

# Resettlement and Ethnic Minority Development Plan

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Status: Draft

October 2017

VIE: Water Efficiency Improvement  
in Drought Affected Provinces (WEIDAP)

Dak Nong Province Subprojects

Prepared by the Ministry of Agriculture and Rural Development, Socialist Republic of Viet Nam,  
for the Asian Development Bank

## CURRENCY EQUIVALENTS

(as of 30 September 2017)

Currency unit	–	Dong
VND 1.00	=	\$0.000044
\$1.00	=	VND 22,695

## ABBREVIATIONS

ADB	–	Asian Development Bank
CBM	–	community-based monitoring
CEMA	–	Committee for Ethnic Minorities Affairs
C&P	–	communication and participation
CPC	–	Commune People's Committee
CPMU	–	Central Project Management Unit
CPO	–	Central Project Office
DCARB	–	District Compensation, Assistance and Resettlement Board
DCRC	–	District Compensation and Resettlement Committee
DMS	–	detailed measurement survey
DARD	–	Department of Agriculture and Rural Development
DPC	–	District People's Committee
EMDS	–	ethnic minority development strategy
FGD	–	focus group discussions
GOV	–	Government of Viet Nam
GRC	–	Grievance Review Committee
GRM	–	grievance review mechanism
HVC	–	high value crop
IMC	–	irrigation management company
IOL	–	inventory of losses
LURC	–	Land Use Right Certificate
M&E	–	monitoring and evaluation
MARD	–	Ministry of Agriculture and Rural Development
O&M	–	operation and maintenance
PIB	–	public information booklet
PPC	–	Provincial People's Committee
PMU	–	Project Management Unit
PPMU	–	Provincial Project Management Unit
PPTA	–	project preparation technical assistance
PVC	–	polyvinyl chloride
RCS	–	replacement cost survey
REMDP	–	Resettlement and Ethnic Minority Development Plan
ROW	–	right-of-way
SCADA	–	supervisory control and data acquisition
SES	–	Socio-economic survey
SPS	–	Safeguard Policy Statement
WEAT	–	water efficient application technologies
WEIDAP	–	Water Efficiency Improvement in Drought Affected Provinces
VLL	–	Viet Nam Land Law

## WEIGHTS AND MEASURES

m (meter)	– Base unit of length
mm (millimeter)	– unit of length in the metric system
m <sup>2</sup> (square meter)	– A system of units used to measure areas
m <sup>3</sup> (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

## GLOSSARY

Affected person	Any person, household, firm or private institution who, on account of changes resulting from the project, or any of its phases, 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. 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.
Compensation	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	This refers to the date of land acquisition announcement made by local authorities. The affected persons 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.
Detailed measurement survey (DMS)	With the aid of the approved detailed engineering design, this activity involves the finalization and/or validation of the results of the inventory of losses (IOL), severity of impacts, and list of affected persons earlier done during REMDP preparation. The final cost of resettlement can be determined following completion of the DMS.
Entitlement	The range of measures comprising compensation, income restoration support, transfer assistance, income substitution, relocation support, etc., which are due the affected persons, depending on the type and severity of their losses, to restore their economic and social base.
Ethnic minority	People with a group status having a social or cultural identity distinct from that of the dominant or mainstream society with the following characteristics: (i) self-identification as members of distinct indigenous cultural group and recognition of this identity by others; (ii) collective attachment to geographically distinct habitats or ancestral territories in the project area and to the natural resources in these habitat and territories; (iii) customary cultural, economic, social, or political

institutions that are separate from those of the dominant and culture; and (iv) a distinct language, often different from the official language of the country or region.

Income restoration program	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	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 subproject right-of-way (subproject area) are identified, measured, their owners identified, their exact location pinpointed, and their replacement costs calculated. Additionally, the severity of impact on the affected assets and the severity of impact on the livelihood and productive capacity of affected persons will be determined.
Land acquisition	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	Additional support provided to affected persons 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	Physical relocation of an affected person from her/his pre-project place of residence and/or business.
Replacement cost	Amount needed to replace an affected asset net of transaction costs such as administrative charges, taxes, registration, and titling costs.
Replacement cost study	Process involved in determining replacement costs of affected assets based on empirical data.
Resettlement	Includes all measures taken to mitigate adverse impacts of a project on affected person property and/or livelihoods, including compensation, relocation (where relevant), and rehabilitation, as needed.
Severely affected households	Affected households that will (i) lose 10% or more of their total productive land and/or assets, and (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 civil society, which may have an interest in the subproject.
Vulnerable groups	Distinct groups of people who might suffer disproportionately or face the risk of being further marginalized by the effects of resettlement and specifically include (i) female headed households with dependents, (ii) disabled household heads, (iii) households falling under the generally accepted indicator for poverty, (iv) children and the elderly who are

landless and with no other means of support; and (v) severely affected ethnic minority groups.

**NOTE**

In this report, "\$" refers to United States dollars

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# Resettlement and Ethnic Minority Development Plan

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October 2017

VIE: Water Efficiency Improvement  
in Drought Affected Provinces (WEIDAP)

Subproject: Cu Jut Irrigation System, Cu Jut District,  
Dak Nong Province

Prepared by the Ministry of Agriculture and Rural Development, Socialist Republic of Viet Nam,  
for the Asian Development Bank

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## EXECUTIVE SUMMARY

1. **Introduction.** The Water Efficiency Improvement for Irrigation Structures in Cu Jut District, Dak Nong Province is one of the eight subprojects of the Water Efficiency Improvement in Drought Affected Provinces (WEIDAP) Project to be funded by the Asian Development Bank (ADB). The subproject will help to enhance irrigation in the total command area of 2,163 ha in the six communes of Nam Dong, Dak Drong, Cu Knia, Ea Tling, Truc Son, and Tam Thang. Civil works under this subproject include: (i) 10 permanent weirs to replace farmers' temporary weirs, supplied from the existing Dak Dier and Dak Drong reservoirs; (ii) two pumped piped demonstration irrigation systems, supplied from new weirs 2 and 9, each serving 50 hectares (ha); and (iii) upgrading of 10.95 kilometer (km) of access road. This Resettlement and Ethnic Minority Development Plan (REMDP), after a short description of the subproject, provides the results of the inventory of losses (IOL), socio-economic survey (SES), and public consultations and participation, as well as the legal and policy framework. One important part of the plan is the compensation and resettlement strategy, which provided the basis for the preparation of the compensation and assistance budget for the subproject. The last parts of the report address the ethnic minority development strategy, gender strategy, institutional arrangements, implementation schedule, and monitoring and evaluation (M&E).

2. **Scope of impacts.** The subproject plans to directly benefit a total command area of 2,163 ha. During the drought years, the wells dry up, and crops die or have depressed yields. The impacts of the subproject on beneficiary farmers will be: (i) access to more reliable water; (ii) reduced pumping costs; and (iii) crop diversification to high value crops (HVCs), such as pepper, coffee, and cashew. Examples of water efficient application technology (WEAT) have been introduced and adopted in target communes under a nongovernment organization (NGO)-financed project.

3. The subproject's involuntary resettlement (IR) impacts on local residents are minor and restorable. In total, the subproject will affect 161 households (or 678 persons), including 12 affected households belonging to the vulnerable group and 16 Nung ethnic minority households. Each affected household will lose less than 10% of their productive land and crop. No fixed assets, such as houses and structures, will be affected. Relocation and resettlement of affected households will not be necessary.

4. **Legal and policy framework.** The subproject policy is based on a reconciliation of Central and Local Government and ADB policies. The purpose of these policies is to ensure that the socio-economic status of all people affected by the subproject will be enhanced or their living standards restored to at least their pre-project levels. Entitlements of affected persons are established based on this policy and consulted with the affected persons. Compensation prices for affected assets are based on replacement costs.

5. **Public consultation and participation.** Consultations, public meetings, and village discussions with affected persons and local officials were carried out during the resettlement planning process. Project policies and options with regard to compensation and resettlement, ethnic minority development, and income restoration were discussed during the meetings. Concerns and suggestions raised by affected people were elicited and incorporated into the REMDP. A grievance redress mechanism (GRM) was designed to ensure that affected persons' concerns and grievances are addressed and resolved in a timely and satisfactory manner. Affected persons will be made fully aware of their rights verbally and in writing during consultations, surveys, and at the time of compensation.

6. **Issues on gender and ethnic minorities.** In the subproject communes, where the subproject is located, there are several ethnic minority groups. The choice of the subproject investment is aligned with the poverty reduction target for the ethnic minorities in Dak Nong Province. The gender mainstreaming strategy is described in this REMDP, which encourages the participation of women in resettlement boards and capacity strengthening of women and vulnerable groups to ensure that women benefit fully from the project, while minimizing the negative impacts. The gender monitoring indicators have been defined, and women will participate in the monitoring entity.

7. An **income restoration program (IRP)** aiming to restore affected households' income will be implemented under this REMDP. Affected households will be assisted in the form of cash allowances (i.e., support for vocational training and for stabilizing living standards). The budget of approximately VND4.65 million or \$204,835 will be used for supporting affected households. Additionally, an IRP, in the form of technical support (guidance on water saving technology, HVCs, and market-linked agricultural production) to affected and poor households for the installation of water saving equipment, will be finalized and implemented during the project implementation phase.

8. **Institutional arrangements.** MARD, through its Central Project Management Unit (CPMU), will assure coordination of the implementation of the REMDP. MARD will coordinate with the Dak Nong Provincial People's Committee (PPC) and instruct the Provincial Department of Agriculture and Rural Development (DARD) and ensure that compensation and assistance are administered according to the provisions of this REMDP. A District Compensation, Assistance, and Resettlement Board (DCARB) with affected person representatives will be established to implement the compensation, assistance, and resettlement process.

9. **Implementation schedule.** The REMDP will be updated and implemented before the construction of the project works. All the affected people will be paid compensation for their affected assets before December 2019 as site clearance will be completed by December 2019.

10. **Monitoring and evaluation.** The REMDP will be implemented under the internal monitoring and investigation arrangements by CPMU and Provincial Project Management Unit (PPMU) officers. External M&E is not necessary as the IR impacts are minor and restorable.

11. **Total resettlement cost,** including administration cost and contingency, is approximately VND7.8 billion or \$343,461. This cost will come from the Dak Nong provincial budget.

## I. PROJECT DESCRIPTION

### A. Introduction

1. The Water Efficiency Improvement In Drought Affected Provinces Project (WEIDAP or the project) aims to improve water use efficiency for agriculture in the South Central Coast and the Central Highlands of Viet Nam, including the provinces of Khanh Hoa, Ninh Thuan, Binh Thuan (South Central Coast), Dak Lak, and Dak Nong (Central Highlands). The project will contribute to improving the agricultural productivity of water and climate resilience in the more drought vulnerable provinces, while enhancing environmental sustainability.

2. The project impact is climate resilience and water productivity in agriculture improved. The project is aligned with the Government's Agricultural Restructuring Policy, the Law on Hydraulic Structures (LHS), and the Irrigation Subsector Restructuring Plan (ISRP). The project will have the following outcome: climate resilient and modernized irrigation systems in five provinces established.

### B. Outputs

3. The project has three outputs: (i) irrigation management services strengthened; (ii) modernized irrigation infrastructure developed; and (iii) efficient on-farm water management practices adopted.

4. **Output 1: Irrigation management services strengthened** will support policy and institutional development measures to improve climate resilience of agriculture by strengthening irrigation management taking into consideration social and gender dimensions in all relevant activities. Specifically, the project will support the following interventions:<sup>1</sup>

(i) **Irrigation water allocation and delivery services.** Activities will include: (a) updating surface water balance assessments; (b) groundwater assessments in applicable subproject command areas; (c) developing an irrigation water sharing and allocation framework; and (d) provision of a real-time decision support system for farmers on optimizing crop water application.

(ii) **Maintenance of irrigation systems.** Includes (a) development of asset inventory and management database for each irrigation system supported by the project; (b) development of a systematic asset maintenance schedule with a rigorous approach to maintenance funding based on asset condition assessments; (c) development of a pricing framework for water charges; and (d) assessment of options for engaging third parties in the O&M of irrigation systems.

5. **Output 2: Modernized irrigation infrastructures developed.** This output will modernize eight irrigation subprojects in the five provinces to provide water on-demand to farmers cultivating high value crops and reduce vulnerability to climate change.<sup>2</sup> The underlying principle of all systems is to provide a higher level of service—more flexible and reliable supply of water—to farmers than they receive at present. The infrastructure works broadly fall into three categories: (i) pressurized pipe systems taking water from canals or reservoirs, and supplying hydrants located at a reasonable distance from a farmer's field, such that the farmer can connect directly

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<sup>1</sup> Output 1 activities are complemented by parallel technical support from the Government of Australia. Assistance will be in the form of bilateral cooperation as well as through the ADB-Australian Water Partnership.

<sup>2</sup> Two each in Dak Nong, Ninh Thuan and Binh Thuan and one each in Dak Lak and Khanh Hoa.

using a hose. Basic supervisory control and data acquisition systems will facilitate operations and monitoring of flows throughout the system; consultation with male and female farmers will be conducted from which outputs will be incorporated in the design and implementation of activities; (ii) main system modernization including canal lining, control structure, balancing storage and installation of flow control and measurement devices with remote monitoring; and (iii) new and improved weirs which will replace farmer constructed temporary weirs and provide storage from which farmers can pump to irrigate HVCs. Other works include upgrading culverts and roads, to facilitate improved management of irrigation systems.

6. **Output 3: Efficient on-farm water management practices adopted** will focus on improving on-farm water productivity in the subproject command areas, to improve resilience to climate change. Water productivity assessments conducted under output 1 will help benchmark water productivity standards for different crops under different agro-ecological conditions and be the basis for advisory services (information and training) to farmers on improving on-farm water management to cope with climate variability. Male and female farmers will be consulted and also receive technical advice on identifying and developing appropriate WEAT systems that meets their individual requirements. They will be linked up with private sector suppliers and be provided training in O&M of WEAT systems.

7. The project is estimated to cost \$123.59 million. Detailed cost estimates by expenditure category and by financier are included in the Project Administration Manual (PAM).<sup>3</sup> The government has financed eight subproject feasibility studies and detailed engineering designs for the same prior to loan approval. During implementation, the government will finance all resettlement costs, international and national consulting services, implementation support, special studies, and capacity building along with staff appointed to project management structures. It will also finance the incremental O&M costs for IMCs to maintain headworks and delivery canals associated with subprojects.

8. The executing agency (EA) will be the Ministry of Agriculture and Rural Development (MARD) and the implementing agencies are the respective provincial people's committees (PPCs). A project management units (PMU) will be established at the central project office and in the respective provincial Department of Agriculture and Rural Development (DARDs). The PMU and provincial project management units (PPMUs), supported by the construction engineering support consultants (CESC), will manage day-to-day project implementation and, with ADB's prior concurrence, appoint PPMU key professional staff and assign qualified support staff. The communication and participation (C&P) plan and gender action plan (GAP) provide guidance to ensure that project stakeholders are continually engaged. The PPMUs will cooperate closely with district and commune personnel in (i) organizing public consultations, (ii) monitoring design and implementation, and (iii) creating a grievance redress mechanism (GRM) with the commune supervision boards.

9. Output 2 involves the improvement of eight subprojects in the five participating provinces. The location of these subprojects is shown in Table 1 and Figure 1.

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<sup>3</sup> ADB will finance (i) civil works; (ii) irrigation pumping equipment and offtake manifolds; (iii) consulting services for construction supervision; (iv) domestic service contracts; (v) safeguards monitoring and incentive grants for WEAT, inclusive of applicable taxes and duties for the expenditure items covered by ADB; and (vi) interest during project implementation.

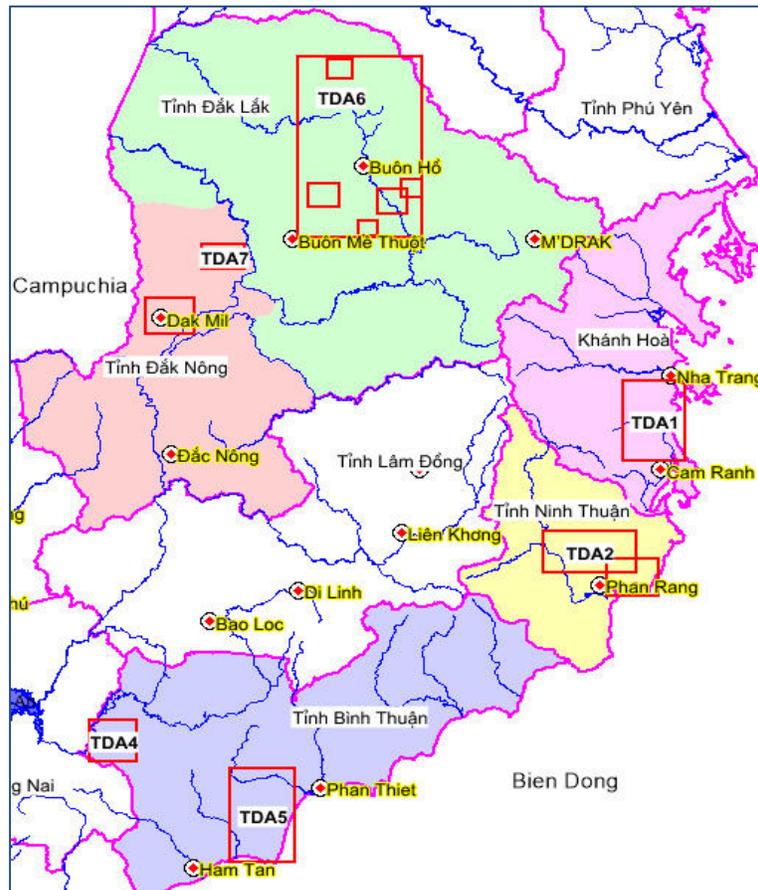
**Table 1: Summary of Subprojects**

Province	District	Subprojects
Khanh Hoa	Cam Lam	Water efficiency improvement for Suoi Dau North and Suoi Dau South Canal Irrigation Structures
Ninh Thuan	Ninh Hai, Ninh Son, Thuan Bac and Bac Ai	Water efficiency improvement for Thanh Son – Phuoc Nhon Irrigation Structures
	Ninh Hai	Water efficiency improvement for Nhon Hai – Thanh Hai Irrigation Structures
Binh Thuan	Duc Linh	Water efficiency improvement for Tra Tan Irrigation Structures
	Ham Thuan Nam	Water efficiency improvement for Du Du – Tan Thanh Irrigation Structures
Dak Lak	Krong Pak, Ea Kar, Ea H'Leo, Cu Mgar	Water efficiency improvement for irrigation structures of Ea Kuang reservoir (Krong Pak); Krong Buk Ha reservoir – East and West (Krong Pak); Doi 500 Hill reservoir (Ea Kar), Trung Tam reservoir (Ea H'Leo); Buon Yong reservoir (Cu Mgar)
Dak Nong	Cu Jut	Water efficiency improvement for irrigation structures in Cu Jut District
	Dak Mil	Water efficiency improvement for irrigation structures in Dak Mil District

10. Collectively, the above said subprojects will serve an area of approximately 19,190 ha or some 39,140 households, of which 18% are of ethnic minority origin. Crops grown in the command area for modernization include cashew, pepper, and dragon fruit in Binh Thuan; onion, garlic, Vietnamese apple, grape, vegetables, and grass for livestock rearing in Ninh Thuan; mangoes, cashew, and pepper in Khanh Hoa; and coffee and pepper in Dak Lak and Dak Nong.

11. The implementation of these subprojects will include civil works which, to a certain extent, results in involuntary resettlement impacts to local residents, including ethnic minority groups. An REMDP for each subproject is required to address these issues. This REMDP is prepared for the Cu Jut subproject.

**Figure 1: Location of WEIDAP subprojects**



Source: MAR. May 2017. Final concept design.

### C. Dak Nong, Cu Jut Subproject Location and Impact Areas

12. The subproject is located in the north of Dak Nong, about 100 km north of Gia Nghia and 25 km southwest of Buon Ma Thuot (Dak Lak capital). The principal source of water for the subproject is the Ea Dier River that is regulated by storage in Dak Dong and Dak Dier reservoirs. The Ea Dier River is the left bank tributary of the Ea Gang River, which is itself the left bank tributary of the Srepok River, which it joins a short distance downstream of Cau 14 on the main AH17 highway.

13. The proposed Cu Jut Subproject is comprised of 10 discrete investments on weirs to irrigate farms in the six communes of Nam Dong, Dak Dong, Cu Knia, Ea Tling, Truc Son, and Tam Thang. The subproject communes had a total population of 74,613 persons in 16,791 households in 2016). The subproject command area is 2,163 ha. Farmers in the subproject area presently build temporary weirs to form pumping ponds at 10 main locations along the Ea Dier River. These are damaged in the wet season and repaired or replaced every year. Farmers presently pump water from these weirs, up to 2 or 3 km, for coffee and pepper. Pumping is undertaken by farmers, as required, to extract water from the temporary weirs as required during the dry season. Extraction takes place and pumped for distances of up to 2 km from the temporary pumping pool.

14. As planned, the Cu Jut system will consist of: (i) replacement of farmers' temporary weirs with 10 permanent weir structures; and (ii) two new pilot demonstration pumped piped systems. The subproject will serve a total command area of 2,163 ha within the said communes (Table 2).

**Table 2: Summary of Command Areas Serviced by the Subproject Weirs**

Name of Weir	Unit	Before Project	After Project
Weir No 1	ha	20	203
Weir No 2	ha	20	186
Weir No 3	ha	20	216
Weir No 4	ha	20	226
Weir No 5	ha	20	224
Weir No 6	ha	20	215
Weir No 7	ha	20	218
Weir No 8	ha	20	225
Weir No 9	ha	20	225
Weir No 10	ha	20	225
<b>Total</b>	<b>ha</b>	<b>200</b>	<b>2,163</b>

Source: Dak Nong, Cu Jut Subproject. PPTA Study Report, June 2017.

#### **D. Civil Works to be Undertaken under the Subproject**

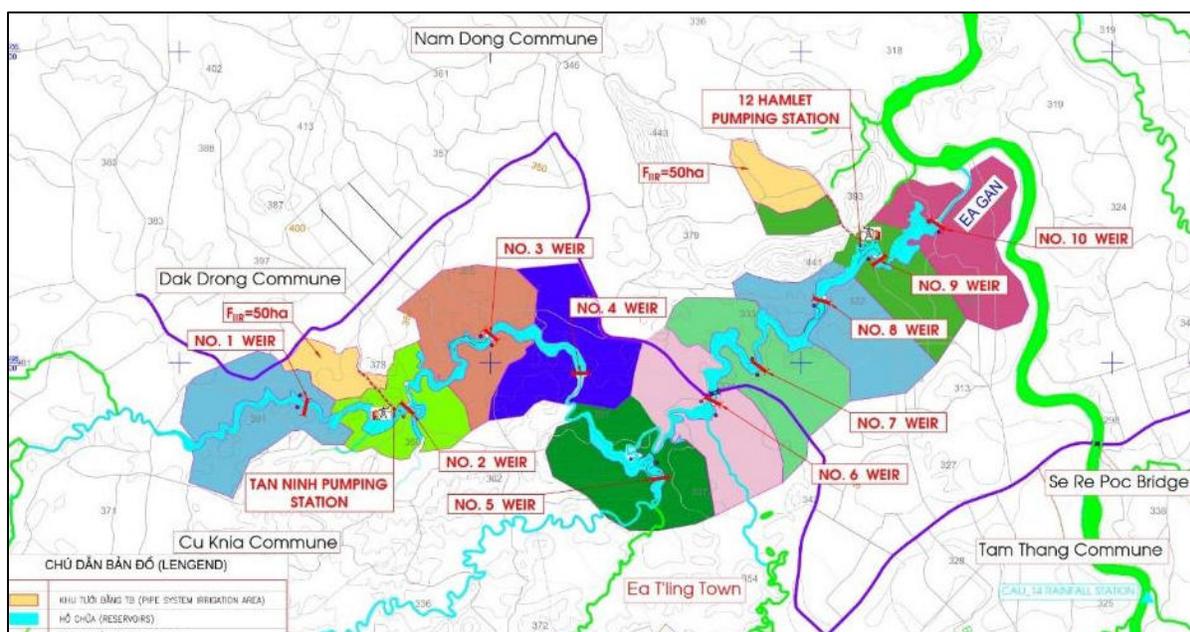
15. The subproject design involves: (i) 10 permanent weirs to replace farmers' temporary weirs, supplied from the existing Dak Dier and Dak Drong reservoirs; (ii) two pumped piped demonstration irrigation systems, supplied from new weirs 2 and 9, each serving 50 ha; and (iii) upgrading of 10.95 km of access road. The layout of the 10 weirs and their service areas is in Table 3 and Figure 2.

**Table 3: Summary of Location of the Proposed Civil Works of the Cu Jut Subproject**

Barrage	Name of Commune	Barrage	Name of Commune
Weir No. 1	Cu Knia	Weir No. 6	Nam Dong and Ea T'linh
Weir No. 2	Cu Knia and Truc Son	Weir No. 7	Nam Dong and Tam Thang
Weir No. 3		Weir No. 8	
Weir No. 4	Cu Knia and Ea T'linh	Weir No. 9	
Weir No. 5		Weir No. 10	

Source: Dak Nong, Cu Jut Subproject. Feasibility Study Report. MARD, June 2017.

**Figure 2: Layout of Cut Jut Subproject**



Source: Dak Nong, Cu Jut Subproject Concept Design. MARD, May 2017.

16. The development of the above subproject works will lead to IR impacts, both temporary and permanent. Details of these impacts and mitigation measures to be applied are presented in the following sections.

### **E. Measures Taken to Minimize Negative Impacts**

17. The subproject's IR impacts include: (i) permanent land acquisition and crop loss due to the development of the subproject weirs and inspection roads; and (ii) temporary resettlement impacts caused during the construction phase related to the acquisition of public land and a relatively small area of cropland, as well as, short-term farming disturbances, due to the use of land for camping, material storage, and roads serving for construction activities.

18. Efforts to minimize the subproject's adverse social impacts include the consideration of all design options and shifting of the proposed civil works and road alignment at various points to avoid human settlements and public facilities. Two proposed design options – ring main and dead-end pipe branching systems – were carefully considered by both international and national technical, social and environmental safeguards, and economic consultants; MARD, Dak Nong DARD, subproject DPCs and CPCs; and beneficiaries. The ring main option was finally selected as it will be more cost-effective, efficient, and help minimize land acquisition.

19. The subproject inspection roads will be upgraded based on the existing roads with minimum alignment to avoid resettlement impacts. Likewise, the selection of construction methods, equipment, and machinery, as well as use of equipment, vehicles, etc. during construction will be undertaken and controlled following current regulations. Additionally, the need for borrow pits in the construction of the proposed civil works will be minimized, and the subproject will, whenever feasible, use materials from cuttings in the construction of the subproject works.

20. During the census of affected people and the conduct of IOL, all affected households were informed, through consultations, about the pipe alignment and location of pumping stations and

advised not to introduce new crops within the right of way (ROW). A public information booklet (PIB) that explains, among others, the policy on cut-off date for eligibility, will be distributed to the affected households and local governments, as needed, following ADB's concurrence of the REMDP.

21. Those affected by the subproject will receive compensation, assistance, and support necessary and sufficient for income restoration and assured that their livelihood will be at least equal or better than that before the subproject. Requirements for social and environmental safeguards will be included in the bidding documents and contracts. Dak Nong PPC will ensure that land acquisition, payment of compensation assistance, and rehabilitation will be completed prior to the issuance of notice to proceed (NTP) to start with the construction works.

#### **F. Resettlement and Ethnic Minority Development Plan**

22. The subproject will negatively and positively affect local people, including the majority Kinh group and some ethnic minority groups. It must be noted that all negative impacts caused by the subproject will be minor and restorable. An Ethnic Minority Development Plan (EMDP) is, therefore, integrated in the Resettlement Plan (RP) for implementation.

23. This REMDP will ensure that the subproject will: (i) avoid IR, whenever possible; (ii) minimize IR 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.

24. This REMDP is the guiding document that identifies the key issues to be addressed in reconciling the requirements of ADB's Safeguard Policy Statement (2009 SPS) on involuntary resettlement and Indigenous People policies with national and provincial government policies. Concerns on involuntary resettlement and ethnic minorities have been integrated in this document and will govern subproject design, implementation, and monitoring. It covers subproject activities that trigger involuntary physical and economic displacement arising from land acquisition and restrictions on land use. It also ensures that subprojects are designed and implemented in a way that fosters full respect for ethnic minority identity, dignity, human rights, livelihood systems, and cultural uniqueness, as defined by the ethnic minorities themselves to enable them to (i) receive culturally appropriate social and economic benefits, (ii) do not suffer adverse impacts due to the subproject, and (iii) can participate actively in the subproject.

25. This REMDP includes the following:

- (i) Policy and procedural guidelines for asset acquisition, compensation, resettlement, and strategies that will help ensure full restoration of the affected household's livelihood and standard of living;
- (ii) Identification of households and communities to be adversely affected by the project, 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 the affected households will be involved in the various stages of the project, including resolution of grievances; and
- (iv) An estimated budget for resettlement implementation.

26. This REMDP will be updated during subproject implementation following the detailed measurement survey (DMS), replacement cost survey (RCS), and consultations with affected persons.

## II. SUBPROJECT IMPACTS

### A. Survey Process

27. A resettlement survey was carried out in all nine communes affected by the subproject (Tam Thang, Ea T'Linh, Cu Knia, Nam Dong, and Dak Drong) in Cu Jut District, Dak Nong Province. The survey consisted of an IOL of all affected households and a socio-economic impact assessment study of affected and some non-affected households. A meaningful consultation with both local residents and ethnic minorities, including affected and non-affected people, was held in each subproject commune. In addition, an RCS was conducted to determine the rates that will be used to compensate losses of land, crops, trees, and other non-land based income to ensure that affected persons are compensated at the current market value.

28. An **IOL** was undertaken in March and May 2017 based on the final concept design of the Dak Nong, Cu Jut subproject. For households that will lose agricultural land and crops, the IOL was completed by enumerators through reference to the cadastral records of the affected communes. The amounts indicated for area of land lost and use of land will be validated during the DMS that will be done during the implementation stage.

29. An **SES** was completed for the province, district, and communes through collecting information from Dak Nong province and Cu Jut District Statistics Year Book (2015) and annual socio-economic reports of the communes. The survey collected information on the profile and characteristics of affected and non-affected households, their income levels and sources of income, ethnic composition, education levels, and basic information on their plans after compensation through direct interviews with the affected persons.

30. A **rapid RCS** was undertaken in April 2017, which aimed to collect information on the market prices of land, crops, and assets in areas surrounding the proposed civil works, which will be used for resettlement compensation and assistance. Rapid assessment methods were applied to study the replacement costs. Information collected from both desk research and direct interviews with people in affected areas, both persons who are affected and those not affected, was analyzed to establish the replacement costs of land and crops. The subproject is in a rural area, where the market economy, especially land market, has not yet been developed, although there are few evidences about land transfer. The assessment results showed that the prices of perennial land and crops are close to the prices issued by the Dak Nong PPC.

31. During REMDP updating, replacement costs will be prepared by an independent price consultant and approved by the Dak Nong PPC for application.

32. **Focus group discussions (FGDs)** with both affected and non-affected households living close to the area assigned to civil works were organized in each commune affected by the Cu Jut Subproject. For affected households, the FGDs aimed to discuss and consult with the people about the scope and scale of impacts, entitlements, preliminary implementation schedule, and grievance redress mechanism. With the information on the overall project impacts, FGDs gave the affected households an opportunity to understand and share their ideas and expectations about the project. Separate FGDs were also held with women and ethnic minorities. In addition, in-depth interviews were conducted with both affected and non-affected households, with focus on female-headed and ethnic minority households.

## B. Involuntary Resettlement Impacts

33. The resettlement impact is insignificant, including land acquisition for development of weirs, flooding areas before weirs, and disturbance during construction of the weirs, road and pipeline. While access to these sites already exist along rural tracks, the weirs will provide a point of river crossing during the dry season and approaches to weirs may require larger areas of land.

### 1. Permanent Impacts

34. **Impact on household.** There will be 678 persons or 161 households who will be affected by the subproject, of which 16 affected households belong to the Tay ethnic minority group, and six are headed by females (Table 4).

**Table 4: Summary of Affected Households**

Communes	Total APs	Total AHs	Vulnerable AHs	Ethnic Minority AHs	Poor AHs	Female headed AHs	Social Aided AHs
Cu Knia	138	33	3	5	0	2	1
Ea T'ling Town	49	12	2	0	1	0	1
Nam Dong	232	56	2	4	0	2	0
Tam Thang	134	32	2	2	0	1	1
Dak Drong	70	16	2	5	1	1	0
Truc Son	55	12	1	0	1	0	0
<b>Total</b>	<b>678</b>	<b>161</b>	<b>12</b>	<b>16</b>	<b>3</b>	<b>6</b>	<b>3</b>

AH = affected household, AP = affected person.  
Source: Inventory of Losses. May 2017.

