. Will there be loss of crops, trees, and fixed assets due to land acquisition? | | X | | No tree or crop will be affected by the construction. |
| 8. Will there be loss of business or enterprises due to land acquisition? | | X | | Not a single business will be affected as all civil works and rehabilitation shall be done inside the school premises. |
| 9. Will there be loss of income sources and means of livelihoods due to land acquisition? | | X | | The Project will rather create livelihood or employment in the locality due to construction of school rooms. |
| Involuntary Restrictions on land use or on access to legally designated parks and protected areas | | | | |
| 10. Will people lose access to natural resources, communal facilities and services? | | X | | All Civil works and rehabilitation shall be undertaken in school premises. |
| 11. If land use is changed, will it have an adverse impact on social and economic activities? | | X | | No current use of land will be changed and therefore there is no impact on the socio-economic activities of the people |

| | | | |
|--|--|----------|---|
| 12. Will access to land and resources owned by the communally or by the state be restricted? | | X | Restriction to land resources of the community or by the state is unlikely. |
| Information on Displaced Persons | | | |
| Any estimate of the likely number of persons that will be displaced by the Project? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> Not applicable If yes, approximately how many? | | | |
| Are any of the poor, female-headed households, or vulnerable to poverty risks? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> Not applicable | | | |
| Are any displaced persons from indigenous or ethnic minority groups? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> Not applicable | | | |

Indigenous Peoples Impact Screening Checklist

Project: **Second Lower Secondary Education for the Most Disadvantage Areas Project (LSEMDAP II)**

Subproject: **Lam Ca Ethnic Minorities' Semi-Boarding Lower Secondary School (batch1)**

Province: **Lang Son**

District: **Dinh Lap**

CATEGORY: B

| KEY CONCERNS (Please provide elaborations on the Remarks column) | YES | NO | NOT KNOW N | Remarks |
|--|----------|----------|------------------|---|
| A. Indigenous Peoples Identification | | | | |
| 1. Are there socio-cultural group present in or use the project areas who may be considered as “tribes” (hill tribes, schedules tribes, tribal peoples), “minorities” (ethnic or national minorities) or “indigenous communities” in the project area? | X | | | The land is allocated solely for the school. If there are ethnic minorities, they are among students of the school pursuing their upper secondary education |
| 2. Are there national or local laws or policies as well as anthropological researches/studies that consider these groups present in or using the project area as belonging to “ethnic minorities”, scheduled tribes, tribal peoples, national minorities, or cultural communities? | X | | | Some students are children of ethnic minorities in Vietnam who are recognized by the Government. Their rights are embodied in the 2013 Constitution. |
| 3. Do such groups self-identity as taking part of a distinct social and cultural group? | X | | | They belong to the 54 different ethnic minorities in the country |
| 4. Do such groups maintain collective attachments to distinct habitats or ancestral territories and/or to the natural resources in these habitats and territories? | | X | | The land being used by the school is exclusively for education purposes where the ethnic minorities has no collective attachments. |
| 5. Do such groups maintain cultural, economic, social, and political institutions distinct from the dominant society and culture? | X | | | Such groups maintain cultural, economic, social, and political institutions distinct from the dominant society and culture. |
| 6. Do such groups speak a distinct language or dialect? | X | | | Ethnic minority students and ethnic minority teachers speak dialects distinct from the mainstream society |
| 7. Has such groups been historically, socially and economically marginalized, disempowered, excluded, and/or discriminated against? | | X | | |
| 8. Are such groups represented as “Indigenous Peoples” or as “ethnic minorities” or “scheduled tribes” or “tribal populations” in any formal decision-making bodies at the national or local levels? | X | | | Outside of the school, such groups are represented as “ethnic minorities” in formal decision-making bodies at the national or local levels. |
| B. Identification of Potential Impacts | | | | |
| 9. Will the project directly or indirectly benefit or target Indigenous Peoples? | X | | | The students from indigenous communities will directly benefit from the Project in terms of improved quality of education. |
| 10. Will the project directly or indirectly affect Indigenous Peoples’ traditional socio-cultural and belief practices? (e.g. child-rearing, health, education, arts, and governance)? | X | | | The project shall only improve quality of education but will not impose changes in sociocultural practices of ethnic minorities. |
| 11. Will the project affect the livelihood systems of Indigenous Peoples? (e.g. food production system, natural resource management, crafts and trade, employment status) | | X | | The construction of classrooms will be done in school premises. |

