

Resettlement and Ethnic Minorities Development Plan

July 2016

VIE: Support to Border Areas Development Project

Resettlement and Ethnic Minorities Development Plan

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VIE: Support to Border Areas Development Project

***Subproject:* Improving the National Highway 29,
Section: Km186+126 - Km226+000 in Buon Don, Cu M'Gar
and Krong Buk districts, Dak Lak province**

CURRENCY EQUIVALENTS

Currency unit: Vietnam Dong (VND) and US dollar (\$)

Exchange rate on 20th May 2016: \$1 = 22,260 VND

WEIGHTS AND MEASURES

m (Meter)	–	the base unit of length
m ² (Square meter)	–	A system of units used to measure areas
m ³ (Volume)	–	A system of units used to measure the spaces, that an object or substance occupies.
kg (Kilogram)	–	A decimal unit of weight based on the gram

ABBREVIATIONS

ADB	-	Asian Development Bank
AH	-	Affected Household
AP	-	Affected Person
CARB	-	Compensation, Assistance and Resettlement Board
CPC	-	Commune Peoples, Committee
DARD	-	Department of Agriculture and Rural Development
DMS	-	Detailed Measurement Survey
DOF	-	Department of Finance
DONRE	-	Department of Natural Resources and Environment
DPC	-	District Peoples, Committee
DPI	-	Department of Planning and Investment
DTA	-	Development Triangle Areas
EA	-	Executing Agency
EM	-	Ethnic Minority
FS	-	Feasibility Study
GOV	-	Government of Vietnam
HH	-	Household
IMO		Independent Monitoring Organization
IOL	-	Inventory of Losses
LFDC	-	Land Fund Development Center
LIC	-	Loan Implementation Consultants
LURC	-	Land Use Rights Certificate
MOF	-	Ministry of Finance
MOLISA	-	Ministry of Labor, Invalids and Social Assistance
MONRE	-	Ministry of Natural Resources and Environment
MPI	-	Ministry of Planning and Investment
NTP	-	Notice to Proceed
PIB	-	Project Information Booklet
PPC	-	Provincial People Committee
PPMU	-	Provincial Project Management Unit
RCS	-	Replacement Cost Study
REMDP	-	Resettlement and Ethnic Minorities Development Plan
SIA	-	Social Impact Assessment
VND	-	Vietnamese dong
VWU	-	Viet Nam Women's Union

GLOSSARY

Affected person (AP) / Affected household (AH)	<ul style="list-style-type: none"> - Means any person, household, firm or private institution who, on account of changes resulting from the Project, or any of its phases or subprojects, will have its (i) standard of living adversely affected; (ii) right, title or interest in any house, land (including residential, commercial, agricultural, forest, salt mining and/or grazing land), water resources or any other moveable or fixed assets acquired, possessed, restricted or otherwise adversely affected, in full or in part, permanently or temporarily; and/or (iii) business, occupation, place of work or residence or habitat adversely affected, with or without displacement. <p>In the case of affected household, it includes all members residing under one roof and operating as a single economic unit, who are adversely affected by a project or any of its components.</p>
Compensation	<ul style="list-style-type: none"> - Means payment in cash or in kind to replace losses of land, housing, income and other assets caused by the Project. All compensation is based on the principle of replacement cost, which is the method of valuing assets to replace the loss at current market rates, plus any transaction costs such as administrative charges, taxes, registration and titling costs.
Cut-off date	<ul style="list-style-type: none"> - Means the date of land acquisition announcement made by local authorities. The APs will be informed of the cut-off date for each subproject component, and any people or assets that settle in the subproject area after the cut-off date will not be entitled to compensation and assistance under the subproject.
Ethnic minority	<ul style="list-style-type: none"> - People with a group status having a social or cultural identity distinct from that of the dominant or mainstream society.
Entitlement	<ul style="list-style-type: none"> - Refers to a range of measures comprising compensation, income restoration support, transfer assistance, income substitution, relocation support, etc. which are due to the APs, depending on the type and severity of their losses, to restore their economic and social base.
Host community	<ul style="list-style-type: none"> - Means communities receiving physically displaced persons of a project as resettlers.
Income restoration	<ul style="list-style-type: none"> - Re-establishing productive livelihood of the displaced persons to enable income generation equal to or, if possible, better than that earned by the displaced persons before the resettlement.
Income restoration program	<ul style="list-style-type: none"> - A program designed with various activities that aim to support affected persons to recover their income / livelihood to pre-project levels. The program is designed to address the specific needs of the affected persons based on the socioeconomic survey and consultations.
Inventory of Losses (IOL)	<ul style="list-style-type: none"> - This is the process where all fixed assets (i.e., lands used for residence, commerce, agriculture, including ponds; dwelling units; stalls and shops; secondary structures, such as fences, tombs, wells; trees with commercial value; etc.) and sources of income and livelihood inside the Project area are identified, measured, their owners identified, their exact location pinpointed, and their

replacement costs calculated. Additionally, the severity of impact to the affected assets and the severity of impact to the livelihood and productive capacity of APs will be determined.

Land acquisition	- Refers to the process whereby an individual, household, firm or private institution is compelled by a public agency to alienate all or part of the land it owns or possesses to the ownership and possession of that agency for public purposes in return for compensation at replacement costs.
Rehabilitation	- This refers to additional support provided to APs losing productive assets, incomes, employment or sources of living, to supplement payment of compensation for acquired assets, in order to achieve, at a minimum, full restoration of living standards and quality of life.
Relocation	- This is the physical relocation of an AP from her/his pre-project place of residence and/or business.
Resettlement and Ethnic Minorities Development Plan (REMDP)	- A plan for resettlement of affected population including ethnic minority population, combining the resettlement plan with specific ethnic minority concerns and cultural sensitivity for the specific needs of the ethnic minority groups.
Replacement cost	- The amount needed to replace an affected asset net of transaction costs such as administrative charges, taxes, registration and titling costs.
Replacement Cost Study	- This refers to the process involved in determining replacement costs of affected assets based on empirical data.
Resettlement	- All direct economic and social losses resulting from involuntary land acquisition and/or involuntary restrictions on land use or on access to legally designated parks and protected areas, together with the consequent compensatory and remedial measures.
Resettlement Plan (RP)	- This is a time-bound action plan with budget setting out compensation and resettlement strategies, objectives, entitlement, actions, responsibilities, monitoring and evaluation.
Natural Habitat	Land and water areas where the biological communities are formed largely by native plant and animal species, and where human activity has not essentially modified the area's primary ecological functions
Severely affected households	- This refers to affected households who will (i) lose 10% or more of their total productive land and/or assets generating income, and/or (ii) have to relocate.
Stakeholders	- Individuals, groups, or institutions that have an interest or stake in the outcome of a project. The term also applies to those potentially affected by a project. Stakeholders include land users, country, regional and local governments, implementing agencies, project executing agencies, groups contracted to conduct project activities at various stages of the project, and other groups in the civil society which may have an interest in the project.
Vulnerable groups	- These are distinct groups of people who might suffer disproportionately or face the risk of being further marginalized by the effects of resettlement and specifically include: (i) single-female headed households with dependents, (ii) disabled household

heads, (iii) households falling under the national poverty standard, (iv) children and the elderly households who are landless and with no other means of support; (v) ethnic minority households who are severely affected by project.

Note:

The resettlement and ethnic minority development plan is a document of the borrower. The views expressed herein do not necessarily represent those of ADB's Board of Directors, Management, or staff, and may be preliminary in nature.

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.

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EXECUTIVE SUMMARY

1. **Introduction:** The Support to Border Areas Development Project (SBADP) funded by the Asian Development Bank (ADB) covers five provinces, including Dak Lak, Dak Nong, Gia Lai, Kon Tum and Binh Phuoc. The subproject “*Improving the National Highway 29, Section Km186+126 - Km226+000 in Buon Don, Cu M’Gar and Krong Buk districts, Dak Lak province*” is one of 5 subprojects of SBADP. This road section goes through total 08 communes of 03 districts Buon Don, Cu M’Gar and Krong Buk namely Krong Na, Cu Dlie Mnong, Ea Kueh, Ea Kiet, Ea Tar, Cu Pong, Ea Ngai and Pong Drang with total length of 40.0km. When this road section is completely invested, it will facilitate for traffic, goods transportation, commercial connectivity, promotion of socio-economic development for the area along the road, creating conditions for the formation of the economic border gate zone of Dak Rue - Chi Miet.
2. **Scope of Impacts:** subproject will affect 479 households (AH) in total with 1987 persons. There is no household severely affected by subproject due to loss of more than 10% of productive land or have to relocate in new place; 19 AHs are ethnic minority (EM) belonging to various groups such as Nung, Dao, Ede, Kmer...; 20 affected households belong to vulnerable group of which 12 households are female headed with dependents, 03 are poor households, 02 households are elderly and 03 others are social preferred households. 02 enterprises, 18 organizations and communities will be affected by this subproject..
3. Subproject will acquire totally 1,256m² of garden and residential land, of which 45m² of residential land and 1,211m² of garden land but no households have to relocate. Subproject will affect mainly to auxiliary structures of households, enterprises and organizations such as culvert, yard, fence, and gates. One enterprise will be partially affected of house class 4 with 10m². Three households will be affected the lean-to with total of 76m². About 606 various types of trees will also be affected by subproject. Beside the negative impact from land acquisition, the EM people in subproject area will benefit from the improvement of road with better transport condition for travelling and production.
4. **Legal and policy framework:** This Resettlement and Ethnic Minorities Development Plan of the project is prepared based on policies and laws of Vietnam Government, policies and regulations of Dak Lak Province and regulations and principles of ADB (SPS 2009) on Involuntary Resettlement (IR) and Indigenous People (IP). The overall objective of these policies is to ensure that all people, including ethnic people affected by the subproject are able to (i) improve or at least restore their living standards to at least pre-Project levels and ethnic people (ii) receive culturally appropriate social and economic benefits, (iii) do not suffer adverse impacts as a result of project, and (iii) can participate actively in projects that affect them.
4. **Grievance Redress Mechanism (GRM):** In order to ensure that all APs’ grievances and complaints on any aspect of land acquisition, compensation and resettlement are addressed in a timely and satisfactory manner, and that all possible avenues are available to APs to air their grievances, a well-defined grievance redress mechanism is established in this REMDP. All APs can send any questions to implementation agencies about their rights in relation with entitlement of compensation, compensation policy, rates, land acquisition, resettlement, allowance and income restoration. Furthermore, APs will not be ordered to pay any fee during the grievance and complaints at any level of trial and court. Complaints will pass through 3 stages before they could be elevated to a court of law as a last resort. EA and IAs are responsible for resolving timely and successfully all complaints of APs.
5. **Disclosure, public consultation and participation:** Consultations, public meetings, and village discussions with APs and local officials were carried out during the resettlement planning process. Meaningful consultations with EM people have also been conducted during the social impact assessment and the resettlement planning process. Project policies and alternatives of land compensation and resettlement, EM’s development plan and income restoration have been discussed during the meetings. Concerns and suggestions raised by the affected persons were

elicited and incorporated into the REMDP. The grievance mechanism is designed and disclosed to people to ensure that APs' concerns and grievances are addressed and resolved in a timely, culturally appropriate and satisfactory manner. APs will be made fully aware of their rights verbally and in writing during consultation, survey, and at the time of compensation.

6. **Issues on gender and EMs:** A majority of people living in the subproject area are EMs with approximately 42.5% of the total population in the subproject communes. They are Ede, Thai, Nung, Dao....Positive and negative impacts of the subproject have been identified such as land acquisition but insignificant impact with mitigating measures defined for the negative impacts. There are still gender issues in the subproject area such as low status of women in their respective families and communities and their limited participation in decision-making processes. Rate of illiterate women is higher than that of men. A gender action plan is prepared for this subproject to address concerns of women in order to improve their social status in the subproject area.

7. **Institutional Arrangements:** Dak Lak Provincial People's Committee as the Executing Agency will allocate provincial budget and direct its departments and district authorities to implement land acquisition as scheduled. Provincial Department of Planning and Investment (DPI) as the project owner will manage project loan allocated to Dak Lak province, be responsible for overall management and coordination of project implementation. Provincial Project Management Unit (PPMU) will be established under DPI as Implementing Agency to manage and implement subproject and ensure that compensation and assistance are administered according to the provisions of this REMDP. A District Compensation, Assistance and Resettlement Board (DCARB) with representatives from affected persons (AP), will be established or District Land Fund Development Center will be assigned to implement the REMDP.

8. **Implementation schedule:** This REMDP will be implemented before civil works commence. It is expected that land acquisition will be carried out end of 2017 beginning of 2018.

9. **Monitoring and evaluation:** The subproject is category B in resettlement and ethnic minorities and insensitive subproject, so it is not required external monitoring experts. During resettlement implementation, Dak Lak PPMU will conduct internal monitoring and evaluation to ensure the implementation of the REMDP in compliance with ADB safeguard policy (SPS 2009).

10. **Total resettlement cost:** The total cost for implementing REMDP, including administration and contingency cost, is estimated to be VND 4,149,865,722 equivalent to 186,427USD. This cost will come from the Dak Lak Province's budget.

I. SUBPROJECT DESCRIPTION

A. Background

1. Asian Development Bank (ADB) is planning to fund the Support to Border Areas Development Project (SBADP) to support the objectives of the Cambodia-Laos-Vietnam Development Triangle Area (CLV DTA) in Vietnam by improving critical transport infrastructure to increase the connectivity to areas of high economic productive potential with domestic and international market. The project comprises 3 main components: i) Road infrastructure in five VDTA provinces rehabilitated; (ii) VDTA plans and facilities for transport and trade facilitation (TTF) with a focus on inclusive growth developed; and (iii) Institutional Capacity for VDTA Investment Planning, Project Design and Implementation, and Resource Management strengthened. The project will be implemented in five provinces Dak Lak, Dak Nong, Gia Lai, Kon Tum and Binh Phuoc.

2. For Dak Lak province, the investment of upgrading and rehabilitation of NH29 crossing Dak Lak province will facilitate for transport, goods delivery, commercial connectivity, boosting socio-economic development along the border region, creating conditions for formation of the economic border gate zone of Dak Rue - Chi Miet between Vietnam and Cambodia.

3. *“Improving the National Highway 29, Section Km186+126 - Km226+000 in Buon Don, Cu M’Gar and Krong Buk districts, Dak Lak province”* is one of the subprojects in SBADP. This road section goes through total 08 communes of 03 districts Buon Don, Cu M’Gar and Krong Buk districts namely Krong Na, Cu Dlie Mhong, Ea Kueh, Ea Kiet, Ea Tar, Cu Pong, Ea Ngai and Pong Drang with total length of 40.0km. The expected results of construction of the road is to create arterial roads, transport corridors from west to east, connecting traffic from Vung Ro port of Phu Yen province, NH1 to Dak Rue border gate - Chi Miet leading to other provinces of Cambodia, Laos and connecting to the Northeast of Thailand. When NR29 crossing Dak Lak province is completely invested, it will facilitate for transport, goods transportation, commercial connectivity, promotion of socio-economic development for the area along the road, creating conditions for the formation of the economic border gate zone of Dak Rue - Chi Miet

4. Expected beneficiaries of the project is the road user in general, farmers planting industrial crops (coffee, pepper, macadamia, etc) the value chain; the enterprise community using improved facilities and logistics and gate facilities along the connected road; Local people living in travel services and more easily accessible to facilities of healthcare - education within the scope of investment project.



Figure 1: Subproject site

B. Civil works to be undertaken

5. According to preliminary design, this subproject has the following specifications:
 - a. The National Highway No.29, section from Km186+126 - Km226+000 with the length of 40km will be rehabilitated and improved to Class IV mountainous road with the speed of 40km/h, width of embankment is 7.5m and width of pavement is 5.5m, pavement structure is asphalt concrete or cement concrete depending on each section;
 - b. On this section, there is one bridge at Km220+527.45 in good conditions; therefore bridge replacement is not required.
 - c. Reuse the culverts in good conditions and meet the discharge capacity; Replace and construct new culverts at the positions where do not meet the discharge capacity;
 - d. Build the side ditch in both side along the road in the sections of low embankment or excavation, mainly silted ditch for water drainage. For the sections where the slope of profile is higher than 4% strengthening the side ditch by reinforced concrete plate in the bottom. In front of the house of local people, place the reinforced concrete cover on the top of side ditch for their safety travel. In centre of commune or residential area, build the reinforced concrete side ditch with cover.

C. Mitigation measures

6. To minimize impacts of land acquisition and resettlement on the local people, the measures taken are as follows: improving the roads based on the existing alignments. Realignment will only be undertaken locally where the curves do not meet the design standard or where the bridges will be built. Temporary use of land maybe considered to avoid more loss for local people. The APs will be informed early about the land acquisition schedule so that they will not plant crops that cannot yet be harvested by the time the land is required for construction and also will not construct new houses and structures in the ROW.