35. **Impact on land.** Approximately 12.8 ha of perennial cropland will be affected by the subproject. These land plots are currently used by 161 households for cultivation of coffee and pepper trees. Land use registration certificates (LURCs) were granted to all affected land plots. Each affected household will lose from approximately 500-1,000 m<sup>2</sup>, or only from 5-7.6% of the household's total land plot/s<sup>4</sup> (Table 5).

**Table 5: Summary of Impact on Land**

Commune	Unit	Affected Perennial Crop Land (ha)	
		Affected Households	Ethnic Minority Households
Cu Knia	AH	33	5
	m <sup>2</sup>	25,077	3,472
Ea T'linh	AH	12	0
	m <sup>2</sup>	9,724	0
Nam Dong	AH	56	4
	m <sup>2</sup>	50,169	3,215
Tam Thang	AH	32	2
	m <sup>2</sup>	22,928	1,244

<sup>4</sup> The SES of affected households (May 2017) showed that each affected household owns land ranging from 7,000-15,000 m<sup>2</sup>. Some of them own from 2-3 land plots.

Commune	Unit	Affected Perennial Crop Land (ha)	
		Affected Households	Ethnic Minority Households
Dac Rong	AH	16	5
	m <sup>2</sup>	11,910	3,513
Truc Son	AH	12	0
	m <sup>2</sup>	8,657	0
<b>Total</b>	<b>AH</b>	<b>161</b>	<b>16</b>
	<b>m<sup>2</sup></b>	<b>128,465</b>	<b>11,444</b>

Source: Inventory of Losses. May 2017.

36. **Impact on crops.** Crops to be affected by the subproject comprise 409 coffee trees and 418 pepper trees (Table 6).

**Table 6: Impact on Crops**

Commune	Unit	Coffee Trees		Pepper Trees	
		AHs	EM AHs	AHs	EM AHs
Cu Knia	Quantity	107	14	96	10
	AH	33	5	26	3
Ea T'linh	Quantity	37	0	31	0
	AH	12	0	9	0
Nam Dong	Quantity	145	11	137	6
	AH	56	4	45	2
Tam Thang	Quantity	52	6	91	0
	AH	32	2	24	0
Dac Rong	Quantity	43	12	36	7
	AH	16	5	11	3
Truc Son	Quantity	25	0	27	0
	AH	12	0	7	0
<b>Total</b>	<b>Quantity</b>	<b>409</b>	<b>43</b>	<b>418</b>	<b>23</b>
	<b>AH</b>	<b>161</b>	<b>16</b>	<b>122</b>	<b>8</b>

Source: Inventory of Losses. February 2017.

## 2. Temporary Impacts

37. Public land of 0.92 ha will be temporarily affected during subproject construction for use as camps, material storages, and borrow pits. No structure or plants will be affected. Impacts relating to noise and dust will be managed and controlled by the PPMU and contractors.

38. Besides, contractors will, in consultation or negotiation with land owners, pay for temporary use of land, if required; for any harm to soil and crops; and any damaged crops or income loss during the temporary use of their lands. Contractors are also required to restore land to pre-subproject conditions before returning it to the affected households. These requirements will be stipulated in the bidding documents and civil work contracts.

### III. SOCIO-ECONOMIC PROFILE

#### A. Socio-economic Features of the Subproject

39. Dak Nong Province is bordered to the North by Dak Lak Province, to the south and east by Binh Phuoc and Lam Dong provinces, and to the west by the Kingdom of Cambodia. It has a total land area of 6,514.38 km<sup>2</sup> and a population of 510,570 persons. In April 2009, Dak Nong had 40 groups of persons living there, of which, the Kinh was dominant with 332,431 persons (67.9%), followed by the Mnong with 39,964 persons (8.2%), the Nung with 27,333 persons (5.66%), the Mong with 21,952 persons (4.5%), and other ethnic minority groups, including Tay (20,475 persons), Dao (13,932 persons), Thai (10,311 persons), Ma (6,456 persons), Ede (5,271 persons), Hoa (4,686 persons), Muong (4,070 persons), and other small ethnic minority groups. Dak Nong has six administrative units: Dak Lap, Dak Mil, Cu Jut, Dak Song, Krong No, Dak Glong, and Tuy Duc communes and Gia Nghia Town.

40. In 2015, the agriculture sector shared nearly one-half (49.6%) of the provincial GDP structure, followed by industry-construction (26.7%) and services 23.68%. The labor force working in the agriculture sector is very high, with 67.3% of the total working labor of the province. In contrast, the labor force in the industry sector was very low at only 10.4% of the total province labor force. Poor households in Dak Nong account for nearly 13.7% of the provincial population, the highest among five highland provinces and about twice the national average ratio of 8.4%. Poor households comprise approximately 38% of the total number of poor households in the province. The annual average income per capita was VND32.7 million in 2015.

41. **Cu Jut District** is located in a mountainous area at the extreme southwest of Dak Nong Province. The district has a total land area of 72,069 ha and a total population of 99,700 persons. Almost all district land (93.1%) is suitable for agricultural cultivation, especially for HVCs, such as coffee, pepper, and rubber. The district is home to the Kinh, the dominant group, and 26 other ethnic minority groups. Indigenous ethnic minority groups consist of M'Nong, Ede, and Ma persons with 1,031 households or 5,727 persons (or 6.5% of the total district population) and other immigrant ethnic minority groups with 7,803 households or 38,591 persons, nearly 43.8% of the total district population, who immigrated from the northern provinces.

42. As reported by Cu Jut District in 2016, the industry-construction sector contributed 36% to the total district GDP, followed by trading and commerce at 35%, and agriculture at 29%. The district has a total of 56,200 working-age laborers with majority (78.8%) working in the agriculture, forestry, and fishery sector, 15.6% in the commerce and services sector, and 5.64% in the industry and construction sector. The 2015 annual average income per capita was approximately VND33.5 million. The poor accounted for 12.4% of the district population, and the near poor, roughly 11.2%. The ethnic minority poor household ratio was rather high at 19.9% of the total poor households in the district.

43. **Subproject area.** The subproject area covers Ea T'Linh Town and the five communes of Cu Knia, Nam Dong, Tam Thang, Dak Drong, and Truc Son. There are approximately 83,222 persons or 18,690 households in the subproject area. Agriculture and forestry contribute a big share to the GDP structure of these communes (90% in Dak Drong; 83.5% in Cu Knia). In 2016, the annual income per capita 6 of Ea T'Linh Town and these communes ranged from VND22.1 million (Dak Drong) to VND40.1 million (Ea T'Linh Town). Almost all the local residents are farmers who earn their living by cultivating coffee, pepper, paddy, vegetable, and maize. The number of poor households in Truc Son Commune is very high at 43.1%.

44. Ethnic minority groups living in the subproject area include the Ede, Tay, Nung, Thai, H'Mong, Muong, and Dao. The Kinh is the dominant group in all the communes except Cu Knia, where the Kinh accounts for only 20% of the total commune population. On average, each ethnic minority household cultivates a land area ranges from 4,000-8,000 m<sup>2</sup> located far from the water source, making it difficult for farmers to irrigate their crops. The summary socio-economic profile of the communes in the subproject area is in Table 7.

**Table 7: Summary of Socio-economic Data of Subproject Area, by End-2016**

Items	Unit	Commune/Town					
		Cu Knia	Ea T'ling	Nam Dong	Tam Thang	Dak Drong	Truc Son
Land area	m <sup>2</sup>						
Population	person	8,975	19,028	17,000	13,588	15,473	9,158
Households	No.	1,908	4,426	4,120	2,776	3,157	2,303
Average annual income per capita	VND million	34.4	40.1	35.2	30.5	22.1	25.3
GDP structure							
- Agriculture and forestry	%	83.5	16.3	52	53	90	60
- Industry and construction	%	16.5	48	27	40	10	30
- Services and commerce	%		78.9	21	7.0		10
Poor households	%	9.72	14.37	6.78	7.65	12.3	43.1
EM persons*	%	80	12	30	29	7.8	-
Ratio of children under 5 years old suffering from malnutrition	%	19	14.1	18	15.2	-	-
Ratio of households using hygienic water	%	96	96	96	99	-	-
Ratio of households having hygienic sanitary facilities	%	90	98	95	-	-	-
Ratio of households with access to electricity	%	98.5	100	100	100	100	100

Note: \*Ethnic minority groups include mainly Tay, Nung, Thai, H'Mong, Muong, Dao, and Ede.

Source: Socio-economic reports, end-2016, of Peoples' Committees of Ea T'Linh Town and five communes of Cu Knia, Nam Dong, Tam Thang, Dak Drong and Truc Son.

## **B. Ethnic Minorities in the Subproject Area**

45. Ethnic minority groups in the subproject area include the Ede and M'Nong and those who immigrated from the provinces in the northern and central parts of Viet Nam, including the groups of Tay, Nung, Thai, H'Mong, Muong, and Dao. The ethnic minority population is very high in the Cu Knia, Nam Dong, and Tam Thang communes, but is low in Ea T'Linh Town and Dak Drong. The average household has 4.9 members, higher than 4.2 for the Kinh group. The proportion of the indigenous ethnic minority poor households is roughly two-thirds of the total number of poor households in the commune.

46. The main economic activities and income sources of the ethnic minority persons within the subproject communes are cultivation of rice, sugar, cassava, soybean, etc. and planting of perennial crops, such as pepper, coffee, and cashew. The income generated from these agricultural businesses is largely dependent on weather conditions and market price. Water needed for cultivation of coffee, pepper, paddy, and maize used to be abundant, but has become scarce in recent years. Almost all ethnic minority households currently use groundwater for domestic use and for agricultural production, which is rather costly.

47. Indigenous ethnic minority groups are found mainly in remote areas, where natural conditions of water and soil, as well as social infrastructure and services, are relatively less competitive than those of the immigrant ethnic minority groups. The income of ethnic minority households from planting HVCs (coffee, pepper, cashew) is far bigger than that of those relying on paddy, maize, etc.

### C. Socio-economic Profile of Affected Households

48. A SES was conducted in 50 (31%) of the total 161 affected households in six communes, of which, four affected households belong to the Tay ethnic minority group. On average, the surveyed affected household has 4.2 members, while the ethnic minority household has four members. The respondents comprised 36 male (68%) and 14 (28%) female (Table 8).

**Table 8: Summary of Households Involved in the Socio-economic Survey**

Communes	Affected Households	Male-headed households	Female-headed households	EM Affected Households
Cu Knia	11	10	1	1
Ea T'ling Town	4	4	0	0
Nam Dong	15	13	2	1
Tam Thang	11	11	0	1
Dak Drong	5	4	1	1
Truc Son	4	4	0	0
<b>Total</b>	<b>50</b>	<b>46</b>	<b>4</b>	<b>4</b>

Source: Socio-economic Survey. May 2017.

49. **Age distribution.** The average age of household members is 46.9 years and 45 years among the ethnic minorities. Among the surveyed households, 141 persons (or 67.5%) out of 209 persons belong to the 18-60 age group. Of the surveyed persons, 26.8% are below 18 years old, and 43.8% are ethnic minority affected persons belonging to the 31-50 age group. No ethnic minority person is older than 50 (Table 9).

**Table 9: Summary of Age Distribution of Affected Persons**

Age	Overall		Male		Female		Ethnic Minority	
	No.	%	No.	%	No.	%	No.	%
<18 years	56	26.8	35	29.9	21	22.8	5	31.3
18-30 years	61	29.2	36	30.8	25	27.2	4	25.0
31-50 years	70	33.5	34	29.1	36	39.1	7	43.8
51-60 years	10	4.8	6	5.1	4	4.3	0	0.0
>60 years	12	5.7	6	5.1	6	6.5	0	0.0
<b>Total</b>	<b>209</b>	<b>100.0</b>	<b>117</b>	<b>100.0</b>	<b>92</b>	<b>100.0</b>	<b>16</b>	<b>100.0</b>

Source: Socio-economic Survey. May 2017.

50. **Ethnic composition.** Of the total households interviewed, 46 persons (or 92%) belong to the Kinh group, while 4 persons (or 8%) out of the households surveyed are Tay. These ethnic minority people are fully integrated in the local community.

51. **Education level.** The SES showed that, of those surveyed, 50 persons (23.9%) completed upper secondary school, while 69 persons (33%) finished secondary school. Only nine (4.3%) persons never attended school. Half of the ethnic minority groups have finished secondary school, and 25% completed upper secondary school (Table 10).

**Table 10: Summary of Education Status of Interviewed Households**

Education level	Overall		Male		Female		Ethnic Minority	
	No.	%	No.	%	No.	%	No.	%
Below school age	12	5.7	8	6.8	4	4.3	0	0.0
Never attended school	9	4.3	4	3.4	5	5.4	1	6.3
Primary school	57	27.3	31	26.5	26	28.3	2	12.5
Secondary school	69	33.0	40	34.2	29	31.5	8	50.0
Upper secondary school	50	23.9	29	24.8	21	22.8	4	25.0
Vocational training	3	1.4	1	0.9	2	2.2	0	0.0
College/university	9	4.3	4	3.4	5	5.4	1	6.3
<b>Total</b>	<b>209</b>	<b>100.0</b>	<b>117</b>	<b>100.0</b>	<b>92</b>	<b>100.0</b>	<b>16</b>	<b>100.0</b>

Source: Socio-economic Survey. May 2017.

52. **Occupation and employment.** Of the affected people, 98% are engaged in agriculture (cultivation of coffee and pepper and livestock raising), while only one old man is unemployed. About 48% of those surveyed have secondary jobs, and all people work in the locality (home, village, or commune).

53. **Household income.** On average, the monthly per capita income of the surveyed persons is about VND3.5 million. The SES found that 4% of the households have a monthly income below the Government-set poverty threshold of VND0.7 million per month. Near poor households with income between VND0.7–1.0 million per person per month account for 12% of the total population. The households at upper middle level earn more than VND3 million/ person/month and account for the highest proportion of 48%. Among the ethnic minority groups, the households at upper middle level also account for the highest proportion of 75% (Table 11).

**Table 11: Average Income Levels**

Income Level (million VND/person/month)	Overall		Ethnic Minorities	
	Ahs	%	Ahs	%
<0.7 (poor)	2	4.0	0	0.0
0.7 – 1.0 (near poor)	6	12.0	1	25.0
1.0 – 1.5 (lower middle)	4	8.0	0	0.0
1.5 – 3.0 (middle)	14	28.0	0	0.0
Above 3 (upper middle)	24	48.0	3	75.0
<b>Total</b>	<b>50</b>	<b>100.0</b>	<b>4</b>	<b>100.0</b>

AH = affected household.

Source: Socio-economic Survey. May 2017.

54. **Housing conditions.** Some 84% of the respondents said that their houses are permanent one-storey structures with brick walls and iron roof, the most common form of house construction in the area. The other 16% of the respondents said that they live in simple houses made by wood and leaves. In ethnic minority groups, 50% of people live in houses with brick wall and iron roof, and the other 50% live in simple houses.

55. **Domestic water use.** The survey results showed that only 6% of the households interviewed use tap water for cooking and drinking, and 4% for bathing and washing. The use of water from boreholes for domestic use, including cooking, drinking, bathing, and washing, is popular. The remaining 16% use water from wells, while 50% of ethnic minorities use well water and the other 50% use borehole water for drinking and washing (Table 12).

**Table 12: Summary of Main Source of Water for Drinking and Bathing**

Water Source	Water Used for Cooking and Drinking				Water Used for Bathing and Washing			
	Overall AHs	%	Ethnic Minority AHs	%	Overall AHs	%	Ethnic Minority AHs	%
Tap water	3	6.0	0	0.0	2	4.0	0	0.0
Wells	8	16.0	2	50.0	8	16.0	2	50.0
Boreholes	39	78.0	2	50.0	40	80.0	2	50.0
<b>Total</b>	<b>50</b>	<b>100.0</b>	<b>4</b>	<b>100.0</b>	<b>50</b>	<b>100.0</b>	<b>4</b>	<b>100.0</b>

AH = affected household.

Source: Socio-economic Survey. May 2017.

56. **Sanitation.** More than half (52%) of the households surveyed use septic tank toilets, while 23% use rudimentary toilet. There is one household without a toilet. In ethnic minority groups, half of the households have septic tank toilets, and the other half use rudimentary toilets (Table 13).

**Table 13: Summary of Types of Toilet Used by Interviewed Households**

Type of Toilet	Overall		EM Households	
	AHs	%	AHs	%
Septic	26	52.0	2	50.0
Rudimentary	23	46.0	2	50.0
None	1	2.0	0	0.0
<b>Total</b>	<b>50</b>	<b>100.0</b>	<b>4</b>	<b>100.0</b>

Source: Socio-economic Survey. May 2017.

57. **Ailments.** The most common ailments affecting the local people are colds (74%) and flu (70%); 75% of ethnic minority persons said they suffered from colds (Table 14).

**Table 14: Summary of Ailments of Interviewed Households**

Type of Ailment	Overall		Ethnic Minority	
	No. of Households	%	No. of Households	%
Cold	37	74.0	3	75.0
Flu	35	70.0	2	50.0
Respiratory infection	5	10.0	0	0.0
Fever	5	10.0	0	0.0
Cholera	3	6.0	0	0.0
Malaria	1	2.0	0	0.0

Source: Socio-economic Survey. May 2017.

## D. Gender Issues

58. In the subproject communes, men and women share many of the tasks related to farming and off-farm work. However, women have much more responsibility for household work, such as taking care of children, cooking, and cleaning. The proportion of women is approximately equal to the men.

59. For the Kinh people, the ultimate decision maker in the family appears to be the husband, who controls the assets and money. However, in most cases, husband and wife negotiate prior to any important decision concerning cultivation, livestock, investments, or use of money. There seems to be a variation between different families and also between different villages regarding women's influence in household decision making. Community activities and other meetings are attended by either husband or wife.

60. Women have representation in the traditional leadership and decision-making, and their representation in the political leadership is mostly in the Women's Union. The general recognition is that women always prioritize and protect their family and its interests. Women's basic agenda is to advocate the very basic socio-economic and cultural values of their people. The participation of women in leadership and decision-making in resettlement planning activities will be guaranteed through equal representation of men and women. Election of the representatives to the resettlement planning bodies will be done separately by men and women.

## E. Social Impact Assessment

61. **Expected positive impacts.** The Cu Jut Subproject will help increase water availability to farmers along the Ea Dier stream. Farmers already with access to some water will have a more assured supply throughout the dry season. This will result in higher yields of current HVCs of coffee and pepper plants. Some areas currently without access to surface water will, with the subproject, be able to irrigate their land with water from the stream. The subproject will allow rainfed cropping activities to move into HVC production for the first time. For those using groundwater, the project will provide the farmers with more water than at present, which will lead to higher yields and decrease their irrigation costs. The subproject will also provide them with a longer lasting water source than groundwater alone may provide in the future, thereby encouraging more investment in HVC crops as future risk will be decreased. The irrigated area is estimated to increase and will contribute to economic impact of the Project. Specific details on social impacts are the following:

- The replacement of 10 existing temporary weirs by permanent ones along the Ea Dier stream will help promote the effective use of the two upstream reservoirs of Dak Drong and Dak Dier with a total capacity of 11.2 million cubic meters (mcm). This will contribute to the significant increase in groundwater levels along the water catchment of the Ea Dier stream and minimize farmers' overexploitation of groundwater. It also will also help improve the landscape environment surrounding these weirs.
- These new weirs will help store and regulate sufficient water for irrigating 3,060 ha of coffee and pepper along the Ea Dier stream. It will also help enhance the productivity, quality, and quantity of coffee and pepper within the subproject command area<sup>5</sup>. It will

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<sup>5</sup> It was estimated by farmers, during FGDs, that water irrigation productivity of coffee and pepper in the area will increase from the current level of 1-1.5 t/ha/yr to 2.5-3 t/ha/yr once the barrages are completed.

also ensure that approximately 2,000 ha of coffee and pepper plants are saved in case of possible prolonged serious drought in the coming years.

- The project aims to introduce water saving technology and advanced technology transfer to about 5,000 households and, therefore, result in savings in the cost of labor, water, and electricity<sup>6</sup>; promote coffee and pepper quality, reduce pests, and reduce the use of fertilizers and pesticides. A future successful model on water saving technology within the project command area will be promoted, expanded, and studied by farmers in Cu Jut and other districts of Dak Nong Province.
- Intervention measures to improve market linkages between farmers, traders, and local authorities will be developed, thus helping farmers maximize their farming efficiency.
- During construction, job opportunities will be provided to approximately 50-100 local residents. Local women, and poor and ethnic minority laborers will be prioritized.

62. **Potential negative subproject impacts.** After the completion of these weirs, the exploitation and utilization of water may lead to some potential social impacts, water use conflicts between farmers having land plots close and far from these barrages, and regulation of water from upstream and downstream barrages of Ea Dier stream. Effective measures for the management of barrages and public participation, especially among water user groups, are necessary. The model on management and use of the project facility is described in the Institutional section of the Project Feasibility Report.

63. The development of the 10 weirs and management of roads will lead to the acquisition of approximately 30,808 m<sup>2</sup> of cultivated land, which is currently owned by 88 households for the plantation of coffee and pepper and 17,182 m<sup>2</sup> of public land. A total of 2,438 coffee and pepper plants will also be lost. However, these losses are minor, and all the affected households are confident that with the provision of sufficient water from these new barrages, their livelihood will soon recover. The REMDP will be developed to ensure that all affected households will receive proper compensation, assistance, and livelihood rehabilitation.

#### IV. INFORMATION DISCLOSURE, CONSULTATION AND PARTICIPATION

##### A. Information Disclosure

64. In compliance with ADB requirements, the Khanh Hoa PPMU will assist the Cu Jut Land Fund Development Center (LFDC) and the subproject communes to publicly disseminate the REMDP as approved by the Dak Nong PPC and ADB. All affected persons will be notified in advance about resettlement activities, including: (i) scope of the subproject, project benefits, site clearance plan, and construction plan; (ii) DMS results; (iii) lists of eligible affected persons and their entitlements; (iv) compensation rates and amounts; (v) payment of compensation and other assistance; and (vi) other matters such as the complaint mechanism. Notices will be posted at the CPC offices of Cu Knia, Ea T'ling, Nam Dong, Tam Thang, and Dak Drong and/or other easily accessible locations. Letters, notices, or small brochures will be delivered individually to all affected persons, and through radio announcements and/or public meetings.

65. This REMDP will be uploaded in ADB websites in both English and Vietnamese and disclosed to the ethnic minority people through commune and village meetings. The REMDP will

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<sup>6</sup> The current average annual water cost for coffee and pepper is VND25 million/ha. It is estimated that after subproject completion, water cost would be around VND3-3.5 million/ha, thus enabling farmers to save in water cost of about VND2-3 million/ha/yr.

be translated into the ethnic minority language/s and disseminated to the ethnic minorities through loudspeakers and other oral means of communication on market days as well as at public meetings.

## **B. Public Consultations and Participation**

66. Public consultations and community participation are encouraged in all phases of the project cycle, including planning, design, implementation, and monitoring. The objective of the public consultation and participation is to develop and maintain avenues of communication between the subproject, stakeholders, and affected persons to ensure that their views and concerns are incorporated into subproject preparation and implementation with the objectives of reducing or offsetting negative impacts and enhancing benefits from the subproject. The feedback from consultations is very important for the planning process, leading to the formulation of mitigation measures and compensation plans for subproject affected communities, and for environmental mitigation measures.

67. The objectives of public consultation and participation are:

- To provide full and impartial information to affected people about the subproject, its activities, and potential impacts that affect them, and to provide an opportunity for their feedback on the subproject;
- To 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 that affected persons participate in the design of mitigation measures;
- To gather information about the needs and priorities of affected people as well as their feedback on proposed resettlement and compensation policies, options, and activities;
- To obtain cooperation, participation, and feedback of affected persons on activities to be undertaken in resettlement planning and implementation, land and community facilities, and the development and implementation of the livelihood program to affect livelihood restoration and development;
- To provide a mechanism for continued dialogue, raising of concerns, and monitoring of implementation;
- To explore options for the co-management of natural resources through participatory approaches aimed at sustainable use and conservation; and
- The method of consultation and participation ensures a two-way exchange of information between the community people and affected groups by a consultation method in accordance with the traditional culture of the locality, considering gender issues, vulnerability, social justice, and the principle of equality.

### **1. Consultation and Participation during the REMDP Preparation**

68. Consultation meetings were conducted in August 2016 and March 2017 by the social, gender, ethnic minority and resettlement, and environment specialists. Some 231 persons (58 or 25% are female) from Dak Nong PPC,<sup>7</sup> Cu Jut DPC, and the CPCs of the six communes were consulted. The subproject will help improve the socio-economic conditions in the command areas

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<sup>7</sup> Dak Nong Department of Natural Resource and Environment; Dak Nong Department of Labor and Invalid Affairs, Dak Nong Women's Union, Dak Nong Department of Ethnic Minority Agency, Dak Nong Farmers' Union

through improved water irrigation and adoption of HVC crops. It is strongly supported by local authorities, residents, especially the ethnic minority groups. The summary of participants involved in the public consultations during REMDP preparation is in Table 15, and the results of the public consultations are in Table 16.

**Table 15: Summary of Public Consultations during REMDP Preparation**

Locations	First Public Consultation, August 2016		Second Public Consultation, May 2017	
	Male	Female	Male	Female
Dac Nong PPC	7	3	0	0
Cu Jut DPC	4	1	0	0
Nam Dong CPC	20	10	18	6
TamThang CPC	20	4	14	4
Ea T'linh CPC	14	6	20	2
Truc Son CPC	14	8	14	6
Cu Knia CPC	12	4	16	4

Source: Public Consultations undertaken during REMDP preparation.

**Table 16: Summary of Results of Public Consultations during Preparation of REMDP**

Topics	Key Findings and Recommendations
Project information	<p>Subproject information, including objectives, scope of work, concept design, location, timing, estimated cost, executing agency, and implementing agency was delivered to residents and related stakeholders.</p> <p>The delivery of the proposed subproject is necessary for the socio-economic development of the six communes, in particular, and of Cu Jut District, in general. It will help ensure the watering of 3,060 ha of coffee and pepper trees and help promote the adoption of water saving technology and an increase of productivity of crops (from 1-1.5 to 2.5-3 t/ha/yr).</p> <p>Vietnamese language is acceptable to all local residents.</p>
Current water shortage for watering coffee and pepper	<p>It was realized that a large cultivated land area recently experienced drought, which resulted in loss of productivity and poor quality of coffee and pepper. In the past three years, approximately 40-50% of coffee and pepper plants were affected by the lack of water.</p> <p>It was estimated that around 70-80% of all farmers use groundwater, which is generated from boreholes, for watering coffee and pepper plants. Water quality and quantity are not adequate for coffee and pepper plants due to overexploitation of ground water and deforestation. The water depth of boreholes within the region is now from 60-100 m<sup>8</sup>.</p>
Livelihood model and livelihood rehabilitation measures	<p>Almost all local residents rely on the cultivation of coffee and pepper plants and animal raising. Their land for farming is small, ranging from 0.5-1.5 ha. Poor and near poor households are now facing issues such as health problems, lack of local labor force, lack of productive land, or lack of water. These issues are more serious for EM residents, especially poor residents.</p> <p>It is necessary to provide further support to local residents, as the case may be, including the provision of irrigation water, soft loan provision, technology transfer in cultivation of coffee and pepper trees and market linkages, etc.</p>
Gender issues	<p>Women of the Kinh group spend less time than men on the households' farming activities, from watering to harvesting of coffee and pepper, because women have to take care of their children. Ede women spend less time than men on the household's</p>

<sup>8</sup> From 2000-2010, the water depth of boreholes ranged from only 35-50 m.

Topics	Key Findings and Recommendations
	<p>farming activities. In some cases, the role of women in decision making is not accepted by men.</p> <p>Access to water saving technology is not possible for women in EM groups and who head households because installation costs for a new system is high, ranging from VND40-80 million. Provision of soft loans to farmers, especially EM women-headed households, is necessary.</p> <p>Cultivated land is an important asset for all local residents. However, Ede women-headed households own land areas that are about 10-15% less than the Kinh and other EM households.</p> <p>Ethnic minority women have limited knowledge and skills in farming, water saving technology, etc., than men, making it difficult for them to improve farm productivity.</p>
Possible subproject social impacts	<p>The subproject will help improve socio-economic conditions of local residents through the provision of sufficient and stable water for their farming business; increase land area with adequate irrigation; enable savings in the cost of labor forces and reduce water loss and electricity cost.</p> <p>More farmers will be equipped with advance technology, skills, and knowledge, through the project, thus helping to increase productivity, quality, and quantity of the coffee and pepper trees.</p> <p>IMC capacity will be strengthened. Water will be used safely and more economically. Jobs during construction will be provided to local residents, including women, the poor, and ethnic minorities.</p> <p>Development of a management road to and from the barrages will help promote the transportation of agricultural products. Barrages and roads developed under the subproject will also help improve the environmental condition and landscape.</p> <p>Jobs during construction will be provided to local residents, including women, the poor, and EM residents.</p>
Involuntary resettlement	<p>Land and coffee and pepper trees will be lost due to the development of subproject facilities, but losses will be minor and restorable.</p> <p>Local authorities and affected persons will hand over their land to the project once compensation and assistance are completed. Compensation and assistance rates should be made public. Land donation is possible.</p> <p>The REMDP should be prepared following the regulations of ADB and Viet Nam. Notice on the DMS should be provided to affected households before implementation.</p> <p>Assistance will be provided in the form of awareness raising, knowledge, transfer of water saving technology, and soft loans to affected households.</p>
Transfer to HVCs and adoption of water saving technology	<p>Local residents support the adaptation of water saving technology as it saves electricity, labor cost, and it help to ensure productivity and efficiency of farming. Some households are faced with financial difficulties on investment of new water saving irrigation system. However, if the subproject provides initial support (soft loans or initial grant) they will install the new system and are capable of paying in 3 years.</p>

## 2. Public Consultation and Participation Mechanisms during Updating and Implementation of Updated REMDP

69. Public consultation and participation is encouraged throughout the subproject cycle. During the implementation phase, the Dak Nong PPMU, in coordination with the Cu Jut LFDC and CPCs of Cu Knia, Ea T'lin, Nam Dong, Tam Thang, Truc Son, and Dak Drong will be responsible for disseminating subproject information and resettlement policies using various media, such as seminars, presentations, and public meetings, where subproject-affected people and beneficiaries (including women and ethnic minorities) will be invited. Where affected people are ethnic minority, consultation with them should be held in their community at time suitable for people, especially for women so that they can participate as much as possible all consultations.. Participants are free to discuss and give feedback and comments about the technical parameters

and subproject impacts of different alternatives, as well as about resettlement and compensation measures. PPMU will distribute the PIB and other documents in local language (if needed) of the subproject to affected people, including ethnic minority people.

70. Local people, especially the affected persons and ethnic minority people, have the right to work for the subproject as specified in the GAP. All the community members have the right to monitor not only the construction of the subproject, but also the implementation of the REMDP or updated REMDP, and some of them may join the Community Monitoring Board of the commune to monitor the implementation process. They can raise grievances if they find any illegal actions or things they disagree with.

## **V. GRIEVANCE REDRESS MECHANISM**

71. Grievances related to any aspect of the project shall be handled through negotiations aiming at achieving consensus. The grievance redress mechanism (GRM) has been designed in this document to address the displaced households' grievances and/or complaints regarding land acquisition, compensation, and resettlement in a timely and satisfactory manner. Affected persons or households, including ethnic minority people, shall be made fully aware of their rights and the detailed procedures for filing of grievances and the appeal process. The GRM and appeal procedures shall be disclosed to affected persons and ethnic minority people during consultation and guided in the PIB how to lodge their complaint using the GRM, which shall be distributed to all affected persons or households.

72. Affected persons, including ethnic minority people, are entitled to lodge complaints regarding any issues on land acquisition and resettlement, such as entitlements, rates and payment, and procedures for resettlement and income restoration programs. Complaints can be in writing or in verbal narrative by the affected persons or households. In the case of verbal complaints, the competent agency shall be responsible for making a written record during the first meeting with the complainant. Aggrieved affected households from an ethnic minority may bring along a community leader or any person that can help him/her in hearing and complaint resolution.