| | | | | |
|--|--|----------|--|--|
| 12. Will the project be in an area (land or territory) occupied, owned, or used by Indigenous Peoples, and/or claimed as ancestral domain? | | X | | The sub-project area is inside the school premises |
|--|--|----------|--|--|

| KEY CONCERNS (Please provide elaborations on the Remarks column) | YES | NO | NOT KNOWN | Remarks |
|--|------------|-----------|------------------|--|
| C. Identification of Special Requirements <i>Will the project activities include:</i> | | | | |
| 13. Commercial development of the cultural resources and knowledge of Indigenous Peoples? | | X | | There is no commercial development of cultural resources as the sub-project involves the construction of classrooms. |
| 14. Physical displacements from traditional or customary lands? | | X | | Physical displacement from traditional or customary lands will not happen in the sub-project |
| 15. Commercial development of natural resources (such as minerals, hydrocarbons, forest, water, hunting or fishing ground) within customary lands under use that would impact the livelihoods or the cultural ceremonial, spiritual uses that define the identity and community of Indigenous Peoples? | | X | | The activities in the sub-project area will involve the construction of these buildings at the school premises. |
| 16. Establishing legal recognition of rights to lands and territories that are traditionally owned or customarily used, occupied or claimed by indigenous peoples? | | X | | The sub-project will only involve the construction of classrooms. |
| 17. Acquisition of lands that are traditionally owned or customarily used, occupied or claimed by indigenous peoples? | | X | | There is no acquisition of lands |

D. Anticipated Project Impacts on Indigenous Peoples

| Project component/ activity/output | Anticipated positive effects | Anticipated negative effects |
|--|---|-------------------------------------|
| 1. Construction of 1-store building for 6 student's dormitories in an area of 228 m2, a 1-store building for 4 teachers's housing rooms in an area of 132 m2 and a sanitary facilities for semi boarded students in area of 63m2 within the school premise. It will follow the standard dimension as provided for in Vietnamese Standard TCVN 8794-2011. | The provisions of new classrooms will accommodate the increasing number of lower secondary education students. It will also facilitate in providing quality lower secondary education to them | |

Involuntary Resettlement Impact Categorization Checklist

Project: **Second Lower Secondary Education for the Most Disadvantage Areas Project (LSEMDAP II)**

Subproject **Quang Trung Ethnic Minorities' Semi-Boarding Lower Secondary School (batch2)**

Province: **Lang Son** District: **Binh Gia** CATEGORY: C

| Probable Involuntary Resettlement Effects | Yes | No | Not Known | Remarks |
|--|-----|----------|-----------|---|
| Involuntary Acquisition of Land | | | | |
| 1. Will there be land acquisition? | | X | | Civil works and rehabilitation shall be undertaken in school premises. |
| 2. Is the site for land acquisition known? | | X | | Land acquisition will only happen if there is an expansion of school premises. But so far, there is no proposal for expansion. |
| 3. Is the ownership status and current usage of land to be acquired known? | | | | This is not applicable to the project since there is no expansion of school premises |
| 4. Will easement be utilized within an existing Right of Way (ROW)? | | X | | The school has already an entrance and will not be touched by the construction of these building that will be built at the school premises. |
| 5. Will there be loss of shelter and residential land use to land acquisition? | | X | | Not a house or residential land shall be affected given the wide space of school premises. |
| 6. Will there be loss of agricultural and other productive assets due to land acquisition? | | X | | All civil works shall be undertaken in school premises. |
| 7. Will there be loss of crops, trees, and fixed assets due to land acquisition? | | X | | No tree or crop will be affected by the construction. |
| 8. Will there be loss of business or enterprises due to land acquisition? | | X | | Not a single business will be affected as all civil works and rehabilitation shall be done inside the school premises. |
| 9. Will there be loss of income sources and means of livelihoods due to land acquisition? | | X | | The Project will rather create livelihood or employment in the locality due to construction of school rooms. |
| Involuntary Restrictions on land use or on access to legally designated parks and protected areas | | | | |
| 10. Will people lose access to natural resources, communal facilities and services? | | X | | All Civil works and rehabilitation shall be undertaken in school premises. |
| 11. If land use is changed, will it have an adverse impact on social and economic activities? | | X | | No current use of land will be changed and therefore there is no impact on the socio-economic activities of the people |
| 12. Will access to land and resources owned by the communally or by the state be restricted? | | X | | Restriction to land resources of the community or by the state is unlikely. |
| Information on Displaced Persons | | | | |

| |
|---|
| Any estimate of the likely number of persons that will be displaced by the Project? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> Not applicable |
| If yes, approximately how many? |
| Are any of the poor, female-headed households, or vulnerable to poverty risks? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> Not applicable |
| Are any displaced persons from indigenous or ethnic minority groups? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> Not applicable |