D. Objective of Resettlement and Ethnic Minority Development Plan

7. This REMDP ensures that the subproject will (i) avoid involuntary resettlement wherever possible; (ii) minimize involuntary resettlement by exploring project and design alternatives; (iii) enhance, or at least restore, the livelihoods of all displaced persons in real terms relative to pre-project levels; and (iv) improve the standards of living of the displaced poor and other vulnerable groups.

8. Further, this document develops a roadmap for affected EMs. The objective is to design and implement subproject in a way that fosters full respect for EMs' identity, dignity, human rights, livelihood systems, and cultural uniqueness as defined by the EMs themselves so that they (i) receive culturally appropriate social and economic benefits, (ii) do not suffer adverse impacts as a result of projects, and (iii) can participate actively in projects that affect them.

9. This REMDP is the guiding document that identifies the key issues to address in reconciling the requirements of ADB's SPS on Involuntary Resettlement and Indigenous Peoples Policies with national and provincial government policies. Concerns for involuntary resettlement and ethnic minorities have been integrated in this document and will govern subproject design, implementation, and monitoring. This REMDP includes key issues as follows:

- (i) Policy and procedural guidelines for asset acquisition, compensation, resettlement, and strategies that will help ensure full restoration of the AH's livelihood and standard of living;
- (ii) Identification of HHs and communities to be adversely affected by the subproject, where they are located, what compensation and related alleviating measures to be provided to them and how and when these measures will be carried out;
- (iii) A plan on how AHs will be involved in the various stages of the Project, including resolution of grievances;
- (iv) An estimate budget for REMDP implementation; and
- (v) A monitoring mechanism on resettlement implementation for the subproject.

10. The REMDP is prepared based on the subproject's basic design which required for the preparation of the subproject's feasibility study to be approved by Dak Lak PPC. The summary of the REMDP is to be included in the feasibility study to ensure the allocation of government counterpart funds for the subproject's implementation. The REMDP may be updated following detailed technical design approved by the PPC and results of DMS and replacement cost survey and meaningful consultation as well.

II. PROJECT IMPACTS

A. Survey process

11. The social impact assessment survey was conducted in the communes affected by the subproject. The survey comprised of an inventory of loss (IOL) for all AHs and socioeconomic survey (SES) of AHs and none-AHs within the subproject area. Additionally, a rapid replacement cost study (RCS) was also carried out.

12. *Inventory of loss*: It was done for all affected households based on the preliminary design. Agricultural land to be acquired has been identified through referencing of commune cadastral records. Affected trees and crops have been determined by actual measurement and counting. The amounts indicated for area of land loss and affected trees/crops will be validated during the DMS that will be done when detailed technical design approved.

13. *Socioeconomic survey*: The SES was conducted by collecting socioeconomic information of affected households (including demographic characteristics of AHs, their income and livelihood, ethnic composition, education levels and on their concerns) by directly interviewing them. The survey also collected statistic data of the Province, District and Communes from Year Books of Province and district, and annual socioeconomic reports of communes. .

14. *Replacement cost study*: The purpose of the RCS was to collect information on the market prices of land and non-land assets in the subproject area, in order to apply for compensation to ensure that APs would be compensated at the current market value. In future, during the detailed measurement survey, a replacement cost study will be carried out to determine the unit prices for individual types of asset affected by subproject and submitted to PPC for approval. Such unit prices will be the basis for calculating compensation packages for AHs.

B. Permanent impacts

15. **Impact on households**: According to the IOL, the subproject will affect 479 HHs in 6 communes of two districts, of which 01 household will be affected the residential land but no relocation. 13 households will be affected their garden land but no one is severely affected due to loss of more than 10% their productive land holding; and remaining households are only affected to their auxiliary assets on land such as culvert, fence, gate... Out of 479 AHs, 19 HHs are EM belonging to Ede, Kmer, Dao, Nung groups. 20 affected households belong to vulnerable group of which 12 households are female headed with dependents, 03 are poor households, 02 households are headed by elderly and 03 others are social preferred households.

16. Beside the impact to the households, the subproject also affected to some enterprises, communities and organizations as mentioned below:

- (i) 04 enterprises: Buon Za Wam Forest Company, No.15 Coffee Company under Army Corps No.15, Cu M'Gar Electric Company, Krong Buk bus Transportation Company.
- (ii) 05 schools: Phan Dang Luu primary school in Ea Kiet commune, Nguyen Cong Tru secondary school in Ea Ngai commune, Ngoc Lan Kindergarten in Cu Pong commune, Hoa Mai and Hoang Lan Kindergartens in Ea Kiet commune.
- (iii) 02 Medical stations of Ea Ngai and Ea Kiet communes;
- (iv) 02 Post office of Ea Ngai and Ea Kiet communes;

(v) 07 Organizations: Ea Ngai, Cu Pong, Ea Kueh, Cu Dlie Mnong and Ea Kiet CPCs, Assest management unit, Forest Management Station,

(vi) Communities: Villages #9, #10 in Ea Ngai commune, Thac Da village in Ea Kueh commune

17. Impacts of the subproject on households, enterprises and organizations are summarized in Table 1.

Table 1: Impacts on households, enterprises and organizations

No.	District/ Commune	Number of AHs	Number of marginally AHs ¹	Number of severely affected HHs	Number of vulnerable AHs	Number of affected EM household	Number of affected organizations and community	Number of affected enterprises
A	Krong Buk	300	300	0	11	8	5	0
1	Cu Pong	113	113	0	5	1	1	0
2	Ea Ngai	187	187	0	6	6	4	0
B	Cu M'Gar	179	179	0	9	12	9	4
3	Ea Kiet	60	60	0	8	1	9	4
4	Ea Tar	1	1	0	0	0	0	0
5	Ea Kueh	32	32	0	0	11	0	0
6	Cu Dlie Mnong	86	86	0	1	0	0	0
Total		479	479	0	20	19	14	4

Note: ¹ marginally affected household means the household who lose less than 10% of total productive land holding, partial loss of residential land without relocation/rebuilt the house on remaining land.

Source of data: IOL data provided by PPMU of Dak Lak DPI

18. **Impact on lands:** Based on the results of IOL, the subproject will permanently recover 1,256 m² of land in 3 communes, of which 1,211m² garden land of 13 households, 45m² residential land of one enterprise and one household. The result of the inventory of land loss is shown in Table 2.

Table 2: Impacts on land of households, enterprises and organizations

No.	District/ Commune	Total affected area (m2)	Residential land (m2)	Garden land (m2)	Forest production land (m2)	Other Public land (m2)
A	Krong Buk	645	35	610	0	0
1	Cu Pong	645	35	610	0	0
B	Cu M'Gar	611	10	601	0	0
2	Ea Kueh	601	0	601	0	0
3	Cu Dlie Mnong	10	10	0	0	0
Total		1,256	45	1,211	0	0

Source of data: IOL data provided by PPMU of Dak Lak DPI

19. **Impact on house and structures:** Subproject will affect partially Class 4 brick house of Coffee Company No.15 (10m²) that is used as the warehouse. 472 households in 6 communes will be affected their gates, fences, culverts or yards. No households have to relocate.

20. **Impact on public assets:** The subproject will affect assets of several organizations, communities such as electric poles, transformer stations, bus station, bus signal panel, culverts and gates of villages.

Table 3: Impacts on house and structures of households, enterprises and organizations

No.	District/ Commune	House (m ²)	Fence (m)	Steel roof (m ²)	Gate (m ²)	Concrete Yard (m ²)	Culvert (each)	Power station (each)	Electric pole (each)	Biogas tank (m ³)
A	Krong Buk	0	509	55	42	3,124.82	221	0	1	0
1	Cu Pong	0	64	0	0	2,214.0	48	0	1	0
2	Ea Ngai	0	445	55	42	910.82	173	0	0	0
B	Cu M'Gar	10	367	21	4.9	2,307.85	133	2	1	6
3	Ea Kiet	0	96	21	4.9	994.85	37	1	1	6
4	Ea Tar	0	20	0	0	0	0	0	0	0
5	Ea Keuh	0	251	0	42	291.0	20	1	0	0
6	Cu Dlie Mnong	10	0	0	0	1,022.0	76	0	0	0
	Total	10	876	76	88.9	5,432.67	381	2	2	6

Source of data: IOL data provided by PPMU of Dak Lak DPI

21. **Impact on crops and trees:** The subproject will also affect 606 various trees of 31 households planted along the road mainly cari, senna, china-tree, coffee, avocado, jack fruit. Details of impact on crops and trees are shown in the table 4 below.

Table 4: Impacts on crops and trees

No.	District/ Commune	Coffee	Pepper	Timber tree	Fruit tree	Cari	Total
A	Krong Buk	0	18	33	20	12	83
1	Cu Pong	0	14	2	0	0	16
2	Ea Ngai	0	4	31	20	12	67
B	Cu M'Gar	30	13	82	10	381	516
3	Ea Kiet	0	13	50	7	126	196
4	Ea Tar	0	0	0	0	0	0
5	Ea Keuh	30	0	39	0	255	324
6	Cu Dlie Mnong	0	0	0	3	0	3
	Total	30	31	122	30	393	606

Source of data: IOL data provided by PPMU of Dak Lak DPI

22. **Impact on income and livelihood:** The subproject will only affect marginally garden and residential land of AHs and their auxiliary structures, therefore special support and assistance for livelihood restoration will not be required.

23. **Impact on natural habitat and culture of ethnic minority:** The subproject will not affect natural habitat, and livelihood system, cultural practice and ancestral domains of ethnic minorities' people living in the subproject area because the road will be improved on the existing road and within the right of way and the EM groups live far from the road. Only few EM households live scatteredly with Kinh people along the road. Table 5 below is the summary of permanent impacts of subproject.

Table 5: Summary of impacts on land and assets

No.	Category		Unit	Quantity
	Affected assets			
1	Land		M²	1,265
		Garden land	m ²	1,211
		Residential	m ²	45
		Forest production land	m ²	0
		Other land (transportation, bed of stream, river)	m ²	0
2	House and Structures			
		House	m ²	10
		Concrete yard	m ²	5,432.67
		Culvert	Each/m	381/2308.1
		Gate	m ²	88.9
		Fence	m	876
		Steel roof	m ²	76
		Bus station	Each	1
		Bus signal panel	Each	7
		Power transformer station	Each	2
		Electric pole	Each	2
		Biogas	m ³	6
3	Crops and trees			
		Coffee	tree	30
		Pepper	tree	31
		Timber tree	tree	122
		Fruit tree	tree	30
		Other tree (Cari)	tree	393

Source of data: IOL data provided by PPMU of Dak Lak DPI

C. Temporary impact

24. The subproject may cause temporary impacts during construction on the AHs whose land will be used for constructor's temporary yard or disposal. However, to ensure that the temporary impacts are minimized, if not avoided entirely, in the civil works contract, it will include the following provisions, (i) contractor to pay rent for any land required for construction work based on negotiation with and concurrence of AHs; (ii) to the extent possible, only unused land will be used as construction work space; and (iii) temporarily used land will be restored or improved to its pre-project condition. With the mitigation measures, the remaining temporary impact will be insignificant.

D. Tenure status of AHs

25. Among 06 subproject communes, there is the impact on land of households in 03 communes including Cu Pong, Ea Kueh and Cu Dlie Mnong. Validation of the land-use right certificate (LURC) was conducted revealing that at the time of IOL, almost residential and garden land of AHs who are impacted on land have been provided the LURC or they are legalizable to claim for LURC.

E. Vulnerable households and Ethnic Minority households

26. There are 20 vulnerable AHs identified in the subproject area, of which 12 HHs female headed HHs with dependents, 03 poor households, 02 elderly headed households and 3 others are social preferential households. In subproject communes, 20 EM households were identified as marginally affected.

III. GENERAL SOCIOECONOMIC PROFILE

A. Socioeconomic condition in the subproject area

27. Subproject goes through 3 districts including Krong Buk, Cu M'Gar and Buon Don however the impact on land acquisition is only taken place in Krong Buk and Cu M'Gar district. Therefore in this section, the study is only focusing on the socioeconomic conditions of two districts Krong Buk and Cu M'Gar. Population in 2015 in Cu M'Gar, Krong Buk districts is 183,424 people, 66,295 people respectively. The population of the EM groups in each district is 85,158 people in Cu M'Gar, and 21,013 people in Krong Buk. Average household size in Cu M'Gar is 4.77 and 4.55 in Krong Buk district. Agriculture keeps the main role in the economic in project area. Productive values from agriculture sector are 2,353 million VND in Krong Buk and 5,871 millions VND in Cu M'Gar respectively taking account of 67.26% and 66.31% of total Doneproductive value of the economics. Planting industrial trees like coffee, pepper, cashew, rubber and some major crops like cassava, sweet potatoes are key elements of agriculture sector.

Subproject communes:

Population, ethnic minority and migration:

28. In general, population in the project communes is unevenly. Ea Ngai is a smallest with 4,008 in population, and Cu Pong has the largest population with 10,728 people in total. Rate of EM population is very high in Cu Pong, Ea Tar and Ea Kueh (63.6%, 62.2% and 68.9% respectively).

29. The natural growth rate in subproject communes is varied from 1.03 to 1.8%. The natural growth rate in Ea Ngai commune is lowest at 1.03% while in Cu Dlie Mnong is highest at 1.8%. Average household size is 4.7 persons per family.

30. Living along the road NH29, almost residents are Kinh people. A small number of ethnic minority households live scatteredly together with Kinh people there. Almost EM people live in small villages and some of them are far from the project road to 10-12 kilometers. Their main income is from agricultural production (coffee, cassava, rubber, and cashew).

Table 6: Population of district and communes in the subproject area

District/ Commune		Total		Kinh		EM		Average size of HH
		(person)	%	(person)	%	(person)	%	(person)
A	Krong Buk	66,295	100	45,282	63.3	21,013	31.7	4.55
1	Cu Pong	10,728	100	3,608	33.6	7,120	63.6	4.39
2	Ea Ngai	4,008	100	3,941	98.3	67	1.7	4.51
B	Cu M'Gar	183,424	100	98,266	53.6	85,158	46.4	4.77
3	Ea Kiet	9,134	100	7,219	79.0	1,915	20.9	4.48
4	Ea Tar	8,351	100	3,156	37.8	5,195	62.2	4.58
5	Ea Keuh	6,944	100	2,163	31.1	4,781	68.9	4.52
6	Cu Dlie Mnong	10,537	100	6,300	59.8	4,237	40.2	4.57
Total		249,719	100	143,548	57.5	106,171	42.5	4.7

Resource: Statistical data in Year 2015 of Cu M'Gar and Krong Buk districts and its communes collected in March, 2016

31. **Land use status:** According to 2015 statistics, agricultural land of Krong Buk and Cu M'Gar districts are 32,942.5 and 74,404.8 hectares of the total land area of the districts, equivalent to 92.1% and 90.2%; the residential land in two districts are 614.32 hectares and 1,313.29 hectares equivalent to 1.72% and 1.59%. The process of issuing LURC for both agricultural land and residential land is on-going in all subproject communes. (See table 7).

Table 7: Situation of land use rights certificate in subproject communes

No.	Having LURC	Number of household	Percentage (%)
	Cu M' Gar	4,182	72
1	Ea Kiet	733	36
2	Ea Tar	1,714	94
3	Ea Keuh	123	8
4	Cu Dlie Mnong	1,612	70

Resource: Statistical data in project district and communes March, 2016

32. **Education:** There are primary school, secondary school and kindergarten in the subproject communes. According to statistic data of project district, rate of students completed primary, secondary and high schools is 99%, 9% and 80.4% in Krong Buk district and 100%, 99.7% and 86.7% in Cu M'Gar district respectively. However the rate of illiterate persons is still high with 7.4% of population in Krong Buk district and 4.7% in Cu M'Gar district (mainly elderly, female and EMs).

33. **Poverty:** The statistics show that, native ethnic people including Ede with majority, Se Dang, J'Rai and Mnong, currently has the highest poverty rate in the communes of the project, with the rate of 60.7% of poor and near poor households of Krong Buk district and with 39.3% in Cu M'Gar district. Among project communes, Cu Pong commune has the highest poverty rate with 3,688 people out of 6,333 poor and near poor people in Krong Buk district, taking account of 69%.

Table 8: Poor and near poor population by ethnic groups in subproject area

No.	District/ Commune	Total	Kinh	Native Peoples (Ede, Se Dang, J'Rai and M'nong)	Other EMs
A	KrongBuk	6,094	2,012	3,698	384
1	EaNgai	749	703	10	36
2	Cu Pong	5,345	1,309	3,688	348
B	Cu M'Gar	6,333	2,666	2,490	1,177
3	Ea Tar	920	297	570	53
4	EaKiet	2,015	1,327	126	562
5	EaKueh	2,444	634	1,264	546
6	Cu DlieMnong	954	408	530	16
Total		12,427	4,678	6,188	1,561

Resource: Survey data in project district and communes March, 2016

34. Like the other provinces of the Central Highlands, the lack of capital for production is the main cause of poverty in subproject villages. Other causes of poverty include (i) lack of land, (ii) lack of production facilities, (iii) lack of labour and (iv) unemployment.