73. For the purpose of grievance redress, the Dak Nong PPMU officers shall also serve as grievance officers. The designated commune officials shall exercise all efforts to settle the issues at the commune level through affected person appropriate community consultations. All meetings shall be recorded by the resettlement committees, and copies shall be provided to displaced persons or households. A copy of the minutes of meetings and actions undertaken shall also be provided to the CPMU and ADB upon request. The complainant will be exempted from all administrative and legal fees that might be incurred in the resolution of grievances and complaints.

74. This GRM shall be governed by Viet Nam laws, including: (i) Law on Complaints No. 02/2011/QH13; (ii) Article 204 of the 2013 Land Law; (iii) Regulations on Grievance of Government Decree 75/2012/ND-CP; and (iv) Decree No. 43/2014/ND-CP.

### **A. Stages Grievance Redress Mechanism**

75. Complaints will pass through three stages before they could be elevated to a court of law as a last resort. The stages of GRM for the subproject are summarized below.

- **First stage, CPC level.** If a complaint is filed for the first time, the complainant may bring his/her complaint to any member of the CPC, either through the Village Chief or directly to the CPC, verbally or in writing. It is the duty of the said CPC member or the village chief to inform the CPC of the complaint. The CPC will meet the complainant

personally and will have 10 days to register the complaint after it was filed. The CPC secretariat is responsible for documenting and keeping the files of all complaints that it handles. The time limit for handling the complaints filed for the first time shall not exceed 30 days from the date of registration; for complicated cases, the time limit may be extended, but should not exceed more than 45 days from the date of registration. During 30 days from the expiration day for the settlement of the complaint, if the first complaint is not resolved, or from the day the complainant receives the decision on the complaint, or if the complainant does not agree with it, the complaint can be brought to the Subproject DPC or a lawsuit initiated at the people's court.

- **Second stage, DPC level.** In a period of not more than 90<sup>9</sup> days from the date the Subproject DPC Chairman, who makes administrative decisions, administrative acts in the land management provisions, or if the person with related interests and obligations disagrees with administrative decisions or administrative acts, the complainant may file the complaint with the Subproject DPC. The Subproject DPC Chairman shall handle the complaint within the time limit prescribed by the Law on Complaints. Decisions of the Subproject DPC Chairman shall be made public, and a copy shall be sent to the complainant and other persons with related interests and obligations. Within 30, or 45 days for complete cases, from the date of receipt of the decision by the Subproject DPC Chairman that the complainant does not agree with the decision, he/she may initiate a lawsuit at the peoples' court of the district or elevate the complaint to the Dak Nong PPC. The time limit for appeal should not be longer than 60 days from the date of acceptance for complicated cases. The agency receiving the complaint shall be responsible for recording the entire track of settling the complaints.
- **Third stage, PPC level.** Within 30 days from the date that the Dak Nong PPC Chairman made administrative decisions or administrative acts, and if the complainant disagrees with the administrative decisions or administrative acts, he/she may file the complaint with the Dak Nong PPC. The Chairman of the Dak Nong PPC shall resolve the complaint within the time limit prescribed by the Law on Complaints. The decision by the Dak Nong PPC Chairman on the complaint shall be made public and a copy sent to the complainant and other persons with related interests and obligations. Within 45 days from the date of receipt of the decision from the Dak Nong PPC Chairman and if the complainant does not agree with the decision, the complainant may bring the case to the people's court of the province. The time limit for appeal should not be more than 60 days from the date of acceptance for complicated cases. The agency that receives the complaint shall be responsible for recording the entire track of the proceedings done for the complaint.
- **Final stage, arbitration in a court of law.** Within 45 days from the date of receipt of the decision from the Dak Nong PPC Chairman, the complainant can bring the case to the people's court for arbitration if he/she disagrees with the decision. If the Court finds that the acquisition of land is not compliant with the law, such land acquisition shall be suspended or stopped. The government agency that issued the decision should cancel the decision allowing land acquisition and compensate the land owner for any damage/s done on the land. Within 30 days after the decision of the court, the concerned resettlement and compensation committee will pay for the damage/s to the landowner, as ordered by the Court. But if the arbitrating judge finds the land acquisition to be legal, the complainant must abide and comply with the decision of the Court.

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<sup>9</sup> Article 9, Law on Complaints No. 02/2011/QH13

## B. Tracking and Reporting of Grievance Proceedings

76. The Grievance Redress Committee (GRC) shall maintain a system for the recording of queries, suggestions, and grievances of the affected persons. All queries, suggestions, and grievances, as well as resolutions thereon, shall be recorded and sent to the CPMU management and supervision. The full costs of establishing and operating the GRM are included in the project cost, as part of the contingency. In case it has become necessary to establish a GRM, the CPMU will appoint the staff from PPMUs to check the procedures for the resolution of grievances and complaints. The CPMU will train the staff on grievance procedures and strategies and share the same with the resettlement and compensation committees. The GRCs shall ensure that the complaining affected persons are provided with copies of the decisions or resolutions.

## VI. LEGAL AND POLICY FRAMEWORK

77. The legal and policy framework for addressing the resettlement impacts of the subproject is provided by the Land Law, 2013 and other relevant policies and laws of Viet Nam and the ADB's 2009 SPS. The following section outlines the relevant policies and laws and highlights where differences exist, as well as the policies and principles that apply under this subproject.

### A. The ADB Social Safeguards Policy

78. **Involuntary resettlement.** The 2009 SPS states that: (i) involuntary resettlement shall be avoided, whenever possible; (ii) involuntary resettlement shall be minimized by exploring project and design alternatives; (iii) the livelihoods of all displaced persons in real terms relative to pre-project levels shall be enhanced or at least restored; and (iv) the standards of living of the displaced poor and other vulnerable groups improved. The involuntary resettlement policy applies to full or partial, permanent or temporary physical displacement (relocation, loss of residential land, or loss of shelter) and economic displacement (loss of land, assets, access to assets, income sources, or means of livelihoods) resulting from (i) involuntary acquisition of land or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas. Resettlement is considered involuntary when displaced individuals or communities do not have the right to refuse land acquisition resulting in displacement. This occurs in cases where: (i) lands are acquired through expropriation based on eminent domain; and (ii) lands are acquired through negotiated settlements, if the expropriation process would have resulted upon the failure of negotiation.

79. **Indigenous people.** As provided for in the 2009 SPS, the policy on indigenous people aims to design and implement projects in a way that fosters full respect for indigenous people's identity, dignity, human rights, livelihood systems, and cultural uniqueness, as defined by the indigenous people themselves so that they (i) receive culturally appropriate social and economic benefits, (ii) do not suffer adverse impacts because of the subprojects, and (iii) can participate actively in projects that affect them. The term, "Indigenous People," is used in a generic sense to refer to a distinct, vulnerable, social, and cultural group possessing the following characteristics in varying degrees: (i) self-identification as members of a distinct indigenous cultural group and recognition of this identity by others; (ii) collective attachment to geographically distinct habitats or ancestral territories in the project area and to the natural resources in these habitats and territories; (iii) customary cultural, economic, social, or political institutions that are separate from those of the dominant society and culture; and (iv) a distinct language, often different from the official language of the country or region.

80. A group, which has lost collective attachment to geographically distinct habitats and ancestral territories in the project area because of forced severance, remains eligible for coverage under ADB's indigenous people policy. The indigenous people safeguard is triggered if a project directly or indirectly affects the dignity, human rights, livelihood systems, or culture of indigenous people or affects the territories or natural or cultural resources that indigenous people own, use, occupy, or claim as their ancestral domain.

81. In the preparation of social safeguard documents for projects assisted by ADB, the policies on the following cross-cutting themes shall be incorporated: Gender and Development (1998); Public Communications Policy (2011); and Accountability Mechanism (2012).

## **B. Relevant Laws of Viet Nam on Social Safeguards**

82. **Compensation, support, and resettlement.** The Government of Viet Nam (GOV)'s principal documents regulating compensation, assistance, resettlement in Viet Nam are listed below.

- Constitution of the Socialist Republic of Viet Nam (SRV), 2013;
- Land Law No. 45/2013/QH13 on comprehensive land administration regulations.
- Decree No. 01/2017/ND-CP dated 6 January 2017 of the Government amends and supplements some decrees on guidelines for the Land Law, namely: Decree 43/2014/ND-CP, dated 15 May 2014, detailing a number of articles of the Land Law; Decree 44/2014/ND-CP, dated 15 May 2014, on land prices; and Decree No. 47/2014/ND-CP, dated 15 May 2014, on compensation, support, and resettlement upon land recovery. The Decree took effect on 3 March 2017.
- Decree No. 104/2014/ND-CP of 14 November 2014 by GOV regulating land price frame;
- Decree No. 43/2014/ND-CP dated 15 May 2014 by GOV on detailed regulations on implementation of the Land Law No. 45/2013/QH13;
- Decree No. 47/2014/ND-CP dated 15 May 2014 by GOV on compensation, assistance, and resettlement upon land recovery by the State;
- Decree No. 44/2014/ND-CP of 15 May 2014 by GOV on valuation of land prices;
- Circular No. 37/2014/BTNMT on detailed guidance on compensation and assistance when the State acquires land;
- Circular No. 36/2014/TT-BTNMT by the Ministry of Natural Resources and Environment (MONRE) specifying detailed methods of valuation of land prices, construction and adjustment of land prices, specific land prices valuation, and land prices valuation consulting services;
- Decision No/63/2015/QD-TTg dated 10 December 2015 by the Prime Minister regulating the policy on assistance in vocational training and job search for workers whose land is withdrawn by the state; and
- Decision No.1956/2009/QD-TTg dated November 17, 2009 by the Prime Minister on vocational training for rural area residents.

83. In Dak Nong Province, the currently applied regulations on land acquisition, compensation, support, and resettlement are the following:

- Decision No. 07/2015/QD-UBND of 29 January 2015 by the Chairman of the Dak Nong PPC on compensation, assistance, resettlement as the Government recover land in Dak Nong province;
- Decision 31/2014/QD-UBND of 26 December 2014 by the Chairman of the Dak Nong PPC on the price list of land types in Dak Nong province, period 2015-2019; and
- Decision No 177/2015/QD-UBND dated May 30, 2015 of the Dak Nong PPC on the temporary regulations on crop compensation rate for land when the State recovers land in Dak Nong province.

84. **Ethnic minorities.** The definition of ethnic minority status in Viet Nam is based on the criteria of: (i) a language different from the national language; and (ii) long traditional residence on, or relationship with, land and long traditional social institutions; (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. The Constitution of Viet Nam (2013), Art. 5 acknowledges equality and equal rights among ethnic groups, upon which also the Government policy and programs on ethnic minority development are based upon. Constitution 2013, Articles 58 and 61 point out that ethnic minorities and people living in the mountainous regions are given priority in education and health care services.

85. The main vehicle for implementing government policies concerning ethnic minorities is through the Committee for Ethnic Minorities (CEMA). The CEMA shall identify, coordinate, implement, and monitor projects targeted to ethnic minority development and has its own budget to be spent on the main programs and projects. At the provincial level, the Department of ethnic minorities is the implementing agency for developing policies concerning ethnic minorities. At the district level, this office has been established under management of the DPC to develop provincial policies concerning ethnic minorities and implement programs/projects for ethnic minorities.

86. The State-owned Social Policy Bank (SPB) provides micro loans targeted to poor and EM households and households in communities that are classified by GOV as extremely difficult areas. To be qualified for a loan from SPB, the borrower should be a member of one village-level micro credit group. Mass organizations (Women's Union, Farmers' Association, Fatherland Front, Youth Union) support these groups and further cooperate with SPB in disseminating information on loan availability, procedures, and management. Mass organizations also give recommendations for priority listing of households for loan attainment.

87. **Gender.** The Constitution of the Viet Nam recognizes the equal rights of men and women. The Vietnam WU is a politico-social organization in the political system, which represents the legitimate rights and interests of the elite women of Viet Nam and strives for the empowerment of women and gender equality. To date, members of this women's association are present in almost all sectors and levels. The Gender Equality Law was passed on 29 November 2006 by the National Assembly. This is an important legislation for the formulation of policies and practical actions on gender equality in Viet Nam.

88. The above policies affirm the role of women in the socio-economic development of the country and GOV's determination to bring the gender relationship to equality.

89. **Government decisions on ethnic minority and gender** include some key regulations as follow:

- Decision No. 1722/QĐ-TTg approving the National Target Program on sustainable poverty reduction for the 2016-2020 period;
- Decision No. 1557/QĐ-TTg dated 10 September 2015 by the Prime Minister approving the criteria for implementation of the Millennium Development Goals for EMs in association with the National Post-2015 Sustainable Development Goals (SDGs);
- Decision No. 2356/QĐ-TTg of 12 April 2013 on action program to implement the Master Plan for the development of EM human resources in mountainous areas by 2020;
- Joint Circular No. 01/2012/TTLT-BTP-UBND of the Ministry of Justice and the CEMA guiding the implementation of legal assistance for Ems; and
- Decree No. 80/2011/NQ-CP on sustainable poverty reduction, 2011-2020.

### **C. Reconciliation of Government and ADB Policies on Resettlement and Ethnic Minority**

90. In general, there are several aspects of the 2013 Viet Nam Land Law (LL) similar to the policy objectives and principles of ADB's social safeguards on IR. However, the following differences were noted:

- While the SPS requires that displaced persons without titles (legal rights) to land are provided with resettlement assistance and compensated for loss of non-land assets (constructed before the cut-off date), the 2013 Land Law does not allow compensation of land-attached assets, which are illegally established (Art., 92, LL). Certain structures are not compensated based on the value of a new structure (Art., 89.2, LL). There is also no requirement to compensate unregistered businesses for income losses due to business disruption resulting from land recovery and support in re-establishing their business activities elsewhere.
- While the SPS requires consulting all categories of displaced persons and host communities, the Land Law requires consulting mainly land users who meet the conditions for compensation.
- While the SPS requires exploring additional revenues and services through benefit sharing schemes, where possible, such is not required under the Land Law.
- While the SPS requires the conduct of a social impact assessment to identify poor and other vulnerable groups who may be disadvantaged/disproportionally affected by the land acquisition for the project and implement targeted measures to assist them, the Land Law does not clearly require projects to identify displaced poor and other vulnerable groups.
- The level of detail and information required for resettlement planning under the SPS differs from those required under the Land Law. There is also no requirement under the Land Law to prepare a draft resettlement plan prior to the DMS.
- While the SPS requires that compensation includes interest accrued, the Land Law requires that compensation for land users refusing compensation be kept in an escrow account in the State Treasury without interest.
- For specific projects, the SPS requires the conduct and disclosure of M&E of resettlement activities. For projects with significant involuntary resettlement impacts, the project is required to retain qualified and experienced external experts to verify the project's internal monitoring. In the Land Law, M&E is required in broad terms and

includes all aspects of the implementation of the Land Law. There is also no requirement for independent monitoring for projects with significant IR impacts.

91. Table 17 provides a gap analysis of ADB's SPS, 2009 and GOV policy on involuntary resettlement and ethnic minorities, as well as measures for filling gaps to be applied for the subproject.

**Table 17: Gap analysis between the relevant provisions of 2013 Land Law and the 2009 Safeguard Policy Statement of ADB and Project Policy**

<b>Issue</b>	<b>ADB SPS requirement</b>	<b>Provision in Land law 2013, Decree 47, Decree 44</b>	<b>Project Policy</b>
Identification of severely affected persons	Involuntary resettlement impacts deemed significant if 200 or more persons will be physically displaced from their homes or lose 10% or more of their productive or income-generating assets. <sup>10</sup>	Affected persons losing at 30% or more of productive agriculture land are considered severely impacted and are entitled to livelihood restoration measures (Decree 47, Art. 19, Item 3)	Households are to be deemed severely affected if they are to experience loss of 10% or more of productive assets and/or physical displacement.
Meaningful consultations in planning and implementing resettlement programs	Carry out meaningful consultations with affected persons, host communities, and concerned nongovernment organizations (NGOs). Inform all displaced persons of their entitlements and resettlement options. Ensure their participation in planning, implementation, and M&E of resettlement programs. Pay particular attention to the needs of vulnerable groups, especially those below the poverty line, the landless, the elderly, women and children, and IPs, and those without legal title to land, and ensure their participation in consultations. (ADB SPS IR Principle 2)	Public consultation is required for the preparation of district land use plans (Land Law 2013, Art. 43). Notification of between 90-180 to be given to affected land users (Land Law 2013, Article 67). On approval of compensation arrangements, detailed information on arrangements to be provided to affected persons, and provision for involvement of the Fatherland Association. (Land Law 2013, Art. 69)	Conducting meaningful consultations with affected persons, mass organizations and civic organizations throughout project cycle.
Determination of compensation rates for houses and structures	The rate of compensation for acquired housing, land, and other assets will be calculated at full replacement costs with no deduction of salvageable materials. The calculation of full replacement cost will be based on the following elements: (i) fair market value; (ii) transaction costs; (iii) interest accrued; (iv) transitional and restoration costs; and (v) other applicable payments. (SPS Appendix 2: Safeguard Requirements for IR)	Houses/structures used for living purposes will be compensated at replacement cost. (Land Law 2013, Article 89, item 1) Houses/structures used for other purposes will be compensated equal to the remaining value of the affected house plus some percentage of current value but total compensation amount is not exceed value of the new house/structure. (Decree 47, Art.9)	Full compensation at replacement cost to be paid for land and all non-land assets. No deductions for salvageable materials or depreciation to be made.
Provisions for affected persons who do not have Land Use	Ensure that displaced persons without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of	For displaced households that are not eligible for compensation with residential land, but have no other place to live in project commune, provision is made for	All affected persons to be entitled to compensation in line with ADB policy and government policy

<sup>10</sup> ADB Safeguard category definitions: <https://www.adb.org/site/safeguards/safeguard-categories>

Issue	ADB SPS requirement	Provision in Land law 2013, Decree 47, Decree 44	Project Policy
Registration Certificates (LURCs)	nonland assets. (SPS IR Safeguards Policy Principle 7)	the State to sell, lease, provide rent-to-own houses or to allocate land with levy collection. (Land Law 2013, Article 79) The Land Law 2013, Art. 92 permits recovery of land without compensation for lost assets in some cases.	depending, whichever is higher .
Prepare Resettlement Plan	Prepare a resettlement plan elaborating on displaced persons' entitlements, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time-bound implementation schedule. SPS Involuntary Resettlement Safeguards Policy Principle 8	Requirement for preparation of plans for compensation, support and resettlement. 2013, Land Law Article 67, Article 69. Contents of plans provided in Decree 47, Article 28.	RP or REMDP is required for each subproject
<b>Ethnic Minorities</b>			
Action planning	Prepare an EMDP that is based on social impact assessment and meaningful consultations with the assistance of qualified and experienced experts and draws on indigenous knowledge and participation by the affected ethnic minority communities.	No provision of the government on preparation of EMDP.	The EMDP shall be prepared and updated, implemented, and monitored.
Recognition of customary rights	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 territories that ethnic minorities have traditionally owned or customarily used or occupied; or (ii) involuntary acquisition of such lands.	The issues of customary rights or ancestral domains have not been fully recognized through LURC.	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.
Third party validation of consultation related to land donations	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.	Not required.	In case of land donations involving marginal portions of land, the third party consultant will witness 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 to the report.
Monitoring	Monitoring indicators specified for internal and external monitoring and reporting. In case of significant or sensitive impacts, an external monitoring organization is required	No monitoring indicators indicated.	The implementing agency must undertake internal monitoring according to the critical indicators. Anticipated negative impacts of the project are

Issue	ADB SPS requirement	Provision in Land law 2013, Decree 47, Decree 44	Project Policy
	to conduct monitoring of RP and EMDP implementation.		minor; there is no need to recruit an external monitoring organization.

#### D. Project Policy

92. Given the comparison above and filling the gaps of the 2013 Land Law from SR2 of ADB's 2009 SPS, the following policy was developed, which MARD will commit to implement in a transparent manner, where applicable, in case of land acquisition:

- Involuntary resettlement and impact on land, structures, and other fixed assets will be minimized, where possible, by exploring all alternative options.
- Compensation will be based on the principle of replacement cost at the time of compensation.
- Affected households without title or any recognizable legal rights to land are eligible for resettlement assistance and compensation for non-land assets at replacement cost.
- Meaningful consultation will be carried out with the affected households, indigenous households, affected communities and concerned groups to ensure participation from planning up to implementation and monitoring. The comments and suggestions of affected households and communities will be taken into account.
- Project information and updated REMDP will be disclosed to affected households in a form and language(s) understandable to them prior to submission to ADB.
- Resettlement identification, planning, and management will ensure that gender concerns are incorporated.
- Special measures will be incorporated in the resettlement plan to protect socially and economically vulnerable groups, such as ethnic minorities, female-headed households, children, disabled, the elderly, landless, and people living below the generally accepted poverty line.
- Existing cultural and religious practices will be respected and, to the maximum extent, preserved.
- Culturally appropriate and gender-sensitive social impact assessment and monitoring will be carried out in various stages of the project.

#### E. Principles for Valuation of Land and Non-land Assets

93. All compensation will be based on the principle of replacement cost. Replacement cost is the amount calculated before displacement, which is needed to replace an affected asset without deduction for taxes and/or costs of transaction as follows. The subproject DPC will establish specific land prices based on the principles stated in Clause 1, Article 56, Land Law and submit to Dak Nong PPC for approval before implementation.

- Productive land (agricultural, aquaculture, garden, and forest) based on actual current market prices that reflect recent land sales in the area, and in the absence of such recent sales, based on recent sales in comparable locations with comparable attributes, fees and taxes for LURC or in the absence of such sales, based on productive value.

- Perennial and annual trees/crops equivalent to current market value of crops at the time of compensation.

#### **F. Land donation**

94. Where subproject involves voluntary land donation, the REMDP will also include arrangements to deal with losses on a voluntary basis with appropriate safeguards. Such land donations will require a written agreement with the respective landowners. It may be in a form of MOU between the landowner(s) and the CPC or other documentation acceptable to ADB, including a no coercion clause witnessed by an independent third party e.g. NGO. Voluntary land donation will only be accepted if this does not severely affect the living standards and livelihood of DPs.

### **VII. ENTITLEMENTS, ASSISTANCE AND BENEFITS**

#### **A. Eligibility**

95. The Cu Jut DPC shall declare the cut-off date of eligibility for affected persons who shall receive compensation, as defined in Art. 92, 2013 Land Law. However, before the cut-off date is issued, the Cu Jut DPC shall notify each affected land user between 90-180 days on land recovery together with the presentation of recovery plan, schedule, investigation, measurement, and inventory before the decision on land recovery is issued, as provided for in Art. 67, 2013 Land Law. The establishment of cut-off date is necessary to discourage opportunistic encroachers who will take advantage of compensation and/or assistance from the subproject. However, there are some cases when persons can be declared eligible even after the cut-off date has been declared, such as: (i) persons who are occupying or using the land or assets before the cut-off date, but who were not in the list of affected persons; (ii) households separating from large families; and (iii) household who bought the affected land or property after the cut-off date.

#### **B. Subproject Entitlements**

96. The subproject entitlements developed and presented in the entitlement matrix below correspond to the potential impact identified during the census and IOL. Entitlements adopted are based on Government policy on land acquisition, compensation, support, and resettlement, and ADB'S social safeguard policies on involuntary resettlement. It should be noted that these entitlements may be enhanced in the updated REMDP, as necessary, following the results of DMS, RCS, and consultations with affected households to ensure that losses of affected households are restored.

97. Entitlements for each type of affected households are based on the type and level of loss. The entitlements also provide various measures aimed at providing opportunities for affected households to obtain development benefits from the project as well as assisting vulnerable affected households to improve their living standards. The entitlement matrix for the subproject is shown in Table 18 below.

Table 18: Entitlement Matrix

Entitled Persons	Type & Level of Impact	Compensation Policy	Implementation Issues
<b>A. AGRICULTURAL LAND</b>			
<b>A.1. Permanently affected agricultural land</b>			
Owners with LURC, owners in process of acquiring LURC, owners eligible to acquire LURC. 161 households will be affected by the subproject	Losing <10% of total productive landholding. 128,465 m <sup>2</sup> crop land (coffee and pepper trees) will be permanently acquired.	Cash compensation at replacement cost at current market prices for affected portion; if the remaining land is not viable, cash compensation at replacement cost for entire affected land parcel; compensation for standing crops at market price (if any); and job training/creation assistance equivalent to two times the value of acquired land value but not exceeding the quota of agricultural land allocation in the locality.	Affected households will be notified about land acquisition at least 90 days before and fully receive the compensation and allowance at replacement cost before site clearing at least one month.  Level of assistance for job training/creation is decided by PPC.  Implemented by the District Compensation, Assistance and Resettlement Board (DCARB)  Affected household should be informed three months before their land is acquired by the project.
<b>A.2. Temporarily affected agricultural land</b>			
Public organizations	There are total 0.92 ha of vacant land under management of CPCs.	No compensation for affected land. Cash compensation at current market prices for standing crops on the affected land, if any.	The compensation amount must be paid to persons whose crops are lost.
<b>B. COMPENSATION FOR AFFECTED CROPS AND TREES</b>			
Owners of crops and/or trees. 161 households will be affected by the subproject	Loss of perennial crops. 161 households having perennial crops (coffee and pepper trees) will be affected	Cash compensation at current market prices given the type, age, and productive value of the affected crops and/or trees.	Compensation must be equal in value to crops that would be harvested had acquisition not occurred.  Calculation of compensation for trees is based on the age and diameter of the tree.  Affected persons have the right to use salvageable trees.
<b>C. PACKAGE OF ECONOMIC REHABILITATION AND RELOCATION ASSISTANCE</b>			
<b>C.1. Economic Rehabilitation Assistance</b>			
Job training/Creation allowance	All households losing production land by the subproject (161 households) It is estimated that about VND4.65 million or \$204,835 will be provided to affected households under this REMDP	Cash assistance is equal to two times of compensation value for affected land area, but the supported area should not exceed the land quota in the locality.	Support to vocational training, occupation change, and job seeking to be provided according to plans developed and approved concurrently with plans for compensation, support, and resettlement.  Plan for development to be undertaken by PPCs and DPCs, who shall organize consultations with, and give explanation and assimilate opinions from, people whose land is acquired.  Eligibility will be confirmed during DMS.

Entitled Persons	Type & Level of Impact	Compensation Policy	Implementation Issues
			<p>Level of assistance for job training/creation is decided by PPC.</p> <p>The assistance will be paid to affected households by the time of compensation payment and before conducting site clearance.</p> <p>In addition to the cash allowance, Income restoration rehabilitation measures will be implemented through technical support; on installation of water saving equipment. The total cost for these measures will be finalized during the detailed design phase and during REMDP update</p>
<b>C.2. Special Allowance for Social and Economically Vulnerable Households</b>			
<p>Vulnerable households: (i) headed by women with dependents; (ii) headed by persons with disability; (iii) falling under the national poverty standard; (iv) with children and elderly who have no other means of support; (v) severely affected ethnic minorities.</p>	<p>Assistance to 12 vulnerable households to improve their social and economic conditions.</p>	<p>a) Poor households: will be provided an allowance of no less than VND 2,000,000 per household, depending on decision of the PPC..</p> <p>b) Other vulnerable households: assistance of minimum VND2,000,000 per household to improve their social and economic conditions or based on regulation per province, whichever is higher.</p>	<p>Eligible households are those who are classified as vulnerable under relevant definitions of MOLISA and this document.</p> <p>The assistance will be paid to affected households by the time of compensation payment and before conducting site clearance.</p> <p>Using information from the resettlement survey, DCARB will establish the list of vulnerable persons.</p>

98. **Unforeseen impacts.** If any person or household is affected during the subproject implementation process, a social impact assessment will be conducted and the necessary compensation and assistance will be applied to the household.

## VIII. INCOME RESTORATION REHABILITATION

99. Agriculture is the key livelihood source of the affected households that will be affected by the subproject. Results from the FGDs showed that the involuntary resettlement impacts are minor as all affected households will lose less than 10% of their total productive land, and pipeline laying is underground and between tree rows, thus, minimizing the impact on household livelihood. Additionally, these impacts are restorable as they will be benefited from project outputs 1 and 3 with: (i) stable, on-demand, and more affordable sources of water for their crops, which will result in higher yield crops and better income; (ii) technology transfer on HVC and water saving technology to farmers that will help them cut down expenditures (water and electricity cost), reduce use of pesticides and fertilizers, and promote quality of crops; and (iii) land price increase.

100. In addition to the cash allowances of nearly VND 4.65 billion or \$204,835 (i.e., support for vocational training, job conversion, and support for stabilizing household living standards) will be provided to affected households under this REMDP. Income restoration rehabilitation measures

will include: (i) technical support; on installation of water saving equipment. The total cost for these measures will be finalized during the detailed design phase and during REMDP update.

101. Technical support shall include: (i) guidance on the selection of water saving technology; (ii) HVCs; and (iii) knowledge and guidance on market-linked agricultural production. The total cost of the technical support will be covered under the cost of the subproject implementation support package.

102. The list of eligible households to be supported by the IRP will be finalized once the DMS is completed.

## IX. COST AND BUDGET

103. The estimated cost for the implementation of this REMDP is approximately VND7.8 billion \$343,461 (Table 19). The cost includes compensation and assistance for affected households, contingency, and administration cost. These costs will be financed by the Dak Nong PPC.

**Table 19: REMDP Cost Estimate**

No.	Item	Unit	Quantity	Unit price (VND)	Amount (VND)
<b>A.</b>	<b>Compensation and assistance</b>				<b>7,230,740,000</b>
<b>1.</b>	<b>Land compensation</b>				<b>2,312,370,000</b>
	Perennial cropland	m <sup>2</sup>	128,465	18,000	2,312,370,000
<b>2.</b>	<b>Crops compensation</b>				<b>269,630,000</b>
	Coffee	plant	409	230,000	94,070,000
	Pepper	plant	418	420,000	175,560,000
<b>3.</b>	<b>Assistance</b>				<b>4,648,740,000</b>
	Assistance for job training/conversion	m <sup>2</sup>	128,465	36,000	4,624,740,000
	Allowance for vulnerable households	HH	12	2,000,000	24,000,000
<b>B.</b>	<b>Detailed measurement survey</b>	HH	161	300,000	<b>48,300,000</b>
<b>C.</b>	<b>Management costs (2% x A)</b>				<b>144,614,800</b>
<b>D.</b>	<b>Sub-total (A+B+C)</b>				<b>7,423,654,800</b>
<b>E.</b>	<b>Contingency (5% x D)</b>				<b>371,182,740</b>
	<b>Total (D+E)</b>				<b>7,794,837,540</b>
	<b>Rounded</b>				<b>7,794,000,000</b>

Note. HH = household.

## X. INSTITUTIONAL ARRANGEMENTS AND IMPLEMENTATION

### A. National Level

104. **MARD** will be the executing agency of the project. During the implementation of REMDP, the CPO under MARD will establish the CPMU, which will have the following responsibilities for REMDP implementation:

- Provide overall planning, coordination, and supervision of REMDP implementation;
- Guide the implementing agencies, including the PPMUs, to implement resettlement activities in accordance with the policy of the approved REMDPs and advise local

authorities to resolve issues satisfactorily and on time. Issues and shortcomings identified through internal monitoring of REMDP implementation will ensure that the objectives of the REMDPs are met;

- Finalize the REMDPs and obtain approvals of the project participating PPCs and ADB before implementation;
- Provide resettlement training to implementing agencies, including CPMU/PPMU staff and DCARB staff;
- Coordinate with other implementing agencies and relevant institutions during periods of preparation, planning, and implementation of the REMDPs;
- Establish a database of affected persons for each subproject, as well as for the project as a whole;
- Establish procedures for ongoing internal monitoring and review of project-level progress reports and for tracking compliance with project policies. Establish procedures for monitoring coordination between contractors and local communities and for ensuring prompt identification and compensation for impacts occurring during construction. Establish procedures for the prompt implementation of corrective actions and the resolution of grievances;
- Report periodically on resettlement implementation progress to the ADB.

## **B. Provincial Level**

105. **Dak Nong PPC** will be responsible for resettlement activities within its administrative jurisdiction. The main responsibilities of the Dak Nong PPC include:

- Approve draft REMDP and updated REMDP (if any);
- Issue decisions approving land valuations applied for compensation rates, allowances and other support to affected persons, especially vulnerable groups, based on principles of REMDP;
- Approve budget allocation for compensation, support, and resettlement;
- Provide sufficient and timely budget for implementation of REMDP;
- Direct and supervise provincial departments to implement effectively the updated REMDP;
- Authorize the Cu Jut DPC to approve compensation, assistance, and resettlement plans;
- Direct the relevant agencies to settle complaints, grievances related to compensation, assistance and resettlement according to their law-prescribed competence; and
- Direct the relevant agencies to examine and handle the violations in the compensation, assistance, and resettlement domain.

