

Involuntary Resettlement Due Diligence Report

Report
May 2016

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

This involuntary resettlement due diligence report is a document of the borrower. The views expressed herein do not necessarily represent those of ADB's Board of Directors, Management, or staff, and may be preliminary in nature.

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

Involuntary Resettlement Due Diligence Report

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Date: May 2016

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

PHU THO PROVINCE SUBPROJECT

- **Thu Ngac Lower Secondary School (batch1)**
- **Dong Son Lower Secondary School (batch1)**
- **Yen Son Lower Secondary School (batch1)**
- **Dong Thinh Lower Secondary School (batch1)**

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)
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ACCRONYMS

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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 as 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. Phú Thọ is a province in northern Vietnam. Its capital is Việt Trì, which is 80 kilometers from Hanoi. Four (4) beneficiary LSSs were selected for the Project, namely: (i) **Thu Ngac** Lower Secondary School (Batch1); (ii) **Dong Son** Lower Secondary School (Batch1); (iii) **Yen Son** Lower Secondary School (Batch1); (iv) **Dong Thinh** Lower Secondary School (Batch1). They are located in three districts of the province. As screened, these schools are Category C subprojects in the Involuntary Resettlement and Category B subprojects under the 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 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 Phu Tho PPMU and the proposed LSSs during 15-30/ September 2015.

III. THE PROPOSED FACILITIES

4. In all, the three LSSs will construct a total of 6 regular class rooms, 3 subject rooms, 18 student's dormitory, 6 teacher's housing units, 2 kitchens and 2 sanitary facilities for semii 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 a 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 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 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 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 98 m² 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, 2.1 m of corridor and 1.5m behind the house for hanging clothes and width = 3.6 m (area of 21.76 m² for 8 pupils)

7. The Teacher's housing room have the following dimensions: length =8.7 m including 5.1 m for living room, 1.5 m for corridor and 2.1 m 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	17.94
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	35.88
Student dormitory	6.6	3.6	23.76	6.6	3.6	23.76
Corridor (student dormitory)	3.6	2.1+1.5	12.96	3.6	2.1+1.5	12.96
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 three (3) schools is shown in Table 2.

Table 2: Proposed LSSs Facilities in Phu Tho Province

Name of the School	Classrooms	Function Rooms	library	Student's dormitory	Teacher' housing unit	kitchen	Sanitary facilities for semi boarded students	Sanitary facilities
Thu Ngac Lower Secondary School(Batch1)				10	3	1	1	
Dong Son Lower Secondary School(Batch1)		1		8	3	1	1	
Yen Son Lower Secondary School (Batch 1)	4	1						
Dong Thinh Lower Secondary (Batch 1)	2	1						
total	6	3		18	6	2	2	

Source: CPMU of LSEMDAP II

IV. BRIEF PROFILE OF THE LSSs

A. Thu Ngac Lower Secondary School (batch1)

9. The school became operational in 1997 and was established in Thu Ngac commune of Tan Son District. The school has 8622 m² of land with only 14.3%, used for school buildings. In school-year 2015-2016, a total of 328 students were enrolled, 173 males and 155 females. The students were composed of 84 from Grade 6, 77 in Grade 7 and 81 in Grade 8, 86 in grade 9. The Muong student is majority with 99% and Kinh student is of 1% (4 students). Student enrolment in Thu Ngac LSS is constant from 341 students in school-year 2010-2011 to 344 in 2014-2015.

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	81	81	85	97	344
2	From 2013 to 2014	Student	81	85	89	90	344
3	From 2012 to 2013	Student	85	97	83	94	359
4	From 2011 to 2012	Student	95	82	96	73	346
5	From 2010 to 2011	Student	78	98	75	90	341
	Total	Student	420	443	437	434	1734

10. 32 teachers employed by the school, 13 males and 19 females with no EM teacher. All teachers have university education. The school has four (4) non-teaching personnel.