B. Affected and Non-affected Household Profile

35. A socio-economic survey has been carried out in March 2016 covers 70.5% of total AHs. Secondary data were collected in six communes namely Cu Pong, Ea Ngai, Ea Kiet, Ea Tar, Ea Kueh, and Cu Dlie Mnong. There is no land acquisition in two communes Pong Drang (Krong Buk district) and Krong Ana (Buon Ho district), while only one household is affected in Ea Tar commune (Cu M'Gar district), therefore the social economic survey was not carried out in such communes. Consultations with local authority, mass organizations, and in-depth interview via the questionnaire for 311 affected households and 31 non-AHs were conducted in 05 communes.

36. **Demographic characteristics:** A total 479 affected households have been inventoried in the IOL of subproject, out of them, 311 AHs are surveyed. Of the 1,411 people surveyed by the SES Team, there are slightly more males at 50.7% than female members at 49.3%. The average size of household in subproject area is 4.12. In communes of Krong Buk, this rate is slightly lower than communes in Cu M'Gar district. (See the table 9 below).

Table 9: Demographic characteristics of surveyed households

No.	District/ Commune	Total AHs	Surveyed HHs			Surveyed APs				
			Total	%	Avg size of HH	Total	Male	%	Female	%
A	Krong Buk	301	221	73.4	4.08	902	464	51.4	438	48.6
1	Cu Pong	113	39	26.5	4.33	169	89	52.7	80	47.3
2	Ea Ngai	188	182	96.8	4.03	733	375	51.2	358	48.8
B	Cu M'Gar	184	121	65.7	4.21	509	252	49.5	257	50.5
3	Ea Kiet	64	95	148.4	4.19	398	194	48.7	204	51.3

No.	District/ Commune	Total AHs	Surveyed HHs			Surveyed APs				
			Total	%	Avg size of HH	Total	Male	%	Female	%
4	Ea Keuh	32	6	18.7	4.33	26	12	46.2	14	53.8
5	Cu Dlie Mnong	87	20	22.9	4.25	85	46	54.1	39	45.9
Total		485	342	64.1	4.12	1,411	716	50.7	695	49.3

(Source: SES data collected in March 2016)

37. Of the 342 households surveyed, almost heads of households are male at 302 taking account for 88.3% while female heads of households are only 40 taking account for 11.7% and almost are in labor age 90.35 %. (See the table 10 below)

Table 10: Household headed, Sex and Age

No	District/ Commune	Age of female headed household			Age of male headed household			Total
		Total	Under 55	Above 55	Total	Under 60	Above 60	
A	Krong Buk	26	22	4	195	171	24	221
1	Cu Pong	6	6	0	33	32	1	39
2	Ea Ngai	20	16	4	162	139	23	182
B	Cu M'Gar	14	11	3	107	104	3	121
3	Ea Kiet	12	11	1	83	81	2	95
4	Ea Keuh	0	0	0	6	6	0	6
5	Cu Dlie Mnong	2	0	2	18	17	1	20
Total	Surveyed HHs	40	34	6	302	275	27	342
	%	11.7	9.94	1.75	88.3	80.41	7.89	100

(Source: SES data collected in March 2016)

38. Among 342 households surveyed, the number of headed households belonging to Kinh people is 339 taking account for 99.1% while EM heads of households are only 3 taking account for 0.9%. All the EM households in the survey belong to Muong and Ede groups. (See the table 11 below)

Table 11: Household headed sex and ethnic

No.	District/ Commune	Ethnicity of female household-headed			Ethnicity of male household-headed			Total
		Kinh	Muong	Ede	Kinh	Muong	Ede	
A	Krong Buk	26	0	0	192	2	1	221
1	Cu Pong	6	0	0	33	0	0	39
2	Ea Ngai	20	0	0	159	2	1	182
B	Cu M'Gar	14	0	0	107	0	0	121
3	Ea Kiet	12	0	0	83	0	0	95
4	Ea Keuh	0	0	0	6	0	0	6
5	Cu Dlie Mnong	2	0	0	18	0	0	20

No.	District/ Commune	Ethnicity of female household-headed			Ethnicity of male household-headed			Total
		Kinh	Muong	Ede	Kinh	Muong	Ede	
Total	Surveyed HHs	40	0	0	299	2	1	342
	%	11.7	0	0	87.4	0.6	0.3	100

(Source: SES data collected in March 2016)

39. **Education:** High percentage of heads of households graduated from secondary school with 217 persons out of 342 taking account 63.46%; 69 persons graduated from high school taking account 20.18%; 18 persons graduated from college and university (5.27%). Only few persons are illiterate or not graduated from primary school (03 HH heads at 1.16% and 02 persons at 0.58% respectively). Table 12 contains the details of the educational background of surveyed HH heads.

Table 12: Educational background of head of household

District/ Commune	Educational degree of household heads (person)								
	Total	Illiterate	Not yet graduated from primary school	Graduated from primary school	Not yet graduated from secondary school	Graduated from secondary school	Not yet graduated from high school	Graduated from high school	Graduated from vocational or college and university
Krong Buk	221	3	1	1	5	163	8	35	5
Cu Pong	39	0	1	0	1	16	7	11	3
Ea Ngai	182	3	0	1	4	147	1	24	2
Cu M'Gar	121	1	1	1	9	54	8	34	13
Ea Kiet	95	1	1	1	8	39	7	28	10
Ea Keuh	6	0	0	0	0	4	1	1	0
Cu Dlie Mnong	20	0	0	0	1	11	0	5	3
Total	342	4	2	2	14	217	16	69	18
%	100	1.16	0.58	0.58	4.09	63.46	4.68	20.18	5.27

(Source: SES data collected in March 2016)

40. According to the SES data, the educational degree of members of surveyed HHs is fairly high with 154 persons, 234 persons out of 1,411 persons respectively graduated from college and university, high school. High percentage (47.13%) of persons graduated from secondary school. Others graduated primary school while the number of persons with illiterate is only 10. Number of persons in range of working age (from 15 to 60 years old) is 1,062 out of 1,411 surveyed persons, taking account for 75.26% and the range of age from 15 to 45 is dominated with 798 persons taking into account for 75.14%.

41. **Livelihood, occupation and production condition:** The household-heads interviewed were engaged in 3 main livelihood sources including: income from agriculture, business and salary. Some heads of households even have main income sources from business and salary of government; they still do the farming activities as subsidiary income source. According to SES data, 259 household heads interviewed (75.73%) reported farming as their main occupation, 18 persons (5.26%) are state employees, 32 persons (9.36%) are engaged in business or service, 16 persons (4.68%) are workers including handicraft worker, manual labour and worker in factory, 8 persons (2.34 %) are retired. Only one person is unemployed, 01 person is housework.

Table 13: Main occupation of head of affected households

Main occupation	Total (person)	Cu Pong	Ea Ngai	Ea Kiet	Ea Kueh	Cu Dlie Mnong
Agriculture	259	16	175	51	4	13
Business/service	32	4	1	23	2	2
Handicraft worker	3	0	1	2	0	0
Manual labour	2	0	0	2	0	0
Worker	11	9	0	1	0	1
Government official	18	5	1	10	0	2
Retired	8	3	3	0	0	2
Unemployment	1	1	0	0	0	0
Housework	1	0	0	1	0	0
Other	7	1	0	5	0	0
Total	342	39	182	95	6	20

(Source: SES data collected in March 2016)

42. Main agricultural activities in the subproject area are planting coffee, pepper and cashew therefore productive assets are very important with the households. Almost surveyed households own the water pump. Some of them have plough machine and truck. The status of ownership of productive assets of surveyed HHs is shown in the Table 14 below.

Table 14: Ownership of productive assets of affected households

No	Type of assets	Number of surveyed HHs having productive assets					
		Cu Pong	Ea Ngai	Ea Kiet	Ea Kueh	Cu Dlie Mnong	Total
1	Plough machine, tractor	6	20	3	9	30	68
2	Truck, car	3	4		10	4	21
3	Water pump	9	27	6	62	78	182
4	Other	0	0	0	0	0	0

(Source: SES data collected in March 2016)

43. **Income, expenditure and dept:** Among 479 households affected by subproject, 03 households belong to poor group. 342 surveyed heads (both female heads and male heads) of households have the average monthly income higher than 3.5 million VND which is higher than national poverty standard.

44. **Housing condition:** Most of AHs live in house with reinforced concrete frame and brick wall and roof from various materials such as fibrocement or corrugated iron or flat concrete roof – the most prevalent form of construction in this area. Some of AHs live in the bungalows especially the EM households.

45. Almost surveyed AHs own TVs (65.5%), motorbike (93.85%) electric fan (93.27%), rice cooker (97.66%), and telephone (landline or mobile phone) (85.96%). Many AHs have refrigerator (53.5%), washing machine (36.2%), water-heat machine (22.22%).

Table 15: Ownership of assets of affected households

No	Type of assets	Cu Dlie Mnong	Cu Pong	E Kueh	Ea Kiet	Ea Ngai	Total
1	Motorbike	20	38	4	91	168	321

No	Type of assets	Cu Dlie Mnong	Cu Pong	E Kueh	Ea Kiet	Ea Ngai	Total
2	Bicycle	2	11	2	6	4	25
3	Refrigerator	10	36	6	90	41	183
4	Television	13	39	6	84	82	224
5	Electric rice cooker	20	39	6	90	179	334
6	Micro oven	2	4	1	9	1	17
7	Sewing machine	1		4		2	7
8	Electric fan	19	36	6	87	171	319
9	Landline, mobile phone	19	39	6	89	150	303
10	Water heater	6	23	5	30	12	76
11	VCD/DVD	4	17		22	2	45
12	Washing machine	7	23	4	64	26	124
13	Other						

(Source: SES data collected in March 2016)

46. **Sanitation:** Almost surveyed households (327 HHs) reported that their main source of water is from well. Regarding to sanitation facilities, 126 households (36.84%) answered to use septic compartment in the house, while 119 households (34.79%) reported to have septic compartment or semi-septic compartment outside the house and significant number of HHs (87 or 25.43%) does not have toilet and 10 households answered they use temporary toilet. Interesting to note that no affected households answered that does not have WC.

47. **Energy:** The most commonly-used power source for lighting is electricity from the national grid, with 99.7% of the surveyed households (341) reporting to use it and only one household uses the gas for lighting. For cooking, the main types of fuel to be used are oil and gas (215 HHs or 62.8%), the second is wood (125 HHs or 36.6%). One household uses coal and one household uses biogas for fuel.

C. Ethnic Minorities in the Project Area

48. Number of ethnics living in Cu M'Gar and Krong Buk districts is 25. The main ethnics in the subproject area are Ede (37.76%) and Kinh (53.09%). The other ethnic minorities are Dao, Tay, Nung, Se Dang, Thai....taking account from 0.14 % to 2.2% of total population. Following will present main characteristics of Social and Cultural Systems of the Ede.

Table 16: Population of subproject by Ethnic groups in 2015

	Commune	Total	Kinh	Ede	Dao	Tay	Nung	Se Dang	Thai	Others
1	Ea Ngai	4,008	3,941	0	0	8	28	0	0	31
	(%)	100	98.33	0	0	0.20	0.70	0	0	0.77
2	Cu Pong	10,728	3,608	6,626	0	14	4	0	82	394
	(%)	100	33.63	61.76	0	0.13	0.04	0	0.76	3.67
3	Ea Tar	8,351	3,156	4,330	539	33	9	0	0	284
	(%)	100	37.79	51.85	0	0.40	0.11	0	0	3.40

Commune		Total	Kinh	Ede	Dao	Tay	Nung	Se Dang	Thai	Others
4	Ea Kiet	9,134	7,219	1,237	41	47	17	0	9	564
	(%)	100	79.03	13.54	0	0.51	0.19	0	0.10	6.17
5	Ea Kueh	6,944	2,163	2,910	511	11	8	143	741	457
	(%)	100	31.15	41.91	0	0.16	0.12	0	10.67	6.58
6	Cu Dlie Mnong	10,537	6,300	3,663	0	1	3	0	30	540
	(%)	100	59.59	34.76	0	0.01	0.03	0	0.28	5.12
Total (HHs)		49,072	26,387	18,766	1,091	114	69	143	862	2,270
(%)		100	53.09	37.76	2.20	0.23	0.14	0.29	1.73	4.57

Source of data: Statistical data in project communes in March, 2016

49. **Social and Cultural Systems of the Ede.** Traditionally, The Ede lives in separate villages (buon) from 30 to 40 houses. Nowadays due to the immigration of Kinh people and other ethnics from the northern mountainous province, the Ede people live scatteredly together with them and the size of the village is bigger various from 100 to 250 households. The village chief and the elders have great prestige and play the role of running collective activities. In each village, there is a community hall and surrounding is the traditional house of households.

50. Traditional houses of The Ede have been constructed entirely from bamboo, however in many recent years wooden houses with corrugated roofs are more popular due to their durability. The Ede like J'Rai has a matrilineal custom, that is, the lineage is traced through the mother rather than the father. Females are free to choose their lovers and decide their marriage. After wedding, the husband lives in his wife's family and has no right to inheritance. On the contrary, the daughter after marriage no longer lives with her parents and inherits from them. The children take the family name of the mother. In society, men play a more important role but in the family the women have more power.

51. The Ede has their traditional clothes for man and for woman. Regarding to folklore, the Ede performs their music on gongs, trumpet, flute, Goc, Kni and some other traditional instruments. These traditional instruments are closely associated with the people's spiritual life. The Ede has famous and old tales such as "Dam San Khan", "Khan Dam Kteh M'lan"...

52. **Language:** The Ede has own language and use it in family and in their society. Ede students nowadays are also learning and studying national languages.

53. **Production activities:** Previously, the Ede cultivate mainly on the burnt-over land. Ordinary rice is the staple food. Besides cultivating the rice, the Ede also cultivates other crops. Tools for farming are simple, including machete, cleaver, picks and hoes, and digging stick to put seeds into holes. Livestock-breeding develops, covering cattle, pigs, cows, and poultry. Men are skillful in basketry, and women in cloth weaving. Hunting, gathering and fishing are subsidiary activities generating significant income for the Ede. With the support of government for economic development and forest management of state, such activities are reduced. Nowadays, beside the traditional income generating activities such as planting ordinary rice on their burnt-over land, husbandry, fishing... the Ede also plant rubber, coffee, pepper and cashew as King People.

D. Social Impact Assessment

54. **Potential negative project impacts.** A social impact assessment (SIA) has been conducted through census, Inventory of loss (IOL) and meaningful consultation to identify the subproject impacts both positive and negative, and measures of negative impact mitigation and

enhancing subproject benefits to local people. Results of SIA show that land acquisition is minor so that it does not much impact on income and livelihood of APs including EMs. The current educational level and vocational skills of EMs are limited. It is therefore probable that any new employment opportunities may be taken by people coming from the outside and not by the local EMs. Moreover, under construction period, exterior laborers may bring health risks to EM peoples, particularly women, for instance, sexually transmitted diseases.

55. **Tourist** component will invest in improvement of existing domestic roads within villages, upgrading traditional markets and traditional community houses and restoration of traditional handicrafts of EM people. This component does not require land and/or restriction of land use of EM people as well as impact on culture and identity of EMs. However, development of tourist may enhance migration from other provinces and increase tourists and traders/middlemen to the villages leading to social evils such as prostitute, HIV/AIDs, women trafficking and environment pollution.

56. **Expected Positive impacts.** The subproject will bring a lot of positive effects to local people in general and to EM women in particular. The potential impacts were discussed with EM people in meaningful consultations undertaken during the social impact assessment process as follows:

- (i) Improving transportation conditions of project communes where the EM people are majority, thus improving accessibility to the market, production locations, health and education locations of local people especially the EM people, reducing the cost and creating more value added to agricultural products;
- (ii) Creating new jobs/works for local people leading to improving income for them, particularly for poor EM women and/or vulnerable persons from the subproject;
- (iii) Providing opportunities to improve the status of women, especially EM women and enhance their participation in community activities through gender action plan; and
- (iv) Directly contributing to poverty alleviation in the subproject commune.

E. Measures taken to minimize the negative impacts

57. In order to mitigate negative impacts on local peoples including EM people, before and during the subproject design, implementation, as well as monitoring process, the project staff will enhance the dissemination of project information to and conducting meaningful consultation with ethnic minorities to ensure that EM get maximum benefit from the advantage conditions brought by the subproject in culturally appropriate manner.

58. The measures to minimize resettlement impacts was applied:

- i. *alternative location selection*: all components have been selected based on the existing roads and public vacant land.
- ii. *design solution*: roads will be designed within the existing road's ROW to minimize resettlement impact from households living or cultivating along these roads.
- iii. *public consultation*: during technical design and updating REMDP, public consultations with local people will be conducted to inform people about project information as well as resettlement impacts. Broad discussion on design solutions, alternative location selection will be carried out aiming on minimizing land acquisition. Local people will be also informed of scope of land acquisition and resettlement implementation schedule, e.g informing 90 days before acquisition of agricultural land and 180 days for residential land acquisition, so that people will not cultivate or construct structures on the land to be acquired.