106. **Dak Nong PPMU under DARD** is responsible for REMDP implementation and internal monitoring, with the following main tasks:

- Prepare, update, and supervise REMDP implementation of the subproject;

- Guide the Cu Jut DCARB to implement all resettlement activities in compliance with the approved REMDP and resolve any mistakes or shortcomings identified by internal monitoring to ensure that the objectives of the REMDP are met, and otherwise, provide appropriate technical, financial, and equipment support to the Cu Jut CARB.
- Conduct, in coordination with the Cu Jut DCARB and CPCs of Cu Knia, Ea T'ling, Nam Dong, Tam Thang, and Dak Drong, information campaigns and stakeholder consultations in accordance with established project guidelines;
- Coordinate with other line agencies to ensure delivery of compensation, allowances, and rehabilitation measures to affected persons on time;
- Implement internal resettlement monitoring, establish and maintain affected person databases for each component in accordance with established project procedures and provide regular reports to CPMU; and
- Implement prompt corrective actions in response to issues/problems raised in internal monitoring reports.

### **C. Cu Jut District People's Committee**

107. The Cu Jut DPC shall undertake management of compensation, assistance, and resettlement. The Cu Jut DPC is responsible to the Dak Nong PPC to report on progress and the results of land acquisition. The Cu Jut DPC's primary tasks include the following:

- implementation in compliance with REMDP;
- Establish CARB and resettlement team and direct CARB and relevant district departments to appraise and implement the detailed compensation, assistance, and resettlement;
- Approve and take responsibility for the legal basis and accuracy of the detailed compensation, assistance, and resettlement options in the local area;
- Approve cost estimates of implementation of compensation, assistance, and resettlement work;
- Take responsibility for adjusting LURCs for households and individuals who have land partially recovered, in accordance with authorization issued by the Dak Nong PPC;
- Direct the Ea T'ling PC and CPCs of Nam Dong, Tam Thang, Dak Drong and Truc Son, as well as relevant organizations, on various resettlement activities;
- Review and endorse the REMDP for approval by the Dak Nong PPC;
- Resolve complaints and grievances of affected persons.

108. **Cu Jut DCARB** shall be composed of the Cu Jut DCARB includes Cu Jut DPC vice chairman, representatives of relevant departments of Cu Jut DPC and other NGOs. The main responsibilities of Cu Jut DCARB are following:

- Organize, plan, and carry out compensation, assistance, and resettlement activities;
- Prepare compensation plans and submit to subproject DPCs for approval. Implement livelihood restoration measures;
- Take responsibility for the legal basis applied in compensation, assistance, and resettlement policy following the approved REMDP;

- Assist in the identification and allocation of land for relocated households (if any);
- Lead and coordinate with CPCs in the timely delivery of compensation payment and other entitlements to affected households; and
- Assist in the resolution of grievances.

#### **D. Commune Level**

109. The CPCs of Cu Knia, Ea T'linh, Nam Dong, Tam Thang, Dak Drong, and Truc Son will assist the Cu Jut DCARB in the implementation of REMDP. Specifically, these CPCs will be responsible for the following:

- In cooperation with local mass organizations, mobilize people who will be required to implement the compensation, assistance, and settlement policy according to the approved REMDP;
- Cooperate with the Cu Jut DCARB to communicate the reason for acquisition to the people whose land is to be acquired and notify and publicize all resettlement options on compensation, assistance, and resettlement, which are approved by the Cu Jut DPC;
- Assign commune officials to assist the Cu Jut DCARB in the updating of the REMDP and implementation of resettlement activities;
- Sign agreement compensation forms along with the affected households;
- Assist in the resolution of grievances and actively participate in all resettlement activities and concerns.

### **XI. IMPLEMENTATION SCHEDULE**

110. The implementation schedule for resettlement activities for the subproject is presented in Table 20 below, including REMDP planning activities that have been completed and resettlement implementation activities.

**Table 20: REMDP Indicative Implementation Schedule**

<b>No.</b>	<b>Main activities</b>	<b>Schedule</b>
<b>I.</b>	<b>Preparation of REMDP</b>	
1.	REMDP preparation (IOL, public consultation, RCS)	July 2017
2.	Disclosure of Draft REMDP to affected people	August 2017
3.	Submission of REMDP to ADB for review and concurrence	August 2017
4.	Uploading of REMDP on ADB website	September 2017
<b>II.</b>	<b>Updating of REMDP</b>	
5.	Establishment of the District Compensation Board	January–March 2019
6.	Land clearance/boundary setting for the subproject	March 2019
7.	Training of resettlement staff	March 2019
8.	Detailed measurement survey	April–June 2019
9.	Consultation with the affected households	May–June 2019
10.	Replacement cost survey by a qualified appraiser	June 2019
11.	Disclosure of updated REMDP (uREMDP) to affected people	July 2019
12.	Submission of uREMDP to ADB for review and concurrence	August 2019

No.	Main activities	Schedule
13.	ADB issuance of concurrence with uREMDP	September 2019
<b>III.</b>	<b>Implementation of uREMDP</b>	
<b>14.</b>	<b>Preparation and approval of compensation plan</b>	
15.	Compensation payments	October–December 2019
16.	Land clearance	December 2019
17.	DCARB issuance of confirmation letter on REMDP completion with confirmation of LIC consultant to PPMU and submission to ADB	December 2019
18.	PPC/PPMU issuance of Notice of Site Possession to contractor	January 2020
<b>IV.</b>	<b>Start of Civil Works Construction</b>	January 2020

## XII. MONITORING AND EVALUATION

111. 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 subproject, which is classified as category B for involuntary resettlement and is an uncomplicated subproject.

### A. Community Monitoring

112. Community-based monitoring (CBM) is a form of community monitoring, which is boosted by the demand for information and value of local community. CBM contributes to increasing the quality of social services or contributes to management of all ecological resources. Within the framework of CBM, members of the community affected by a social program or by environmental changes will have needs, suggestions, and criticism and their feedback will contribute to the implementation of the program and management of the subproject.

113. People in the subproject area are encouraged to participate in monitoring REMDP implementation, especially affected people in terms of what they receive as compensation, compared to what is stated in the REMDP.

### B. Internal Monitoring

114. The objectives of internal monitoring are to assess:

- The compliance with the approved REMDP;
- The availability of resources and the effective use of these resources to implement land acquisition and resettlement activities;
- If resettlement agencies are well-functioning during the project implementation process;
- If resettlement activities are undertaken in accordance with the implementation schedule described in the REMDP;
- To identify problems, if any, and remedial actions.

115. Internal monitoring is the responsibility of CPMU and the PPMUs. The PPMU will be responsible for predetermining the establishment, implementation, and activities of each agency in charge of resettlement in the province and district. PPMU will ensure that information on the

resettlement process will be disclosed by the DCARB. The DCARB will submit quarterly progress reports to PPMU. CPMU will consolidate all reports from the province into the project implementation monitoring system to be the basis for preparing periodic reports for submission to ADB. All reports should include gender and ethnic minority issues.

116. CPMU will establish an internal monitoring schedule, indicators, sequence, and requirement for reports of all subprojects that respond to the REMDP requirements as well as those outlined below. Semi-annual internal monitoring reports will be submitted to ADB for review and uploading on the ADB website. The internal monitoring indicators include, but will not be limited to, the following issues:

- Compensation, assistance, and resettlement amount paid to affected households in accordance with the agreement in REMDP;
- Completion of coordination of land acquisition and compensation and the time for conducting construction as the requirement for resettlement;
- The consent between sequence and procedure of information dissemination to the community in comparison with the content of the report;
- The content of the procedure of grievance redress and the content of grievance redress in the report;
- Affected persons and compensation: number of affected people by type of impact; status of compensation and allowance payment, relocation and other assistance; and status of income restoration activity;
- Information dissemination and consultation: number and scope of community consultation meetings and/or consultations with affected persons; status of affected persons; summary of the need of affected persons, aspirations, and major concerns of people in the meetings;
- Complaint and grievance redress: summary of recorded grievances; implementation steps for redressing grievances; and any arising issue needs to be managed by authorities at district and provincial levels or assisted by ADB;
- Financial management: the amount of funds allocated for compensation and other activities and the amount compensated to each affected household;
- Resettlement progress: completion of activities in accordance with the schedule plan; the delay and reason for the delay; adjustment of resettlement schedule;
- Coordination of resettlement activities with contract award for civil works: the status of completion of resettlement activities and date of contract award for civil works;
- Implementation issues: arising issues, reason, and solution for the arising issues.

## HOUSEHOLD SOCIO-ECONOMIC SURVEY FORM

### MINISTRY OF AGRICULTURE AND RURAL DEVELOPMENT CENTRAL PROJECT OFFICE (CPO)

#### Project on Water Efficiency Improvement in Drought Affected Provinces (ADB8)

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Dear Sir / Madam,

To prepare the security policy document of the project improve the efficiency of water use for the provinces affected by drought (ADB8) at 2 Highland provinces including Dak Lak, Dak Nong and 3 central provinces including Khanh Hoa, Ninh Thuan, Binh Thuan. The objective of the project is to: Promote effective sustainable water use in conditions affected by drought; Promote the role of community participation in the management and use of water; Invest works Irrigation systems serve multiple objectives from head works to the field to the direction of modernization; Development support services for agricultural production;

This socio-economic survey aims to assess impact of the project on social issues, building development plans for ethnic minorities, resettlement, gender ... The information collected the interview will be used only for this purpose. We hope sir/madam take a few moments to answer the questions that we raised.

We would like to thank the valuable collaboration of Mr./Ms!

#### **A. INFORMATION ON THE HEAD OF HOUSEHOLD**

1. Full name of householder: \_\_\_\_\_
2. Hamlet: \_\_\_\_\_
3. Commune: \_\_\_\_\_
4. District: \_\_\_\_\_
5. Province: \_\_\_\_\_
6. Which vulnerable groups householder belongs to?
  - 6.1. Female householder
  - 6.2. Ethnic minority
  - 6.3. Poor
  - 6.4. Social aided household
  - 6.5. Disabled



**8. Average Household Income a year by sources:**

8.1. Agriculture::	_____	VND
8.2. Trade / Business / Services:	_____	VND
8.3. Wages (employees, workers ...)	_____	VND
8.4. Other sources (remittances, children sent ...)	_____	VND
<b>8.5. TOTAL:</b>	_____	<b>VND</b>

**9. Average Household Expenses a year by categories:**

9.1. Daily consumption	_____	VND
9.2. Family Health Care	_____	VND
9.3. Education	_____	VND
9.4. Repair of buildings	_____	VND
9.5. Contribution to the community	_____	VND
<b>9.6. TOTAL</b>	_____	<b>VND</b>

**10. In the last 3 years, have your household been in food shortage?**

1- Yes [ ]

(1= 1-2 month; 2= 2-3 month; 3= Over 3 month; 4=No answer)

2- No food shortage

**11. What kind of the house of the family?**

- 1/ Permanent house with one or more floors
- 2/ Semi-permanent house (the roof brick / tile)
- 3/ Wooden/iron walls (corrugated iron roof / roofing cement)
- 4/ Simple house (corrugated wall / wood roofing sheets)
- 5/ Temporary tent / No house

**12. Water sources by purpose of use (select 1 main source)**

No.	Water sources	12.1 Drinking	12.2 Washing
1	Tap water		
2	Dug wells		
3	Borehole		
4	Rain water		
5	Canals, rivers, streams, ponds, lakes		
8	Purchase to use		
7	Other		

**13. Sanitary conditions of the household?**

- 1) Septic
- 2) Simple toilet (digging holes in the garden)
- 3) Toilet one-compartment
- 4) Toilet two-compartment
- 5) Public toilet
- 6) No toilet**

**14. Common disease in the community**

- |  |                                    |
|--|------------------------------------|
| <input type="checkbox"/> Fever               | <input type="checkbox"/> Injury    |
| <input type="checkbox"/> Flu                 | <input type="checkbox"/> Hepatitis |
| <input type="checkbox"/> Respiratory disease | <input type="checkbox"/> Poisoning |
| <input type="checkbox"/> Cholera             | <input type="checkbox"/> Others    |
| <input type="checkbox"/> Malaria             | <input type="checkbox"/> No answer |

**15. Access to health care service?**

Health care service	15.1		15.2 (distance)		
	1. Yes	2. No	2= 1 - 2 km	3= 2 - 5 km	4= over 5 km
1. Commune health station					
2. District hospital					
3. Private health care center					
4. Buy medicines at chemists					
5. Traditional medicine					
6. Other					
7. No answer					

**16. Living conditions of households have changed in recent 3 years?**

- 1) No change
- 2) Better
- 3) Worse

**17. Does your family have loan?**

- 1/ Yes
- 2/ Not at all → **Move to 19**

**18. Information of loan?**

	18.1	18.2	18.3
	Loan source	Loan purpose	Loan method
	1) Relatives, neighbors, friends 2) People who lend 3) People's Credit Fund, credit cooperatives 4) Bank of Agriculture and Rural Development 5) Bank (social policy) to serve the poor 6) Poverty Reduction Fund 7) Women Union, other mass 8) Other sources (specify)	1) Agricultural production 2) Non-agricultural production 3) Purchase furniture 4) Breeding 5) Daily expense 6) Healthcare 7) Other purposes (Specify)	1) No asset deposited 2) Asset deposited
Loan 1			
Loan 2			
Loan 3			

**19. Is your HH member of a following organization?**

Organization	Member or not? (1= yes; 2= no)
1) Farmers Union	
2) Water Users Association	
3) Cooperative	

Organization	Member or not? (1= yes; 2= no)
4) Group job change	
5) The extension	
6) Youth Association	
7) Woman Union	
8) Religion	
9) Group savings and loan	
10) Group processing of agricultural products	

## 20. Is your Household willing to participate in community activities?

No.	Activity	Yes	No	Not decided
1	Join groups of water users to develop irrigation systems			
2	Willing to pay for water supply / irrigation operation			
3	Willing to contribute cash / in-kind for irrigation works			
4	Ready to Participate workdays Irrigation channel construction / dike / sluice gates / Lake / Dam ....			
5	Trust will have sufficient water for agricultural production			
6	Convinced that the construction of irrigation canals / dike will promote the development of aquaculture, such as shrimp, crab, ..			
7	Change the current economic model to match / better			
8	Participate in training on sustainable livelihoods development			

## 21. Do you intend to do for the economic development of the family?

- 21.1. Continue to maintain its current operations
- 21.2. Expanding manufacturing / trading
- 21.3. Reduce investment and production activities / business
- 21.4. Converting production / business
- 21.5. No intention
- 21.6. Other:

## 22. Have you heard or propaganda on climate change, drought?

1. Yes
2. No → *move to 24*
3. No information/ → *move to 24*

## 23. What source have you heard about climate change? (multi options)

1. Internet
2. Broadcast
3. Newspaper
4. Radio/loud speaker
5. Notice board
6. Leaflet
7. Community activities
8. Self study
9. Heard from other people
10. Other .....

## 24. Have you known about the irrigation project going to be implemented at local?

1. Yes
2. No → *move to 26*

## 25. What source have you known?

(multi options)

1. Popularity of village meetings / Version
2. Popularity of communal Pool
3. Watch TV, listen to the radio
4. Listen to the radio station of the commune
5. Listen to government officials, unions say

- 6. Listen to the people in the family, they said welding
- 7. Listen to your friends / neighbors say
- 8. Other (specify): .....

**26. Have you been involved in training activities for crop irrigation?**

- 1. Yes 1  → **move to 28**
- 2. No 2

**27. If no, tell reason, please?**

- 1. Not organized at local
- 2. They are not informed / information
- 3. Husband / male participation in family
- 4. Busy that does not participate
- 5. Feeling unnecessary

**28. Do you need to be trained in irrigation for crops?**

- 1. Yes 1
- 2. No 2  → **Move to 38**

**29. If yes, what content do you need?**

- 1. Irrigation technology for crops 1
- 2. Modern irrigation technology 2
- 3. Operation of irrigation facilities 3
- 4. Maintenance of irrigation facilities 4
- 5. Water distribution 5
- 6. Other (specify)..... 6

**30. What are the advantages of this irrigation project to your family and the locality?**

- 1. Improve the condition of domestic and production water
- 2. Increase output/productivity of crops, livestock
- 3. Create jobs, increase incomes from agricultural production
- 4. Advantages in transportation and travelling
- 5. Solve flooding, drought
- 6. Solve environmental pollution
- 7. Develop non-agricultural activities (trade, services, tourism, etc. )
- 8. Create good sight seeing of local
- 9. Other (specify)

**31. What are the disadvantages of the irrigation project to your family and community?**

- 1. Noise pollution
- 2. Social evils
- 3. Reduce productivity / agricultural output
- 4. Inconvenience to the traveling
- 5. Cause flooding / drought
- 6. Affect custom, culture
- 7. Relocation, resettlement, more difficulties for people
- 8. Loss of productive land
- 9. Cause unemployment, to change career

10. Other (specify):.....

**32. Recommendation for the project to improve efficiency?**

.....  
 .....  
 .....

**C. INVENTORY OF LOSSES**

**1. Land use status of Household (affected land is in the area required for the construction area)**

Land Category/Use	Area in and out of the project site (m <sup>2</sup> )		Level of Impact on Each Plot		Using status	Land Legal Status	Type of Effect
			Affected area (m2)	Partially (1) Fully (2)			
1= Residential land 2= Paddy-field 3= Garden land 4= Aquaculture land 5= Forestry land 6= Commercial land 7= other types of land	In	Out			1=Owner of land 2=Rented land	1=With land use Right certificate (LURC) 2=Without LURC but eligible to LURC 3= Not eligible to LURC 4= Conflict with master plan of Government 5. Lease / Long Term (owned by Gov) 6. Lease (renting from private individual)	1= Permanent 2= Temporary
Plot1							
Plot2							
Plot3							
Plot4							
Plot5							
<b>Total</b>							

**2. Houses**

House type classification	Floor Area (m <sup>2</sup> )	Legal status	Level of impact on the building		Note
			Floor area to be affected (m2)	(Partially affected =1; Fully affected =2)	
1. Villa 2. Class 1 3. Class 2 4. Class 3 5. Class 4 6. Temporary house 7.Independent shop		1. Have ownership Certificate 2. Have no legal ownership Certificate 3. Built on agricultural land 4. Rent from the house owner			(pls take note if the HH run business at hone, excepting item 7)

**Note:** The number of affected houses could be more than one, record for all affected houses with the above required information

**3. Information about the house out of the project affected sites (if any)**

- Number of house(s):[ ]

- Area of house(s) outside of the project area (m<sup>2</sup>): ..... m<sup>2</sup>**4. Other structures on the affected land and living facilities**(Other structures outside the houses listed above, living facilities are out and in house)

Structure	Kind of construction Work (Underline the kind of work respectively)	Unit	Quantity	Note
1. Kitchen	1. Temporary house 2. Category 4	m <sup>2</sup>		
2. Breeding facilities	1. Temporary house 2. Category 4	m <sup>2</sup>		
3. Electric meter				
4. Water meter and estimate about the length of connection pipe				
5. Telephone				
6. Fence	1. Brick 2. Barbed wire or wood	M		
7. Gate	1. Metal sheet 2. Iron grill 2.	m <sup>2</sup>		
8. Toilet room./Bathroom(separate from house)	1. Brick, concrete 2. Bamboos, leaves	m <sup>2</sup>		
9. Soil grave a) In Cemetery b) Stand alone		Grave		
10. Grave (by brick, cement)		Grave		
11. Well	1. Drilled 2. Dug	M		
12. Water tank	1. Brick/ Concrete 2. Inox 3. Plastic	m <sup>3</sup>		
13. Yard (list only the yard built of cement and brick)		m <sup>2</sup>		
14. Fish pond		m <sup>3</sup>		
15. Others (Specify clearly the name of assets and affected rate for compensation calculation)				

**5. Affected trees, crops**

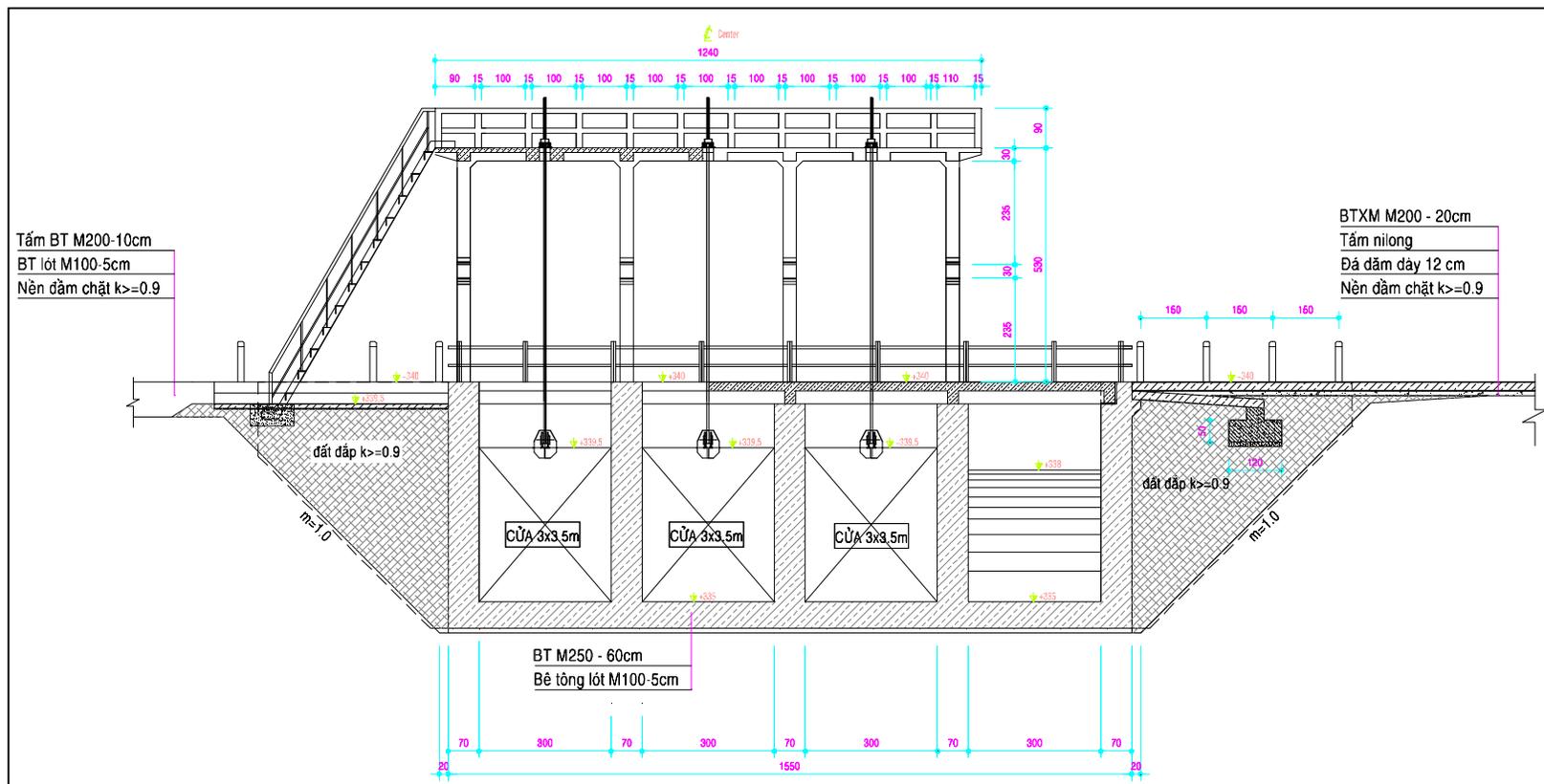
(Only inventory number of affected trees, crops)

Affected trees, crops	Year	Unit	Quantity	Note
<b>a) Fruit trees (main trees)</b>		<b>Tree</b>		
1)				
2)				
3)				
4)				
5)				
<b>b) Timber trees (main trees)</b>		<b>Tree</b>		

Affected trees, crops	Year	Unit	Quantity	Note
1)				
2)				
3)				
4)				
5)				
<b>c) Perennial plants (main trees)</b>		<b>Tree</b>		
1)				
2)				
3)				
4)				
5)				
<b>d) Annual crops (main trees)</b>		<b>m<sup>2</sup></b>		
1)				
2)				
3)				
4)				
5)				
<b>e) Aquaculture</b>		<b>m<sup>2</sup></b>		

Thanks for your cooperation!

### TYPICAL CONCEPT DESIGN OF WEIRS CU JUT SUBPROJECT



**SAMPLE OF MINUTES OF PUBLIC CONSULTATION**

CỘNG HOÀ XÃ HỘI CHỦ NGHĨA VIỆT NAM  
Độc lập - Tự Do - Hạnh phúc  
\*\*\*

**Dự án**  
**Nâng cao hiệu quả sử dụng nước cho các tỉnh bị ảnh hưởng bởi hạn hán (ADB8)**

**BIÊN BẢN THAM VẤN**

**Về việc:** Tham vấn trình độ, xã hội và tài chính

**Địa điểm:** Ủy ban xã hội cấp xã Nam Đông, Nghệ An, Nghệ An

**Thời gian:** 19<sup>h</sup> ngày 5 tháng 8 năm 2016

**1. Nội dung và các kết quả:**

**1.1 Thành phần tham gia:**

Chủ tịch xã  
Đội dân, Hội Nông dân; Hội Cựu chiến binh  
Hội Phụ nữ, Đoàn Thanh niên; Hội Khuyến học  
và các tổ chức xã hội khác trong vùng bị ảnh hưởng hạn hán.

Tổng số người dự họp: 32, trong đó có 10 nam, 12 nữ.

**1.2 Mục đích của buổi tham vấn**

Thông tin về dự án và các nội dung liên quan đến tác động xã hội, thu hồi đất và tái định cư.

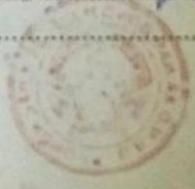
**1.3 Nội dung tham vấn**

- Thông tin về dự án, các tác động xã hội của dự án;
- Các tác động thu hồi đất và Chính sách tái định cư
- Bối cảnh và các kiến nghị của địa phương liên quan đến tác động xã hội và tái định cư của dự án?

**1.4 Tóm tắt Kết quả tham vấn**

a/ Mục tiêu và quy mô dự án

Nâng cao hiệu quả sử dụng nước cho các tỉnh bị ảnh hưởng bởi hạn hán; Cải thiện thu nhập, đời sống của người dân; tạo việc làm, thu nhập cho người dân; chi phí xã hội



b/ Tác động xã hội tích cực, tiêu cực của dự án

Những tác động tích cực, tiêu cực của dự án đối với đời sống của người dân địa phương...

c/ Về các vấn đề chính sách thu hồi đất, hỗ trợ và tái định cư

Chính sách thu hồi đất, bồi thường, hỗ trợ tái định cư, các vấn đề liên quan đến đất đai...

d/ Các vấn đề về Giới, hộ dễ bị tổn thương và hộ dân tộc thiểu số (nếu có)

Vấn đề về giới, hộ dễ bị tổn thương, hộ dân tộc thiểu số, các vấn đề liên quan đến quyền lợi của họ...

e/ Các vấn đề tác động môi trường, bảo vệ sức khỏe cộng đồng

Tác động môi trường, bảo vệ sức khỏe cộng đồng, các vấn đề liên quan đến môi trường sống...

2. Kết luận

Kết luận của cuộc họp, tóm tắt các nội dung chính, đề xuất và khuyến nghị...

Biên bản kết thúc vào lúc 16 giờ 00 phút cùng ngày, đọc lại cho các thành phần tham dự cùng nghe và ký tên.

Thư ký cuộc họp

Xác nhận của địa phương

Chủ tọa cuộc họp

[Handwritten signature]



CHỦ TỊCH Bùi Trọng Tuấn

THE SOCIALIST REPUBLIC OF VIETNAM  
**Independence - Freedom - Happiness**

-----\*\*\*-----

**Project on Water Efficiency Improvement  
 In Drought Affected Provinces (ADB8)**

**MINUTES OF CONSULTATION**

**Title:** Consultation on Social Impact Assessment and Resettlement  
**Venue:** People's Committee of Nam Dong commune, Cu Jut, Dak Nong  
**Time:** 14h, 5 August, 2016

**1. Content and Results:**

**1.1 Participants:**

- Chairman of Commune People's Committee
- Unions of farmer, veteran, youth, father land front and affected households in project
- Total number of participants: 30, including 20 men, 10 women

**1.2 The purpose of the consultation**

- Information about the project and the content related to the social impact, land acquisition and resettlement.

**1.3 Content of consultation**

- • Information about the project, the social impact of the project;
- • Impact of resettlement and resettlement policy
- • Background and local suggestions related to social impact and resettlement of the project

**1.4 Summary of consultation results**

*a/ Objectives and scope of the project*

- Improve the efficiency of using water and irrigation facilities in Nam Dong commune.
- Make favorable condition for economic development for people

*b/ Positive and negative social impacts*

- Increase efficiency of irrigation service for reliable agricultural production.

*c/ Policy of land acquisition, support and resettlement*

- Policy of compensation and support should be fair to impact of land acquisition on people.
- The hamlet 10, 11, 12 will be affected.

*d/ Issues on gender, vulnerable households and ethnic minority (if any)*

- 99% of ethnic minorities come from the Northern region.
- There is equality between men and women, both of them are employed.
- The poor has few agricultural land

e/ Issues on environmental impacts, protection of public health

- Issues on environmental take small impacts, do not affect much environment as well as health of people

2. Conclusion

- People support to project.
- It should be started early.
- Local authorities and affected people will hand over land to the project once the compensation and assistance is completed.

Minutes ended at 16 hour 00 minutes the same day, read to the participants to listen and sign.

**DANH SÁCH HỌP**

Hội đồng Năng cao hiệu quả sử dụng nước cho các tỉnh bị ảnh hưởng bởi hạn hán (ADBS)  
 Nội dung: ...  
 Ngày họp: ...  
 Địa điểm: ...