Indigenous Peoples Impact Screening Checklist

Project: **Second Lower Secondary Education for the Most Disadvantage Areas Project (LSEMDAP II)**

Subproject: **Quang Trung Ethnic Minorities' Semi-Boarding Lower Secondary School (batch2)**

Province: **Lang Son** District: **Binh Gia** CATEGORY: B

| KEY CONCERNS (Please provide elaborations on the Remarks column) | YES | NO | NOT KNOWN | Remarks |
|--|------------|-----------|------------------|---|
| A. Indigenous Peoples Identification | | | | |
| 1. Are there socio-cultural group present in or use the project areas who may be considered as “tribes” (hill tribes, schedules tribes, tribal peoples), “minorities” (ethnic or national minorities) or “indigenous communities” in the project area? | X | | | The land is allocated solely for the school. If there are ethnic minorities, they are among students of the school pursuing their upper secondary education |
| 2. Are there national or local laws or policies as well as anthropological researches/studies that consider these groups present in or using the project area as belonging to “ethnic minorities”, scheduled tribes, tribal peoples, national minorities, or cultural communities? | X | | | Some students are children of ethnic minorities in Vietnam who are recognized by the Government. Their rights are embodied in the 2013 Constitution. |
| 3. Do such groups self-identity as taking part of a distinct social and cultural group? | X | | | They belong to the 54 different ethnic minorities in the country |
| 4. Do such groups maintain collective attachments to distinct habitats or ancestral territories and/or to the natural resources in these habitats and territories? | | X | | The land being used by the school is exclusively for education purposes where the ethnic minorities has no collective attachments. |
| 5. Do such groups maintain cultural, economic, social, and political institutions distinct from the dominant society and culture? | X | | | Such groups maintain cultural, economic, social, and political institutions distinct from the dominant society and culture. |
| 6. Do such groups speak a distinct language or dialect? | X | | | Ethnic minority students and ethnic minority teachers speak dialects distinct from the mainstream society |
| 7. Has such groups been historically, socially and economically marginalized, disempowered, excluded, and/or discriminated against? | | X | | |
| 8. Are such groups represented as “Indigenous Peoples” or as “ethnic minorities” or “scheduled tribes” or “tribal populations” in any formal decision-making bodies at the national or local levels? | X | | | Outside of the school, such groups are represented as “ethnic minorities” in formal decision-making bodies at the national or local levels. |
| B. Identification of Potential Impacts | | | | |
| 9. Will the project directly or indirectly benefit or target Indigenous Peoples? | X | | | The students from indigenous communities will directly benefit from the Project in terms of improved quality of education. |
| 10. Will the project directly or indirectly affect Indigenous Peoples’ traditional socio-cultural and belief practices? (e.g. child-rearing, health, education, arts, and governance)? | X | | | The project shall only improve quality of education but will not impose changes in sociocultural practices of ethnic minorities. |
| 11. Will the project affect the livelihood systems of Indigenous Peoples? (e.g. food production system, natural resource management, crafts) | | X | | The construction of classrooms will be done in school premises. |

| | | | | |
|--|--|----------|--|--|
| and trade, employment status) | | | | |
| 12. Will the project be in an area (land or territory) occupied, owned, or used by Indigenous Peoples, and/or claimed as ancestral domain? | | X | | The sub-project area is inside the school premises |

| KEY CONCERNS (Please provide elaborations on the Remarks column) | YES | NO | NOT KNOWN | Remarks |
|--|------------|-----------|----------------------|--|
| C. Identification of Special Requirements <i>Will the project activities include:</i> | | | | |
| 13. Commercial development of the cultural resources and knowledge of Indigenous Peoples? | | X | | There is no commercial development of cultural resources as the sub-project involves the construction of classrooms. |
| 14. Physical displacements from traditional or customary lands? | | X | | Physical displacement from traditional or customary lands will not happen in the sub-project |
| 15. Commercial development of natural resources (such as minerals, hydrocarbons, forest, water, hunting or fishing ground) within customary lands under use that would impact the livelihoods or the cultural ceremonial, spiritual uses that define the identity and community of Indigenous Peoples? | | X | | The activities in the sub-project area will involve the construction of these buildings at the school premises. |
| 16. Establishing legal recognition of rights to lands and territories that are traditionally owned or customarily used, occupied or claimed by indigenous peoples? | | X | | The sub-project will only involve the construction of classrooms. |
| 17. Acquisition of lands that are traditionally owned or customarily used, occupied or claimed by indigenous peoples? | | X | | There is no acquisition of lands |