59. For tourism component, further consultations with EM community and local people on how to mitigate the negative impact of tourism activities and increase the knowledge of EM people on the commercial market will be carried out in next steps. The proposed mitigation measures will be applied and monitored during project implementation

60. In addition, during construction, environmental pollution caused by dust, construction waste, noise, etc may occur and affect people. These effects can be considerably reduced by the proposed mitigation measures through implementation of environment management plan. It needs measures of propagation on and prevention from risks of sexually transmitted diseases (if necessary).

IV. DISCLOSURE, PUBLIC CONSULTATION AND PARTICIPATION

A. Information Disclosure

61. In compliance with the ADB requirements, the PPMU will assist the CARB in publicly disseminating the final REMDP as approved by the PPC and ADB. The subproject information booklet will be made available in the Vietnamese language and EM language (if needed).

62. APs are notified in advance of resettlement activities, including community meetings to disseminate subproject information about the scope of the subproject, work alignment plan, site clearance plan and construction plan. They are also involved in public meetings to discuss on (i) detailed measurement survey results; (ii) lists of eligible Aps and their entitlements; (iii) compensation rates and amounts, (iv) payment of compensation and other assistance; and (v) the grievance redress mechanism. Notices are posted in the commune PC offices or other easily accessible locations; letters, notices or small brochures are delivered individually to Aps; and radio announcements.

63. This REMDP will be uploaded in ADB websites in both English and Vietnamese and disclosed to the Ems through commune and village meetings. The staff of CPC and mass organizations will translate into EM language (if needed) and disseminate the information to the Ems through loud speakers and other oral communication means in traditional market days as well as in public meetings. Table 16 below shows different public consultation meetings with various stakeholders carried out.

B. Public Consultation and Participation

64. Public consultations and community participation is encouraged in all the project cycle, including planning, designing, implementing, and monitoring. The objective of the Public Consultation and Participation is to develop and maintain avenues of communication between the Project, and different stakeholders including APs to ensure that their views and concerns are incorporated into project preparation and implementation with the objectives of reducing or offsetting negative impacts and enhancing benefits from the Project. The feedback from consultations plays an important role in the planning process, leading to the formulation of mitigation measures and compensation plans for project-affected communities, and for environmental mitigation measures.

65. The aims of Public Consultation and Participation are to:

- i. provide full and impartial information to affected persons about the subproject, its activities, and potential impacts that affect them, and to provide an opportunity for their feedback on the subproject;
- ii. explore a range of options for minimizing subproject negative impacts, and for those impacts that cannot be avoided, explore the range of options for, and ensure Aps participation in the design of mitigation measures;
- iii. gather information about the needs and priorities of Aps as well as their feedback on proposed resettlement and compensation policies, options and activities;
- iv. obtain the cooperation, participation and feedback of Aps on activities to be undertaken in resettlement planning and implementation, in particular on the location for resettlement, planning and design of housing (if necessary), land and community facilities, and the development and implementation of the livelihood program to affect livelihood restoration and development;
- v. provide a mechanism for continued dialogue, raising of concerns and monitoring of implementation; and

- vi. Exploring options for the co-management of natural resources through participatory approaches aimed at sustainable use and conservation.

The method of consultation and participation has to ensure two-way exchange of information between the affected community and the project in accordance with the traditional culture of the locality and Ems as well, taking into account gender issues, social justice and the principle of equality.

66. **Consultation and participation during the REMDP preparation.** 09 consultation meetings were conducted with local authorities, mass organizations, Aps and non-Aps in March 2016. The objective of the consultation meetings was to provide information, as much as possible, on the subproject to local authorities, mass organizations, Aps and non-Aps, and discuss and document their comments on subproject issues. Specifically, the following subjects were presented and discussed:

- (i) subproject description: location, size and scope of impacts;
- (ii) the subproject's implementation plan;
- (iii) the Sub-Project's policies in terms of land acquisition, compensation and resettlement assistance as well as eligibility criteria;
- (iv) the Sub-Project's grievance redress mechanism; and
- (v) issues related to Ems, gender, restoration of incomes, livelihood and other support policies

67. The results of observations and public consultation meetings with local authorities, mass organizations and APs are summarized as follows:

- (i) The APs and Non-APs as local authorities supported and agreed with the subproject for improving the existing NH29; Soon implementation of this subproject will improve the transportation condition and access to social services of local people;
- (ii) During the meetings, the potential impacts of the subproject in terms of land acquisition were duly discussed with APs whose lands and assets will be affected; Schedule for implementing the subproject and land acquisition was also informed to people;
- (iii) All APs agreed with the subproject's principle on compensation and resettlement assistance but requested that the implementation process of resettlement and land acquisition shall be transparent and information shall be disclosed to community and APs publically;
- (iv) In Ea Kueh, Ea Tar and Cu Dlie Mhong communes almost all APs have LURC for their land or are legalizable for LURC; In Ea Kiet, Ea Ngai communes, the rate of APs having LURC for residential land is not high however their land is legalizable.
- (v) The EM people do not live along the road therefore the negative impact on EM community is very marginal.
- (vi) During the detailed design phase, it is necessary to consult with communal authority and local people;
- (vii) It was noted that the environmental impacts of the subproject during construction are inevitable, but these can be minimized with the proposed mitigation measures in the EMP;
- (viii) It is necessary to accelerate the construction progress to mitigate the impacts to the business and production of local people. During the construction period, the traffic should be controlled so that the disturbances to transportation, production and business of local people as well as enterprises will be avoided.
- (ix) Before the civil work commencement, it is necessary to check the condition of houses close to the road to avoid the dispute on the cracking of the house;

- (x) the subproject's complaint mechanism and resolution procedure was consulted.

Table 17: Public consultation meetings

No.	Commune	Location	Participant	No. of participant	No. of EM participant	No. of female participant
1	Ea Tar	Ea Tar CPC office	Representative of CPC, mass organizations, affected households	05	0	02
2	Ea Ngai	Ea Ngai CPC office	Representative of CPC, mass organizations, affected persons, non- affected persons	20	0	04
3	Ea Kiet	Ea Kiet CPC office	Representative of CPC, mass organizations	12	0	04
4	Ea Kueh	Ea Kueh CPC office	Representative of CPC, mass organizations, affected households	31	0	02
5	Cu Dlie Mnong	Cu Dlie Mnong CPC office	Representative of CPC, mass organizations, affected households	15	03	03

68. **Consultation and participation during REMDP implementation.** During the implementation phase, the PPMU in combination with district resettlement committee (or land fund development center) and Commune PC is responsible for the dissemination of subproject information (translated into local language if necessary) using various media such as organizing seminars, presentations, and public meetings for which subproject Aps and beneficiaries are invited. The PPMU will deliver the Project Information Brochure (PIB) and other documents of the subproject to the Aps.

69. Local people, especially affected persons have right to work for the subproject as specified in the Gender Action Plan and in this REMDP. All communities have rights to monitor not only the construction of the subproject but also the implementation of the REMDP (see part XI – Monitoring and evaluation), and their representatives should be members of the Community Monitoring Board of the commune to monitor the implementation process. They can make grievance if they find any illegal actions or things they disagree as specified in Section V.

V. GRIEVANCE REDRESS MECHANISM

70. In order to ensure that all Aps' grievances and complaints on any aspect of land acquisition, compensation and resettlement are addressed in a timely and satisfactory manner, and that all possible avenues are available to Aps to air their grievances, a well-defined grievance redress mechanism needs to be established. All Aps can send any questions to implementation agencies about their rights in relation with entitlement of compensation, compensation policy, rates, land acquisition, resettlement, allowance and income restoration. Furthermore, Aps will not be ordered to pay any fee from all administrative and legal fees that might be incurred in the resolution of grievance and complaints at any level of trial and court. Grievances redress mechanism of the project will be followed Law on complaint No. 02/2011/QH13 and regulation on grievance at Government Decree 75/2012/NĐ-CP dated 20/11/2012. Complaints will pass through 3 stages before they could be elevated to a court of law as a last resort.

- **First Stage, Commune People's Committee:** The aggrieved affected household can bring his/her complaint in writing or verbally to any member of the Commune People's Committee, either through the Village Chief or directly to the CPC. It is incumbent upon said member of CPC or the village chief to notify the CPC about the complaint. The CPC will meet personally with the aggrieved affected household and

will have 30 days and maximum of 45 days following the lodging of the complaint, depending on complicated case or distance, to resolve it. The CPC secretariat is responsible for documenting and keeping file of all complaints that it handles.

- **Second Stage, District People's Committee:** If after 30 days or 45 days (in remote area) the aggrieved affected household does not hear from the CPC, or if the affected household is not satisfied with the decision taken on his/her complaint, the affected household may bring the case, either in writing or verbal, to any member of the DPC. The DPC in turn will have 30 days or maximum of 70 days following the lodging of the complaint, depending on complicated case or remote area, to resolve the case. The DPC is responsible for documenting and keeping file of all complaints that it handles and will inform the DCARB of any determination made and the DCARB is responsible for supporting DPC to resolve AH's complaint. The DPC must ensure their decision is notified to the complainant.
- **Third Stage, Provincial People's Committee:** If after 30 days or 45 days (in remote area) the aggrieved affected household does not hear from the DPC, or if the affected household is not satisfied with the decision taken on his/her complaint, the affected household may bring the case, either in writing, to any member of the PPC. The PPC has 30 days or maximum of 70 days, depending on complicated case or remote area, to resolve the complaint to the satisfaction of all concerned. The PPC is responsible for documenting and keeping file of all complaints that reaches the same.
- **Final Stage, the Court of Law Arbitrates:** If after 30 days following the lodging of the complaint with the PPC, the aggrieved affected household does not hear from the PPC, or if he/she is not satisfied with the decision taken on his/her complaint, the complainant can appeal again to the PPC. If the complainant is not satisfied with the second decision of the PPC, the case may be brought to a Court of law for adjudication. If the court rules in favour of the complainant, then PPC will have to increase the compensation at a level to be decided by the court. In case the court will rule in favour of PPC, then the complainant will receive compensation approved by PPC.

71. The grievance redress mechanism has been disclosed to Aps during REMDP preparation and will be continuously disseminated to people during REMDP implementation.

VI. LEGAL AND POLICY FRAME WORK

72. The legal and policy framework for dealing with the resettlement impacts of the subproject is given based on relevant policies and laws of Viet Nam and the ADB's Involuntary Resettlement Policy (SPS 2009). In this section, the relevant policies and laws of Vietnam, including policies of Dak Lak Province, and policies of ADB are outlined, then if difference between these policies (of Vietnam and of ADB) exist, reconciliation is done to establish policies and principles to be applied under this subproject.

A. ADB Policies

73. **Involuntary Resettlement.** The main objectives of ADB's Policy on Involuntary Resettlement is to avoid or minimize the adverse impacts on people, HHs, businesses and others in the implementation of development project. Where resettlement is not avoidable, the involuntary resettlement must be minimized by exploring project and design alternatives, and enhance or at least restore the living standards of the affected persons to at least their pre-project levels. The SPS June 2009 also stresses on a new objective of improving the standards of living of the displaced poor and other vulnerable groups. The policy applies to full or partial, permanent or temporary physical and economic displacement resulting from (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas. Resettlement is considered involuntary when displaced individuals or communities do not have the right to refuse land acquisition those results in displacement.

74. **Indigenous Peoples (IP)/ Ethnic Minorities (EMs).** The main objectives of ADB's IP safeguards policy under the SPS 2009¹ are to: (i) avoid adverse impacts of projects on the environment and affected persons, where possible; (ii) minimize, mitigate, and/or compensate for adverse project impacts on the environment and affected persons when avoidance is not possible; and (iii) assist in strengthening country safeguard systems and develop the capacity to manage environmental and social risks. The policy is triggered if a subproject directly or indirectly affects the dignity, human rights, livelihood systems, or culture of Ems or affects the territories or natural or cultural resources that Ems own, use, occupy, or claim as their ancestral domain. Should ADB projects affect Ems, a set of general policy requirements are observed to maintain, sustain, and preserve their cultural identities, practices, and habitats (SR-3 of SPS 2009). A set of special requirements are in place should projects be (i) within ancestral domains and lands and related natural resources, (ii) commercial development of cultural resources and knowledge of Ems; (iii) physical displacement from traditional or customary lands; and (iv) commercial development of natural resources within customary lands under use that would impact on livelihoods or cultural, ceremonial, or spiritual uses that define the identity and community of Ems.

75. This subproject will affect 19 households with minor land acquisition which does not significantly impact livelihood and income of the EMs. The subproject also does not affect identity, culture and custom livelihood system of EMs, so Ethnic Minority Development Plan is incorporated with RP of the subproject in a combined document named REMDP.

B. National Laws on Involuntary Resettlement and ethnic minorities (EMs)

76. **Compensation, Assistance and Resettlement.** The Constitution of the Socialist Republic of Viet Nam (2013) confirms the right of citizens to own and protect the ownership of a house. In addition, the Government has enacted a number of laws, decrees and regulations that constitute the legal framework for land acquisition, compensation, assistance and resettlement. The principal documents include the Land Law No. 45/2013/QH13, dated 29/11/2013, providing Vietnam with a comprehensive land administration law; Decree No. 47/2014/ND-CP, dated 15/5/2014 on compensation, assistance, rehabilitation and resettlement in the event of land recovery by the State; Decree No. 44/2014/ND-CP, dated 15/5/2014 specifying the methods for land pricing and land price frameworks in the event of land recovery by the State and Decree No. 43/2014/ND-CP dated 15/5/2014 providing guidelines on implementation of the Land Law 2013 and Circular No. 37/2014/TT-BTNMT, dated 30 Jun 2014, guiding on implementation of Decree 47/2014/ND-CP, and Circular No. 36/2014/TT-BTNMT, dated 30 Jun 2014, guiding on implementation of Decree 44/2014/ND-CP.

77. Laws, decrees and decisions relevant to public disclosure of information include the Law on Land, No. 45/2013/QH13, Article 67, requiring disclosure of information to the DPs prior to recovery of agricultural and non-agricultural lands of a minimum of 90 and 180 days respectively.

78. **Ethnic Minorities.** The definition of ethnic minorities in Vietnam is based on the following criteria:

- (i) A language different from the national language;
- (ii) Long traditional residence on, or relationship with land, and long traditional social institutional system;
- (iii) A self-provided production system; and
- (iv) A distinct cultural identity and self-identification as a distinct cultural group that is accepted by neighboring ethnic groups.

79. Article 5 of the Constitution 2013 clearly indicates that (i) the State of Vietnam is the united state of the various ethnic communities co-habiting on the territory of Vietnam; (ii) All Ems are equality, solidarity, respect and mutual assistance among all nationalities, and forbids all acts of national discrimination and division; (iii) National language is Vietnamese, every

¹Safeguard Policy Statement, 2009

ethnic community has the right to use its own language and system of writing, to preserve its national identity, and to promote its fine customs, habits, traditions and culture; and (iv) the State applies a policy of comprehensive development and give good conditions for Ems to promote their internal force for the country development.

80. Articles 58 and 60 of the Constitution 2013 obviously stipulate that (i) the State of Vietnam is in charge of preserving and developing Vietnamese culture of the various ethnic communities; and (ii) the State undertakes priority policies for education development in mountainous areas, ethnic community regions, particularly difficult areas and the State implements foreground programs of health care for mountainous people and Ems.

81. A series of policies related to ethnic minorities was promulgated. Two of the most important policies is the Program 134 (or Decision No. 134/2004/QĐ-TTg of the Prime Minister) and Program 135 (or Decision No. 135/1998/QĐ-TTg of the Prime Minister). The earlier promulgates on some policies on supporting productive land, residential land, housing and domestic water for poor EM HHs. The latter promulgates on approving the program on socioeconomic development in mountainous and remote communes with special difficulties. In addition, Decree No. 60/2008/ND-CP of the Government is the very import organization policy related to nationalities issues. This decree defines the functions, tasks, powers and organizational structure of the Committee of Ethnic Minorities, a ministerial level agency under the Government, performs its functions of state management on EM affairs nationwide, and on public services within its authorities as prescribed by the law.

82. The following lists important policies related to ethnic minorities in Vietnam:

- (i) Decree No. 70/2001/ND-CP of the Government, on detailing the implementation of the marriage and family law. This stipulates that all documents registering family assets and land use rights must be in the names of both husband and wife;
- (ii) Decision No. 112/2007/QĐ-TTg of the Prime Minister, on assistance policy for improving legal awareness under the Program 135 – phase II;
- (iii) Decision No. 06/2007/QĐ-UBND of the Committee of Ethnic Minorities, on media strategies for the Program 135 – Phase II;
- (iv) Circular No. 06/2007/TT-UBND of the Committee of Ethnic Minorities, on guiding implementation of assistance of services, improvement of livelihood, technical support for enhancement of legal awareness, following Decision 112/2007/QĐ-TTg of the Prime Minister;
- (v) Decision No. 05/2007/QĐ-UBND of the Committee of Ethnic Minorities, on recognizing mountain and three EM regions based on development situation;
- (vi) Decision No. 01/2007/QĐ-UBND of the Committee of Ethnic Minorities, on recognizing mountainous communes and districts;
- (vii) Decree No. 60/2008/ND-CP of the Government, on defining the functions, tasks, powers and organizational structure of the Committee of Ethnic Minorities;
- (viii) Resolution No. 30a/2008/NQ-CP of the Government, on the support program for fast and sustainable poverty reduction in the 61 poorest districts;
- (ix) Decree No. 82/2010/ND-CP of the Government, on teaching and learning EM languages in schools;
- (x) Decree No. 05/2011/ND-CP of the Government, on EM work; and
- (xi) Joint Circular No. 01/2012/TTLT-BTP-UBND of the Ministry of Justice and the Committee of Ethnic Minorities, on guiding implementation of legal assistance for Ems.
- (xii) Decision 551/QĐ-TTg of Prime Minister dated 04/04/2013 on approval to 135 Program for providing the assistance to develop infrastructure, production for especially difficult communes, border communes, communes in ATK zone, especially difficult villages in periods 2012-2015 and 2016-2020.