TT	Họ tên	Địa chỉ	Ký nhận
1	Phạm Văn Sĩch	Tôn 12	[Signature]
2	Nguyễn Văn Khoa	Tôn 12	[Signature]
3	Thái Văn Dũng	Tôn 12	[Signature]
4	Nguyễn Văn Dũng	Tôn 12	[Signature]
5	Tạ Văn Khoa	Tôn 12	[Signature]
6	Đỗ Sỹ Tân	Tôn 12	[Signature]
7	Phạm Văn Tuấn	Tôn 12	[Signature]
8	Đào Thị Hằng	Tôn 12	[Signature]
9	Nguyễn Đức Việt	Tôn 12	[Signature]
10	Nguyễn Đức Anh	Tôn 12	[Signature]
11	Nguyễn Văn Tuấn	Tôn 12	[Signature]
12	Đỗ Thị Loan	Tôn 11	[Signature]
13	Đỗ Thị Loan	Tôn 11	[Signature]
14	Nguyễn Đức Việt	Tôn Tân Bình	[Signature]
15	Lê Văn Tuấn	Tôn Tân Bình	[Signature]
16	Phạm Văn Tuấn	Tôn Tân Bình	[Signature]
17	Nguyễn Văn Tuấn	Tôn Tân Bình	[Signature]
18	Phạm Văn Tuấn	Tôn Tân Bình	[Signature]
19	Phạm Văn Sĩ	nt	[Signature]
20	Lê Thị Kiều	nt	[Signature]
21	Phạm Văn Tuấn	nt	[Signature]
22	Đỗ Thị Loan	Tôn Tân Bình	[Signature]
23	Phạm Văn Tuấn	Tôn Tân Bình	[Signature]

Người tổng hợp: \_\_\_\_\_ Phụ trách bộ phận/dự án: \_\_\_\_\_



### LIST OF HOUSEHOLDS AFFECTED BY PROJECT

No.	Name	Gender	Ethnicity	Commune	District	Vulnerable Groups
1	Vu Dinh Hung	Male	Kinh	Cu Knia	Cu Jut	
2	Pham van Trung	Male	Kinh	Cu Knia	Cu Jut	
3	Nguyen Van Loi	Male	Kinh	Cu Knia	Cu Jut	
4	Ngon Van Doan	Male	Kinh	Cu Knia	Cu Jut	
5	Tran Van Phuc	Male	Kinh	Cu Knia	Cu Jut	
6	Tran THi Thuy	Female	Kinh	Cu Knia	Cu Jut	Female householder with dependents
7	Tran Van Quang	Male	Kinh	Cu Knia	Cu Jut	
8	Pham Van Khue	Male	Kinh	Cu Knia	Cu Jut	
9	Vu Van Manh	Male	Kinh	Cu Knia	Cu Jut	
10	Pham Xuan Thuy	Male	Kinh	Cu Knia	Cu Jut	
11	Nguyen Van No	Male	Kinh	Cu Knia	Cu Jut	
12	Bui Van Khang	Male	Kinh	Cu Knia	Cu Jut	
13	Pham Van Dai	Male	Kinh	Cu Knia	Cu Jut	
14	Nguyen Van Truong	Male	Kinh	Cu Knia	Cu Jut	
15	Hoang Van Truong	Male	Nung	Cu Knia	Cu Jut	
16	Hoang Van Cuong	Male	Nung	Cu Knia	Cu Jut	
17	Dang Van Sang	Male	Kinh	Cu Knia	Cu Jut	
18	La Tien Hoat	Male	Kinh	Cu Knia	Cu Jut	
19	Truong Cong Toan	Male	Kinh	Cu Knia	Cu Jut	
20	Truong Van An	Male	Kinh	Cu Knia	Cu Jut	
21	Do Quang Dien	Male	Kinh	Cu Knia	Cu Jut	
22	Nong Van Dong	Male	Kinh	Cu Knia	Cu Jut	
23	Hoang Van Trieu	Male	Kinh	Cu Knia	Cu Jut	
24	Hoang Van Giang	Male	Kinh	Cu Knia	Cu Jut	
25	Hua Van Mau	Male	Kinh	Cu Knia	Cu Jut	
26	Ha Van Thai	Male	Nung	Cu Knia	Cu Jut	
27	Ly Thi Sam	Female	Kinh	Cu Knia	Cu Jut	Female householder with dependents
28	Ngon Van Loi	Male	Kinh	Cu Knia	Cu Jut	
29	Ngon Van Quyen	Male	Kinh	Cu Knia	Cu Jut	
30	Tong Van Din	Male	Nung	Cu Knia	Cu Jut	
31	Luong Van Nguyen	Male	Kinh	Cu Knia	Cu Jut	
32	Hua Van Man	Male	Kinh	Cu Knia	Cu Jut	
33	Hoang Van Kham	Male	Nung	Cu Knia	Cu Jut	
34	Nguyen Xuan Binh	Male	Kinh	Ea T'linh	Cu Jut	
35	Nguyen Thi Duc Le	Female	Kinh	Ea T'linh	Cu Jut	Poor household
36	Tran Van Chinh	Male	Kinh	Ea T'linh	Cu Jut	
37	Vu Tien Truong	Male	Kinh	Ea T'linh	Cu Jut	
38	Bui Van Thang	Male	Kinh	Ea T'linh	Cu Jut	
39	Pham Thanh Hai	Male	Kinh	Ea T'linh	Cu Jut	
40	Nguyen Van Le	Male	Kinh	Ea T'linh	Cu Jut	
41	Le Vuong Yen	Male	Kinh	Ea T'linh	Cu Jut	
42	Nguyen Le Luan	Male	Kinh	Ea T'linh	Cu Jut	
43	Le Ngoc Hai	Male	Kinh	Ea T'linh	Cu Jut	
44	Tran Thi Hong	Female	Kinh	Ea T'linh	Cu Jut	
45	Vu Van Nam	Male	Kinh	Ea T'linh	Cu Jut	
46	Nong Van Truong	Male	Nung	Nam Dong	Cu Jut	
47	Nong Duy Huu	Male	Nung	Nam Dong	Cu Jut	
48	Nong Quang Chien	Male	Nung	Nam Dong	Cu Jut	
49	Tong Van Tam	Male	Kinh	Nam Dong	Cu Jut	

No.	Name	Gender	Ethnicity	Commune	District	Vulnerable Groups
50	Nong Van Luan	Male	Nung	Nam Dong	Cu Jut	
51	Nguyen Thi Dinh	Female	Kinh	Nam Dong	Cu Jut	
52	Nguyen Thi Nu	Female	Kinh	Nam Dong	Cu Jut	Female householder with dependents
53	Nguyen Duc Du	Male	Kinh	Nam Dong	Cu Jut	
54	Nguyen Van Soi	Male	Kinh	Nam Dong	Cu Jut	
55	Pham Van Bach	Male	Kinh	Nam Dong	Cu Jut	
56	Mai Van Toan	Male	Kinh	Nam Dong	Cu Jut	
57	La Van Truong	Male	Kinh	Nam Dong	Cu Jut	
58	Ho Si Son	Male	Kinh	Nam Dong	Cu Jut	
59	Hoang Ngoc Dinh	Male	Kinh	Nam Dong	Cu Jut	
60	Luu Van Thien	Male	Kinh	Nam Dong	Cu Jut	
61	Le Van Chan	Male	Kinh	Nam Dong	Cu Jut	
62	Trinh Quoc Hung	Male	Kinh	Nam Dong	Cu Jut	
63	Dang Van Thien	Male	Kinh	Nam Dong	Cu Jut	
64	Dang Van Hao	Male	Kinh	Nam Dong	Cu Jut	
65	Tran Van Dan	Male	Kinh	Nam Dong	Cu Jut	
66	Vu Dinh Giang	Male	Kinh	Nam Dong	Cu Jut	
67	Pham Van Thai	Male	Kinh	Nam Dong	Cu Jut	
68	Nguyen Xuan Tien	Male	Kinh	Nam Dong	Cu Jut	
69	Le Thi Hoa	Female	Kinh	Nam Dong	Cu Jut	Female householder with dependents
70	Nguyen Xuan Thang	Male	Kinh	Nam Dong	Cu Jut	
71	Do Van Binh	Male	Kinh	Nam Dong	Cu Jut	
72	Ma Ngoc Hung	Male	Kinh	Nam Dong	Cu Jut	
73	Hoang Van Lanh	Male	Kinh	Nam Dong	Cu Jut	
74	Dam Trong Dai	Male	Kinh	Nam Dong	Cu Jut	
75	Nong Quang Minh	Male	Kinh	Nam Dong	Cu Jut	
76	Be Van Huyen	Male	Kinh	Nam Dong	Cu Jut	
77	Phuong Van Tuyen	Male	Kinh	Nam Dong	Cu Jut	
78	Trieu Van Hai	Male	Kinh	Nam Dong	Cu Jut	
79	Vuong Van Cong	Male	Kinh	Nam Dong	Cu Jut	
80	Vuong Van Quan	Male	Kinh	Nam Dong	Cu Jut	
81	Vuong Quoc Tien	Male	Kinh	Nam Dong	Cu Jut	
82	Be Pham Cong	Male	Kinh	Nam Dong	Cu Jut	
83	Ha Van Loc	Male	Kinh	Nam Dong	Cu Jut	
84	Trieu Thanh Giang	Male	Kinh	Nam Dong	Cu Jut	
85	Truong Van Si	Male	Kinh	Nam Dong	Cu Jut	
86	Trieu Van Tu	Male	Kinh	Nam Dong	Cu Jut	
87	Nong Van Kien	Male	Kinh	Nam Dong	Cu Jut	
88	Nguyen Thi Luyen	Female	Kinh	Nam Dong	Cu Jut	
89	Lanh Thi Ngan	Female	Kinh	Nam Dong	Cu Jut	
90	Mai Van Huynh	Male	Kinh	Nam Dong	Cu Jut	
91	Nong Thi La	Female	Kinh	Nam Dong	Cu Jut	
92	Dang Thi Thu	Female	Kinh	Nam Dong	Cu Jut	
93	Dam Khanh Hoa	Male	Kinh	Nam Dong	Cu Jut	
94	Nong Van Tien	Male	Kinh	Nam Dong	Cu Jut	
95	Tran Thi Hai	Female	Kinh	Nam Dong	Cu Jut	
96	Vi Van Thon	Male	Kinh	Nam Dong	Cu Jut	
97	Nguyen Van Luong	Male	Kinh	Nam Dong	Cu Jut	
98	Nguyen Van Nghiep	Male	Kinh	Nam Dong	Cu Jut	
99	Hoang Van Quyet	Male	Kinh	Nam Dong	Cu Jut	
100	Hoang Van Cuong	Male	Kinh	Nam Dong	Cu Jut	
101	Hoang Van Nghi	Male	Kinh	Nam Dong	Cu Jut	

No.	Name	Gender	Ethnicity	Commune	District	Vulnerable Groups
102	Nguyen Thi Thuan	Female	Kinh	Tam Thang	Cu Jut	
103	Nguyen Quang Due	Male	Kinh	Tam Thang	Cu Jut	
104	Hoang	Male	Kinh	Tam Thang	Cu Jut	
105	tran van diep	Male	Kinh	Tam Thang	Cu Jut	
106	Luong Dai Phong	Male	Kinh	Tam Thang	Cu Jut	
107	Le Van Thanh	Male	Kinh	Tam Thang	Cu Jut	
108	Tran Thanh Cuong	Male	Kinh	Tam Thang	Cu Jut	
109	Tran Thanh Tuan	Male	Kinh	Tam Thang	Cu Jut	
110	Nguyen Van Doanh	Male	Kinh	Tam Thang	Cu Jut	
111	Nguyen Van Ngoc	Male	Kinh	Tam Thang	Cu Jut	
112	Thoa	Male	Kinh	Tam Thang	Cu Jut	
113	Y Truyen	Male	Kinh	Tam Thang	Cu Jut	
114	Nguyen Van Khanh	Male	Kinh	Tam Thang	Cu Jut	
115	Huynh Thi Hoa	Female	Kinh	Tam Thang	Cu Jut	Female householder with dependents
116	Vu Quang Thanh	Male	Kinh	Tam Thang	Cu Jut	
117	Hoang Trong Phu	Male	Nung	Tam Thang	Cu Jut	
118	Vu Thi Minh Hanh	Female	Kinh	Tam Thang	Cu Jut	
119	Pham Viet Thue	Male	Kinh	Tam Thang	Cu Jut	
120	Le Thi Moc	Male	Kinh	Tam Thang	Cu Jut	
121	Phaam Gia Boi	Male	Kinh	Tam Thang	Cu Jut	
122	Tran Van Dan	Male	Kinh	Tam Thang	Cu Jut	
123	Tran Van Nai	Male	Kinh	Tam Thang	Cu Jut	
124	Le Van Thanh	Male	Kinh	Tam Thang	Cu Jut	
125	Nguyen Van Dang	Male	Kinh	Tam Thang	Cu Jut	
126	Phaam Quang Dieu	Male	Kinh	Tam Thang	Cu Jut	
127	Phaam Van Ngan	Male	Kinh	Tam Thang	Cu Jut	
128	Nguyen Quang Duc	Male	Kinh	Tam Thang	Cu Jut	
129	Tran Van Kieu	Male	Kinh	Tam Thang	Cu Jut	
130	Lai Thi Hien	Female	Kinh	Tam Thang	Cu Jut	
131	Lam Thi The	Female	Kinh	Tam Thang	Cu Jut	
132	Pham Van Tu	Male	Kinh	Tam Thang	Cu Jut	
133	Ha Thi Nien	Female	Nung	Tam Thang	Cu Jut	
134	Ha Duy PHuong	Male	Nung	Dak Drong	Cu Jut	
135	La Van Son	Male	Kinh	Dak Drong	Cu Jut	
136	Bui Van Lam	Male	Kinh	Dak Drong	Cu Jut	
137	Nong Van Tien	Male	Nung	Dak Drong	Cu Jut	
138	Phan Thi Len	Female	Kinh	Dak Drong	Cu Jut	Female householder with dependents
139	Hoang Van Ky	Male	Nung	Dak Drong	Cu Jut	
140	Pham Xuan Sy	Male	Kinh	Dak Drong	Cu Jut	
141	Hoang Van Phung	Male	Nung	Dak Drong	Cu Jut	
142	Nong Van Hoa	Male	Nung	Dak Drong	Cu Jut	Poor household
143	Pham Van Huan	Male	Kinh	Dak Drong	Cu Jut	
144	Duong Van Loc	Male	Kinh	Dak Drong	Cu Jut	
145	Dai	Male	Kinh	Dak Drong	Cu Jut	
146	Quyên	Male	Kinh	Dak Drong	Cu Jut	
147	Banh	Male	Kinh	Dak Drong	Cu Jut	
148	Tuong	Male	Kinh	Dak Drong	Cu Jut	
149	Bien	Male	Kinh	Dak Drong	Cu Jut	
150	Nguyen Van Sy	Male	Kinh	Truc Son	Cu Jut	
151	Tran Van Lam	Male	Kinh	Truc Son	Cu Jut	
152	Ngu Dinh Thuy	Male	Kinh	Truc Son	Cu Jut	
153	Nguyen Thi Huong	Female	Kinh	Truc Son	Cu Jut	Poor household

No.	Name	Gender	Ethnicity	Commune	District	Vulnerable Groups
154	Le Thi Hoa	Female	Kinh	Truc Son	Cu Jut	
155	Dinh Thi Lanh	Female	Kinh	Truc Son	Cu Jut	
156	Ho Van Phuc	Male	Kinh	Truc Son	Cu Jut	
157	Tran Van Quy	Male	Kinh	Truc Son	Cu Jut	
158	Nguyen Van Quynh	Male	Kinh	Truc Son	Cu Jut	
159	Trinh Van Viet	Male	Kinh	Truc Son	Cu Jut	
160	Ngo Duc Vinh	Male	Kinh	Truc Son	Cu Jut	
161	Vo Minh Tuyet	Male	Kinh	Truc Son	Cu Jut	

# Resettlement and Ethnic Minority Development Plan

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October 2017

**VIE: Water Efficiency Improvement  
in Drought Affected Provinces (WEIDAP)**

**Subproject: Dak Mil, Dak Nong Province**

Prepared by the Ministry of Agriculture and Rural Development, Socialist Republic of Viet Nam,  
for the Asian Development Bank

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## EXECUTIVE SUMMARY

1. **Introduction.** The Water Efficiency Improvement for Irrigation Structures in Dak Mil District, Dak Nong Province is one of the eight subprojects of the Water Efficiency Improvement In Drought Affected Provinces Project to be funded by the Asian Development Bank (ADB). The subproject will help to enhance irrigation for the total command area of nearly 5,980 command areas at 05 communes of Thuan An, Dak Lao, Duc Minh, Duc Manh, Long Son of Dak Mil District, and Nam Xuan Commune of Krong No, Dak Nong Province. Civil work under the subproject include: (a) rehabilitation of irrigation structures: Dak Lao commune (reservoir of Team 1; reservoir 40 and pump station; reservoir 35, Zone; Thuan An Commune (reservoir of Team 2), Dak Mil streams and canals; Duc Minh Commune (overflows D1 and D2; pump station and tank hill D3; overflow D4; Thai ba Long dam; Jun Juh overflow); Long Son commune (culvert E29, Reservoir; Dak Sor overflow); Nam Xuan commune (dams D1, D2, D3).

2. The Resettlement and Ethnic Minority Development Plan (REMDP), after short description of the subproject, provides the results of Inventory of Losses (IOL), the results of the socio-economic survey, the legal policy framework, and the results of public consultation and participation. One important part of the plan is the compensation and resettlement strategy, from which the compensation and assistance budget for the subproject is prepared. The last parts of the report address the ethnic minority development strategy, gender strategy, institutional arrangements, implementation schedule, and monitoring and evaluation.

3. **Scope of impacts.** The subproject planed to directly benefit the total command area of 5,980 ha. In drought years, wells dry-up and crops die or have depressed yields. The impact on beneficiary farmers will be: (i) access to more reliable water; (ii) reduced pumping costs; (iii) crop diversification into high value crops (HVCs) such as pepper, coffee, cashew. Examples of water efficient applicatin technologies (WEAT) have been introduced and adopted in target communes under a non-government organization financed project.

4. The subproject involuntary resettlement impact on local residents is minor and restorable. In total there will be 75 households or 330 persons will be affected. Of those affected, 2 affected households (Ahs) belongs to vulnerable group; 14 AHs are Tay ethnic minority households. Each AH will lose less than 10% of their productive land and crop. No fixed assets as house, structures will be affected. Relocation and resettlement of AH is not necessary.

5. **Legal and policy framework.** The subproject policy based on the reconciliation of Central and Local Government and ADB Policies. The purpose of these policies is to ensure that all affected people by the subproject will be enhanced or at-least restored to their living standards to at least their pre-project levels. Entitlements of affected persons (APs) are established based on this policy and consulted with APs. Compensation prices for affected assets are based on replacement costs.

6. **Public consultation and participation.** Consultations, public meetings, and village discussions with APs and local officials were carried out during the resettlement planning process. Project policies and options with regard to compensation and resettlement, ethnic minority's development and income restoration have been discussed during the meetings. Concerns and suggestions raised by the affected people were elicited and incorporated into the REMDP. The grievance mechanism has been designed to ensure that APs, concerns and grievances are addressed and resolved in a timely 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.

7. **Issues on gender and ethnic minorities.** In the subproject communes where the subprojects are located, there are ethnic minority persons belonging to the Tay and Nung group. The choice of the subproject investment here coincides with the poverty reduction of Dak Nong Province. The gender mainstreaming strategy is described in REMDP, which encourages the participation of women in resettlement boards, strengthening capacity for women and vulnerable groups to ensure that women benefit fully from the project, while minimizing the negative impacts. The gender monitoring indicators have been built and women will participate in the monitoring entity.
8. **Income Restoration Program (IRP)** aiming to restore AHs' income will be implemented under this REMDP. AHs will be assisted in form of cash allowances (i.e. support for vocational training and supports for stabilizing living standards). The budget of approximately VND1.3 million or \$57,273 will be used for supporting AHs. Additionally, an income restoration program in form of technical supports (guidance on water saving technology, HVCs; market linked agricultural production) and grant supports up to AHs, poor households for the installation of water saving equipment will be finalized and implemented during the Project implementation phase.
9. **Institutional arrangement.** The Ministry of Agriculture and Rural Development (MARD), through its CPMU, will assure coordination for the implementation of the REMDP. MARD will coordinate with the Dak Nong Provincial People's Committee and instruct the provincial Department of Agriculture and Rural Development (DARD) and to ensure that the compensation, assistances are administered according to the provisions of this REMDP. A District Compensation, Assistance and Resettlement Board (DCARB) with representatives of affected persons, will be established to implement the compensation, assistance and resettlement process.
10. **Implementation schedule.** The REMDP will be updated and implemented before the construction of the project works. All the affected people will be paid compensation for their affected assets before December 2018, site clearance will be completed by December 2018.
11. **Monitoring and evaluation.** The REDMP will be implemented under the internal monitoring and investigation arrangements by CPMU and PPMU officers. External monitoring and evaluation is not necessary as the involuntary resettlement impacts are minor and restorable.
12. **Total resettlement cost** includes administration and contingency cost is nearly VND2.3 billion, equivalent to \$100,671. This cost will come from the Dak Nong provincial budget.

## I. PROJECT DESCRIPTION

### A. Introduction

1. The Water Efficiency Improvement in Drought Affected Provinces Project (WEIDAP, or the project) aims to improve the water use efficiency for agriculture in the South Central Coast and the Central Highlands of Viet Nam, including the provinces of Khanh Hoa, Ninh Thuan, Binh Thuan (South Central Coast), Dak Lak, and Dak Nong (Central Highlands). The project will contribute to improving the agricultural productivity of water and climate resilience in the more drought vulnerable provinces, while enhancing environmental sustainability.

2. The project impact is climate resilience and water productivity in agriculture improved. The project is aligned with the Government's Agricultural Restructuring Policy, the Law on Hydraulic Structures, and the Irrigation Subsector Restructuring Plan. The project will have the following outcome: climate resilient and modernized irrigation systems in five provinces established.

### B. Outputs

3. The project has three outputs: (i) irrigation management services strengthened; (ii) modernized irrigation infrastructure developed; and (iii) efficient on-farm water management practices adopted.

4. **Output 1: Irrigation management services strengthened** will support policy and institutional development measures to improve climate resilience of agriculture by strengthening irrigation management taking into consideration social and gender dimensions in all relevant activities. Specifically, the project will support the following interventions:<sup>1</sup>

(i) **Irrigation water allocation and delivery services.** Activities will include: (a) updating surface water balance assessments; (b) groundwater assessments in applicable subproject command areas; (c) developing an irrigation water sharing and allocation framework; and (d) provision of a real-time decision support system for farmers on optimizing crop water application.

(ii) **Maintenance of irrigation systems.** Includes (a) development of asset inventory and management database for each irrigation system supported by the project; (b) development of a systematic asset maintenance schedule with a rigorous approach to maintenance funding based on asset condition assessments; (c) development of a pricing framework for water charges; and (d) assessment of options for engaging third parties in the operation and maintenance of irrigation systems.

5. **Output 2: Modernized irrigation infrastructures developed.** This output will modernize eight irrigation subprojects in the five provinces to provide water on-demand to farmers cultivating high value crops and reduce vulnerability to climate change.<sup>2</sup> The underlying principle of all systems is to provide a higher level of service—more flexible and reliable supply of water—to farmers than they receive at present. The infrastructure works broadly fall into three categories: (i) pressurized pipe systems taking water from canals or reservoirs, and supplying hydrants located at a reasonable distance from a farmer's field, such that the farmer can connect directly

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<sup>1</sup> Output 1 activities are complemented by parallel technical support from the Government of Australia. Assistance will be in the form of bilateral cooperation as well as through the ADB-Australian Water Partnership.

<sup>2</sup> Two each in Dak Nong, Ninh Thuan and Binh Thuan and one each in Dak Lak and Khanh Hoa.

using a hose. Basic supervisory control and data acquisition systems will facilitate operations and monitoring of flows throughout the system; consultation with male and female farmers will be conducted from which outputs will be incorporated in the design and implementation of activities; (ii) main system modernization including canal lining, control structure, balancing storage and installation of flow control and measurement devices with remote monitoring; and (iii) new and improved weirs which will replace farmer constructed temporary weirs and provide storage from which farmers can pump to irrigate HVCs. Other works include upgrading culverts and roads, to facilitate improved management of irrigation systems.

6. **Output 3: Efficient on-farm water management practices adopted** will focus on improving on-farm water productivity in the subproject command areas, to improve resilience to climate change. Water productivity assessments conducted under output 1 will help benchmark water productivity standards for different crops under different agro-ecological conditions and be the basis for advisory services (information and training) to farmers on improving on-farm water management to cope with climate variability. Male and female farmers will be consulted and also receive technical advice on identifying and developing appropriate WEAT systems that meets their individual requirements. They will be linked up with private sector suppliers and be provided training in O&M of WEAT systems.

7. The project is estimated to cost \$123.59 million. Detailed cost estimates by expenditure category and by financier are included in the Project Administration Manual.<sup>3</sup> The government has financed eight subproject feasibility studies and detailed engineering designs for same prior to loan approval. During implementation, the government will finance all resettlement costs, international and national consulting services, implementation support, special studies and capacity building along with staff appointed to project management structures. It will also finance the incremental operating and maintenance costs for IMCs to maintain headworks and delivery canals associated with subprojects.

8. The executing agency (EA) will be the Ministry of Agriculture and Rural Development (MARD) and the implementing agencies are the respective provincial people's committees (PPCs). A project management unit (PMU) will be established at the central project office and in the respective provincial Department of Agriculture and Rural Development (DARDs). The PMU and PPMUs, supported by the construction engineering support consultants (CESC), will manage day-to-day project implementation and, with ADB's prior concurrence, appoint PPMU key professional staff and assign qualified support staff. The communication and participation (C&P) plan and gender action plan (GAP) provide guidance to ensure that project stakeholders are continually engaged. The PPMUs will cooperate closely with district and commune personnel in (i) organizing public consultations, (ii) monitoring design and implementation, and (iii) creating a grievance redress mechanism (GRM) with the commune supervision boards.

9. Output 2 involves the improvement of eight subprojects in the five participating provinces. Location of these subprojects is shown in Table 1 below and Figure 1.

**Table 1: Summary of Subprojects**

Province	District	Subproject
Khanh Hoa	Cam Lam	Water efficiency improvement for Suoi Dau North and Suoi Dau South Canal Irrigation Structures

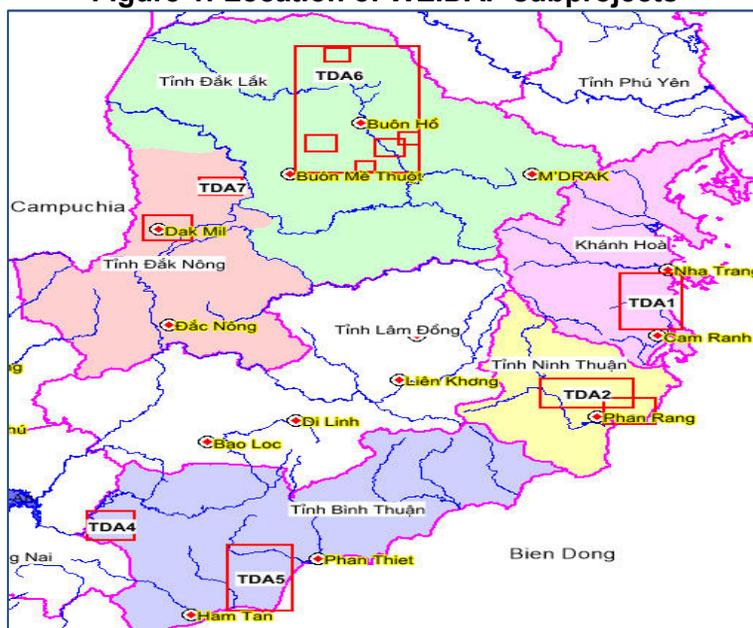
<sup>3</sup> ADB will finance (i) civil works; (ii) irrigation pumping equipment and offtake manifolds, (iii) consulting services for construction supervision, (iv) domestic service contracts, (v) safeguards monitoring and incentive grants for WEAT, inclusive of applicable taxes and duties for the expenditure items covered by ADB; and (iii) interest during project implementation.

Ninh Thuan	Ninh Hai, Ninh Son, Thuan Bac and Bac Ai	Water efficiency improvement for Thanh Son – Phuoc Nhon Irrigation Structures
	Ninh Hai	Water efficiency improvement for Nhon Hai – Thanh Hai Irrigation Structures
Binh Thuan	Duc Linh	Water efficiency improvement for Tra Tan Irrigation Structures
	Ham Thuan Nam	Water efficiency improvement for Du Du – Tan Thanh Irrigation Structures
Dak Lak	Krong Pak, Ea Kar, Ea H'Leo, Cu Mgar	Water efficiency improvement for irrigation structures of Ea Kuang reservoir (Krong Pak); Krong Buk Ha reservoir – East and West (Krong Pak); Doi 500 Hill reservoir (Ea Kar), Trung Tam reservoir (Ea H'Leo); Buon Yong reservoir (Cu Mgar)
Dak Nong	Cu Jut	Water efficiency improvement for irrigation structures in Cu Jut District
	Dak Mil	Water efficiency improvement for irrigation structures in Dak Mil District

10. Collectively, these above said subprojects will serve an area of approximately 19,190 ha or some 39,140 households of which 18% are of ethnic minority origin. Crops grown on the command area subject of the modernized systems include cashew, pepper and dragon fruit in Binh Thuan; onion, garlic, Vietnamese apple, grapes, vegetables and grass for livestock rearing in Ninh Thuan; mangoes, cashew and pepper in Khanh Hoa; and coffee and pepper in Dak Lak and Dak Nong.

11. The implementation of these subprojects includes civil works which, in a certain extent, results in involuntary resettlement impacts to local residents, including ethnic minority groups. Resettlement Ethnic Minority Development Plan (REMDP) for each subproject is required to address these issues. This REMDP is prepared for the Dak Mil subproject.

**Figure 1: Location of WEIDAP subprojects**



Source: MARD. May 2017. WEIDAP Subprojects.

### C. Dak Nong, Dak Mil subproject location and impact areas

12. The Dak Mil subproject command area is approximately 5,980 ha and is scattered at 05 communes of Thuan An, Dak Lao, Duc Minh, Duc Manh, Long Son of Dak Mil District, and Nam Xuan Commune of Krong No, Dak Nong Province. The subproject command areas include: (i) upstream: existing structures presently irrigate 3,292 ha of coffee and pepper and 729 ha of rice. After rehabilitation, they will irrigate 5,251 ha of coffee and pepper and 729 ha of rice; and (ii) downstream: The four new permanent weirs will serve a total area of 770 ha within 1 km of each weir site. Location of the subproject is at Figure 2.

**Figure 2: Schematic layout of Dak Mil subproject**



Source: MARD. February 2017. Dak Nong, Dak Mil Subproject. Final concept design.

### D. Civil works to be undertaken under the subproject

13. The subproject consists of (i) upstream: rehabilitation of 24 existing structures, and (ii) downstream: replacement of farmers' temporary weirs with four permanent weir structures. The Sub-project civil work include: (a) irrigation structure: Dak Lao commune (reservoir of Team 1; reservoir 40 and pump station; reservoir 35, Zone; Thuan An Commune (reservoir of Team 2), Dak Mil streams and canals; Duc Minh Commune (overflows D1 and D2; pump station and tank hill D3; overflow D4; Thai ba Long dam; Jun Juh overflow); Long Son commune (culvert E29, Reservoir; Dak Sor overflow); Nam Xuan commune (dams D1, D2, D3). The typical design of weirs and road is in Annex 2.

14. The development of the above said subproject works will thus lead to involuntary resettlement impacts, both temporary and permanently. Details of impacts and mitigation measures applied is presented in the following sections.

### E. Measures taken to minimize negative impacts

15. The subproject involuntary resettlement impacts include: (i) permanent land acquisition and crop loss due to the upgrading weirs, canals and inspection roads; and (ii) temporary resettlement impacts caused during the construction phase relating to the acquisition of public land and relatively small area of crop land and short-term farming disturbance needed for camping, material storages, roads serving for construction activities.

16. Efforts to minimize the subproject adverse social impacts includes the consideration of all possible design options and shifting of the proposed civil works and road alignment at various

points to avoid human settlements and public facilities. Design options were closely considered by international and national consultants (technical, social and environmental safeguard; economic); MARD, Dak Nong DARD, subproject DPCs and CPCs and beneficiaries. The subproject inspection roads will be upgraded and based on existing roads with minimum alignment to avoid resettlement impacts.

17. Likewise, the selection of construction methods, equipment, machinery will be controlled following current regulations. Additionally, the need for borrow pits during construction phase will be minimized and the Sub-project will, whenever feasible, use materials from cuttings in the construction of the Sub-project works.

18. During the census of affected people (APs) and the inventory of losses (IOL), all affected households (AH) were informed, advised, through consultations about the pipe alignment and location of pumping stations and not to introduce new crop within the rights of way (ROW). A public information booklet (PIB) that explains, among others, the policy on cut-off date for eligibility, will be distributed to the AHs and local governments, as needed, following ADB's concurrence of the REMDP.

19. For those affected by the subproject will receive compensation, assistance and supports necessary and sufficient for income restoration as well as to ensure that their livelihood is at least equal or better than that before the subproject. Requirements on social, environmental safeguard will be included in bidding documents and contracts. Dak Nong PPC will ensure that land acquisition, payment of compensation assistance and rehabilitation will be completed prior to the issuance of notice to proceed (NTP) to start construction works.

#### **F. Resettlement and ethnic minority development plan**

20. The subproject will negatively and positively affect local people, including the majority Kinh group and some ethnic minority groups. It is realized that all negative impacts caused by the subproject are minor and restorable. An Ethnic Minority Development Plan is therefore integrated in the Resettlement Plan for implementation.

21. 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.

22. This REMDP is the guiding document that identifies the key issues to address in reconciling the requirements of ADB's SPS (2009) 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. It covers subproject activities that trigger involuntary physical and economic displacement arising from land acquisition and restrictions on land use. It also ensures that subprojects are designed and implemented in a way that fosters full respect for ethnic minority identity, dignity, human rights, livelihood systems, and cultural uniqueness as defined by the ethnic minorities themselves to enable them to: (i) receive culturally appropriate social and economic benefits, (ii) do not suffer adverse impacts due to the subproject, and (iii) can participate actively in the subproject.

23. This REMDP includes the following:

- (i) Policy and procedural guidelines for asset acquisition, compensation, resettlement, and strategies that will help ensure full restoration of the affected household's livelihood and standard of living;
- (ii) Identification of households and communities to be adversely affected by the Project, 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 the affected households will be involved in the various stages of the Project, including resolution of grievances; and
- (iv) An estimate budget for resettlement implementation.

24. This REMDP will be updated during the subproject implementation following the detailed measurement survey (DMS), replacement cost survey and consultation with APs.

## II. SUBPROJECT IMPACTS

### A. Survey process

25. The resettlement survey was carried out in all communes affected by the subproject, namely: Thuan An, Dak Lao, Duc Minh, Duc Manh, Long Son of Dak Mil District, and Nam Xuan Commune of Krong No, Dak Nong Province. The survey consisted an Inventory of the Losses (IOL) of all affected households, a socio-economic impacts assessment study of affected households and some of non-affected households. A meaningful consultation with both local residents and ethnic minority people, including affected and non-affected people was held in each subproject commune. In addition, a rapid replacement cost survey (RCS) was also conducted to determine the rates that will be used to compensate losses of land, crops, trees, and other non-land based income to ensure that the affected persons are compensated at the current market value.