13. At present, the school has two 2 floor buildings (built in 2001, 2012) which has 14 class rooms, 1 library and 1 subject room, 3 single floor buildings(built in 2007, 2012, 2009) which has 12 teacher's housing rooms, 02 student's dormitories and 6 rooms used as office for school directorate. The remaining single floor building (built in 1991) has 2 teacher's housing rooms. This building is still being used though the building quality is declining.

B. Dong Son Lower Secondary School (batch1)

11. The school became operational in 1998 and was established in Dong Son commune of Tan Son District. The school has 4915 m² of land with only 28%, used for school buildings (1394m²). During the school-year 2015-2016, a total of 177 students were enrolled, 83 males and 94 females. The students were composed of 59 from Grade 6, 44 in Grade 7 and 37 in Grade 8, 37 in grade 9. The Muong student is majority with 74.5 %, Dao student is of 23% and Kinh student is of 2.5%(4 students). Student enrolment in Dong Son LSS is reducing from 182 students in school-year 2010-2011 to 148 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	44	37	36	31	148
2	From 2013 to 2014	Student	36	37	31	42	146
3	From 2012 to 2013	Student	39	30	42	54	165
4	From 2011 to 2012	Student	31	42	55	45	173
5	From 2010 to 2011	Student	43	55	43	41	182
	Total	Student	193	201	207	213	814

12. 15 teachers employed by the school, 4 males and 11 females, with no EM teacher. All teachers have university education. The school has four (4) non-teaching personnel.

13. At present, the school has one 2 floor concrete–buildings(built in 2001) which has 6 class rooms, 1 subject room and 2 one floor buildings(built in 2005, 2008) which has 3 rooms used as office for school directorate, 1 library 1, subject room and 8 student's dormitories. The remaining single floor building(built in 2005) with 5 teacher's housing rooms is unable to use because building quality is declining

C. Yen Son Lower Secondary School (batch1).

14. The school became operational in 1996 and was established in Yen Son commune of Thanh Son District. The school has 8890 m² of land with 13.7%, used for school buildings (224m²). During the school-year 2015-2016, a total of 282 students were enrolled, 143 males and 139 females. The students were composed of 79 from Grade 6; 69 in Grade 7 and 65 in Grade 8, 54 in grade 9. The Muong student is majority with 67.7%, Kinh student is of 22.7 %., Dao student is of 9.6%. Student enrolment in Yen Son LSS is constant from 293 students in school-year 2010-2011 to 282 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	79	69	65	54	267
2	From 2013 to 2014	Student	71	64	57	52	244
3	From 2012 to 2013	Student	70	60	56	71	257
4	From 2011 to 2012	Student	65	65	78	74	282
5	From 2010 to 2011	Student	60	75	72	86	293
	Total	Student	345	333	338	337	1343

15. 23 teachers employed by the school, 10 males and 13 females with no EM teacher. All teachers have university education. The school has two (2) non-teaching personnel.

16. At present, the school has two 2 floor concrete buildings built in 2003 and 2015 which has 5 subject rooms, 8 class room and 4 rooms used as office for school directorate. The school will have all the functional rooms necessary if the Project supports to build 1 library, 4 class rooms.

D. Dong Thinh Lower Lower Secondary School (batch1)

According to CPMU, **Vo Tranh** LSS (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.

V. ASSESSMENT OF SOCIAL IMPACTS

There are no social impacts arising from land acquisition in any of the selected LSS in Phu Tho 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.

Thu Ngac Lower Secondary School (batch1)

- This school proposed a 02-storey building for 10 student's dormitories in area of 220m² and 3 single storey-buildings for 3 teacher housing rooms, 1 kitchen and 1 sanitary facilities for semi-boarded students in total a of 210m². All these buildings will

be built within existing school premise of 8.622 m2. 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.

Dong Son Lower Secondary School (batch1)

- This school proposed a 02-storey building for 8 student's dormitories in area of 184 m2 and three 01-storey building for 3 teacher's housing rooms, 1 kitchen and 1 sanitary facilities for semi-boarded students in total area of 210m2. The structure will be built within the existing school premise which has total area of 4915m2. 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.