83. **Dak Lak People's Committee Decisions on Land Acquisition and Resettlement.**
Legal regulations of Dak Lak Province include:

- (i) Decision No. 39/2014/QD-UBND of the People's Committee of Dak Lak Province issued on November 10th, 2014 on promulgating regulations on some specific policies on compensation, assistance and resettlement in the event of land acquired by the State;
- (ii) Decision No. 43/2014/QD-UBND of the People's Committee of Dak Lak Province issued on December 22th, 2014 promulgating the land price in Dak Lak province in 2015 to apply for the period 2015-2019.
- (iii) Decision No. 01/2011/QD-UBND of the People's Committee of Dal Lak Province issued on January 07th, 2011 on promulgating various trees prices over Dak Lak Province; and
- (iv) Decision No. 29/2015/QD-UBND of the People's Committee of Dak Lak Province issued on September 18th, 2015 on promulgating unit price of compensation for house, secondary structures of HHs, individual in the event of land acquired by the State over the Dak Lak Province.

C. Reconciliation of Government and ADB Policies on Resettlement and ethnic minority.

84. With the promulgation of the Land Law 2013, including Decree No.47/2014/ND-CP and Decree No.43/2014/ND-CP, Decree No.44/2014/ND-CP, the policies and practices of the national Government have become more consistent with ADB's Policy on Involuntary Resettlement (SPS 2009). However, there are still some significant gaps between the Government policies and the ADB's Policy on Involuntary Resettlement.

85. The following table provides a gap analysis of ADB's Policy (SPS 2009) and Government's policy on involuntary resettlement and ethnic minority, and measures for filling gaps applied for the subproject.

Table 18: Reconciliation of Government and ADB Policies on Involuntary Resettlement and ethnic minority

Issues	Viet Nam policy	ADB Policy (SPS 2009)	Policy applied for the Project
Severely impacted Aps losing productive land	Decree 47/2014/ND-CP, Article 19, Item 3: Aps losing at 30% or more of productive agriculture land are considered severely impacted and are entitled to livelihood restoration measures.	The involuntary resettlement impacts of an ADB-supported project are considered significant if 200 or more persons will experience major impacts, which are defined as (i) being physically displaced from housing, or (ii) losing 10% or more of their productive assets (income generating).	Losing 10% or more of the household's productive assets and/or relocation shall be considered as threshold of severely affected HHs.
Aps without LURC	Land Law 2013, Article 77, item 2 and Article 92: Persons who has used land before 1 st July 2004 and directly be involved in agriculture production on the acquired land without LURC or illegal will be compensated for the acquired land area but not exceed quota of agricultural land allocation. But no compensation for non-land assets in the following cases: (i) the assets subject to the land recovery as stipulated in one of items a, b, d, đ, e, l, Clause 1, Article 64 and items b, d, clause 1, Article 65 of the Land Law 2013; the assets created after the notification on land acquisition; and (iii) unused public infrastructures and other works.	Those Aps without legal title to land will be included in consultations. Ensure that Aps without titles to land, or any recognizable legal rights to land, are eligible for resettlement assistance and compensation for loss of non-land assets including dwellings, structures and other improvements to land such as crops, irrigation, at full replacement cost. Safeguards cover involuntary restrictions on land use or on access to legally designated parks and protected areas. Covers temporary and partial losses.	Project affected people, without legal or recognizable legal claims to land acquired, will be equally entitled to participation in consultations and project benefit schemes where possible, and be compensated for their lost non-land assets such as dwellings and structures which are occupied/created before cut-off date and was not violated to the regulations of the land law. They will be entitled to resettlement assistance and other compensation social support to assist them to improve and or at least restore their pre-project living standards and income levels.
Compensation unit price for land	Land Law 2013, Article 114, Clause 3: land price for compensation calculation is price of specific land.	Compensation at full replacement cost.	Compensation at full replacement cost.
Compensation for house and structures	Land Law 2013, Article 89, item 1: houses/structures used for living purpose will be compensated at replacement cost. Decree 47, article 9: Houses/structures used for other purposes will be compensated equal to the remaining value	Rate of compensation for acquired housing, land and other assets will be calculated at full replacement costs, based upon: i) fair market value, ii) transaction costs, iii) interest accrued, iv) transitional and restoration costs, v) other applicable	Full compensation at replacement cost will be paid for all affected structures without any deductions for salvageable materials or depreciation.

Issues	Viet Nam policy	ADB Policy (SPS 2009)	Policy applied for the Project
	of the affected house plus some percentage of current value but total compensation amount is not exceed value of the new house/structure.	payments.	
Compensation for trees, crops and livestock, annual crops, perennial trees	Land Law 2013, Article 90: compensation equal to the value of the output of their crops which will be calculated based on the highest yield of crops season in 3 recent years multiplying with the average local price at the time of land acquisition. Compensation equal to the existing value of the orchard, calculated at the local price at the time of land acquisition excluding the value of land user right.	Compensation at full replacement cost	Compensation at specific cost that appraised by independent appraiser
Prepare Resettlement Plan	Decree No. 47/2014/NĐ-CP, Article 28: Prepare compensation plan, assistance, resettlement when the State recovers land for the purpose of national defense and security; economic and social development as national interest, public.	Prepare a resettlement plan	Prepare a resettlement plan
Ethnic Minority			
Action planning	No provision of the government on preparation of EMDP	Prepare an EM Development Plan (EMDP) that is based on the social impact assessment and meaningful consultation with the assistance of qualified and experienced experts and that draw on indigenous knowledge and participation by the affected EM communities.	The EMDP shall be prepared and updated and consultants will be recruited to assist the EMDP preparation, implementation and monitoring.
Recognition of customary rights	The issues of customary rights or ancestral domains have not been fully recognized.	Prepare an action plan for legal recognition of customary rights to lands and territories or ancestral domains when the project involves (i) activities that are contingent on establishing legally recognized rights to lands and	Full consultation with local Ems will be made to define areas with customary rights and to reflect the issues in an updated EMDP with particular actions to protect or compensate the areas.

Issues	Viet Nam policy	ADB Policy (SPS 2009)	Policy applied for the Project
		territories that EMs have traditionally owned or customarily used or occupied, or (ii) involuntary acquisition of such lands.	
Third-party validation of consultation related to land donations	Not required.	The borrower is required to engage an independent third party to document the negotiation and settlement processes to openly address the risks of asymmetry of information and bargaining power of the parties involved in such transactions.	In case of land donations involving marginal portions of land, the third party consultant will verify and report on the negotiation and Settlement processes as part of the due diligence report. A voluntary donation form signed by the landowners, witnesses and village leaders will be attached in the report.
Monitoring	No monitoring indicators indicated	Monitoring indicators specified for internal and external monitoring and reporting. In case of significant or sensitive impacts, an external monitoring organization is required to conduct monitoring on RP and EMDP implementation	The IA must undertake internal monitoring according to the critical indicators. Anticipated negative impacts of the project are minor, it is no need to recruit an external monitoring organization.

Note: ¹ Full replacement costs, based upon: i) fair market value, ii) transaction costs, iii) interest accrued, iv) transitional and restoration costs, v) other applicable payments

D. Subproject policies

86. In pursuit of the above resettlement objectives, the following specific principles are adopted:

- (i) Poor and vulnerable non-titled land users will be provided appropriate assistance to help them improve their socioeconomic status. The type of assistance will be identified during REMDP preparation as per consultation with Aps.
- (ii) Payment for affected lands and assets upon lands will be based on the principle of replacement cost.
- (iii) Temporarily affected land will be restored to pre-Project conditions.
- (iv) RCS shall be carried by an experienced appraiser to identify the market rates and replacement costs for the affected lands and assets upon lands.
- (v) Assistance on life and production stabilization will be provided to those who lose 10% or more of their productive income generating assets and/or being physically displaced. The subproject will focus on strategies to avoid further impoverishment and create new opportunities to improve status of the poor and vulnerable persons and will be entitled to participate in an income restoration program, which will be mainstreamed in the District Extension Program.
- (vi) Assistance shall be provided in accordance with the current Provincial regulations for those below the official poverty line, and for vulnerable groups (e.g. female-headed HHs, elderly headed HHs etc.) as per consultation results.
- (vii) Social impacts assessment will be conducted and updated open to use of similar methods to assess potential project impacts, both positive and adverse, on Ems.
- (viii) Capacity building programs for Ems in the project area will be provided. Meaningful consultations with local Ems will be carried in all stages of the Subproject. The grievance redress mechanism has been developed and will be discussed and disclosed publicly in the communities.
- (ix) The Subproject will ensure the rights of local Ems to benefit from the use of their cultural resource and knowledge.
- (x) The issues of access restriction and physical displacement from protected areas and natural resources will be avoided as much as possible.
- (xi) The REMDP shall be updated and consultants will be recruited to assist the REMDP updating, implementation and monitoring.
- (xii) Key information in the REMDP, including measurement of losses data, detailed asset valuation, compensation and resettlement options, detailed entitlements and special provisions, grievance procedures, timing of payments and displacement schedule will be disclosed to the Aps in an understandable format and in the local language, such as the posting of the full REMDP in commune offices and the distribution of project information booklets (PIBs) to the Aps.
- (xiii) Meaningful consultation with local Ems will be made to define areas with customary rights and to reflect the issues in an updated REMDP with particular actions to protect or compensate the areas.
- (xiv) Internal monitors of REMDP implementation will be carried out.
- (xv) Civil works will not be issued a notice to proceed (NTP) for any subproject or project component that entails involuntary resettlement in accordance with the approved REMDP for that subproject or component until (i) compensation payment and relocation to new sites have been satisfactorily completed for that area, and (ii) agreed rehabilitation (income restoration) program is in place.

VII. ENTITLEMENTS, ASSISTANCE AND BENEFITS

A. Eligibilities

87. Legal rights to the land concerned determine eligibility for compensation with regard to land. There are three types of Aps: i) persons with Land Use Rights Certificates (LURCs) to land lost in entirety or partially, ii) persons who lose land they occupy who do not currently possess a LURC but have a claim that is recognized or recognizable under national laws, or, iii) persons who lose land they occupy in its entirety or partially who do not have any recognizable claim to that land. Aps included under i) and ii) above shall be compensated for the affected land and assets upon land. Aps included under iii) shall not be compensated for the affected land, but for the affected assets upon land and are entitled to assistance if they have to relocate.

88. All Aps who satisfy the cut-off date for eligibility are entitled to compensation for their affected assets (land, structures, trees and crops), and rehabilitation measures sufficient to assist them to improve or at least maintain their pre-project living standards, income-earning capacity and production levels.

89. Non-eligible Aps including those making claims based on subsequent occupation after the cut-off date. The cut-off date for eligibility will coincide with the day of announcement of the land acquisition within project areas as declared and published broadly by the District People Committee.

B. Compensation and Assistance

90. The compensation unit price for land, structures and trees and crops applied for resettlement cost estimate of this REMDP is based on the compensation unit price for land (land prices for the period 2015 - 2019), structures and trees and crops issued by Dak Lak provincial People's Committee in recent years. A rapid replacement cost assessment has been undertaken via consultation with local authorities and local people to verify the current unit prices of the PPC for land and other assets. Results of the assessment indicate that the current prices for land, houses and structures and crops and trees issued by Dak Lak provincial People's Committee for compensation are acceptable. The compensation prices for lands and non-land assets will be updated at the time of resettlement implementation based on results of replacement cost survey conducted by an independent qualified and experienced appraiser.

91. **Compensation for land:** The compensation unit prices for lands at the time of preparing the REMDP follow the unit prices for lands stipulated in Decision 43/2014/QD-UBND issued by the Dak Lak Provincial People's Committee for the period 2015 - 2019.

92. **Compensation for structures:** The compensation unit prices for structures are as stipulated in Decision 29/2015/QD-UBND of Dak Lak PPC.

93. **Compensation for trees:** The compensation unit prices for trees are as stipulated in Decision 01/2011/QD-UBND of Dak Lak PPC.

94. **Assistance for job changing/creation:** For the households who lost the agricultural land: Following the provincial policy, the cash assistance equivalent to 2.0 times the value of their affected land but not exceed agriculture land quota will be provided to affected households as the assistance for job training and creation.

95. **Assistance for affected vulnerable households:** For poor households who are marginally affected (loss less than 10% of agricultural land holding and loss of secondary structures), female headed households and elderly households with dependents, severely affected EM household the project will support VND 2,000,000/HH. For social policy households, the project will support the assistance in cash according to provincial regulation of Dak Lak province. The household who falls in two criteria of vulnerability will receive the highest assistance only.

96. **Land donation:** in case APs donate voluntarily their affected land, following procedures should be applied:

- i. Voluntary land donation (VLD) is allowed only if a sub-project can be technically implemented in another location than where it is planned. If a sub-project is location specific by nature, land acquisition associated with such a sub-project cannot be considered as voluntary, rather, it is an act of eminent domain. In such cases, an agreed and approved entitlement matrix has to be followed accordingly;
- ii. VLD is allowed only for very minor impact (about 5% of total land holding) that meets the following criteria:
- iii. The affected HH are fully informed that they have the right to refuse to donate land and instead receive compensation at replacement cost, and that a grievance redress mechanism is available to them through which they can express their unwillingness to donate;
- iv. The affected people are encouraged to use the grievance redress mechanism if they have questions or inquiries, either in writing or verbally;
- v. Adequate measures are in place to protect complainants;
- vi. Confirmation from face to face meetings and in writing that the affected people are indeed aware that they are entitled to compensation and knowingly agree to donate land or other assets without compensation. The minutes of the meeting, which include confirmation that all conditions for voluntary donations above are met. The voluntary donation form should be attached in the local language (if needed). Once the informed consent of the affected people has been confirmed in writing, both husband and wife of the affected HH sign the form in the presence of the third party, and the affected HH keeps one original signed form;
- vii. Implementation of sub-projects involving VLD starts only once the assigned authority (village committee, resettlement committee, etc.) has approved the signed voluntary donation forms;
- viii. If affected people are unwilling to donate assets without compensation, or if impacts go beyond the threshold for voluntary donations occur, compensation should be paid accordingly.

97. The EA/IAs have to ensure meaningful consultation and communication with AHs in VLD. The Resettlement consultant of the project implementation consultant (PIC) shall act as the third party and facilitate between APs and EA/IAs if required or necessary.

98. Unforeseen impacts. If there are any persons or HHs affected arising during the process of implementation of the subproject, a social impact assessment will be conducted after which the necessary compensation and/or assistance as applicable shall be also extended to them.