26. **Inventory of loss** was undertaken in March and May 2017 and based on the Dak Nong, Dak Mil subproject final concept design. For households who will lose agricultural land and crops, the IOL was completed by enumerators through reference to the cadastral records of the affected communes. The amounts indicated for area of land loss and use of land will be validated during the Detailed Measurement Survey (DMS) that will be done during the implementation stage.

27. **Socio-economic survey** was completed with respect to province, district and communes through collecting information from Dak Nong province and subproject District Statistic Year Book (2016), and annual socio-economic reports of communes. The survey collected information on the profile and characteristics of affected households and non-affected households, their income levels and sources of income, ethnic composition, education levels and basic information on their plans after compensation by directly interviewing them.

28. **Rapid replacement cost assessment** undertaken in April 2017 which aims to collect information on the market prices of land, crops and assets in areas surrounding the proposed civil works which will be used for resettlement compensation and assistance. Rapid assessment methods were applied to study the replacement costs. Information collected from both desk research and direct interviews with people in affected area, both those persons who are affected and those not affected, is analyzed to establish replacement costs of land and crops. The subproject is in rural area where the market economy, especially land market, has not been developed, however, there are few evidences about land transfer. The assessment results show

that the prices of perennial land and crops, are closed to the published price issued by the Dak Nong PPC.

29. During REMDP updating, replacement costs will be prepared by independent price consultant and approved by Dak Nong PPC for application.

30. **Focus group discussions (FGD)** with both affected households and non-affected households living close to the civil work assignment were organized in each commune affected by the subproject. For affected households, the focus group consultations aim to discuss and consult with the people about the scope and scale of impacts, entitlements, preliminary implementation schedule, and redress grievance mechanism. With the information of the overall of the Project impacts, FGDs have given the affected households opportunity to understand and share their ideas and expectations about the Project. Separate FGDs were also held with women and ethnic minority's people. In addition, in-depth interview with both AHs and non-AHs of which the female headed households, ethnic minority's households were also focused.

## B. Involuntary resettlement impacts

### a. Permanent impacts

31. Result of IOL in March and May 2017 showed that involuntary resettlement impacts caused by the subproject include: (i) loss of perennial land for plantation of coffee and pepper trees; and (ii) loss of coffee and pepper trees. No house or structures partially or wholly affected, no household are severely affected, and no business establishment will be affected. No relocation is necessary.

32. **Impact on household.** 75 households or 330 persons will be permanently affected by the subproject. Of which, 2 households are vulnerable households, 14 households are Tay ethnic minority people. Summary on impact on household is in Table below:

**Table 2: Summary on affected households**

Communes	Total APs	Total AHs	Vulnerable AHs	Total EM AHs	Poor AHs
Dak Mil Town	0	0	0	0	0
Dak Lao	93	16	0	0	0
Duc Minh	146	41	2	2	2
Thuan An	32	6	0	0	0
Long Son	27	5	0	5	0
Nam Xuan	32	7	0	7	0
<b>Total</b>	<b>330</b>	<b>75</b>	<b>2</b>	<b>14</b>	<b>2</b>

33. **Impact on land.** The total land of approximately 3.6 ha will be affected by the subproject. Of which 3.4 ha is perennial crop land currently used for plantation of pepper and coffee trees. 14 ethnic minority households will lose about 0.7 ha perennial crop land. Summary on impact on land is in shown in Table below.

**Table 3: Summary of impact on land**

Commune	Unit	Affected land			Amount
		Perennial crop land	EM HH	Public land	
Dac Mil Town	HH	0	0	1	0

	m2	0	0	2,000	2,000
Dac Lao	HH	16	0	0	16
	m2	8,800	0	0	8,800
Duc Minh	HH	41	2	0	41
	m2	16,240	832	0	16,240
Thuan An	HH	6	0	0	6
	m2	3020	0	0	3,020
Long Son	HH	5	5	0	5
	m2	1,901	1,901	0	1,901
Nam Xuan	HH	7	7	0	7
	m2	4,139	4,139	0	4,139
<b>Total</b>	<b>HH</b>	<b>75</b>	<b>14</b>	<b>1</b>	<b>75</b>
	<b>m2</b>	<b>34,100</b>	<b>6,872</b>	<b>2,000</b>	<b>36,100</b>

Source: Inventory of loss. May 2017

34. **Impact on crops.** Crops to be affected by the subproject comprise of 510 coffee trees and 110 pepper trees. No other type of crops to be affected by the subproject. Summary of impact on crops is in Table below.

**Table 4: Impact on crops**

Commune	Unit	Affected Crop			
		Coffee tree		Pepper tree	
		AH	EM AH	AH	EM AH
Dac Mil Town	AH	0	0	0	0
	m <sup>2</sup>	0	0	0	0
Dac Lao	AH	94	0	0	0
	m <sup>2</sup>	16	0	0	0
Duc Minh	AH	214	18	110	0
	m <sup>2</sup>	21	2	20	0
Thuan An	AH	76	0	0	0
	m <sup>2</sup>	6	0	0	0
Long Son	AH	59	59	0	0
	m <sup>2</sup>	5	5	0	0
Nam Xuan	AH	67	67	0	0
	m <sup>2</sup>	7	7	0	0
<b>Total</b>	<b>AH</b>	<b>510</b>	<b>144</b>	<b>110</b>	<b>0</b>
	<b>m<sup>2</sup></b>	<b>55</b>	<b>14</b>	<b>20</b>	<b>0</b>

Source: Inventory of losses. May 2017.

#### **b. Temporary impacts**

35. The subproject also causes temporary involuntary resettlement impacts, including temporary use of land for construction activities such as camping, material storage, dump sites. Total land needed for these purposes is approximately 5,600 m<sup>2</sup> and impact duration is only 6 months in total. Contractors are required to apply all possible mitigation measure to ensure temporary impacts are minimized, controlled and soil condition will be as same as before the construction.

36. Besides, contractors will, in consultation or negotiation with land owners, pay for temporary use of land, if required any harm to soil and crop; any damaged crops or income loss during the temporary use of their lands. Contractors are also required to restore land to pre-subproject conditions before returning to AHs. These requirements will be stipulated in the bidding document and civil work contracts.

### III. SOCIO - ECONOMIC PROFILE

#### A. Socio-economic features of the subproject

37. **Dak Nong province.** The province is bordered by Dak Lak province to the North and East; Binh Phuoc and Lam Dong provinces to the South; Kingdom of Cambodia to the West. It the area of 6,514.38 km<sup>2</sup> and the population of 510,570 persons. By April 2009, Dak Nong has 40 groups of persons living there. Of which, the Kinh is dominant with 332,431 persons (67.9%), and second is M'Nong group with 39,964 persons (8.2%), the third is the Nung group with 27,333 persons (5.66), the Mong group with 21,952 persons (4.5%), and other ethnic minority groups, including Tay (20,475 persons), Dao (13,932 persons), Thai (10,311 persons), Ma (6,456 persons), Ede (5,271 persons), Hoa (4,686 persons), Muong (4,070 persons) and other small ethnic minority group. Dak Nong has 06 administrative units of Dak RLap, Dak Mil, Cu Jut, Dak Song, Krong No, Dak Glong, Tuy Duc and Gia Nghia Town.

38. In 2015, agriculture sector shares nearly one half (49,6%) of the province GDP structure and follow by industry-construction (26,7%) and service of 23,68%. The labor force working in agriculture sector is very high, with 67.3% of the total working labor of the Province. Ratio of labor working in industry sector was very low, of 10.4% of the total province labor. Ratio of poor household in Dak Nong was nearly 13.7%, highest among five highland provinces and about twice the nation average poor ratio (8.4%). EM poor household ratio was high, approximately 38% of the total province poor household. Annual average income per capital in 2015 was 32.7 million VND.

39. **Dak Mil and Krong No districts.** Dak Mil District is located at the North East of Dak Nong Province. It is bordered with Cu Jut District to the North; with Krong No District to the East; with Dak Song District to the South; and Muldulkiri Province of Kingdom of Cambodia to the West. The District has 09 communes of: Dak Sak, Duc Minh, Long Son, Dak Lao, Dak R'La, Duc Manh, Dak N'Drot, Dak Gan, Thuan An and Dak Mil Town. While the Krong No District was established in November 1987 with its centre is 120 km far from Gia Nghia Town. Krong No District is bordered with Dak Lak Province to the North and East, with Dak G'long to the South, with Dak Mil to the North West. Total population of the two district is 172,621 persons and the total land area is 149,99 hectare.

40. In Dak Mil District there have been 19 ethnic groups. The Kinh groups accounts a big share of 80.08% (64,474 persons). In-place ethnic minority groups include M'Nong, Ede and Ma with 1,346 persons or 8.6% of total population. Other ethnic minority groups include Tay, Nung, Dao, H' Mong with 9.400 persons. While in Krong No there has 20 ethnic groups. In-place ethnic minority persons include M'nong prech and E De bih and immigrated ethnic minority persons of the Tay, Nung, Dao, H'Mong, etc. Summary on key socio-economic data of districts of Dak Mil and Krong No is belows.

**Table 5: Summary of data information relating to districts of Dak Mil and Krong No**

Items	Unit	Districts	
		Dak Mil	Krong No
Natural land area	ha	68,299	81,300
• Forestry land	ha	25,174	-
• Agricultural land		36,872	-
Population	Persons	109,429	62,832
GDP structure	%		
• Agriculture	%	47.14	57.06
• Industry & construction	%	18.66	18.6
• Commercial & trading	%	34.2	24.31
Avg. annual income per capital	VND mil.	42	34.7
Ratio of poor household		7.47	16.08
• Ratio of EM poor household	%	57.02	30.97

Source: Statistic book of Dak Mil and Krong No (2015)

41. **Subproject area.** The total command area of the subproject is 5,980 ha. Which are located at 5 communes of Dak Lao, Duc Minh, Thuan An, Long Son and Nam Xuan. These communes include 44,508 residents. Agriculture and forestry sector contributes a big share to GDP structure of these communes (over 80% at communes of Thuan An, Long Son and Nam Xuan). Average annual income per capital in 2016 is high at Duc Minh commune (VND40 million) and Dak Lao commune (VND31.5 million) and very low at Long Son commune (VND17.1 million) and Nam Xuan (VND21.5 million). As soil at these communes is fit for coffee and pepper almost all households grow coffee and pepper. Only small portion of household raise rice, vegetable and maze. Ratio of poor households is high at Long Son commune (32.6%) and Nam Xuan (27.4%) while the ratio is low at other communes. Details are given at Table 6 Table 7below.

**Table 6: Summary on socio-economic of subproject area by end of 2016**

Items	Unit	Commune/Town				
		Dak Lao	Duc Minh	Thuan An	Long Son	Nam Xuan
Natural land area	Km <sup>2</sup>	253.4	36.18	61.94	30.58	30.54
Population	person	7,000	16,768	11,396	2,198	7,146
# of household	h/h	3,857	-	-	369	1,538
Avg. annual income per capital	mil. VND	31.5	40	28	17.1	21.5
GDP structure						
• Agriculture, forestry	%	56.3	62.5	80	93.5	92
• Industry, construction	%	23.5	6.5	20	4.2	8
• Service, commerce	%	20.2	28		2.3	
% of poor household	%	3.2	5.3	3.42	32.6	27.4
% of poor EM household	%	16.1	23.03	65.9	94.2	87.4
% EM persons	%	6.52	8	27.19	94	75
Ratio children under 5 years old suffering from malnutrition	%	21.3	15	21.68	19.1	14.6
Ratio of household using hygiene water	%	95	96	60	95	97
Ratio of household having hygienic sanitary facilities	%	90	92	40	-	95
Ratio of household has access to electricity	%	97	100	100	99	100

Source: Socio-economic reports by end of 2016 by commune People Committees of Dak Lao, Duc Minh, Thuan An, Long Son and Nam Xuan

## B. Ethnic minorities in the subproject area

42. The ethnic minority persons are now living mainly in communes of Long Son (94%), Nam Xuan (75%) and Thuan An (approximately 30% M'ngong persons). Communes of Duc Minh and Dak Lao have only 6-7% of total population is ethnic minority who mainly immigrated from Northern mountainous province.

43. Ratio of poor ethnic minority household is high at communes of Long Son (94.2% of total ethnic minority household) and Nam Xuan (87.4% of total ethnic minority household). Main income of ethnic minority groups is from the cultivation of annual crops as maize, cassava, vegetable and livestock raising. Most ethnic minority household own land which is small, soil is poor and water for irrigation is very difficult and costly. Ethnic minority farmers' knowledge and skill on farming is inadequate. Many ethnic minority persons work as hired labors for other farmers within the region.

## C. Socio-economic profile of the affected household

44. 50 out of 75 affected households, accounting for 67%, were surveyed in 5 affected communes. Of which, 14 AHs belong to ethnic minority groups of Tay. On average, affected household size is 4.4 persons per household while size of ethnic minority household is 4.7 persons per household. All of interviewed households are headed by men as there is no female headed household among the affected households. There were 34 male respondents (68%) and 16 female respondents (32%) represented for the affected households in the survey.

**Table 7: Number of affected households involved in the SES**

Communes	AHs	EM AHs
Dak Lao	11	0
Duc Minh	27	2
Thuan An	4	0
Long Son	3	5
Nam Xuan	5	7
<b>Total</b>	<b>50</b>	<b>14</b>

Source: Socio-economic Survey. May 2017.

45. The average age of householders is 45.9 year old in general and 43.6 in ethnic minority group. There are 143 persons or 65.6% out of 218 persons are under the age of 18-60 year old. Ratio of affected persons below 18 year old is rather high, 26.6%. Ratio of ethnic minority affected persons in the age of 18-30 years is the highest, 34.8%. Below is summary on age distribution of affected persons.

**Table 8: Summary on age distribution of affected persons**

Age	Overall		Male		Female		EM	
	Person	%	Person	%	Person	%	Person	%
< 18 years	58	26.6	32	28.6	26	24.5	20	30.3
18-30 years	65	29.8	31	27.7	34	32.1	23	34.8
31-50 years	58	26.6	31	27.7	27	25.5	13	19.7
51-60 years	20	9.2	11	9.8	9	8.5	5	7.6
> 60 years	17	7.8	7	6.3	10	9.4	5	7.6
<b>Total</b>	<b>218</b>	<b>100.0</b>	<b>112</b>	<b>100.0</b>	<b>106</b>	<b>100.0</b>	<b>66</b>	<b>100.0</b>

Source: Socio-economic Survey. May 2017.

46. Ethnic composition. Among 50 surveyed households, 36 or 72% of the total interviewed households belong to the Kinh group, 14 or 28% out of surveyed households belong to Tay groups. These ethnic minority people live mutually with the local community without any remarkable difference.

47. Education level of the affected persons is low with only 45 persons (20.6%) completed upper secondary school and 63 persons (28.9%) finished secondary school. 23 (10%) persons never attend school. In general, ethnic minority groups have lower education level, as ratio of ethnic minority affected persons completed primary school is the highest, 27.3%. Summary on education status of interviewed households is below:

**Table 9: Summary on education status of interviewed households**

Education level	Overall		Male		Female		EM	
	Person	%	Person	%	Person	%	Person	%
Below school age	13	6.0	10	8.9	3	2.8	5	7.6
Never attend school	23	10.6	8	7.1	15	14.2	7	10.6
Primary school	42	19.3	24	21.4	18	17.0	18	27.3
Secondary school	63	28.9	29	25.9	34	32.1	14	21.2
Upper secondary school	45	20.6	25	22.3	20	18.9	16	24.2
Vocational training	4	1.8	3	2.7	1	0.9	1	1.5
College/University	28	12.8	13	11.6	15	14.2	5	7.6
<b>Total</b>	<b>218</b>	<b>100.0</b>	<b>112</b>	<b>100.0</b>	<b>106</b>	<b>100.0</b>	<b>66</b>	<b>100.0</b>

Source: Socio-economic Survey. May 2017.

48. Occupation and employment. The majority of people are working in the agricultural sector (cultivation of coffee, pepper, livestock), accounting for 84%. Besides, 90% of people's secondary job is short-term hired labor for manual works. The other sectors such as business, workers, civil servants account for a very small percentage, about 0.5%. There are 5 people (10%) in group of retirement. All people work at the local area (at home, in the village or in the commune).

49. Household income. The average income per capita per month of the surveyed households is VND3.3 million VND/person/month. The SES identified 4% of households has monthly income below the Government-set poverty threshold of 0.7 million VND/month. Near poor households with income between 0.7 to 1 million VND/person/month account for 14%. The households at middle level, 1.5 to 3 million VND/person/month, account for the highest proportion of 40%. While in ethnic minority groups, the households at near poor level, 0.7 to 1 million VND/person/month, account for the highest proportion of 42.9%.

**Table 10: Average income levels**

Income level (million VND/person/month)	Overall		EM	
	HH	%	HH	%
Below 0.7 (poor)	2	4.0	0	0.0
From 0.7 – 1 (near poor)	7	14.0	6	42.9
From 1– 1.5 (lower middle)	5	10.0	4	28.6
From 1.5– 3 (middle)	20	40.0	1	7.1
Above 3 (upper middle)	16	32.0	3	21.4
<b>Total</b>	<b>50</b>	<b>100.0</b>	<b>14</b>	<b>100.0</b>

Source: Socio-economic Survey. May 2017.

50. Housing condition. 83.6% of respondents said that their houses are permanent which are one storey and built up with brick wall and iron roof – the most prevalent form of construction in this area. Other 7.3% respondents said that they have two storey houses. In ethnic minority groups, 100% of them lives in the houses built up with brick wall and iron roof.

51. Survey results on domestic water use showed that only 10% of questioned household use tap water for cooking and drinking and 8% for bathing and washing. The use of well water for domestic use, including cooking, drinking and bathing and washing is popular. Only about 4% of households using borehole. In ethnic minority groups, 85.7% of them use well water for drinking and washing, the remaining 14.3% uses tap water. Summary on use of water sources is below:

**Table 11: Summary on main source of water for drinking and bathing**

Water source	Water use for cooking and drinking				Water use for bathing & washing			
	Overall h/h	%	EM h/h	%	Overall h/h	%	EM h/h	%
Tap water	5	10.0	2	14.3	4	8.0	2	14.3
Well	43	86.0	12	85.7	44	88.0	12	85.7
Borehole	2	4.0	0	0.0	2	4.0	0	0.0
<b>Total</b>	<b>50</b>	<b>100.0</b>	<b>14</b>	<b>100.0</b>	<b>50</b>	<b>100.0</b>	<b>14</b>	<b>100.0</b>

Source: Socio-economic Survey. May 2017.

52. The proportion of households using septic toilet quite high, up to 80% of respondents, and about 8% of respondents use rudimentary toilet. In ethnic minority groups, 78.6% of households use septic toilet and 14.3% use rudimentary toilet. There is one ethnic minority household without toilet.

**Table 12: Summary on type of toilet**

Type of toilet	Overall		EM	
	AH	%	AH	%
Septic	40	80.0	11	78.6
Rudimentary	9	18.0	2	14.3
None	1	2.0	1	7.1
<b>Total</b>	<b>50</b>	<b>100.0</b>	<b>14</b>	<b>100.0</b>

Source: Socio-economic Survey. May 2017.

53. Most of respondents said that local people get sick of cold (90%), flu (64%). 92.9% ethnic minority persons said they suffered from cold. Summary on ailments are in Table below:

**Table 13: Summary on ailments of interviewed households**

Type of ailments	Overall		EM	
	Household	%	Household	%
Cold	45	90.0	13	92.9
Flu	32	64.0	9	64.3
Respiratory	23	46.0	7	50.0
Fever	24	48.0	6	42.9
Cholera	4	8.0	0	0.0
Malaria	2	4.0	0	0.0
Liver	2	4.0	0	0.0

Source: Socio-economic Survey. May 2017.

#### D. Gender issues

54. Within the subproject communes, men and women share many of the tasks related to farming as well as off-farm work. Women, however, have much more responsibility for household work such as taking care of baby, cooking, and cleaning. The proportion of women is approximately equal with men.

55. For the Kinh people, the ultimate decision maker in the family appears to be the husband who controls its assets and money. However, in most cases husband and wife negotiate prior to any important decision concerning cultivation, livestock, investments or use of money. There seems to be a variation between different families and between different villages regarding women's influence in household decision making. Community activities and other meetings are presented by either husband or wife.

56. Women have little representation in the traditional leadership and decision-making, and their representation in the political leadership is within the Women's Union. The general recognition that women in all situations, even in extreme poverty, prioritize and protect their family and its interests, leading to a conclusion, that women's basic agenda is to advocate the basic socio-economic and cultural values of their people. The participation of women in leadership and decision-making in resettlement planning activities will be guaranteed through equal representation of men and women. Election of the representatives to the resettlement planning bodies will be done separately by men and women.

#### E. Social impact assessment

57. **Expected positive impacts.** The subproject will help to enhance socio-economic status of local residents, especially farmers within the subproject communes through better assessable to stable and low cost irrigation service. The subproject will help to promote the effective use of the Dak Sak (6.5 MCM) and Ho Tay (4.0 MCM) which are the two largest reservoirs and Team 1 reservoir at Dak Lao Commune, Team 2 reservoir of at Thuan An Commune, Reservoir 40, Reservoir 35, Zone B of Dak Lao Commune, and Thai Ba Long Dam. It also helps to raise groundwater levels along the water catchment of the Dak Mil stream and minimize the famers' over exploitation of ground water for watering coffee and pepper trees.<sup>4</sup> It also helps to improve landscape environment surrounding the proposed new weirs.

58. This subproject will help store and regulate sufficient water for 6,750 ha, including: Upstream: 5,251 ha of coffee and pepper and 729 ha of rice and Downstream: 770 ha within 1.0 km of each weir site. This area is presently served by farmer's temporary weirs. Furthermore, it will also help to enhance productivity, quality and quantity of coffee and pepper trees within the subproject command area.<sup>5</sup> Especially, the subproject will help to ensure coffee and pepper plants not die in case of possible prolong serious drought.

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<sup>4</sup> Ground water level decrease from 35-50m (period 2000-2010) to 60-100m (2011-2017). Source. Socio-economic household survey, March 2017

<sup>5</sup> It is estimated by famers during FGDs incase of sufficient water irrigation productivity of coffee and pepper in the area would be increased from the current level of 1-1.5 tone per ha per year to 2.5-3 tone per ha per year once the barrages are completed.

59. The Project aims introduce water saving technology and advanced technology transfer to households and therefore it will help save labor cost, water and electricity cost,<sup>6</sup> reduce pests and thus the use of fertilizers and pesticides. Future successful model on water saving technology within the project command area will be promoted, expanded and studied by other famers. Measures to improve market linkage between famers, traders and local authorities will be developed thus help to farmers to maximize their efficiency in their farming business. During construction phase, job opportunities will be provided to approximately 50-100 local residents. Local women, poor and ethnic minority labors will be prioritized.

60. **Potential negative subproject impacts.** Besides the above said positive impacts the Project also cause some negative impacts that need to be controlled and minimized, including: involuntary resettlement impacts (land acquisition) and environmental impacts such as dust, etc. Necessary measures to manage and mitigate environmental impacts will be developed and included in EMP, detailed designs and environmental protection plans of contractors.

61. Additionally, some other negative impacts of the subproject may happen during construction period include: child labor, low wage for female labor, sexually transmitted infections like HIV and also social evils like drugs. However, these impacts will be managed and monitored by IAs and communities. Moreover, mitigation measures will be implemented throughout the implementation of the project.

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

##### **A. Information disclosure**

62. In compliance with the ADB requirements, the Dak Nong Provincial Project Management Unit (Dak Nong PPMU) will assist the Dak Mil Centre of Land Fund Development (Dak Mil LFDC) and CPCs to publicly disseminate the REMDP as approved by the Dak Nong PPC and ADB. All APs will be notified in advance about resettlement activities, including: (i) scope of the subproject, subproject benefit, site clearance plan and construction plan, (ii) detailed measurement and survey results, (iii) lists of eligible APs and their entitlements, (iv) compensation rates and amounts, (v) payment of compensation and other assistances and (vi) other contents such as the complaint mechanism. Notices are posted in the CPC offices and or other easily accessible locations; letters, notices or small brochures are delivered individually to all APs; and radio announcements and/or public meetings.

63. This REMDP will be uploaded in ADB websites in both English and Vietnamese and disclosed to the ethnic minority people through commune and village meetings. REMDP will be translated into ethnic minority language and disseminate to the ethnic minority through loud speakers and other oral communication mean in market days as well as in public meetings. In the table below, the different public consultation meetings pursued and planned and their description and methodology are listed.

##### **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

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<sup>6</sup> Current average annual water cost per hectare for coffee and pepper is 5.25 million VNH. It is estimated that after the subproject completion water cost would be around 3-3.5 million VND thus farmer would save water cost from 2-3 million VND/ha/year.

consultation and participation is to develop and maintain avenues of communication between the subproject, stakeholders and APs to ensure that their views and concerns are incorporated into subproject preparation and implementation with the objectives of reducing or offsetting negative impacts and enhancing benefits from the subproject. The feedback from consultations is very important for the planning process, leading to the formulation of mitigation measures and compensation plans for subproject 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 people 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 can not be avoided, explore the range of options for, and ensure APs participate in the design of mitigation measures;
  - (iii) Gather information about the needs and priorities of affected people as well as their feedback on proposed resettlement and compensation policies, options and activities;
  - (iv) Obtain co-operation, participation and feedback of affected persons on activities to be undertaken in resettlement planning and implementation, 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;
  - (vi) Exploring options for the co-management of natural resources through participatory approaches aimed at sustainable use and conservation.
  - (vii) Method of consultation and participation ensures two-way exchange of information between the community, people and affected groups by a consultation method in accordance with the traditional cultural of the locality, considering gender issues, vulnerability, social justice and the principle of equality.

**a. Consultation and participation during the REMDP preparation**

66. Consultation were conducted during August 2016 and May 2017 by social, gender, ethnic minority and resettlement and environment specialists. 191 persons (60 or 31% are female) from relevant authorities of Dak Nong province,<sup>7</sup> Dak Mil DPC and concerned commune PCs, and selected households livings at the subproject communes were consulted. The subproject will help to improve socio-economic of command areas through improving water irrigation and adaptation of HVC crops. It is strongly supported by local authorities, residents, especially ethnic minority groups. Summary on participants involved in public consultations during REMDP preparation and results on public consultations are in Table 14 and Table 15, respectively.

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<sup>7</sup> Dak Nong Department of Natural Resource and Environment, Dak Nong Department of Labor, Invalid Affair, Dak Nong Women Union, Dak Nong Department of Ethnic Minority Agency, Dak Nong Farmer Union

**Table 14: Summary on result of public consultation during preparation of REMDP**

Locations	First Public Consultation August 2016		Second Public Consultation May 2017	
	Male	Female	Male	Female
<b>Dak Mil DPC</b>	4	1	0	0
<b>Dac Mil Town CPC</b>	<b>4</b>	<b>1</b>	<b>0</b>	<b>0</b>
Long Son CPC	12	4	10	4
Thuan An CPC	20	10	8	4
Duc Minh CPC	12	8	13	6
Nam Xuan CPC	12	10	12	2
Dak Lao CPC	14	6	10	4

Source: Public Consultations undertaken during REMDP preparation

**Table 15: Summary on result of public consultation during preparation of REMDP**

<b>Topics</b>	<b>Key findings / Recommendations</b>
Project information and residents' support	<p>The subproject is necessary for socio-economic development of the areas and Dak Mil District. It helps to provide additional water for farming coffee and pepper plants; and to promote the adaptation of water saving technology and an increase of crop yields.</p> <p>Information on subproject concept design were provide by subproject preparation technical team. Further information on design, land acquisition, etc. should be provided soon for further consideration and comment by local authorities and local residents.</p> <p>Communication in Vietnamese language is acceptable by local residents, including EM persons.</p>
Water shortage	<p>Large land area<sup>8</sup> of cultivated land is now facing with water shortage and which lead to reduction of coffee and pepper crop yields.</p> <p>Around 80% of famers use groundwater agricultural production. Water quality and quantity is not sufficient for farming. Depth of water level ranges from 60-100 meters<sup>9</sup>.</p>
Livelihood models and livelihood rehabilitation measures	<p>All local residents' livelihood rely on cultivation of coffee and pepper plants. Their total agricultural land area ranges from 0,75-1.5 hectares. Poor, near poor households are now facing with key problems: poor health, lack of labors, lack of agricultural land and their farm is far from water sources. EM persons, especially in-place EM persons, has land smaller than that of the Kinh and other EM groups. EM persons' land is mostly far from water source. Their main income is from wet rice cultivation, corn, and daily wage paid by owners of coffee and pepper farms.</p>

<sup>8</sup> During years from 2014-2016 around 40-50% of land for coffee and pepper crops affected due to water shortage

<sup>9</sup> During 2000-2010 ground water depth level ranges from 35-65 m.

<b>Topics</b>	<b>Key findings / Recommendations</b>
Gender issues	<p>Women of the Kinh group and immigrated EM groups spend as much time as men for households' farming activities from watering to harvesting coffee and pepper. Besides, women have to take care of their kids. Ede women spend less time than men for the household's farming activities. In some cases roles of women in decision making is not accepted by men.</p> <p>Agricultural land is important assets for all residents. However, Ede women headed household own land area about 12-17% less than the Kinh households and other EM households.</p> <p>EM women have less knowledge, skill on farming, water saving technology, etc., than men causing it difficult for improvement of productivity</p>
Possible project social impacts	<p>The subproject will help to improve socio-economic condition of resident through the provision of additional water for their farm; increase land area served with adequate irrigation; save of labor forces, reduce water loss and electricity cost.</p> <p>More farmer will be equipped with advance technology, skills, knowledge thus help to increase productivities, quality and quantity of coffee and pepper</p> <p>IMC capacity will be strengthened. Water will be used safely and more economically. Development of management road to and from barrages will help promoting transportation of agricultural products. Barrages and roads developed under the subproject also help to improve environmental condition and landscape.</p> <p>Jobs during construction phases will be provided to local resident including women, the poor, EM residents.</p>
Involuntarily resettlement	<p>Land and coffee and pepper plants will be lost due to the development of the subproject facilities. However, losses is considered minor and restorable.</p> <p>Commune PC and affected persons will hand over land once compensation and assistance is made. Rate on compensation and assistance should be market price and made public as soon as possible.</p> <p>Notice on DMS should be informed to AHs before implementation.</p> <p>Assistance in forms of awareness raising, knowledge and technology transfer, soft loans to AHs, especially affected women is necessary.</p>

Topics	Key findings / Recommendations
Transfer to HVCs and adaptation of water saving technology	Local residents support the adaptation of water saving technology as it save electricity, labor cost, and it help to ensure productivity and efficiency of farming. Some households face with financial difficulties on investment of new water saving irrigation system. However, if the subproject provide initial support (soft loans or initial grant) they will install the new system and make payment within 03 years.

**b. Public consultation and participation mechanisms during updating and implementation of updated REMDP**

67. Public consultation and participation is encouraged throughout the subproject cycle. In implementation phase, the Khanh Hoa PPMU in combination with Cam Lam LFDC and CPCs of Suoi Cat, Suoi Tan, Cam Tan, Cam Hoa, Cam Hai Tay, Cam Hiep Bac, Cam Duc, Cam Hiep Nam, and Cam Thanh Bac are responsible for dissemination of subproject information and resettlement policies using various media such as organizing seminars, presentations, and public meetings where subproject affected people and beneficiaries are invited with gender inclusive. Where affected people are EM, consultation with them should be held in their community at time suitable for people, especially for women so that they can participate as much as possible all consultations.. Participants are freely to discuss and give feedbacks and comments about the technical parameters and subproject impacts of different alternatives, and about resettlement and compensation measures. PPMU will distribute the PIB and other documents in local language (if needed) of the subproject to affected people, including EM people,

68. Local people, especially affected people and EM people, have right to work for the subproject as specified in the Gender Action Plan (GAP). All the community has rights to monitor not only the construction of the subproject but also the implementation of the REMDP or updated RMEDP, and some of them may join 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.

**V. GRIEVANCE REDRESS MECHANISM**

69. Grievances related to any aspect of the Project shall be handled through negotiation aiming at achieving consensus. The grievance redress mechanism (GRM) has been designed in this document to address the displaced households' grievances and/or complaints regarding land acquisition, compensation, and resettlement in a timely and satisfactory manner. Affected persons or households, including ethnic minority people, shall be made fully aware of their rights and the detailed procedures for filing of grievances and the appeal process. The GRM and appeal procedures shall be disclosed to APs and ethnic minority people during consultation and guided in the PIB how to lodge their complaint using the GRM, which shall be distributed to all affected persons or households.