Yen Son Lower Secondary School (batch1)

- This school proposed a 02-storey building for 4 classrooms and 1 library in area of 254 m2. The structure will be built within the existing school premise which has total area of 8990m2. 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.

Dong Think Lower Secondary School (batch1)

- According to CPMU, as for Dong Think LSS (Batch 1), this school had been screened for resettlement issue during PPTA and no 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.

17. With the foregoing information on the proposed subprojects in Phu Tho 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

18. The CPMU under MOET's authority will coordinate with the Phu Tho 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.

19. 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.

20. The Phu Tho 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.

21. 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.

22. 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 Disadvantages as Project (LSEMDAP II)**

Subproject: **Thu Ngac Lower Secondary School (batch 1)**

Province: **Phu Tho** District: **Tan Son** 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 as				
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?				

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
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 as Project (LSEMDAP II)**

Subproject: **Thu Ngac Lower Secondary School (batch 1)**

Province: **Phu Tho** District: **Tan Son** CATEGORY: B

KEY CONCERNS (Please provide elaborations on the Remarks column)	YES	NO	NOT KNOW N	Remarks
A. Indigenous Peoples Identification				
1. there socio-cultural group present in or use the project as who may be considered as “tribes” (hill tribes, schedules tribes, tribal peoples), “minorities” (ethnic or national minorities) or “indigenous communities” in the project a?	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. there national or local laws or policies as well as anthropological researches/studies that consider these groups present in or using the project a as belonging to “ethnic minorities”, scheduled tribes, tribal peoples, national minorities, or cultural communities?	X			Some students children of ethnic minorities in Vietnam who recognized by the Government. Their rights 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. 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 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,		X		The sub-project a is inside the school premises

and/or claimed as ancestral domain?				
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KEY CONCERNS (Please provide elaborations on the Remarks column)	YES	NO	NOT KNOW N	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 a 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 traditionally owned or customarily used, occupied or claimed by indigenous peoples?		X		There is no acquisition of lands
17. Acquisition of lands that 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 10 student's dormitories in a 02-storey building and 3 teacher's housing rooms, 1 kitchen, 1 sanitary facilities for semiboarded students in three 01 storey building with total land of 430m2 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 as Project (LSEMDAP II)**

Subproject: : **Dong Son Lower Secondary School (batch 1)**

Province: **Phu Tho** District: **Tan Son** CATEGORY: C

Probable Involuntary Resettlement Effects	Ye s	No	No t Kn ow n	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 as				
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?				
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				
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 as Project (LSEMDAP II)**

Subproject: **Dong Son Lower Secondary School (batch 1)**

Province: **Phu Tho** District: **Tan Son** CATEGORY: B

KEY CONCERNS (Please provide elaborations on the Remarks column)	Y E S	N O	N O T K N O W N	Remarks
A. Indigenous Peoples Identification				
1. Are there socio-cultural groups present in or using the project area as 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-identify 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 have 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. Have 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?			X	The sub-project area is inside the school premises.

and/or claimed as ancestral domain?				
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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 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 traditionally owned or customarily used, occupied or claimed by indigenous peoples?		X		There is no acquisition of lands
17. Acquisition of lands that 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 8 student's dormitories in a 02-storey building and 3 teacher's housing rooms, 1 kitchen, 1 sanitary facilities for semiboarded students in three 01 storey building with total land of 393m2 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 as Project (LSEMDAP II)**

Subproject: **Yen Son Lower Lower Secondary School (batch 1)**

Province: **Phu Tho** District: **Thanh Son** 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 as				
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?				
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				
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 as Project (LSEMDAP II)**

Subproject: **Yen Son Lower Lower Secondary School (batch 1)**

Province: **Phu Tho** District: **Thanh Son** 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 groups present in or use the project as 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-identify 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 have 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. Have 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 will involve the construction of these buildings at the school premises.
16. Establishing legal recognition of rights to lands and territories that 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 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 04 classrooms and 01 library in a 02-storey building with total land of 254m 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	