D. Anticipated Project Impacts on Indigenous Peoples

| Project component/ activity/output | Anticipated positive effects | Anticipated negative effects |
|---|---|-------------------------------------|
| 1. Construction of Two classrooms, one function room and one library in a 02-storey building in area of 254m ² , 10 student's dormitories in a 02-store building in area of 215m ² and one kitchen, one sanitary facilities for semi boarded students within the school premise. It will follow the standard dimension as provided for in Vietnamese Standard TCVN 8794-2011. | The provisions of new classrooms will accommodate the increasing number of lower secondary education students. It will also facilitate in providing quality lower secondary education to them | |

Involuntary Resettlement Impact Categorization Checklist

Project: **Second Lower Secondary Education for the Most Disadvantage Areas Project (LSEMDAP II)**

Subproject: **Bac Lang Ethnic Minorities' Semi-Boarding Lower Secondary School (batch2)**

Province: **Lang Son** District: **Dinh Lap** CATEGORY: C

| Probable Involuntary Resettlement Effects | Yes | No | Not Known | Remarks |
|--|-----|----------|-----------|---|
| Involuntary Acquisition of Land | | | | |
| 1. Will there be land acquisition? | | X | | Civil works and rehabilitation shall be undertaken in school premises. |
| 2. Is the site for land acquisition known? | | X | | Land acquisition will only happen if there is an expansion of school premises. But so far, there is no proposal for expansion. |
| 3. Is the ownership status and current usage of land to be acquired known? | | | | This is not applicable to the project since there is no expansion of school premises |
| 4. Will easement be utilized within an existing Right of Way (ROW)? | | X | | The school has already an entrance and will not be touched by the construction of these building that will be built at the school premises. |
| 5. Will there be loss of shelter and residential land use to land acquisition? | | X | | Not a house or residential land shall be affected given the wide space of school premises. |
| 6. Will there be loss of agricultural and other productive assets due to land acquisition? | | X | | All civil works shall be undertaken in school premises. |
| 7. Will there be loss of crops, trees, and fixed assets due to land acquisition? | | X | | No tree or crop will be affected by the construction. |
| 8. Will there be loss of business or enterprises due to land acquisition? | | X | | Not a single business will be affected as all civil works and rehabilitation shall be done inside the school premises. |
| 9. Will there be loss of income sources and means of livelihoods due to land acquisition? | | X | | The Project will rather create livelihood or employment in the locality due to construction of school rooms. |
| Involuntary Restrictions on land use or on access to legally designated parks and protected areas | | | | |
| 10. Will people lose access to natural resources, communal facilities and services? | | X | | All Civil works and rehabilitation shall be undertaken in school premises. |
| 11. If land use is changed, will it have an adverse impact on social and economic activities? | | X | | No current use of land will be changed and therefore there is no impact on the socio-economic activities of the people |
| 12. Will access to land and resources owned by the communally or by the state be restricted? | | X | | Restriction to land resources of the community or by the state is unlikely. |

| Information on Displaced Persons | | | |
|---|--|--|--|
| Any estimate of the likely number of persons that will be displaced by the Project? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> Not applicable | | | |
| If yes, approximately how many? | | | |
| Are any of the poor, female-headed households, or vulnerable to poverty risks? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> Not applicable | | | |
| Are any displaced persons from indigenous or ethnic minority groups? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> Not applicable | | | |

Indigenous Peoples Impact Screening Checklist

Project: **Second Lower Secondary Education for the Most Disadvantage Areas Project (LSEMDAP II)**

Subproject: **Bac Lang Ethnic Minorities' Semi-Boarding Lower Secondary School (batch2)**