C. Entitlement Matrix

99. Entitlement Matrix to be applied for this Sub-Project is presented in the Table 18 below.

Table 19: Entitlement matrix

No.	Type of Loss/Impacts	Level of Impact	Eligibility	Entitlements	Implementation Arrangements
I. PRODUCTIVE LAND					
1	Agricultural land of individuals, households	Partially permanent loss (less than 10% and the remaining unaffected portion is viable for continued use)	All individuals, households have LURC or have claim recognized or recognizable by law.	Cash compensation for affected land at replacement cost. Compensation for trees/crops, structures see item III below.	AHs shall be informed three months in advance before the Notice of land recovery. AHs shall fully receive the compensation and allowance at the replacement cost before site clearance.
II. RESIDENTIAL LAND, NON-AGRICULTURAL LAND					
2	Residential land of individual; households	Partially permanent loss and the remaining unaffected portion is viable for continued use	All individuals, households have LURC or have claim recognized or recognizable by law.	Cash compensation for affected land at replacement cost. Compensation for trees/crops, structures see item III below.	AHs shall be informed six months in advance before the Notice of land recovery. AHs shall fully receive the compensation and allowance at the replacement cost before site clearance.
3	Non-agricultural land of economic organization with autonomy in finance	Partially permanent loss and the remaining unaffected portion is viable for continued use	Eligible organizations according to regulation in Article 75 of Land Law 2013	No compensation for land if land use fee is unpaid or paid by state funds, otherwise cash compensation for land at replacement cost; And Cash compensation for affected structures see item III below	DCARB shall verify the eligibility of economic organization and the source of money for land fee of economic organization. The compensation will be implemented as regulated in Land Law 2013.
4	For the portion of agriculture land to be used temporarily: Cash compensation on average productivity of tree/crop years multiplied by duration of land use and market price of tree/crop. Contractors will negotiate with AHs.				
III	HOUSES AND STRUCTURES, CROPS AND TREES				

No.	Type of Loss/Impacts	Level of Impact	Eligibility	Entitlements	Implementation Arrangements
5	Crops and trees	Loss of or damage to crops/trees	Owners regardless of tenure status but crops and trees must be created before cut-off date.	For the annual crops and trees: cash compensation at market price at the time of compensation	<p>Aps have the right to use salvageable trees.</p> <p>Aps will be given three months notice that the land on which their crops are planted will be recovered and that they must harvest their crops on time.</p> <p>Aps will receive cash compensation at current market cost for any un-harvested crops that are near or ready to harvest at the time of land acquisition.</p>
6	Houses and structures	Loss of or damage to houses and structures	Owners regardless of tenure status but house/structures must be built/ created before cut-off date.	For the houses and structures: cash compensation at market price for new construction of houses and structures with similar technical standard at the time of compensation.	No depreciation or deduction of salvageable material will be calculated.
7	Public assets	Loss of or damage to public structures and assets	Commune, government organization	<p>Repair or restoration to original or better conditions of affected community buildings and infrastructures at no cost to community; OR</p> <p>Replacement, if necessary, at locations identified in consultation with affected communities and relevant authorities, at no cost to community; OR</p> <p>Cash compensation at replacement cost based on</p>	

No.	Type of Loss/Impacts	Level of Impact	Eligibility	Entitlements	Implementation Arrangements
				current market prices for affected community assets.	
IV. ECONOMIC REHABILITATION ASSISTANCES					
8	Assistance for job training or job creation due to loss of productive land	Permanent impact	Households that will lose agriculture land	Assistance for job training/ creation at prices, equal to 2.0 times of value of agriculture land lost (as provincial regulation)	Assistance will be paid at the same time of compensation payment and before site clearance.
9	For vulnerable groups	Loss of land and non-land assets	Poor households marginally affected by project; Female headed households OR Elderly households with dependents, severely EM households which are affected by project	Cash assistance: 2,000,000 VND per household	Assistance will be paid at the same time of compensation payment and before site clearance. Using the information from the resettlement surveys, the DCARB will prepare the list of vulnerable persons.
			Social policy households affected by project	Cash assistance as regulation of Dak Lak province	

VIII. ETHNIC MINORITY DEVELOPMENT PLAN

100. According to SIA, EM people will be mainly benefited from the project. Land acquisition for road improvement and tourist component may cause some negative impacts but be mitigated and managed. A simple EM action plan is necessary to facilitate EM affected people participating in project processes. The plan will provide new opportunities for EM people, increasing their income without making their burdens increase and to raise the social status of EM people in the subproject area. The targets of this plan are as follows:

- (i) Local contractors are encouraged to use local labor (both men and women) especially EM people for unskill work in construction/rehabilitation and maintenance;
- (ii) Local contractors will not use child labors;
- (iii) EM communities are consulted in the design of all project infrastructure improvements;
- (iv) Training on HIV prevention to EM community which will be combined and implemented under Gender Action Plan;
- (v) Provide training course on cultivation and husbandry skills which will be combined and implemented under Gender Action Plan based on need assessment;
- (vi) Further training on tourism business, trading etc will be carried out based on the consultation with EM people;
- (vii) Training on EM policy of ADB for implementation agencies at provincial, and local agencies (i.e.: PPMUs and other stakeholders) conducted by Loan implementation consultant;
- (viii) At least one member of the Commune Supervision Boards will be a representative of EM people.

101. The subproject does not affect significantly livelihoods of the EMs, so no livelihood restoration program is needed. Affected EM households will be benefited from their entitlements regulated in the Entitlement Matrix and current programs of the province targeting to the EMs. Therefore, costs for implementation and management of activities of the above activities are included in the costs of resettlement implementation.

IX. RESETTLEMENT BUDGET AND FINANCING PLAN

102. **Replacement cost.** A rapid replacement cost assessment has been undertaken via consultation with local authorities and local people and the results indicate that the current prices for houses and structures and crops and trees issued by Dak Lak provincial People's Committee for compensation are acceptable. The compensation prices for lands and non-land assets will be updated at time of resettlement implementation based on results of replacement cost survey conducted by an independent qualified and experienced appraiser. The proposed price for compensation from provincial promulgated price and market price of land, structures and crops are presented in Table 19. All these prices will be used to estimate the cost of compensation and resettlement and shall be updated during REMDP implementation.

Table 20: Replacement costs and provincial prices for land, structures, crops and trees

No.	Items	Unit	Unit price stipulated by PPC (VND)	Proposed replacement cost (VND)
1	Perennial cropland in affected communes in Cu M'Gar district	VND/m ²	30,000	30,000
2	Perennial cropland in affected communes in Krong Buk district	VND/m ²	26,000	26,000
3	Residential land in Cu Dlie Mhong , Cu M'Gar district	VND/m ²	150,000	150,000
4	Residential land in Cu Pong , Krong Buk district	VND/m ²	400,000	400,000
5	Class 4 brick house	m ²	3,665,000	3,665,000
6	Concrete yard	m ²	170,300	170,300
7	Culvert D30cm	m	450,000	450,000
8	Culvert D40cm	m	500,000	500,000
9	Culvert D50cm	m	600,000	600,000
10	Culvert D60cm	m	700,000	700,000
11	Culvert D80cm	m	950,000	950,000
12	Culvert D100cm	m	1,250,000	1,250,000
13	Box Culvert B=60cm	m	2,000,000	2,000,000
14	Box Culvert B=80cm	m	2,300,000	2,300,000
15	Gate including steel frame	m ²	3,500,000	3,500,000
16	Brick fence	m	700,000	700,000
17	Bared wire fence	m	60,000	60,000
18	Bush fence	m	10,000	10,000
19	Biogas	M ³	12,000,000	12,000,000
20	Power station	Each	250,000,000	250,000,000
21	Electric pole	Each	7.000.000	7.000.000
22	Bus station	Each	5,000,000	5,000,000
23	Bus signal panel	Pc	1,000,000	1,000,000

No.	Items	Unit	Unit price stipulated by PPC (VND)	Proposed replacement cost (VND)
24	Coffee	VND/tree	136,400	136,400
25	Pepper	VND/tree	123,000	123,000
26	Cari	VND/tree	30,000	30,000
27	Jack fruit	VND/tree	250,000	250,000
28	Avocado	VND/tree	130,000	130,000
29	Fruit tree 1-3 years	VND/tree	105,000	105,000
30	Fruit tree 3-5 years	VND/tree	225,000	225,000
31	Fruit tree >5 years	VND/tree	500,000	500,000
32	Timber tree 1- 3 years	VND/tree	20,000	20,000
33	Timber tree 3- 5 years	VND/tree	59,000	59,000

103. **Budget for resettlement.** The estimated budget, including compensation cost for land and assets on the land, assistance and costs for administration and contingency, is estimated to be VND 4,149,865,722 equivalent to 186,427USD (Table 20). EM action plan will be implemented action plan will be implemented in combination with gender action plan and current agriculture extention program of communes, so it is no need arrangement of budget for EM activities.

104. The budget for resettlement will be provided by the Dak Lak PPC using the provincial budget and allocated sufficiently and timely based on schedule of subproject resettlement implementation.

Table 21 Compensation budget

No.	Item	Unit	Quantity	Price (VND)	Total cost (VND)
1	Compensation and assistance for land				49,390,000
	Compensation for 34erennial land of AHs in Cu M'Gar district	m ²	601	30,000	18,030,000
	Compensation for residential land in Cu Dlie Mnong commune, Cu M'Gar district	m ²	10	150,000	1,500,000
	Compensation for residential land of AH in Cu Pong commune, Krong Buk district	m ²	35	400,000	14,000,000
	Compensation for 34erennial land of AHs in Krong Buk district	m ²	610	26,000	15,860,000
2	Compensation for structures				3,507,567,551
	Class 4 house	m2	10	3,665,000	36,650,000

No.	Item	Unit	Quantity	Price (VND)	Total cost (VND)
	Lean-to (Steel roof)	m2	76	361,500	27,474,000
	Concrete yard	m2	5,732	170,300	976,188,551
	Culvert D30cm	m	237	450,000	106,560,000
	Culvert D40cm	m	1,330	500,000	665,000,000
	Culvert D50cm	m	331	600,000	198,600,000
	Culvert D60cm	m	253	700,000	176,820,000
	Culvert D80cm	m	24	950,000	22,800,000
	Culvert D100cm	m	20	1,250,000	24,375,000
	Box Culvert L=60	m	28	2,000,000	56,400,000
	Box Culvert L=80	m	86	2,300,000	197,800,000
	Gate	m2	89	3,500,000	311,150,000
	Brick fence	m	186	700,000	130,200,000
	Bared wire fence	m	533	60,000	31,980,000
	Bush fence	m	157	10,000	1,570,000
	Biogas 6m3	pc	1	12,000,000	12,000,000
	Power station	pc	2	250,000,000	500,000,000
	Electric pole	pc	2	10,000,000	20,000,000
	Bus station	pc	1	5,000,000	5,000,000
3	Compensation for trees				
	Coffee	tree	30	136,400	4,092,000
	Pepper	tree	31	123,000	3,813,000
	Cari	tree	381	30,000	11,430,000
	Jack fruit	tree	3	250,000	750,000
	Avocado	tree	9	130,000	1,170,000
	Fruit tree 1-3 years	tree	11	105,000	1,155,000
	Fruit tree 3-5 years	tree	13	225,000	2,925,000
	Fruit tree >5 years	tree	6	500,000	3,000,000
	Timber tree 1- 3 years	tree	42	20,000	840,000
	Timber tree 3- 5 years	tree	80	59,000	4,720,000
4	Assistance				107,780,000
A	Job change/ creation	time	2.0* agricul land value of 1,211m ²		67,780,000
B	For vulnerable households	HH	20	2,000,000	40,000,000
Total direct cost					3,698,632,551

No.	Item	Unit	Quantity	Price (VND)	Total cost (VND)
	Administration cost	2%			73,792,651
	Subtotal				2,772,605,202
	Contingencies	10%			377,260,520
	Total				4,149,865,722

X. INSTITUTIONAL ARRANGEMENT

A. Province Level

105. Dak Lak Provincial People's Committee (PPC) will be executing agency and responsible for the preparation and implementation of support to border areas development project in Dak Lak territory. With the role of Executing Agency the main responsibilities of Dak Lak PPC include:

- (i) Appraise and approve REMDP;
- (ii) Issue decisions for approving land valuations applied for compensation rates, allowances and other supports to Aps, especially vulnerable groups, based on principles of REMDP;
- (iii) Provide timely the budget for compensation, support and resettlement;
- (iv) Direct and supervise provincial relevant departments to implement effectively the REMDP.
- (v) Authorize the district-level People's Committees to approve compensation, assistance and resettlement plans;
- (vi) Directing the relevant agencies to settle Aps' complaints, grievances related to compensation, assistance and resettlement according to their law-prescribed competence;
- (vii) Directing the relevant agencies to examine and handle the violations in the compensation, assistance and resettlement domain.

106. Dak Lak Provincial Department of Planning and Investment (DPI) authorized by Dak Lak PPC as Project Owner, is responsible for:

- (i) Managing the project loan allocated for subprojects in Dak Lak province;
- (ii) Establishing Provincial Project Management Unit (PPMU);
- (iii) Directing PPMU to implement all project activities including REMDP according to the regulations of government and ADB policies;
- (iv) Ensuring budget available for implementation of land acquisition in time;
- (v) Coordinating with relevant agencies to ensure timely redress of complaints or grievances of Aps;
- (vi) Supervising project implementation.

107. Ethnic minority committee of Dak Lak Province will direct EM department of districts and supervise on implementation of EM action plan.

108. Dak Lak Provincial Project Management Unit (PPMU), on behalf of project owner is responsible for comprehensive REMDP implementation and internal monitoring. The main tasks of PPMU include.

- (vii) Preparing, updating, and monitoring REMDP implementation of project components;

- (viii) Guiding LFDC to implement all resettlement activities in compliance with the approved REMDP; and resolving any mistakes or shortcomings identified by internal monitoring to ensure that the objectives of the REMDP are met;
- (ix) Conducting, in combination with LFDC and CPCs, information campaigns and stakeholder consultation in accordance with established project guidelines;
- (x) Coordinating with relevant agencies to ensure timely: providing compensation, support and rehabilitation measures, and resolving of complaints or grievances of Aps;
- (xi) Implementing internal resettlement monitoring, establishing and maintaining resettlement and grievance databases in accordance with procedures and requirements in approved REMDP and providing regular reports to Dak Lak PPC, DPI and ADB;
- (xii) Implementing prompt corrective actions in response to internal monitoring.

B. District Level

109. The DPC undertakes comprehensive management on compensation, assistance and resettlement. The DPC is responsible to the PPC to report on progress, and the result of land acquisition. The DPC's primary task includes:

- (i) Approving the schedule and monitoring the progress of land acquisition and resettlement implementation in compliance with REMDP;
- (ii) Assign LFDC as the resettlement and land acquisition implementation agency
- (iii) Direct relevant district departments to verify and appraise detailed compensation, assistance and resettlement plans;
- (iv) Approving and taking responsibility on the legal basis, and accuracy of the detailed compensation, assistance and resettlement plans in the local area; Approving cost estimates on implementation of compensation, assistance and resettlement work;
- (v) Taking responsibility for acquiring LURC, certificate on land owning right of HHs and individuals who have land, house entirely recovered; adjusting LURC for HHs and individuals who have land, house partially recovered, in accordance with authorization;
- (vi) Directing Commune People's Committees and relevant organizations on implementation of various resettlement and EM activities;
- (vii) Reviewing and endorsing the Updated REMDP for approval of the PPC;
- (viii) Resolving complaints and grievances of Aps

C. Ethnic minority department of districts

110. This department in combination with PPMU and other agencies is responsible to carry out:

- (i) all mitigation measures to reduce potential negative impacts of the subproject on EM people;
- (ii) programs of information propagation and technical assistance to the EM community;
- (iii) Information propagation of HIV/AIDS, women trafficking; Information dissemination on social evils and propaganda on indigenous cultural values and preservation of the values.

D. Land Fund Development Center (LFDC)

111. The main responsibilities LFDC are the following:

- (i) Organize, plan and carry out compensation, assistance and resettlement activities;
- (ii) Perform the DMS, consultation and disclosure activities, design and implementation of income restoration program, coordination with various stakeholders;
- (iii) Prepare compensation plan and submit to DPC for approval. Implement compensation, assistance and resettlement alternative; Take responsibility for legal basis applied in compensation, assistance and resettlement policy following approved REMDP;
- (iv) Assist in the identification and allocation of land for relocated HHs;
- (v) Lead and coordinate with the CPC in the timely delivery of compensation payment and other entitlements to AHs; and
- (vi) Assist in the resolution of grievances.

E. Commune Level

112. The CPC will assist the LFDC in their resettlement tasks. Specifically, the CPC will be responsible for the following:

- (i) In cooperation with District level and with local mass organizations at commune level, mobilize people who will be acquired to implement the compensation, assistance and settlement policy according to approved REMDP;
- (ii) To cooperate with LFDC and Working groups to communicate the reason for acquisition to the people whose land is to be acquired; To notify and publicize all resettlement options on compensation, assistance and resettlement which are approved by DPC;
- (iii) Assign Commune officials to assist the LFDC in the updating of the REMDP and implementation of resettlement and EM activities;
- (iv) Identify replacement land for Ahs (if land is available);
- (v) Sign the Agreement Compensation Forms along with the AHs;
- (vi) Assist in the resolution of grievances; and,
- (vii) Actively participate in all resettlement and EM activities and concerns.

XI. IMPLEMENTATION SCHEDULE

113. The implementation schedule for resettlement activities for the subproject is presented in Table 21, including (i) activities that have been completed to prepare the REMDP; (ii) resettlement implementation activities and, (iii) internal monitoring activities.

Table 22: Indicative Schedule of Resettlement and Compensation Activities

Activities	Time
Approval final draft REMDP and disclosure	
Endorse final draft REMDP by PPC and approve by ADB	6/2016
Disclose the approved REMDP in ADB website and disclose locally to Aps and communes	6/2016
Implementation of the approved REMDP	
Detailed engineering and demarcation of land to be acquired	Quarter II/2017
Conduct Public consultation meeting with APs and EM people	Quarter II/2017
Conduct propagation of HIV/AIDS and women trafficking for EM people	Quarter III/2017

Activities	Time
Conduct DMS and prepare compensation plan (RCS, as required)	Quarter II/2017
Consultations with Aps on the compensation plan	Quarter II/2017
Update the REMDP based on results of DMS, RCS and EM consultation (if required)	Quarter III/2017
Submit compensation plan to DPC for review and approval	Quarter III/2017
Disclose approved compensation plan to APs	Quarter IV/2017
Payment of compensation and allowance	Quarter IV/2017
Clearance of acquired land	Quarter IV/2017
Commencing civil works	Quarter I/2018
Monitoring	
Conducting monthly monitoring on the implementation of REMDP with LIC's support	Quarter II/2017
LIC support for preparation of semi-annual monitoring report to submit CPMU and ADB	Quarter II/2017

XII. MONITORING AND EVALUATION

114. The implementation of the REMDP will be monitored regularly to ensure that it is implemented as planned and that mitigating measures designed to address the subproject's adverse impacts are adequate and effective. Towards this end, resettlement monitoring will be done through community monitoring and internal monitoring. External monitoring is not required for the project due to category B and uncomplicated subproject.