70. Affected persons, including ethnic minority people, are entitled to lodge complaints regarding any issues on land acquisition and resettlement, such as entitlements, rates and payment, and procedures for resettlement and income restoration programs. Complaints can be in writing or in verbal narrative by the affected persons or households. In the case of verbal complaints, the competency agency shall be responsible for making a written record during the

first meeting with the complainant. Aggrieved ethnic minority AH may bring along a community leader or any person that can help him/her in hearing and complaint resolution.

71. For the purpose of grievance redress, the Dak Nong PPMU officers shall also serve as grievance officers. The designated commune officials shall exercise all efforts to settle the issues at the commune level through appropriate community consultations. All meetings shall be recorded by the resettlement committees, and copies shall be provided to displaced persons or households. A copy of the minutes of meetings and actions undertaken shall also be provided to the CPMU and ADB upon request. The complainant will be exempted from all administrative and legal fees that might be incurred in the resolution of grievances and complaints.

72. This GRM shall be governed by the Viet Nam laws, including: (i) Laws on Complaints No. 02/2011/QH13; (ii) Article 204 of the 2013 Land Law; (ii) Regulations on Grievance of Government Decree 75/2012/ND-CP; and (v) Decree No. 43/2014/ND-CP.

#### **A. Stages grievance redress mechanism (GRM)**

73. Complaints will pass through 3 stages before they could be elevated to a court of law as a last resort. The stages of GRM for the subproject is summarized below:

- **First stage, at CPC level.** If a complaint is filed for the first time, the complainant may bring his/her complaint to any member of the CPC, either through the Village Chief or directly to the CPC, verbally or in writing. It is the duty of the said CPC member or the village chief to inform the CPC of the complaint. The CPC will meet the complainant personally and will have 10 days to register the complaint after it was filed. The CPC secretariat is responsible for documenting and keeping the files of all complaints that it handles. The time limit for handling the complaints filed for the first time shall not exceed 30 days from the date of registration; for complicated cases, the time limit may be extended, but should not exceed more than 45 days from the date of registration. During 30 days from the expiration day for the settlement of the complaint, if the first complaint is not resolved, or from the day the complainant receives the decision on the complaint, or if the complainant does not agree with it, the complaint can be brought to the Subproject DPC or a lawsuit initiated at the people's court.
- **Second stage, at DPC level.** In a period of not more than 90<sup>10</sup> days from the date the Subproject DPC Chairman, who makes administrative decisions, administrative acts in the land management provisions, or if the person with related interests and obligations disagrees with administrative decisions or administrative acts, the complainant may file the complaint with the Subproject DPC; Subproject DPC Chairman shall handle the complaint within the time limit prescribed by the Law on Complaints; decisions of the Subproject DPC Chairman shall be made public and a copy shall be sent to the complainant and other persons with related interests and obligations. Within 30, or 45 days for complete cases, from the date of receipt of the decision by the Subproject DPC Chairman that the complainant does not agree with the decision, he/she may initiate a lawsuit at the peoples' court of the district or elevate the complaint to the Dak Nong PPC. The time limit for appeal should not be longer than 60 days from the date of acceptance for complicated cases. The agency receiving the complaint shall be responsible for

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<sup>10</sup> Article 9, Laws on Complaints No. 02/2011/QH13

recording the entire track of settling the complaints.

- **Third stage, at PPC level.** Within 30 days from the date that the Dak Nong PPC Chairman made administrative decisions or administrative acts, and if the complainant disagrees with the administrative decisions or administrative acts, he/she may file the complaint with the Dak Nong PPC. The Chairman of the Dak Nong PPC shall resolve the complaint within the time limit prescribed by the Law on Complaints. The decision by the Dak Nong PPC Chairman on the complaint shall be made public and a copy sent to the complainant and other persons with related interests and obligations; (iv) within 45 days from the date of receipt of the decision from the Dak Nong PPC Chairman and if the complainant does not agree with the decision, the complainant may bring the case to the people's court of the province. The time limit for appeal should not be more than 60 days from the date of acceptance for complicated case. The agency that receives the complaint shall be responsible for recording the entire track of the proceedings done for the complaint.
- **Final stage, at arbitration in a court of law.** Within 45 days from the date of receipt of the decision from the Dak Nong PPC Chairman, the complainant can bring the case to the people's court for arbitration if he/she disagrees with the decision. If the Court found that the acquisition of land is not compliant with the law, such land acquisition shall be suspended or stopped. The government agency that issued the decision should cancel the decision allowing land acquisition and compensate the land owner for any damage/s done on the land. Within 30 days after the decision of the court, the concerned resettlement and compensation committee will pay for the damage/s to the landowner, as ordered by the Court. But if the arbitrating judge finds the land acquisition to be legal, the complainant must abide and comply with the decision of the Court.

## **B. Tracking and reporting the grievance proceedings**

74. The Grievance Redress Committee (GRC) shall maintain a system for the recording of queries, suggestions, and grievances of the APs. All queries, suggestions, and grievances as well as resolutions thereon shall be recorded and sent to the CPMU for management and supervision. The full costs of establishing and operating the GRM are included in the project cost, as part of the contingency. In case it has become necessary to establish a GRM, the CPMU will appoint the staff from PPMUs to check the procedures for the resolution of grievances and complaints. The CPMU will train the staff on grievance procedures and strategies and share the same with the resettlement and compensation committees. The GRCs shall ensure that the complaining APs are provided with copies of the decisions or resolutions.

## **VI. LEGAL AND POLICY FRAMEWORK**

75. The legal and policy framework for addressing the resettlement impacts of the subproject is provided by the Land Law 2013 and other relevant policies and laws of Viet Nam and the ADB's Safeguard Policy Statement (SPS 2009). The following section outlines the relevant policies and laws, and highlights where differences exist, and the policies and principles that applied under this subproject.

## A. The ADB social safeguards policy

76. **Involuntary resettlement.** The 2009 SPS states that: (i) involuntary resettlement (IR) shall be avoided, whenever possible; (ii) IR shall be minimized by exploring project and design alternatives; (iii) the livelihoods of all displaced persons in real terms relative to pre-project levels shall be enhanced or at least restored; and (iv) the standards of living of the displaced poor and other vulnerable groups improved. The IR policy applies to full or partial, permanent or temporary physical displacement (relocation, loss of residential land, or loss of shelter) and economic displacement (loss of land, assets, access to assets, income sources, or means of livelihoods) resulting from (i) involuntary acquisition of land or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas. Resettlement is considered involuntary when displaced individuals or communities do not have right to refuse land acquisition resulting in displacement. This occurs in cases where (i) lands are acquired through expropriation based on eminent domain; and (ii) lands are acquired through negotiated settlements, if the expropriation process would have resulted upon the failure of negotiation.

77. **Indigenous peoples.** As provided for in the 2009 SPS, the policy on indigenous peoples (IPs) aims to design and implement projects in a way that fosters full respect for IPs' identity, dignity, human rights, livelihood systems, and cultural uniqueness, as defined by the IPs themselves so that they (i) receive culturally appropriate social and economic benefits, (ii) do not suffer adverse impacts because of the subprojects, and (iii) can participate actively in projects that affect them. The term, "Indigenous Peoples" is used in a generic sense to refer to a distinct, vulnerable, social, and cultural group possessing the following characteristics in varying degrees: (i) self-identification as members of a distinct indigenous cultural group and recognition of this identity by others; (ii) (ii) collective attachment to geographically distinct habitats or ancestral territories in the project area and to the natural resources in these habitats and territories; (iii) customary cultural, economic, social, or political institutions that are separate from those of the dominant society and culture; and (iv) a distinct language, often different from the official language of the country or region.

78. A group, which has lost collective attachment to geographically distinct habitats and ancestral territories in the project area because of forced severance, remains eligible for coverage under ADB's IP policy. The IP safeguards is triggered if a project directly or indirectly affects the dignity, human rights, livelihood systems, or culture of IPs or affects the territories or natural or cultural resources that IPs own, use, occupy, or claim as their ancestral domain.

79. In the preparation of social safeguard documents for projects assisted by ADB, the policies on the following cross-cutting themes shall be incorporated: Gender and Development (1998); Public Communications Policy (2011); and Accountability Mechanism (2012).

## B. Relevant laws of Viet Nam on social safeguards

80. **Compensation, support and resettlement.** Government's principal documents regulating compensation, assistance, resettlement in Viet Nam are listed belows:

- (i) Constitution of the Socialist Republic of Viet Nam (SRV), 2013;
- (ii) Land Law No. 45/2013/QH13 on comprehensive land administration regulations.
- (iii) Decree No. 01/2017/ND-CP dated 6 January 2017 of the Government amends and supplements some Decrees on guidelines for the Land Law namely Decree 43/2014/ND-CP, dated 15 May 2014 detailing a number of articles of the Land

Law; Decree 44/2014/ND-CP, dated 15 May 2014 on land prices; and Decree No. 47/2014/ND-CP, dated 15 May 2014 on compensation, support and resettlement upon land recovery. The Decree took effect as from 3 March 2017.

- (iv) Decree No. 104/2014/ND-CP of 14 November 2014 by the Government of Viet Nam regulating land price frame.
- (v) Decree No. 43/2014/ND-CP dated May 15, 2014 by the GoV on detailed regulations on implementation of the Land Law No. 45/2013/QH13;
- (vi) Decree No. 47/2014/ND-CP dated 15 May 2014 by the GOV on compensation, assistance, and resettlement upon land recovery by the State;
- (vii) Decree No. 44/2014/ND-CP of 15 May 2014 by the GOV on valuation of land prices;
- (viii) Circular No. 37/2014/BTNMT on detailed guidance on compensation and assistance when the State acquires land; and
- (ix) Circular No. 36/2014/TT-BTNMT by the MONRE specifying detailed methods of valuation of land prices, construction, adjustment of land prices; specific land prices valuation and land prices valuation consulting service.
- (x) Decision No/63/2015/QD-TTg dated 10 December 2015 by Prime Minister regulating policy on assistance in vocational training and job search for workers whose land is withdrawn by the state.
- (xi) Decision No.1956/2009/QD-TTg of the Governmental Prime Minister dated 17 November 2009 on vocational training for rural.

81. In Dak Nong, the currently applied regulations on land acquisition, compensation, support and resettlement are belows:

- (i) Decision No. 07/2015/QD-UBND of 29 January 2015 by the Chairman of the Dak Nong PPC on compensation, assistance, resettlement as the Government recover land in Dak Nong province;
- (ii) Decision 31/2014/QD-UBND of 26 December 2014 by the Chairman of the Dak Nong PPC on the price list of land types in Dak Nong province, period 2015-2019; and
- (iii) Decision No 177/2015/QD-UBND dated May 30, 2015 of the Dak Nong PPC on the temporary regulations on crop compensation rate for land when the State recovers land in Dak Nong province.

82. **Ethnic minority.** The definition of ethnic minority (EM) status in Vietnam is based on the criteria of: (i) a language different from the national language; and (ii) long traditional residence on, or relationship with land, and long traditional social institutional; (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. Constitution of Viet Nam (2013), Art. 5 acknowledges equality and equal rights among ethnic groups, upon which also the Government policy and programs on EM development are based upon. Constitution 2013, Arts. 58 and 61 appoint that EM and people living in the mountainous regions are given priority in education and health care services.

83. The main vehicle for implementing government policies concerning EM is through the Committee for EM (CEMA). The CEMA shall identify, coordinate, implement, and monitor projects targeted to EM development and has its own budget to be spent on the main programs and projects. At the provincial level, the Department of EMs is the implementing agency for developing policies concerning EMs, at district level this office has been established under management of district PC to develop provincial policies concerning EMs and implement programs/projects for EMs.

84. The state-owned Social Policy Bank (SPB) is providing micro loans targeted for poverty and EM households and households in communities that are classified by the GOV as extremely difficult areas. To be qualified for a loan from SPB, the borrower should be a member of one village-level micro credit group. Mass organizations (Women's Union, Farmers, Association, Fatherland Front, Youth Union) support these groups and further cooperate with SPB in disseminating information on loan availability, procedures and management. Mass organizations also give recommendations for priority listing of households for loan attainment.

85. **Gender.** Constitution of the SRV recognizes the equal rights of men and women. The Vietnam Women's Union is a political-society organization in the political system, which represents the legitimate rights and interests of the elite women of Vietnam, strives for the empowerment of women and gender equality. To date, members of this Women Association were present in almost all sectors and levels. The Gender Equality Law was legalized on November 29, 2006 by the National Assembly of SRV. This is an important legal for the formulation of policies and practical actions on gender equality in Vietnam.

86. The above policies highly affirmed the role of women in the socio-economic development of the country and the Government of Vietnam's determination to bring the gender relationship to equality.

87. Government decision on ethnic minority and gender include some key regulations as follows:

- (i) Decision No. 1722/QĐ-TTg approving the National Target Program on sustainable poverty reduction for the 2016-2020 period.
- (ii) Decision No. 1557/QĐ-TTg dated 10 September 2015 by the Prime Minister approving criteria on implementation of MDGs for EM in association with National Post-2015 sustainable development goals
- (iii) Decision No. 2356/QĐ-TTg, of 12 April 2013 on action program to implement the Master Plan on the development of EM human resource and mountainous areas toward 2020;
- (iv) Joint Circular No. 01/2012/TTLT-BTP-UBDT of the Ministry of Justice and the CEMA guiding implementation of legal assistance for EMs.
- (v) Decree No. 80/2011/NQ-CP on sustainable poverty reduction, 2011-2020.

### **C. Reconciliation of Government and ADB Policies on resettlement and ethnic minority**

88. In general, there are several aspects of the 2013 Vietnam Land Law (LL) similar to the policy objectives and principles of ADB's social safeguards on IR. However, the following differences were noted:

- (i) While SPS requires that displaced persons without titles (legal rights) to land are provided with resettlement assistance and compensated for loss of non-land assets (constructed before the cut-off date), the 2013 Land Law does not allow compensation of land-attached assets which are illegally established (Art., 92, LL). Certain structures are not compensated based on the value of a new structure (Art., 89.2, LL). There is also no requirement to compensate unregistered businesses for income losses due to business disruption resulting from land recovery and support in re-establishing their business activities elsewhere.
- (ii) While the SPS requires consulting all categories of displaced persons and host communities, the Land Law requires consulting mainly land users who meet the conditions for compensation.
- (iii) While the SPS requires exploring additional revenues and services through benefit sharing schemes, where possible, such is not required under the Land Law.
- (iv) While the SPS requires the conduct of a social impact assessment to identify poor and other vulnerable groups who may be disadvantaged/disproportionally affected by the land acquisition for the project and implement targeted measures to assist them, the Land Law does not clearly require projects to identify displaced poor and other vulnerable groups.
- (v) The level of detail and information required for resettlement planning under the SPS differs from those required under the Land Law. There is also no requirement under the Land Law to prepare a draft resettlement plan prior to the DMS.
- (vi) While the SPS requires that compensation includes interest accrued, the Land Law requires that compensation for land users refusing compensation be kept in an escrow account in the State Treasury without interest.
- (vii) For specific projects, the SPS requires the conduct and disclosure of M&E of resettlement activities. For projects with significant IR impacts, the project is required to retain qualified and experienced external experts to verify the project's internal monitoring. In the Land Law, M&E is required in broad terms and includes all aspects of the implementation of the Land Law. There is also no requirement for independent monitoring for projects with significant IR impacts.

89. The following Table provides a gap analysis of 2009 Safeguard Policy Statement of ADB and Viet Nam policy on involuntary resettlement and ethnic minority, and measures for filling gaps applied for the subproject.

**Table 16: Gap analysis between the relevant provisions of 2013 Land Law and the 2009 Safeguard Policy Statement of ADB and Project Policy**

Issue	ADB SPS requirement	Provision in Land law 2013, Decree 47, Decree 44	Project Policy
Identification of severely impacted APs	Involuntary resettlement impacts deemed significant if 200 or more persons will be physically displaced from home or lose 10% or more of their productive or income-generating assets <sup>11</sup>	APs losing at 30% or more of productive agriculture land are considered severely impacted and are entitled to livelihood restoration measures. Decree 47, Art. 19, Item 3:	HHS to be deemed severely affected if they are to experience loss of 10% or more of productive assets and/or physical displacement

<sup>11</sup> ADB Safeguard category definitions: <https://www.adb.org/site/safeguards/safeguard-categories>

Meaningful consultations in planning and implementing resettlement programs	Carry out meaningful consultations with APs, host communities, and concerned nongovernment organizations. Inform all displaced persons of their entitlements and resettlement options. Ensure their participation in planning, implementation, and monitoring and evaluation of resettlement programs. Pay particular attention to the needs of vulnerable groups, especially those below the poverty line, the landless, the elderly, women and children, and Indigenous Peoples, and those without legal title to land, and ensure their participation in consultations. (ADB SPS IR Principle 2)	Public consultation is required for the preparation of district land use plans (Land Law 2013, Art. 43). Notification of between 90-180 to be given to affected land users (Land Law 2013, Article 67) On approval of compensation arrangements, detailed information on arrangements to be provided to affected persons, and provision for involvement of the Fatherland Association. (Land Law 2013, Art. 69)	Conducting meaningful consultations with affected persons, mass organizations and civic organizations throughout project cycle.
Determination of compensation rates for houses and structures	The rate of compensation for acquired housing, land and other assets will be calculated at full replacement costs with no deduction of salvageable materials. The calculation of full replacement cost will be based on the following elements: (i) fair market value; (ii) transaction costs; (iii) interest accrued, (iv) transitional and restoration costs; and (v) other applicable payments. SPS Appendix 2: Safeguard Requirements for IR	Houses/structures used for living purpose will be compensated at replacement cost. (Land Law 2013, Article 89, item 1) Houses/structures used for other purposes will be compensated equal to the remaining value of the affected house plus some percentage of current value but total compensation amount is not exceed value of the new house/structure. (Decree 47, Art.9)	Full compensation at replacement cost to be paid for land and all non-land assets. No deductions for salvageable materials or depreciation to be made.
Provisions for APs who do not have LURCs	Ensure that displaced persons without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of nonland assets. SPS IR Safeguards Policy Principle 7	For displaced households who are not eligible for compensation with residential land, but have no other place to live in project commune, provision is made for the State to sell, lease, provide rent-to-own houses or to allocate land with levy collection. Land Law 2013, Article 79. The Land Law 2013, Art. 92 permits recovery of land without compensation for lost assets in some cases.	All affected persons to be entitled to compensation in line with ADB policy and government policy depending whichever is higher .
Prepare Resettlement Plan	Prepare a resettlement plan elaborating on displaced persons' entitlements, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time-bound implementation schedule. SPS IR Safeguards Policy Principle 8	Requirement for preparation of plans for compensation, support and resettlement. 2013, Land Law Article 67, Article 69. Contents of plans provided in Decree 47, Article 28.	RP or REMDP is required for each subproject
<b>Ethnic Minority</b>			
Action planning	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.	No provision of the government on preparation of EMDP	The EMDP shall be prepared and updated, implemented and monitored.
Recognition of customary rights	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 territories that EMs have traditionally owned or customarily used or occupied,	The issues of customary rights or ancestral domains have not been fully recognized through LURC.	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.

	or (ii) involuntary acquisition of such lands.		
Third-party validation of consultation related to land donations	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.	Not required.	In case of land donations involving marginal portions of land, the third party consultant will witness 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	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	No monitoring indicators indicated	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.

#### D. Project policy

90. Given the comparison above and filling the gaps of the 2013 Land Law from SR2 of ADB's 2009 SPS, the following policy was developed which MARD will commit to implement in a transparent manner, where applicable, in case of land acquisition:

- (i) Involuntary resettlement and impact on land, structures and other fixed assets will be minimized where possible by exploring all alternative options.
- (ii) Compensation will be based on the principle of replacement cost at the time of compensation.
- (iii) Affected households without title or any recognizable legal rights to land are eligible for resettlement assistance and compensation for non-land assets at replacement cost.
- (iv) Meaningful consultation will be carried out with the AHs, indigenous households, affected communities and concerned groups and ensure participation from planning up to implementation and monitoring. The comments and suggestions of AHs and communities will be taken into account.
- (v) The project information and update REMDP will be disclosed to AHs in a form and language(s) understandable to them prior to submission to ADB.
- (vi) Resettlement identification, planning and management will ensure that gender concerns are incorporated.
- (vii) Special measures will be incorporated in the resettlement plan to protect socially and economically vulnerable groups such as ethnic minority, female headed households, children, disabled, the elderly, landless and people living below the generally accepted poverty line.
- (viii) Existing cultural and religious practices will be respected and, to the maximum extent, preserved.
- (ix) Culturally appropriate and gender-sensitive social impact assessment and monitoring will be carried out in various stages of the project.

## **E. Principles for valuation of land and non-land assets**

91. All compensation will be based on the principle of replacement cost. Replacement cost is the amount calculated before displacement which is needed to replace an affected asset without deduction for taxes and/or costs of transaction as follows. The Dak Mil DPC will establish specific land prices based on the principles stated in Clause 1, Article 56, Land Law and submit to Dak Nong PPC for approval before implementation.

- (i) Productive land (agricultural, aquaculture, garden and forest) based on actual current market prices that reflect recent land sales in the area, and in the absence of such recent sales, based on recent sales in comparable locations with comparable attributes, fees and taxes for LURC or in the absence of such sales, based on productive value.
- (ii) Perennial and annual trees/crops equivalent to current market value of crops at the time of compensation.

## **F. Land donation**

92. Where subproject involves voluntary land donation, the REMDP will also include arrangements to deal with losses on a voluntary basis with appropriate safeguards. Such land donations will require a written agreement with the respective landowners. It may be in a form of MOU between the landowner(s) and the CPC or other documentation acceptable to ADB, including a no coercion clause witnessed by an independent third party e.g. NGO. Voluntary land donation will only be accepted if this does not severely affect the living standards and livelihood of DPs.

## **VII. ENTITLEMENTS, ASSISTANCE AND BENEFITS**

### **A. Eligibility**

93. The subproject DPC shall declare the cut-off date of eligibility for APs who shall receive compensation, as defined in Art. 92, 2013 Land Law. However, before the cut-off date is issued, subproject DPC shall notify each affected land user between 90-180 days on land recovery together with the presentation of recovery plan, schedule, investigation, measurement, and inventory before the decision on land recovery is issued, as provided for in Art. 67, 2013 Land Law. The establishment of cut-off date is necessary to discourage the opportunistic encroachers who will take advantage of compensation and/or assistance from the subproject. However, there are some cases when persons can be declared eligible even after the cut-off date has been declared, such as: (i) persons who are occupying or using the land or assets before the cut-off date but who were not in the list of APs; (ii) households separating from large families; and (iii) household who bought the affected land or property after the cut-off date.

### **B. The suproject entitlements**

94. The subproject entitlements developed and presented in the entitlement matrix below correspond to the potential impact identified during the census and inventory of losses. Entitlements adopted are based on Government policy on land acquisition, compensation, support and resettlement, and ADB Social Safeguard policies on IR. It should be noted that these entitlements may be enhanced in updated REMDP, as necessary, following the results of DMS, replacement cost survey and consultation with AHs to ensure that losses of AHs are restored.

95. Entitlements for each type of AHs are based on the types and levels of losses. The entitlements also provide various measures aimed at providing opportunities for AHs to obtain development benefits from the project as well as assisting vulnerable AHs to improve their living standards. The entitlement matrix for the subproject is shown in the table below.

96. **Unforeseen impacts.** If any person or household is affected during the subproject implementation process, a social impact assessment will be conducted and then necessary compensation and assistance will be applied for the household.

**Table 17: Entitlement Matrix**

Entitled Persons	Type & Level Of Impact	Compensation Policy	Implementation Issues
<b>A. AGRICULTURAL LAND</b>			
<b>A.1. Permanently affected agricultural land</b>			
Owners with LURC, owners in process of acquiring LURC, owners eligible to acquire LURC. 75 households will be affected by the subproject	Losing less than 10 percent of total productive landholding. 34,100 m2 crop land (coffee and pepper trees) will be permanently acquired.	Cash compensation at replacement cost at current market prices for affected portion; if the remaining land is not viable cash compensation at replacement cost for entire affected land parcel; and  Compensation for standing crops at market price (if any); and job training/creation assistance equivalent to 2 times the value of acquired land value but not exceed quota of agricultural land allocation in locality.	AHs will be noticed about land acquisition at least 90 days before and fully receive the compensation and allowance at replacement cost before site clearing at least 01 (one) month.  Level of assistance for job training/creation is decided by PPC. Implemented by District Compensation, Assistance and Resettlement Boards (DCARB) Affected household should be informed three months before their land is acquired by the project.
<b>A.2. Temporarily affected agricultural land</b>			
Public organizations	There are total 5,600 m <sup>2</sup> of vacant land under management of CPCs	No compensation for affected land Cash compensation at current market prices for standing crops on the affected land, if any.	The compensation amount must be paid to person whose crops are lost.
<b>B. COMPENSATION FOR AFFECTED CROPS AND TREES</b>			
Owners of crops and/or trees 75 households will be affected by the subproject	Loss of perennial crops. 75 households having perennial crops (coffee and pepper trees) will be affected	Cash compensation at current market prices given the type, age and productive value of the affected crops and/or trees.	Compensation must equal in value to crops that would be harvested had acquisition not occurred. Calculation of compensation for trees is based on the age and diameter of the tree. APs have the right to use salvageable trees.
<b>C. PACKAGE OF ECONOMIC REHABILITATION AND RELOCATION ASSISTANCE</b>			
<b>C. 1. Economic Rehabilitation Assistance</b>			
Job training/Creation allowance	All households losing production land by the subproject (75 households). It is estimated that about VND 1.3 million or USD 57,273 will be provided to affected households	Cash assistance is equal to 2 times of compensation value for affected land area but the supported area is not exceed land quota in locality.	Support to vocational training, occupation change and job seeking to be provided according to plans developed and approved concurrently with plans for compensation, support and resettlement. Plan development to be undertaken by Provincial and District People's Committees who shall organize consultations with, and give explanation and assimilate opinions from, people whose land is acquired. Eligibility will be confirmed during DMS.

	under this REMDP		Level of assistance for job training/creation is decided by PPC The assistance will be paid to affected households by the time of conducting compensation payment and before conducting site clearance. In addition to the cash allowance, Income restoration rehabilitation measures will be implemented and included: (i) technical support; and (ii) a financial grant on installation of water saving equipment. The total cost for these measures will be finalized during the detailed design phase and during REMDP update
<b>C. 2. Special allowance for social and economically vulnerable households</b>			
Vulnerable households: (i) headed by women with dependents, (ii) headed by persons with disability, (iii) falling under the national poverty standard, (iv) with children and elderly who have no other means of support, (v) severely affected ethnic minorities.	Assistance to 2 vulnerable households to improve their social and economic conditions.	a) Poor households: will be provided an allowance of no less than VND 2,000,000 per household, depending on decision of the PPC b) Other vulnerable households: assistance of minimum VND 2,000,000 per household to improve their social and economic conditions or based on regulation per province, whichever is higher	Eligible households are those who are classed as vulnerable under relevant definitions of MOLISA and this document. The assistance will be paid to affected households by the time of conducting compensation payment and before conducting site clearance. Using information from the resettlement survey, District Compensation, Assistance and Resettlement Boards will establish the list of vulnerable persons

## VIII. INCOME RESTORATION REHABILITATION

97. Agriculture is the key livelihood source of the AHs that will be affected by the subproject. Results from FGD showed that impacts are minor as all AHs lose less than 10% of their total productive land, pipeline is laying underground and between tree rows and thus minimizing impact on household livelihood. Additionally, these impacts are restorable as they will be benefited from the Project output 1 and 3 with: (i) stable, on-demand and more affordable sources of water for their crops which will result in higher yield crops and better income, (ii) technology transfer on HVC and water saving technology to farmers that help them to cut down expenditures (water and electricity cost), reduce use of pesticides and fertilizers and promote quality of crops; (iii) land price increase.

98. In addition to the cash allowances of nearly VND 1.3 billion or USD 57,273 (i.e. support for vocational training, job conversion and supports for stabilizing household living standards) will be provided to AHs under this REMDP, income restoration rehabilitation measures, including: (i) technical supports; and (ii) financial grant on installation of water saving equipment will be delivered. Total cost for these measures will be finalized during the detailed design phase and during the REMDP update.

99. Technical supports shall include: (i) the provision of guidance on selection of water saving technology, HVCs; knowledge and guidance on market linked agricultural production. Total cost of these technical supports will be covered under the cost of suproject implementation support package.

100. A financial grant of up to 30% of total cost on the installation of water saving equipment shall be given to AHs, especially those poor or near poor households. List of eligible households to be supported by the IRP will be finalized once DMS completed.

## IX. COST AND BUDGET

101. The estimated cost for the implementation of this REMDP is approximately VND2.3 billion equivalent \$100,671. The cost includes compensation and assistance for affected household, contingency and administration cost and it will be taken from the Dak Nong fund. Summary of REMDP cost estimate is in Table below:

**Table 18: REMDP cost estimate**

No	Item	Unit	Quantity	Unit price (VND)	Amount (VND)
<b>A</b>	<b>Compensation and assistance</b>				<b>2,111,200,000</b>
<b>1</b>	<b>Land compensation</b>				<b>647,900,000</b>
	Perennial crop land	m <sup>2</sup>	34,100	19,000	647,900,000
<b>2</b>	<b>Crops compensation</b>				<b>163,500,000</b>
	Coffee	Tree	510	230,000	117,300,000
	Pepper	Tree	110	420,000	46,200,000
<b>3</b>	<b>Assistance</b>				<b>1,299,800,000</b>
	Assistance for vocational training	m <sup>2</sup>	34,100	38,000	1,295,800,000
	Allowance for vulnerable households	HH	2	2,000,000	4,000,000
<b>B</b>	<b>Detail measurement survey</b>	HH	75	300,000	<b>22,500,000</b>
<b>C</b>	<b>Management costs (=2% of A)</b>				<b>42,224,000</b>
<b>D</b>	<b>Sub-total (=A+B+C)</b>				<b>2,175,924,000</b>
<b>E</b>	<b>Contingency (=5% of D)</b>				<b>108,796,200</b>
	<b>Total (=D+E)</b>				<b>2,284,720,200</b>
	<b>Rounded</b>				<b>2,284,000,000</b>

Note: HH = household.

## X. INSTITUTIONAL ARRANGEMENTS AND IMPLEMENTATION

### A. National level

102. **Ministry of Agriculture and Rural Development (MARD)** is the Executing Agency of the project. During the implementation of REMDP, CPO under MARD and their CPMU shall be established and has responsibilities for REMDPs implementation as follows:

- Provide overall planning, coordination, and supervision of the REMDPs implementation;
- Guide implementing agencies including PPMUs to implement resettlement activities in accordance with policy of the approved REMDPs; and advise local authorities to resolve timely and successfully any issues or shortcomings identified through internal monitoring of REMDPs implementation to ensure the objectives of the REMDPs;
- Finalize the REMDPs and obtain approvals of the Project participating PPCs and ADB before implementing;
- Provide resettlement training to implementing agencies, including CPMU/PPMU staff and DCARBs staff;
- Coordinate with other implementation agencies and relevant institutions during periods of preparation, planning and implementation of the REMDPs;
- Establish database of APs for each subproject, as well as for the Project as a whole;
- Establish procedures for ongoing internal monitoring and review of project level progress

reports and for tracking compliance to project policies; Establish procedures for monitoring coordination between contractors and local communities and for ensuring prompt identification and compensation for impacts occurring during construction; Establish procedures for the prompt implementation of corrective actions and the resolution of grievances;

- Report periodically on resettlement implementation progress to the ADB.

## **B. Provincial level**

103. **Dak Nong Provincial People's Committee** is responsible for resettlement activities within its administrative jurisdiction. The main responsibilities of Dak Nong PPC include:

- Approve draft REMDP and updated REMDP (if any);
- Issue decisions approving land valuations applied for compensation rates, allowances and other supports to APs, especially vulnerable groups, based on principles of REMDP;
- Approve budget allocation for compensation, support and resettlement;
- Provide sufficiently and timely budget for implementation of REMDP;
- Direct and supervise provincial relevant departments to implement effectively the updated REMDP.
- Authorize the subproject DPCs to approve compensation, assistance and resettlement plans;
- Direct the relevant agencies to settle complaints, grievances related to compensation, assistance and resettlement according to their law prescribed competence;
- Direct the relevant agencies to examine and handle the violations in the compensation, assistance and resettlement domain.