Province: **Lang Son** District: **Dinh Lap** CATEGORY: B

| KEY CONCERNS (Please provide elaborations on the Remarks column) | YES | NO | NOT KNOWN | Remarks |
|--|----------|----------|-----------|---|
| A. Indigenous Peoples Identification | | | | |
| 1. Are there socio-cultural group present in or use the project areas who may be considered as "tribes" (hill tribes, scheduled tribes, tribal peoples), "minorities" (ethnic or national minorities) or "indigenous communities" in the project area? | X | | | The land is allocated solely for the school. If there are ethnic minorities, they are among students of the school pursuing their upper secondary education |
| 2. Are there national or local laws or policies as well as anthropological researches/studies that consider these groups present in or using the project area as belonging to "ethnic minorities", scheduled tribes, tribal peoples, national minorities, or cultural communities? | X | | | Some students are children of ethnic minorities in Vietnam who are recognized by the Government. Their rights are embodied in the 2013 Constitution. |
| 3. Do such groups self-identity as taking part of a distinct social and cultural group? | X | | | They belong to the 54 different ethnic minorities in the country |
| 4. Do such groups maintain collective attachments to distinct habitats or ancestral territories and/or to the natural resources in these habitats and territories? | | X | | The land being used by the school is exclusively for education purposes where the ethnic minorities has no collective attachments. |
| 5. Do such groups maintain cultural, economic, social, and political institutions distinct from the dominant society and culture? | X | | | Such groups maintain cultural, economic, social, and political institutions distinct from the dominant society and culture. |
| 6. Do such groups speak a distinct language or dialect? | X | | | Ethnic minority students and ethnic minority teachers speak dialects distinct from the mainstream society |
| 7. Has such groups been historically, socially and economically marginalized, disempowered, excluded, and/or discriminated against? | | X | | |
| 8. Are such groups represented as "Indigenous Peoples" or as "ethnic minorities" or "scheduled tribes" or "tribal populations" in any formal decision-making bodies at the national or local levels? | X | | | Outside of the school, such groups are represented as "ethnic minorities" in formal decision-making bodies at the national or local levels. |
| B. Identification of Potential Impacts | | | | |
| 9. Will the project directly or indirectly benefit or target Indigenous Peoples? | X | | | The students from indigenous communities will directly benefit from the Project in terms of improved quality of education. |
| 10. Will the project directly or indirectly affect Indigenous Peoples' traditional socio-cultural and belief practices? (e.g. child-rearing, health, education, arts, and governance)? | X | | | The project shall only improve quality of education but will not impose changes in sociocultural practices of ethnic minorities. |
| 11. Will the project affect the livelihood systems of Indigenous Peoples? (e.g. food production system, natural resource management, crafts and trade, employment status) | | X | | The construction of classrooms will be done in school premises. |

| | | | | |
|--|--|----------|--|--|
| 12. Will the project be in an area (land or territory) occupied, owned, or used by Indigenous Peoples, and/or claimed as ancestral domain? | | X | | The sub-project area is inside the school premises |
|--|--|----------|--|--|

| KEY CONCERNS (Please provide elaborations on the Remarks column) | YES | NO | NOT KNOWN | Remarks |
|--|------------|-----------|------------------|--|
| C. Identification of Special Requirements <i>Will the project activities include:</i> | | | | |
| 13. Commercial development of the cultural resources and knowledge of Indigenous Peoples? | | X | | There is no commercial development of cultural resources as the sub-project involves the construction of classrooms. |
| 14. Physical displacements from traditional or customary lands? | | X | | Physical displacement from traditional or customary lands will not happen in the sub-project |
| 15. Commercial development of natural resources (such as minerals, hydrocarbons, forest, water, hunting or fishing ground) within customary lands under use that would impact the livelihoods or the cultural ceremonial, spiritual uses that define the identity and community of Indigenous Peoples? | | X | | The activities in the sub-project area will involve the construction of these buildings at the school premises. |
| 16. Establishing legal recognition of rights to lands and territories that are traditionally owned or customarily used, occupied or claimed by indigenous peoples? | | X | | The sub-project will only involve the construction of classrooms. |
| 17. Acquisition of lands that are traditionally owned or customarily used, occupied or claimed by indigenous peoples? | | X | | There is no acquisition of lands |

D. Anticipated Project Impacts on Indigenous Peoples

| Project component/ activity/output | Anticipated positive effects | Anticipated negative effects |
|---|---|-------------------------------------|
| 1. Construction of 02-storey building for four student's dormitories and one library in area of 182 m ² , 01-storey building for two teacher's housing rooms and a sanitary facilities for semiboarded students in total area of 131m ² within the school premise. It will follow the standard dimension as provided for in Vietnamese Standard TCVN 8794-2011. | The provisions of new classrooms will accommodate the increasing number of lower secondary education students. It will also facilitate in providing quality lower secondary education to them | |