A. Community Monitoring

115. Community-based monitoring will be applied for public oversight over the implementation of the subproject's REMDP. The PPMU will encourage people and especially the Aps in the subproject area to monitor the REMDP implementation in terms of what they receive as compensation compared what is stated in the REMDP.

B. Internal Monitoring

116. The objectives of internal monitoring (as well as evaluation) is to assess:

- (i) Compliance with the agreed REMDP;
- (ii) The availability of resources and the efficient, effective use of these resources to implement land acquisition and resettlement activities;
- (iii) That resettlement institutions are well-functioning during the course of project implementation;
- (iv) Resettlement and EM activities are undertaken in accordance with the implementation schedule described in the REMDP;
- (v) To identify problems, if any, and remedial actions.

117. The Primary responsibility for internal monitoring lies with the PPMU as the project implementing agency. The PPMU will be responsible for overseeing the formation, function, and activities of each of the provincial and district bodies responsible for resettlement and EMs. The CPMU will ensure that information on resettlement progress flows from LFDCs. The LFDC will submit monthly progress reports on the implementation of REMDP to the PPMU. The PPMU will consolidate all provincial reports into the project performance monitoring system, which will be

used to prepare regular progress reports to submit to ADB. All data will be gender and ethnicity disaggregated.

118. The PPMU will develop an internal monitoring schedule, indicators, procedures and reporting requirements for all subprojects. Semi-annual internal monitoring reports are submitted to ADB for review and upload on ADB website. Internal monitoring indicators will include but not limited to the following issues:

- (i) Displaced persons and compensation: the number of APs by category of impact; the status of delivery of compensation and subsistence, moving and other allowances;
- (ii) Status of rehabilitation and income restoration activities: The number of APs severely affected by a) loss of productive assets and/or b) displacement; the number of vulnerable APs; the status of relocation of displaced APs; the status of assistance for income restoration;
- (iii) Information disclosure and meaningful consultation: number and scope of public meetings and/or consultations with APs; status of notifications to APs; summary of AP needs, preference and concerns raised during meetings and consultations of APs including EM Aps who are benefited from the project;
- (iv) Complaints and grievances: summary of types of complaints received; steps taken to resolve them; outcomes; and, any outstanding issues requiring further management by district or provincial authorities or ADB assistance;
- (v) Financial management: the amount of funds allocated for compensation, operations and other activities; the amount of funds disbursed for each;
- (vi) Resettlement schedule: completed activities as per schedule; delays and deviances, including reasons; revised resettlement schedule;
- (vii) Coordination of resettlement activities with award of contract for civil works: status of completion of resettlement activities and projected date for award of civil works contracts;
- (viii) Ethnic groups, particularly ethnic women, benefited from the project interventions;
- (ix) Implementation problems: problems that have arisen, reasons and corrective actions to remedy outstanding issues.

ANNEX: MINUTES OF PUBLIC CONSULTATION AND LIST OF ATTENDEES

CỘNG HÒA XÃ HỘI CHỦ NGHĨA VIỆT NAM

Độc lập – Tự do – Hạnh phúc

BIÊN BẢN THẢO LUẬN NHÓM TẬP TRUNG

Về Chính sách an toàn Tái định cư và Dân tộc thiểu số

I. Thời gian tổ chức: 14h ngày 16 tháng 05 năm 2018

II. Địa điểm tổ chức: Hội trường UBND xã Ea Kiết

III. Hạng mục tham vấn Công trình: Quốc Lộ 24

IV. Thành phần tham dự:

1. Đại diện Chủ đầu tư:

- Ông/bà Nguyễn Việt Dũng chức vụ Giám đốc
- Ông/bà Nguyễn Long Khánh chức vụ Cán bộ
- Ông/bà chức vụ

2. Đại diện UBND xã

- Ông/bà Nguyễn Đình Hiệp chức vụ PCT UBND xã
- Ông/bà chức vụ
- Ông/bà Nguyễn Trung Sỹ chức vụ PCT Mặt trận T&X

3. Đại diện đơn vị Tư vấn

- Ông/bà Nguyễn Tiến Công chức vụ Chuyên gia Tư vấn
- Ông/bà chức vụ
- Ông/bà chức vụ

4. Đại diện hộ dân/cộng đồng: Đại diện cộng đồng và đại diện hộ gia đình BAH trực tiếp tại thôn/xóm, xã

Số lượng người tham gia: 08 người (danh sách đính kèm theo biên bản này)

V. MỤC ĐÍCH THẢO LUẬN NHÓM

- Cung cấp các thông tin về dự án như mục tiêu, địa điểm, quy mô, các thông số kỹ thuật cơ bản của các tuyến đường giao thông

- Phổ biến thông tin về phạm vi ảnh hưởng và Khung Tái định cư và phát triển DTTS
- Phổ biến quy trình khiếu nại và giải quyết khiếu nại về đền bù cho các hộ bị ảnh hưởng
- Tham vấn về phạm vi ảnh hưởng và các tác động của việc thực hiện dự án;
- Tham vấn về Chính sách đền bù và quyền được đền bù của người bị ảnh hưởng;
- Tham vấn về nhu cầu hỗ trợ và khả năng tiến hành các biện pháp phục hồi cuộc sống;
- Sự sẵn sàng tham gia của người dân đối với dự án

VI. NỘI DUNG THẢO LUẬN

1. Giới thiệu nội dung thảo luận

- Giới thiệu địa điểm/ Nhà tại tỉnh
- Quy mô thời hạn đất và kế hoạch GPMB
- Mục đích tác động chủ yếu và phạm vi chuyển đổi đất

2. Những vấn đề liên quan đến Chính sách an toàn TĐC và DTTS

- Đất cấp biên độ chưa nhiên tuy nhiên người dân có quyền hợp pháp
- Tác động bất lợi cho người dân là không đáng kể
- Tác động tích cực trong việc đi lại, giao lưu phát triển kinh tế
- Không hộ nào bị ảnh hưởng nhà
- Tác động tài sản gồm Ngõ đất, ruộng rẫy mai mướn
- Cây trồng gồm Cà phê, vài loại hoa màu, chuối, hồ tiêu diêm, mức độ tác động không đáng kể
- Người dân mang vườn nhà, vườn mai
- Hộ trợ quả chủ an nên có nên tập trung vào cải thiện nguồn nước tưới cho cây cà phê

3. Mức độ sẵn sàng tham gia của người dân vào Dự án

- Người dân đồng thuận cao với việc dân từ D4
- D4 sẽ mang lại nhiều thay đổi trong đời sống và kinh tế cho nhân dân tỉnh thành.
- Đề nghị D4 sớm triển khai và thực hiện.

VII. KẾT LUẬN

- Hạn chế khai thác rừng, bảo vệ môi trường và cảnh quan.
- Đề nghị có quy hoạch sử dụng đất đai phù hợp với điều kiện thực tế của địa phương.
- Đề nghị nhân dân chung tay xây dựng quê hương.

Cuộc họp các bên thống nhất và kết thúc vào lúc 15^{h30} ngày 16 tháng 8 năm 2016

Đại diện cộng đồng

BQL tiểu dự án

Nguyễn Việt Hùng.

Đại diện chính quyền địa phương

Đại diện Tư vấn

Nguyễn Tiến Công





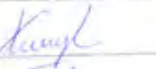





KT / CHỦ TỊCH
HỌ CHỦ TỊCH

Nguyễn Đình Huệ

DANH SÁCH CÁC ĐẠI BIỂU THAM GIA THẢO LUẬN NHÓM

Phường/xã E. A. Xiết tỉnh/thành phố (kèm theo biên bản thảo luận nhóm)

STT	Họ và tên	Giới tính	Địa chỉ	Ký tên
1	Trần Đình Nam	Nam	p BT. Đại lý Xã	
2	Nguyễn Thị Diễm	Nữ	p CT H-AND Xã	
3	Nguyễn Đình Hiệp	Nam	p CT UBND Xã	
4	Nguyễn Trung Sỹ	Nam	p CT MTTQ Xã	
5	Hồ Văn Ngọc Hải	Nam	ĐC XD. Xã	
6	Hoàng Thị Quyết	Nữ	CT. Hội ND	
7	Lê Văn Hoạt	Nam	p CT. Hội CCB	
8	Trần Thị Thảo	Nữ	p BT. Đoàn Xã	
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DANH SÁCH CÁC ĐẠI BIỂU THAM GIA THẢO LUẬN NHÓM

Phường/xã..... tỉnh/thành phố (kèm theo biên bản thảo luận nhóm)

STT	Họ và tên	Giới tính	Địa chỉ	Ký tên
1	Phạm Thế Hiệp	Nam	Thôn 5	Phạm Thế Hiệp
2	Kiều Hải Lý	Nam	Thôn 5	Kiều Hải Lý
3	Phạm Thị Hoàn	nữ	Thôn 5	Phạm Thị Hoàn
4	Nguyễn Trung Sỹ			
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CỘNG HÒA XÃ HỘI CHỦ NGHĨA VIỆT NAM

Độc lập – Tự do – Hạnh phúc

BIÊN BẢN THẢO LUẬN NHÓM TẬP TRUNG

Về Chính sách an toàn Tái định cư và Dân tộc thiểu số

Dự án hỗ trợ phát triển khu vực biên giới

I. Thời gian tổ chức: 14h ngày 21 tháng 03 năm 2016

II. Địa điểm tổ chức: Hội trường UBND xã Ea Ngai

III. Hạng mục tham vấn Công trình: Quốc lộ 29

IV. Thành phần tham dự:

1. Đại diện Chủ đầu tư:

- Ông/bà Nguyễn Văn Dũng chức vụ
- Ông/bà Nguyễn Long Khanh chức vụ
- Ông/bà chức vụ

2. Đại diện UBND xã Ea Ngai

- Ông/bà Võ Chung chức vụ CT UBND xã
- Ông/bà chức vụ
- Ông/bà chức vụ

3. Đại diện đơn vị Tư vấn

- Ông/bà Nguyễn Xuân Nhàn chức vụ Tư vấn TĐC
- Ông/bà chức vụ
- Ông/bà chức vụ

4. Đại diện hộ dân/cộng đồng: Đại diện cộng đồng và đại diện hộ gia đình BAH trực tiếp tại thôn/xóm, xã.

Số lượng người tham gia:.....người (danh sách đính kèm theo biên bản này)

V. MỤC ĐÍCH THẢO LUẬN NHÓM

- Cung cấp các thông tin về dự án như mục tiêu, địa điểm, quy mô, các thông số kỹ thuật cơ bản của các tuyến đường giao thông.

- Phổ biến thông tin về phạm vi ảnh hưởng và Khu vực Tái định cư và phát triển DTTS.
- Phổ biến quy trình khiếu nại và giải quyết khiếu nại về đền bù cho các hộ bị ảnh hưởng.
- Tham vấn về phạm vi ảnh hưởng và các tác động của việc thực hiện dự án;
- Tham vấn về Chính sách đền bù và quyền được đền bù của người bị ảnh hưởng;
- Tham vấn về nhu cầu hỗ trợ và khả năng tiến hành các biện pháp phục hồi cuộc sống;
- Sự sẵn sàng tham gia của người dân đối với dự án

VI. NỘI DUNG THẢO LUẬN

1. Giới thiệu nội dung thảo luận

- Những thông tin cơ bản về PT phải quy mô, phân vi xây dựng
- chính sách an toàn, chính sách tài chính và dân tộc thiểu số
- Thực trạng phát triển kinh tế - xã hội của địa phương
- Thực trạng giao thông tại địa phương
- Điều kiện y tế - giáo dục trên địa bàn xã
- Tình hình kinh tế, tài chính địa phương
- Nhận thức của người dân về môi trường

2. Những vấn đề liên quan đến Chính sách an toàn TĐC và DTTS

- Người dân không biết được thực trạng khai thác trên địa bàn
- Mức độ khai thác khoáng sản không lớn, khi cần khai thác có hộ nào phải đi đường khác. Các hộ dân chủ yếu là bán sản vật lên tỉnh và sang các nhà máy.
- Đường, đèo, dốc trên địa bàn địa phương
- Tình trạng tình hình công phát sinh các hộ kinh doanh tại địa phương chủ yếu là buôn bán
- Thị trường ngay trên địa phương cũng phải thực hiện chính sách, là địa phương sản xuất
- Phải thực hiện chính sách, thực trạng và công bằng giữa các hộ bị ảnh hưởng
- Đây chính là địa điểm cần PT để giảm thiểu các hộ dân, dân giao thông và sản xuất, sinh hoạt dân
- Chính quyền địa phương có chức năng và có địa điểm các hoạt động
- Phải vượt qua các địa điểm chính, không

3. Mức độ sẵn sàng tham gia của người dân vào Dự án

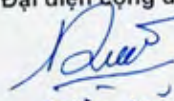
- Hầu hết các hộ tham gia thảo luận và phân tích tại San có chủ trương tích cực đồng thuận triển khai dự án

VII. KẾT LUẬN

- Người dân đồng thuận và mong muốn dự án sớm triển khai
- Tác động của dự án không đáng kể
- Người dân sẵn sàng phối hợp thực hiện GPMB cho dự án

Cuộc họp các bên thống nhất và kết thúc vào lúc ngày tháng năm 2016

Đại diện cộng đồng


Nguyễn Việt Dũng

BQL tiểu dự án

Nguyễn Việt Dũng

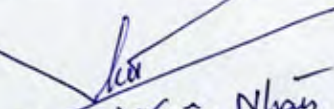
Đại diện chính quyền địa phương

CHỦ TỊCH



Võ Chung

Đại diện Tư vấn


Nguyễn Xuân Nhân

DANH SÁCH CÁC ĐẠI BIỂU THAM GIA THẢO LUẬN NHÓM

Phường/xã....., tỉnh/thành phố (kèm theo biên bản thảo luận nhóm)

STT	Họ và tên	Giới tính	Địa chỉ	Ký tên
1	Đỗ Văn Lợi	Nam	Thôn 1, xã Lã Ngải	Đỗ Văn Lợi
2	Phạm Văn Giang	Nam		Phạm Văn Giang
3	Phạm Văn Dìn			Phạm Văn Dìn
4	Vũ Văn Sáng			Vũ Văn Sáng
5	Trần Đình Hiếu			Trần Đình Hiếu
6	Đào Văn Diên			Đào Văn Diên
7	Bùi Văn Bôn			Bùi Văn Bôn
8	Vũ Khắc Công			Vũ Khắc Công
9	Phạm Trí Nở			Phạm Trí Nở
10	Nguyễn Việt Bằng			Nguyễn Việt Bằng
11	Đặng Hữu Nhuận			Đặng Hữu Nhuận
12	Hoàng Thị Cẩm Anh Nở			Hoàng Thị Cẩm Anh Nở
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CỘNG HÒA XÃ HỘI CHỦ NGHĨA VIỆT NAM

Độc lập – Tự do – Hạnh phúc

BIÊN BẢN THẢO LUẬN NHÓM TẬP TRUNG

Về Chính sách an toàn Tái định cư và Dân tộc thiểu số

Dự án hỗ trợ phát triển khu vực biên giới

- I. Thời gian tổ chức: 15^{h30} ngày 21 tháng 08 năm 2016
- II. Địa điểm tổ chức: Hội trường UBND xã Ea Ngai
- III. Hạng mục tham vấn Công trình Quốc Lộ 29
- IV. Thành phần tham dự:
- Đại diện Chủ đầu tư:
 - Ông/bà Nguyễn Việt Dũng chức vụ Điều phối
 - Ông/bà Nguyễn Long Khau chức vụ Cai bộ
 - Ông/bà chức vụ
 - Đại diện UBND xã Ea Ngai
 - Ông/bà Võ Chung chức vụ CT UBND xã
 - Ông/bà chức vụ
 - Ông/bà chức vụ
 - Đại diện đơn vị Tư vấn
 - Ông/bà Nguyễn Xuân Nhau chức vụ Tư vấn TĐC
 - Ông/bà chức vụ
 - Ông/bà chức vụ
 - Đại diện hộ dân/cộng đồng: Đại diện cộng đồng và đại diện hộ gia đình BAH trực tiếp tại thôn/xóm, xã.
- Số lượng người tham gia: 08 người (danh sách đính kèm theo biên bản này)

V. MỤC ĐÍCH THẢO LUẬN NHÓM

- Cung cấp các thông tin về dự án như mục tiêu, địa điểm, quy mô, các thông số kỹ thuật cơ bản của các tuyến đường giao thông.
- Phổ biến thông tin về phạm vi ảnh hưởng và Khung Tái định cư và phát triển DTTS.
- Phổ biến quy trình khiếu nại và giải quyết khiếu nại về đền bù cho các hộ bị ảnh hưởng.
- Tham vấn về phạm vi ảnh hưởng và các tác động của việc thực hiện dự án;
- Tham vấn về Chính sách đền bù và quyền được đền bù của người bị ảnh hưởng;
- Tham vấn về nhu cầu hỗ trợ và khả năng tiến hành các biện pháp phục hồi cuộc sống;
- Sự sẵn sàng tham gia của người dân đối với dự án

VI. NỘI DUNG THẢO LUẬN

1. Giới thiệu nội dung thảo luận

- Giới thiệu về dự án / Các cơ quan chức năng dự án
- Giới thiệu phạm vi GPMB và Tầm nhìn đất
- Giới thiệu về chính sách an toàn TĐC và DTTS tại dự án

2. Những vấn đề liên quan đến Chính sách an toàn TĐC và DTTS

- phạm vi thiết kế là phù hợp với diện tích cụ thể
- Tác động trực tiếp GPMB không lớn, không phải di chuyển nhà chủ nhà, chuyển từ cây tre và 1 số cây, tương đương
- Có thể có ảnh hưởng đến quyền lợi của chủ nhà đất và các tài sản, cây tre trên đất. Đề nghị bồi thường tương đương.
- Công khai các loại cây giải, phụ, mặt bằng để chủ nhà và dân địa phương được biết. Đề nghị bồi thường thỏa đáng cho các thiệt hại của người dân.