104. **Dak Nong Provincial Project Management Unit** (Dak Nong PPMU) under DARD is responsible for REMDP implementation and internal monitoring with main tasks belows:

- Prepare, update, and supervise REMDP implementation of the subproject;
- Guide subproject DCARB 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; and otherwise, to provide appropriate technical, financial and equipment supports to subproject DCARBs.
- Conduct, in coordination with subproject DCARBs and subproject CPCs, information campaigns and stakeholder consultation in accordance with established project guidelines;
- Coordinate with other line agencies to ensure delivery of compensation, allowances and rehabilitation measures to APs timely;
- Implemente internal resettlement monitoring, establish and maintaine AP databases for each component in accordance with established project procedures and providing regular reports to CPMU; and
- Implement prompt corrective actions in response to issues/problems raised in internal monitoring reports.

## **C. Subproject District People's Committee**

105. Subproject District People's Committee shall undertake management on compensation, assistance and resettlement. The subproject DPCs are responsible to the Dak Nong PPC to report on progress, and the result of land acquisition. The subproject DPCs' primary task includes:

- Approve schedule and monitor progress of land acquisition and resettlement implementation in compliance with REMDP;
- Establish DCARB and resettlement team and direct DCARB and relevant district departments to appraise and implement the detailed compensation, assistance and resettlement;
- Approve and take responsibility on the legal basis, and accuracy of the detailed compensation, assistance and resettlement options in the local area;
- Approve cost estimates on implementation of compensation, assistance and resettlement work
- Take responsibility for adjusting LURC for households and individuals who have land partially recovered, in accordance with authorization issued by the Dak Nong PPC;
- Direct Commune People's Committees (CPC) and relevant organizations on various resettlement activities;
- Review and endorse the REMDP for approval by the Dak Nong PPC;
- Resolve complaints and grievances of Aps

106. **Subproject District Compensation, Assistance and Resettlement Board (DCARB).** The composition of the subproject DCARBs includes subproject DPC vice chairman and representatives of relevant departments of subproject DPC and other non-governmental organizations. The main responsibilities of the subproject DCARB are following:

- Organize, plan and carry out compensation, assistance and resettlement activities;
- Prepare compensation plans and submit to Subproject DPCs for approval. Implement livelihood restoration measures;
- Take responsibility for legal basis applied in compensation, assistance and resettlement policy following approved REMDP;
- Assist in the identification and allocation of land for relocated households (if any);
- Lead and coordinate with CPCs in the timely delivery of compensation payment and other entitlements to AHs; and
- Assist in the resolution of grievances.

#### **D. Commune level**

107. The subproject CPCs will assist the DCARBs in implementation of REMDP. Specifically, these CPCs will be responsible for the following:

- In cooperation with local mass organizations, mobilize people who will be acquired to implement the compensation, assistance and settlement policy according to approved REMDP;
- To cooperate with subproject DCARB 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 the subproject DPCs;
- Assign commune officials to assist the subproject DCARB in the updating of the REMDP and implementation of resettlement activities;
- Sign agreement compensation forms along with the AHs;
- Assist in the resolution of grievances; and actively participate in all resettlement activities and concerns.

## XI. IMPLEMENTATION SCHEDULE

108. The implementation schedule for resettlement activities for the subproject is presented in Table below including (i) REMDP planning activities; (ii) resettlement implementation activities.

**Table 19: REMDP indicative implementation schedule**

No	Main activities	Schedule
<b>I Preparation of REMDP</b>		
1	REMDP Preparation (IOL, public consultation, RCS)	July 2017
2	Disclosure of Draft REMDP to affected people	August 2017
3	Submission of REMDP to ADB for review and concurrence	August 2017
4	Uploading of REMDP on ADB website	September 2017
<b>II Updating REMDP</b>		
5	Establishment of the District Compensation Board	Jan. – March 2018
6	Land clearance/boundary setting for the subproject	March 2018
7	Training for resettlement staff	March 2018
10	Detailed Measurement Survey	April – June 2018
8	Consultation with the affected households	May – June 2018
9	Replacement Cost Survey by a Qualified Appraiser	June 2018
11	Disclosure of uREMDP to affected people	July 2018
12	Submission of uREMDP to ADB for review and concurrence	August 2018
13	ADB issues concurrence of update REMDP	September 2018
<b>III Implement update REMDP</b>		
<b>14 Prepare and approval of compensation plan</b>		
15	Compensation payments	Oct. – December 2018
16	Land clearance	December 2018
17	DCARB to issue confirmation letter on REMDP completion with confirmation of LIC consultant to PPMU and send to ADB	December 2018
18	PPC/PPMU issue Notice of Site Possession to contractor	January 2019
<b>IV Start of Civil Works Construction</b>		January 2019

## XII. MONITORING AND EVALUATION

109. 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 subproject which is classified as category B in involuntary resettlement and uncomplicated subproject.

### A. Community monitoring

110. Community-based monitoring (CBM) is a form of community monitoring which is boosted by the demand for information and value of local community. The community-based monitoring contributes to increasing quality of social services or contributes to management of all ecological resources. Within the framework of CBM, members of community affected by a social program or

environmental changes will have needs, suggestions and criticism and then their feedback will contribute to the implementation of program and management of the subproject.

111. People in the subproject's area are encouraged to participate in monitoring the REMDP implementation, especially affected people in terms of what they receive as compensation compared what is stated in the REMDP.

## **B. Internal monitoring**

112. The objectives of internal monitoring is to assess:

- The compliance with the approved REMDP;
- The availability of resources and the effective use of these resources to implement land acquisition and resettlement activities;
- If resettlement agencies are well-functioning during the project implementation process;
- If resettlement activities are undertaken in accordance with the implementation schedule described in the REMDP;
- To identify problems, if any, and remedial actions.

113. Internal monitoring is the responsibility of CPMU, PPMU. PPMU will be responsible for pre-determining the establishment, implementation and activities of each agency in charge of resettlement in province and district. PPMU will ensure that information on the resettlement process will be disclosure by compensation, assistance and resettlement board of district. The compensation, assistance and resettlement board of district will submit quarterly progress report to PPMU. CPMU will consolidate all reports from the province into the project implementation monitoring system to be the base for preparing periodical report to submit to ADB. All reports should include gender and ethnic minority issues.

114. CPMU will establish an internal monitoring schedule, indicators, sequence and requirement for report of all subprojects that respond to the REMDP requirements as well as those outlined below. Semi-annual internal monitoring reports are submitted to ADB for review and upload on ADB website. The internal monitoring indicators include but not limited to the following issues:

- Compensation, assistance and resettlement amount paid to affected households in accordance with agreement in REMDP;
- Completion of coordination of land acquisition and compensation, and the time of conducting construction as requirement of resettlement;
- The consent between sequence and procedure of information dissemination to community in comparison with contents in report; and
- The consent between procedure of grievance redress and the content of grievance redress in report.
- Affected person and compensation: number of affected people by type of impact; status of compensation and allowance payment, relocation and other assistance;
- Status of income restoration activity;

- Information dissemination and consultation: number and scope of community consultation meetings and/or consultations with affected persons; status of affected persons; summary of the need of affected persons, aspiration and major concerns of people in the meetings;
- Complaint and grievance redress: summary of recorded grievance; implementation steps for redressing the grievance; and, any arising issue needs to be managed by authority at district level and provincial level or assisted by ADB;
- Financial managements: the amount of fund allocated for compensation and other activities; the amount compensated for each affected household;
- Resettlement progress: completion of activities in accordance with the schedule plan; the delay and reason for the delay; adjustment of resettlement schedule;
- Coordination of resettlement activities with contract award for civil works: the status of completion of resettlement activities and date of contract award for civil works;
- Implementation issues: arising issues, reason and solution for the arising issues.

**Annex 1: Household Socio-economic Survey Form**

**MINISTRY OF AGRICULTURE AND RURAL DEVELOPMENT  
CENTRAL PROJECT OFFICE (CPO)**

**Project on Water Efficiency Improvement In Drought Affected Provinces (ADB)**  
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Dear Sir / Madam,

To prepare the security policy document of the project improve the efficiency of water use for the provinces affected by drought (ADB8) at 2 Highland provinces including Dak Lak, Dak Nong and 3 central provinces including Khanh Hoa, Ninh Thuan, Binh Thuan. The objective of the project is to: Promote effective sustainable water use in conditions affected by drought; Promote the role of community participation in the management and use of water; Invest works Irrigation systems serve multiple objectives from head works to the field to the direction of modernization; Development support services for agricultural production;

This socio-economic survey aims to assess impact of the project on social issues, building development plans for ethnic minorities, resettlement, gender .... The information collected the interview will be used only for this purpose. We hope sir/madam take a few moments to answer the questions that we raised.

We would like to thank the valuable collaboration of Mr./Ms!

**A. INFORMATION ON THE HEAD OF HOUSEHOLD**

1. Full name of householder: .....
2. Hamlet: .....
3. Commune: .....
4. District: .....
5. Province: .....
6. Which vulnerable groups householder belongs to?
  - 6.1. Female householder
  - 6.2. Ethnic minority
  - 6.3. Poor
  - 6.4. Social aided household
  - 6.5. Disabled

**B. SOCIO-ECONOMIC SURVEY**

7. The composition of households (including householder). Number of members.....  
person

N o.	7.1 Relationship with householder	7.2 Gender	7.3 Age	7.4 Ethnic compositi on	7.5 Education status	7.6 Main job	7.7 Current job status	7.8 Current working place
	1) Householder 2) Wife/husband 3) Parent 4) Child 5) Son/dau ghter in law 6) Nephew/ Niece 7) Cousin 8) Other	1) Male 2) Female		1) Kinh 2) Hoa 3) Ê đê 4) Cờ Ho 5) Gia Rai 6) Ba Na 7) Xơ Đăng 8) Other	1) Never go to school 2) Primary school 3) Secondary school 4) High School 5) Vocational training 6) College/ University 7) Not belong to school age	1) Agriculture 2) Fishery 3) Aquaculture 4) Forestry 5) Business 6) Catering/ Sales 7) Workers 8) Personnel officer 9) Employees 10) Transport / Driving Unemploy ment (only those of working age) 12) Student/ Pupil 13) Retirement / elderly 14) Not belong to working age 15) Others	1) Have regular jobs 2) Lack of work less than 1 month 3) Lack of work 1-3 months 4) Lack of work> 3 months 5) Do not know 6) Not applicabl e (pupils / students / elderly / retired / children)	1) At home 2) In the hamlet 3) In the commune 4) Outside commune, but in districts 5) Outside district, but in province 6) Outside province
1								
2								
3								
4								
5								
6								
7								
8								

**8. Average Household Income a year by sources:**

8.1. Agriculture::	_____	VND
8.2. Trade / Business / Services:	_____	VND
8.3. Wages (employees, workers ...)	_____	VND
8.4. Other sources (remittances, children sent ...)	_____	VND
<b>8.5. TOTAL:</b>	_____	<b>VND</b>

**9. Average Household Expenses a year by categories:**

9.1. Daily consumption	_____	VND
9.2. Family Health Care	_____	VND
9.3. Education	_____	VND
9.4. Repair of buildings	_____	VND
9.5. Contribution to the community	_____	VND
9.6. <b>TOTAL</b>	_____	<b>VND</b>

**10. In the last 3 years, have your household been in food shortage?**

1- Yes [ ]

(1= 1-2 month; 2= 2-3 month; 3= Over 3 month; 4=No answer)

2- No food shortage

**11. What kind of the house of the family?**

- 1/ Permanent house with one or more floors
- 2/ Semi-permanent house (the roof brick / tile)
- 3/ Wooden/iron walls (corrugated iron roof / roofing cement)
- 4/ Simple house (corrugated wall / wood roofing sheets)
- 5/ Temporary tent / No house

**12. Water sources by purpose of use (select 1 main source)**

No.	Water sources	12.1	12.2
		Drinking	Washing
1	Tap water		
2	Dug wells		
3	Borehole		
4	Rain water		
5	Canals, rivers, streams, ponds, lakes		
8	Purchase to use		
7	Other		

**13. Sanitary conditions of the household?**

- 1) Septic
- 2) Simple toilet (digging holes in the garden)
- 3) Toilet one-compartment
- 4) Toilet two-compartment
- 5) Public toilet
- 6) No toilet

**14. Common disease in the community**

- |  |                                    |
|--|------------------------------------|
| <input type="checkbox"/> Fever               | <input type="checkbox"/> Injury    |
| <input type="checkbox"/> Flu                 | <input type="checkbox"/> Hepatitis |
| <input type="checkbox"/> Respiratory disease | <input type="checkbox"/> Poisoning |
| <input type="checkbox"/> Cholera             | <input type="checkbox"/> Others    |
| <input type="checkbox"/> Malaria             | <input type="checkbox"/> No answer |

**15. Access to health care service?**

Health care service	15.1		15.2 (distance)		
	1.Yes	2. No	2= 1 - 2 km	3= 2 - 5 km	4= over 5 km
1. Commune health station					
2. District hospital					
3. Private health care center					
4. Buy medicines at chemists					
5. Traditional medicine					
6. Other					
7. No answer					

**16. Living conditions of households have changed in recent 3 years?**

- 1) No change
- 2) Better
- 3) Worse

**17. Does your family have loan?**

- 1/ Yes
- 2/ Not at all → *Move to 19*

**18. Information of loan?**

	18.1	18.2	18.3
	Loan source	Loan purpose	Loan method
	1) Relatives, neighbors, friends 2) People who lend 3) People's Credit Fund, credit cooperatives 4) Bank of Agriculture and Rural Development 5) Bank (social policy) to serve the poor 6) Poverty Reduction Fund 7) Women Union, other mass 8) Other sources (specify)	1) Agricultural production 2) Non-agricultural production 3) Purchase furniture 4) Breeding 5) Daily expense 6) Healthcare 7) Other purposes (Specify)	1) No asset deposited 2) Asset deposited
Loan 1			
Loan 2			
Loan 3			

**19. Is your HH member of a following organization?**

Organization	Member or not? (1= yes; 2= no)
1) Farmers Union	
2) Water Users Association	
3) Cooperative	
4) Group job change	
5) The extension	
6) Youth Association	
7) Woman Union	
8) Religion	
9) Group savings and loan	
10) Group processing of agricultural products	

**20. Is you Household willing to participate in community activities?**

No.	Activity	Yes	No	Not decided
1	Join groups of water users to develop irrigation systems			
2	Willing to pay for water supply / irrigation operation			
3	Willing to contribute cash / in-kind for irrigation works			
4	Ready to Participate workdays Irrigation channel construction / dike / sluice gates / Lake / Dam ....			
5	Trust will have sufficient water for agricultural production			
6	Convinced that the construction of irrigation canals / dike will promote the development of aquaculture, such as shrimp, crab, ..			
7	Change the current economic model to match / better			
8	Participate in training on sustainable livelihoods development			

**21. Do you intend to do for the economic development of the family?**

- 21.1. Continue to maintain its current operations
- 21.2. Expanding manufacturing / trading
- 21.3. Reduce investment and production activities / business
- 21.4. Converting production / business
- 21.5. No intention
- 21.6. Other:

**22. Have you heard or propaganda on climate change, drought?**

- 1. Yes
- 2. No → *move to 24*
- 3. No information/ → *move to 24*

**23. What source have you heard about climate change? (multi options)**



- 4. Advantages in transportation and travelling
- 5. Solve flooding, drought
- 6. Solve environmental pollution
- 7. Develop non-agricultural activities (trade, services, tourism, etc. )
- 8. Create good sight seeing of local
- 9. Other (specify)

**31. What are the disadvantages of the irrigation project to your family and community?**

- 1. Noise pollution
- 2. Social evils
- 3. Reduce productivity / agricultural output
- 4. Inconvenience to the traveling
- 5. Cause flooding / drought
- 6. Affect custom, culture
- 7. Relocation, resettlement, more difficulties for people
- 8. Loss of productive land
- 9. Cause unemployment, to change career
- 10. Other (specify):.....

**32. Recommendation for the project to improve efficiency?**

.....

.....

.....

.....

## C. INVENTORY OF LOSSES

### 1. Land use status of Household (affected land is in the area required for the construction area)

Land category/use	Area in and out of the project site) (m <sup>2</sup> )		Level of impact on each plot		Using status	Land legal status	Type of effect
			Affected area (m <sup>2</sup> )	Partially (1) Fully (2)			
1= Residential land 2= Paddy-field 3= Garden land 4= Aquaculture land 5= Forestry land 6= Commercial land 7= other types of land					1=Owner of land 2=Rented land	1=With land use Right certificate (LURC) 2=Without LURC but eligible to LURC 3= Not eligible to LURC 4= Conflict with master plan of Government 5. Lease / Long Term (owned by Gov) 6. Lease (renting from private individual)	1= Permanent 2= Temporary
	In	Out					
Plot1							
Plot2							
Plot3							
Plot4							
Plot5							
<b>Total</b>							

### 2. Houses

House type classification	Floor Area (m <sup>2</sup> )	Legal status		Level of impact on the building		Note (pls take note if the HH run business at home, excepting item 7)
		1. Have ownership Certificate 2. Have no legal ownership Certificate 3. Built on agricultural land 4. Rent from the house owner		Floor area to be affected (m <sup>2</sup> )	(Partially affected =1; Fully affected =2)	
1. Villa 2. Class 1 3. Class 2 4. Class 3 5. Class 4 6. Temporary house 7. Independent shop						

**Note:** The number of affected houses could be more than one, record for all affected houses with the above required information

### 3. Information about the house out of the project affected sites (if any)

- Number of house(s):[ ]

- Area of house(s) outside of the project area(m<sup>2</sup>): ..... m<sup>2</sup>

**4. Other structures on the affected land and living facilities**(Other structures outside the houses listed above, living facilities are out and in house)

<b>Structure</b>	<b>Kind of construction work</b> (Under line the kind of work respectively)	<b>Unit</b>	<b>Quantity</b>	<b>Note</b>
1. Kitchen	1. Temporary house 2. Category 4	m <sup>2</sup>		
2. Breeding facilities	1. Temporary house 2. Category 4	m <sup>2</sup>		
3. Electric meter				
4. Water meter and estimate about the length of connection pipe				
5. Telephone				
6. Fence	1. Brick 2. Barbed wire or wood	M		
7. Gate	1. Metal sheet 2. Iron grill 2.	m <sup>2</sup>		
8. Toilet room./Bathroom(separate from house)	1. Brick, concrete 2. Bamboos, leaves	m <sup>2</sup>		
9. Soil grave c) In Cemetery d) Stand alone		Grave		
10. Grave (by brick, cement)		Grave		
11. Well	1. Drilled 2. Dug	M		
12. Water tank	4. Brick/ Concrete 5. Inox 6. Plastic	m <sup>3</sup>		
13. Yard (list only the yard built of cement and brick)		m <sup>2</sup>		
14. Fish pond		m <sup>3</sup>		
15. Others (Specify clearly the name of assets and affected rate for compensation calculation)				

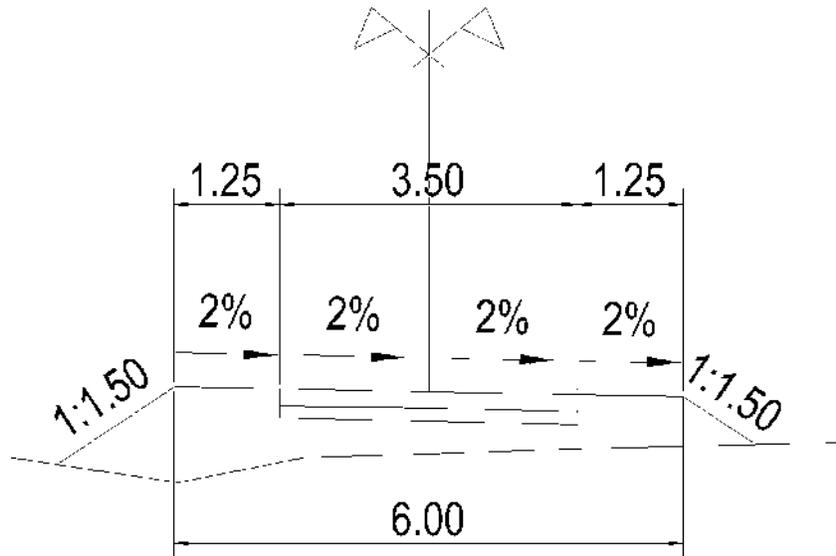
## 5. Affected trees, crops

(Only inventory number of affected trees, crops)

Affected trees, crops	Year	Unit	Quantity	Note
<b>a) Fruit trees (main trees)</b>		<b>Tree</b>		
1)				
2)				
3)				
4)				
5)				
<b>f) Timber trees (main trees)</b>		<b>Tree</b>		
1)				
2)				
3)				
4)				
5)				
<b>g) Perennial plants (main trees)</b>		<b>Tree</b>		
1)				
2)				
3)				
4)				
5)				
<b>h) Annual crops (main trees)</b>		<b>m<sup>2</sup></b>		
1)				
2)				
3)				
4)				
5)				
<b>i) Aquaculture</b>		<b>m<sup>2</sup></b>		

Thanks for your cooperation!

**Annex 2: Typical concept design of proposed road of the Dak Mil Subproject**



## Annex 3: Sample of Minute of Public Consultation

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

**Dự án**  
**Nâng cao hiệu quả sử dụng nước cho các tỉnh bị ảnh hưởng bởi hạn hán**  
**(ADB8)**

**BIÊN BẢN THAM VẤN**

**Về việc:** ...tham vấn tác động xã hội và môi trường dự án...

**Địa điểm:** ...huyện Lạc Sơn, huyện Lạc Sơn, DN

**Thời gian:** ...ngày 2 tháng 8 năm 2016...

**1. Nội dung và các kết quả:**

**1.1 Thành phần tham gia:**

...Chủ tịch UBND xã Lạc Sơn, xã Lạc Sơn...

...Đại diện Hội Nông dân xã Lạc Sơn, xã Lạc Sơn...

...Đại diện Đoàn Thanh niên xã Lạc Sơn, xã Lạc Sơn...

...Đại diện Ủy ban An ninh dân cư xã Lạc Sơn, xã Lạc Sơn...

Tổng số người dự họp: 20, trong đó có 4 nam, 6 nữ,

**1.2 Mục đích của buổi tham vấn**

Thông tin về dự án và các nội dung liên quan đến tác động xã hội, thu hồi đất và tái định cư.

**1.3 Nội dung tham vấn**

- Thông tin về dự án, các tác động xã hội của dự án;
- Các tác động thu hồi đất và Chính sách tái định cư
- Bối cảnh và các kiến nghị của địa phương liên quan đến tác động xã hội và tái định cư của dự án?

**1.4 Tóm tắt Kết quả tham vấn**

a/ Mục tiêu và quy mô dự án

...Nâng cao hiệu quả sử dụng nước cho các tỉnh bị ảnh hưởng bởi hạn hán...

...huyện Lạc Sơn, huyện Lạc Sơn, DN



1



THE SOCIALIST REPUBLIC OF VIETNAM  
**Independence - Freedom - Happiness**

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**Project on Water Efficiency Improvement  
 In Drought Affected Provinces (ADB)**

**MINUTES OF CONSULTATION**

**Title:** Consultation on Social Impact Assessment and Resettlement

**Venue:** People's Committee of Dak Lao commune, Dak Mil district

**Time:** 8h, 4 August, 2016

**1. Content and Results:**

**1.1 Participants:**

- Chairman of Commune People's Committee
- Representatives from mass organizations and people in the affected area
- Total number of participants: 20, including 14 men, 6 women

**1.2 The purpose of the consultation**

Information about the project and the content related to the social impact, land acquisition and resettlement.

**1.3 Content of consultation**

- • Information about the project, the social impact of the project;
- • Impact of resettlement and resettlement policy
- • Background and local suggestions related to social impact and resettlement of the project

**1.4 Summary of consultation results**

a/ Objectives and scope of the project

- Improve the efficiency of using water and irrigation facilities in Dak Lao commune.

b/ Positive and negative social impacts

- The impact of the project is positive, bringing great economic efficiency.

c/ Policy of land acquisition, support and resettlement

- Impact of part of agricultural land is mainly coffee. No relocation of people's houses
- Local authorities and affected people will allocate land to the project once the compensation and assistance is completed.

d/ Issues on gender, vulnerable households and ethnic minority (if any)

- There are ethnic minorities in the commune
- Some are female heads of matriarchal households
- Vietnamese can be used to communicate with affected ethnic minority people

e/ Issues on environmental impacts, protection of public health

- Impacts on environment and health of people are negligible.

**2. Conclusion**

- People support to project implementation
- Positive impact is essential
- DMS notifications must be provided to AHs before implementation.

- Support the forms of raising awareness, knowledge and technology transfer on water saving technology, short-term loans for AHs.

Minutes ended at 10 hour 00 minutes the same day, read to the participants to listen and sign.

**DANH SÁCH HỌP**

Dự án: Nâng cao hiệu quả sử dụng nước cho các tỉnh bị ảnh hưởng bởi hạn hán (ADBS)  
 Nơi dùng: Huyện Thanh Xuân, tỉnh Lào Cai  
 Ngày họp: 4/1/2014  
 Địa điểm: Ủy ban nhân dân xã Đak Lao, Đak Khe

TT	Họ tên	Địa chỉ	Ký nhận
1	Lê Văn Bui	Xã Đak Lao	B1
2	B Xuân Mai	Xã Đak Lao	
3	Nguyễn Thị Lương	nt	
4	Nguyễn Thị Tuấn	nt	
5	Trần Quốc Học	nt	
6	Huyền Tôn Tài	nt	
7	Trần Xuân Dũng	nt	
8	Nguyễn Thị Nhai	nt	
9	Nguyễn Văn Lý	nt	
10	Phạm Ngọc Thảo	nt	
11	Nguyễn Ngọc Nguyễn	nt	
12	Nguyễn Công Tình	nt	
13	Nguyễn Bá Việt	nt	
14	Trần Văn Tài	nt	
15	Trần Văn Thành	nt	
16	Trần Văn Thành	nt	
17	Trần Văn Thành	nt	
18	Y OZEN	nt	Y OZEN
19	Y Quan	nt	Y Quan
20	Y Quan	nt	Y Quan
21	Y NĐ	nt	
22	Y NĐ	nt	
23	Y DUEI	nt	
24	Nguyễn Thanh Giang	nt	Nguyễn Thanh Giang

Người tổng hợp Phụ trách bộ phận/dự án



### Annex 4: List of households affected by project

No.	Name	Gender	Ethnicity	Commune	District	Vulnerable groups
1	Pham Ngoc Tinh	Male	Kinh	Dac Lao	Dac Mil	
2	Vu Xuan Truong	Male	Kinh	Dac Lao	Dac Mil	
3	Nguyen Thanh Buong	Male	Kinh	Dac Lao	Dac Mil	
4	Le Van Canh	Male	Kinh	Dac Lao	Dac Mil	
5	Doan Thanh	Male	Kinh	Dac Lao	Dac Mil	
6	Nguyen The Hong	Male	Kinh	Dac Lao	Dac Mil	
7	Le Loc	Male	Kinh	Dac Lao	Dac Mil	
8	Bui Van Chuc	Male	Kinh	Dac Lao	Dac Mil	
9	Nguyen Cong Binh	Male	Kinh	Dac Lao	Dac Mil	
10	Le Van Bi	Male	Kinh	Dac Lao	Dac Mil	
11	Nguyen Cong Luan	Male	Kinh	Dac Lao	Dac Mil	
12	Bui Thi Dung	Female	Kinh	Dac Lao	Dac Mil	
13	Bui Van Dang	Male	Kinh	Dac Lao	Dac Mil	
14	Nguyen Minh Tuan	Male	Kinh	Dac Lao	Dac Mil	
15	Vu Thi Ha	Female	Kinh	Dac Lao	Dac Mil	
16	Duong Minh Lich	Male	Kinh	Dac Lao	Dac Mil	
17	Le Hung Phuoc	Male	Kinh	Duc Minh	Dac Mil	
18	Pham Quang Vien	Male	Kinh	Duc Minh	Dac Mil	
19	Vuong Dinh Son	Male	Kinh	Duc Minh	Dac Mil	
20	Nguyen Thi Thu Huyen	Female	Kinh	Duc Minh	Dac Mil	
21	Nguyen Dinh Linh	Male	Kinh	Duc Minh	Dac Mil	
22	Nguyen Xuan Thien	Male	Kinh	Duc Minh	Dac Mil	
23	Dang Van Phuong	Male	Kinh	Duc Minh	Dac Mil	
24	Dang Thi Vo	Female	Kinh	Duc Minh	Dac Mil	Poor household
25	Phan an	Male	Kinh	Duc Minh	Dac Mil	
26	Dang Van Diep	Male	Kinh	Duc Minh	Dac Mil	
27	Nguyen Van Gia	Male	Kinh	Duc Minh	Dac Mil	
28	Nguyen Van Hanh	Male	Kinh	Duc Minh	Dac Mil	
29	Dinh Thi Ta	Female	Kinh	Duc Minh	Dac Mil	
30	Nguyen Thi Huong	Male	Kinh	Duc Minh	Dac Mil	
31	Vo Thi Canh	Female	Kinh	Duc Minh	Dac Mil	
32	Phan Thi De	Female	Kinh	Duc Minh	Dac Mil	
33	Nguyen Van Hieu	Male	Kinh	Duc Minh	Dac Mil	
34	Dinh Thi Ngoc Mai	Female	Kinh	Duc Minh	Dac Mil	
35	Dang Hoang Minh	Male	Kinh	Duc Minh	Dac Mil	
36	Ngo Thi Phuong	Female	Kinh	Duc Minh	Dac Mil	Poor household
37	Nguyen Van Quang	Male	Kinh	Duc Minh	Dac Mil	
38	Tran Duc Huy	Male	Kinh	Duc Minh	Dac Mil	
39	Tran Van Ngai	Male	Kinh	Duc Minh	Dac Mil	
40	Hoang Van Binh	Male	Kinh	Duc Minh	Dac Mil	
41	Tran Van Doan	Male	Kinh	Duc Minh	Dac Mil	
42	Tran Xuan Phuong	Male	Kinh	Duc Minh	Dac Mil	
43	Nguyen Van Buong	Male	Kinh	Duc Minh	Dac Mil	
44	Ha Van Lanh	Male	Tay	Duc Minh	Dac Mil	
45	Ha Quang Huan	Male	Tay	Duc Minh	Dac Mil	
46	Bui Van Vuong	Male	Kinh	Duc Minh	Dac Mil	
47	Bui Van Phung	Male	Kinh	Duc Minh	Dac Mil	
48	Ha Van Thoa	Male	Kinh	Duc Minh	Dac Mil	
49	Hoang Chanh Hoa	Male	Kinh	Duc Minh	Dac Mil	
50	Nguyen Van Luc	Male	Kinh	Duc Minh	Dac Mil	
51	Ha Huu Phuc	Male	Kinh	Duc Minh	Dac Mil	

No.	Name	Gender	Ethnicity	Commune	District	Vulnerable groups
52	Tran Van Doan	Male	Kinh	Duc Minh	Dac Mil	
53	Nguyen Van Thinh	Male	Kinh	Duc Minh	Dac Mil	
54	Le Hung Phuoc	Male	Kinh	Duc Minh	Dac Mil	
55	Tran Van Long	Male	Kinh	Duc Minh	Dac Mil	
56	Truong Hoang Son	Male	Kinh	Duc Minh	Dac Mil	
57	Pham Dinh Cam	Male	Kinh	Duc Minh	Dac Mil	
58	Do Van Cong	Male	Kinh	Thuan An	Dac Mil	
59	Le Van Tranh	Male	Kinh	Thuan An	Dac Mil	
60	Nguyen Van Quyen	Male	Kinh	Thuan An	Dac Mil	
61	Nguyen Minh Tuan	Male	Kinh	Thuan An	Dac Mil	
62	Dang Khac Chuong	Male	Kinh	Thuan An	Dac Mil	
63	Le Xuan Ly	Male	Kinh	Thuan An	Dac Mil	
64	Ha Van Chap	Male	Tay	Long Son	Dac Mil	
65	Hoang Van Trong	Male	Tay	Long Son	Dac Mil	
66	Hoang Van Tinh	Male	Tay	Long Son	Dac Mil	
67	Hoang Van Nghiep	Male	Tay	Long Son	Dac Mil	
68	Trieu Sang Giao	Male	Tay	Long Son	Dac Mil	
69	Nong Van Thanh	Male	Tay	Nam Xuan	Krong No	
70	Vy Van Mac	Male	Tay	Nam Xuan	Krong No	
71	Vy Van Nong	Male	Tay	Nam Xuan	Krong No	
72	Luu Van Hanh	Male	Tay	Nam Xuan	Krong No	
73	Luong Quang Thinh	Male	Tay	Nam Xuan	Krong No	
74	Nguyen Van Can	Male	Tay	Nam Xuan	Krong No	
75	Hoang Van Tien	Male	Tay	Nam Xuan	Krong No	