3. Mức độ sẵn sàng tham gia của người dân vào Dự án

- Đồng thuận với việc triển khai dự án.
- Đề nghị mở Rãnh một cắt ngang khoảng 10 m.
- Đề nghị có hệ thống cống ngang dọc chạy dài để thoát nước.
- Người dân địa phương và chính quyền địa phương cần báo và triển khai dự án.

VII. KẾT LUẬN

- Lãnh đạo và chính quyền địa phương đồng thuận với việc triển khai dự án.
- Đề xuất tuyên truyền đi qua kênh dân cư mở rộng phạm vi mặt cắt ngang từ 7,5m đến 10m để khi lũ lụt thoát thì hiệu quả sẽ lớn.
- Đề nghị triển khai sớm để người dân có kế hoạch xây dựng công trình.

Cuộc họp các bên thống nhất và kết thúc vào lúc ngày tháng năm 2016

Đại diện cộng đồng

BQL tiểu dự án

Nguyễn Việt Dũng



Đại diện chính quyền địa phương

Đại diện Tư vấn

hết
Nguyễn Xuân Nhàn

DANH SÁCH CÁC ĐẠI BIỂU THAM GIA THẢO LUẬN NHÓM

Phường/xã Ea Ngai, tỉnh/thành phố (kèm theo biên bản thảo luận nhóm)

STT	Họ và tên	Giới tính	Địa chỉ	Ký tên
1	Nguyễn Thị Tâm	Nữ	Bí Thư - Đảng ủy Ea Ngai	<i>(Signature)</i>
2	Ngô Thị Minh	Nữ	CT HĐND xã	<i>(Signature)</i>
3	Võ Chín	Nam	CT UBND xã	<i>(Signature)</i>
4	Phạm Thị Thu	Nữ	CT HĐND xã	<i>(Signature)</i>
5	Ngô Trọng Kiên	Nam	P' Ri Chư Đ. U.	<i>(Signature)</i>
6	Ngô Văn Ưng	Nam	P' CT HĐND xã	<i>(Signature)</i>
7	Trần Thanh Nghi	Nam	CT UBND xã	<i>(Signature)</i>
8	NGUYỄN VĂN VIẾT	Nam	P' CT HĐND xã	<i>(Signature)</i>
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CỘNG HÒA XÃ HỘI CHỦ NGHĨA VIỆT NAM

Độc lập – Tự do – Hạnh phúc

BIÊN BẢN THẢO LUẬN NHÓM TẬP TRUNG

Về Chính sách an toàn Tái định cư và Dân tộc thiểu số

Dự án hỗ trợ phát triển khu vực biên giới

- I. Thời gian tổ chức: 14^h ngày 19 tháng 03 năm 2016
- II. Địa điểm tổ chức: Hội trường UBND xã Cư Diê M Nông
- III. Hạng mục tham vấn: Công trình Quốc lộ 29
- IV. Thành phần tham dự:

1. Đại diện Chủ đầu tư:
- Ông/bà Nguyễn Văn Dũng chức vụ Giám đốc DA
 - Ông/bà Nguyễn Long Khánh chức vụ Cán bộ
 - Ông/bà chức vụ
2. Đại diện UBND xã Cư Diê M Nông
- Ông/bà Minh Niê chức vụ CT UBND xã
 - Ông/bà chức vụ
 - Ông/bà chức vụ
3. Đại diện đơn vị Tư vấn
- Ông/bà Nguyễn Xuân Nhàn chức vụ Chuyên gia Tư Vấn
 - Ông/bà chức vụ
 - Ông/bà chức vụ
4. Đại diện hộ dân/cộng đồng: Đại diện cộng đồng và đại diện hộ gia đình BAH trực tiếp tại thôn/xóm, xã.

Số lượng người tham gia: 07 người (danh sách đính kèm theo biên bản này)

V. MỤC ĐÍCH THẢO LUẬN NHÓM

- Cung cấp các thông tin về dự án như mục tiêu, địa điểm, quy mô, các thông số kỹ thuật cơ bản của các tuyến đường giao thông.

- Phổ biến thông tin về phạm vi ảnh hưởng và Khung Tái định cư và phát triển DTTS.
- Phổ biến quy trình khiếu nại và giải quyết khiếu nại về đền bù cho các hộ bị ảnh hưởng.
- Tham vấn về phạm vi ảnh hưởng và các tác động của việc thực hiện dự án;
- Tham vấn về Chính sách đền bù và quyền được đền bù của người bị ảnh hưởng;
- Tham vấn về nhu cầu hỗ trợ và khả năng tiến hành các biện pháp phục hồi cuộc sống;
- Sự sẵn sàng tham gia của người dân đối với dự án

VI. NỘI DUNG THẢO LUẬN

1. Giới thiệu nội dung thảo luận

- Giới thiệu phạm vi dự án / chủ đầu tư / Nhà tài trợ
- Giới thiệu phạm vi GPMB
- Đánh giá mức độ tác động của dự án
- Sẽ tham gia của người dân trong quá trình thực hiện dự án

2. Những vấn đề liên quan đến Chính sách an toàn TĐC và DTTS

- Tác động của dự án đến tài sản không bền vững là công trình nước, ngà đi của hệ quả đất
- Cây trồng chủ yếu là Cà phê, tiêu của các hộ gia đình
- Đất bị ảnh hưởng chủ yếu là đất rừng của người dân
- Đất cũng có bản đồ được cấp sổ đỏ cho các hộ, các thửa đất cũng được cấp sổ đỏ thì hộ cũng có quyền hợp pháp về sử dụng đất
- Sẽ không có khả năng vướng mắc bởi trong công tác GPMB
- Để nghi ngờ thôn thả dân cho các thôn hai
- Người dân tại thôn số 1 địa phương cũng sẽ sống yên ổn như người Kinh
- Người dân tại thôn số 1 ít sẽ sống dọc theo Quốc lộ 29 mà chủ yếu là người Kinh

3. Mức độ sẵn sàng tham gia của người dân vào Dự án

- Người dân địa phương sẵn sàng tham gia dự án
- Người dân sẵn sàng phối hợp với dự án trong việc thực hiện GPM B
- Mọi người muốn dự án sớm được triển khai

VII. KẾT LUẬN

- Người dân và chính quyền địa phương mong muốn dự án sớm được triển khai
- Dự án không ảnh hưởng đáng kể đến người dân
- Dự án triển khai sẽ tạo việc làm, đi lại và phát triển kinh tế cho các địa phương trong vùng DA.

Cuộc họp các bên thống nhất và kết thúc vào lúc ngày tháng năm 2016

Đại diện cộng đồng

Đại diện chính quyền địa phương

CHU TỊCH

BQL tiểu dự án

Đại diện Tư vấn

Nguyễn Việt Dũng

Nguyễn Xuân Nhân



DANH SÁCH CÁC ĐẠI BIỂU THAM GIA THẢO LUẬN NHÓM

Phường/xã Cư Đức M'Năng, tỉnh/thành phố (kèm theo biên bản thảo luận nhóm)

STT	Họ và tên	Giới tính	Địa chỉ	Ký tên
1	Nguyễn Sỹ Kiên	Nam	BT. Đảng ủy Xã Cư Đức M'Năng	
2	Y. Minh Niê	Nam	CT. UBND Xã Cư Đức M'Năng	
3	Y. Wem Nlô	Nam	PBT. Đoàn Tchiu Xã Cư Đức M'Năng	
4	H'Đuôn Kôđư	Nữ	PC. Hội Phụ nữ Xã Cư Đức M'Năng	
5	Hoàng Hữu Bình	Nam	CT. Hội Cựu Chiến Binh Xã	
6	Nguyễn Xuân Thắng	Nam	PC. Hội Nông dân Xã Cư Đức M'Năng	
7	Nguyễn Kim Chinh	Nam	Địa Chính Xã Cư Đức M'Năng	
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DANH SÁCH CÁC ĐẠI BIỂU THAM GIA THẢO LUẬN NHÓM

Phường/xã: Cù My, tỉnh/thành phố (kèm theo biên bản thảo luận nhóm)

STT	Họ và tên	Giới tính	Địa chỉ	Ký tên
1	Lê Thanh Hà	Nam		
2	Vũ Văn Thám	Nam		
3	Vũ Văn Sơn	Nam		
4	Trần Văn Bảo	Nam		<i>Bảo</i>
5	Phạm Bá Hà	Nam		
6	Nguyễn Hữu Tâm	Nam		
7	Đặng Thị Thu	Nữ		
8	Phạm Thị Chiếu	Nữ		
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CỘNG HÒA XÃ HỘI CHỦ NGHĨA VIỆT NAM

Độc lập – Tự do – Hạnh phúc

BIÊN BẢN THẢO LUẬN NHÓM TẬP TRUNG

Về Chính sách an toàn Tái định cư và Dân tộc thiểu số

I. Thời gian tổ chức: 14h ngày 18 tháng 03 năm 2016

II. Địa điểm tổ chức: Hội trường UBND xã Eakueh

III. Hạng mục tham vấn: Công trình Quốc lộ 29

IV. Thành phần tham dự:

1. Đại diện Chủ đầu tư:

- Ông/bà Nguyễn Việt Dũng chức vụ Điều phối
- Ông/bà Nguyễn Long Khánh chức vụ Cán bộ
- Ông/bà chức vụ

2. Đại diện UBND xã

- Ông/bà Bùi Huy Hùng chức vụ CT UBND xã
- Ông/bà chức vụ
- Ông/bà Y Thuận Niê chức vụ Cán bộ

3. Đại diện đơn vị Tư vấn

- Ông/bà Nguyễn Tiến Công chức vụ Chuyên gia tư vấn
- Ông/bà chức vụ
- Ông/bà chức vụ

4. Đại diện hộ dân/cộng đồng: Đại diện cộng đồng và đại diện hộ gia đình BAH trực tiếp tại thôn/xóm, xã.

Số lượng người tham gia: 31 người (danh sách đính kèm theo biên bản này)

V. MỤC ĐÍCH THẢO LUẬN NHÓM

- Cung cấp các thông tin về dự án như mục tiêu, địa điểm, quy mô, các thông số kỹ thuật cơ bản của các tuyến đường giao thông.

- Phổ biến thông tin về phạm vi ảnh hưởng và Khung Tái định cư và phát triển DTTS.
- Phổ biến quy trình khiếu nại và giải quyết khiếu nại về đền bù cho các hộ bị ảnh hưởng.
- Tham vấn về phạm vi ảnh hưởng và các tác động của việc thực hiện dự án;
- Tham vấn về Chính sách đền bù và quyền được đền bù của người bị ảnh hưởng;
- Tham vấn về nhu cầu hỗ trợ và khả năng tiến hành các biện pháp phục hồi cuộc sống;
- Sự sẵn sàng tham gia của người dân đối với dự án

VI. NỘI DUNG THẢO LUẬN

1. Giới thiệu nội dung thảo luận

- Giới thiệu dự án, chủ đầu tư, nhà tài trợ, qui mô thiết kế.
- phạm vi giải phóng mặt bằng và thu hồi đất
- lịch trình dự kiến thực hiện dự án.
- Thảo luận về các vấn đề liên quan đến công tác giải phóng mặt bằng và bồi thường.

2. Những vấn đề liên quan đến Chính sách an toàn TĐC và DTTS

- Tác động của dự án lao động:
 - + Đẩy lùi
 - + Cầu cống, hoa màu
 - + Ngõ đi, sân xi măng, tường rào,
 - + Nhà ở công ty, trường học.
- Hầu hết đất đai đã được công bố đồ -
- Đề nghị trước khi đầu tư dự án cần thông tin minh bạch cho người dân địa phương
- Công khai hóa các hoạt động kiểm kê tài sản và lập phương án bồi thường.
- Đề nghị bồi thường thỏa đáng cho các tài sản bị ảnh hưởng.

3. Mức độ sẵn sàng tham gia của người dân vào Dự án

Người dân rất nhiệt tình đã phụng
nhất từ với việc triển khai dự án
và mong muốn dự án triển khai sớm
đáp ứng nhu cầu đi lại của người dân

VII. KẾT LUẬN

Mức độ tài trợ của dự án không lớn
để nghị bộ thường, thỏa thuận cho các tài
sản để xây dựng
Người dân mong muốn dự án sớm được
triển khai

Cuộc họp các bên thống nhất và kết thúc vào lúc 15^h ngày 18 tháng 03 năm 2016

Đại diện cộng đồng

BQL tiểu dự án

Nguyễn Việt Dũng



Đại diện chính quyền địa phương

CHỦ TỊCH

Bùi Huy Hùng

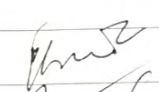
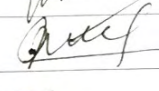
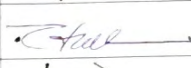
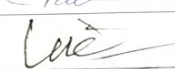
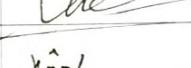
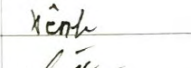
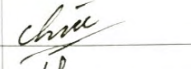
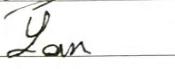
Đại diện Tư vấn

Nguyễn Tiến Công

DANH SÁCH ĐẠI BIỂU THAM DỰ CUỘC HỌP

Xã/phường....., Tỉnh/thành phố.....

STT	Họ và tên	Giới tính	Địa chỉ	Ký tên
1	NGUYỄN VĂN ĐUY	NAM	thôn thái đa Ea Kiên	cuỳnh
2	NGUYỄN BA' HÃ	NAM	NT	Thư
3	ĐỒNG CÔNG HÒA	NAM	NT	l hảo
4	PHẠM VĂN HÙNG	NAM	NT	Ph
5	NGUYỄN VĂN LICH	NAM	NT	Lich
6	NGUYỄN GIAD HOANG	NAM	NT	HG
7	NGUYỄN VĂN TRUNG	NAM	NT	TRUNG
8	NGUYỄN BA' DANH	NAM	NT	Danh
9	NGÔ VĂN SINH	NAM	NT	Sinh
10	TRẦN VĂN TÂM	NAM	NT	Tâm
11	NGUYỄN BA' HUYỀN	NAM	NT	Huyền
12	ĐÀO XUAN' MARK	NAM	NT	Deu
13	NGUYỄN CHÍ THANH	NAM	NT	Thanh
14	TRẦN HUY THIÊN	NAM	NT	Thiên
15	CAO KHA' QUANG	NAM	NT	
16	ĐẶNG THỊ CHÍNH	NỮ	NT	Chính
17	HỒ CÔNG TRUỒ	NAM	NT	TRUỒ
18	LÊ ĐỨC DŨNG	NAM	NT	Dũng
19	TRẦN VĂN VŨNG	NAM	NT	Vũng
20	PHẠM VĂN TƯỜNG	NAM	NT	Tường
21	NGUYỄN TRUNG THÀNH	NAM	NT	Thành
22	NGUYỄN HỮU HÙNG	NAM	NT	Hùng
23	VĂN HUY LĨNH	NAM	NT	

STT	Họ và tên	Giới tính	Địa chỉ	Ký tên
24	LÊ ĐÌNH THUAN	NAM	NT	
25	HỒ PHẢI DUNG	NT	NT	
26	VĂN ĐỨC TUÂN	NT	NT	
27	HƯƠNG ĐÌNH LƯU	NT	NT	
28	QUÁCH XIÊM XANH	NT	NT	
29	QUÁCH XIÊM CHÌA	NT	NT	
30	TRẦN THỊ LAN	NỮ	NT	
31	TRẦN NGỌC HƯNG	NAM	NT	
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