

Resettlement and Ethnic Minority Development Plan

Stage of the document: Final
Project number: 49026-003
June 2017

VIE: Basic Infrastructure for Inclusive Growth in Nghe An, Ha Tinh, Quang Binh and Quang Tri Provinces
Sector Project-District Road No.349 from Dinh Son at Km0 to Cay Khe Junction at Km8+000.71, Anh Son District, Nghe An Province

Prepared by Planning and Investment Department of Nghe An province for the Asian Development Bank.

CURRENCY EQUIVALENTS

(as of 12 June 2017)

Currency unit	–	Viet Nam Dong (D)
D1.00	=	\$0.000044
\$1.00	=	Đ 22,680

ABBREVIATIONS

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

- VND - Vietnamese dong
 VWU - Viet Nam Women's Union

WEIGHTS AND MEASURES

- m (meter) - unit of length
 m² (square meter) - a measure of area
 m³ (cubic meter) - A measure of volume
 kg (kilogram) - A measure of weight

GLOSSARY

- Affected person (AP) /
 Affected household (AH) - Means any person, household, firm or private institution who, on account of changes resulting from the Project, or any of its phases or subprojects, will have its (i) standard of living adversely affected; (ii) right, title or interest in any house, land (including residential, commercial, agricultural, forest, salt mining and/or grazing land), water resources or any other moveable or fixed assets acquired, possessed, restricted or otherwise adversely affected, in full or in part, permanently or temporarily; and/or (iii) business, occupation, place of work or residence or habitat adversely affected, with or without displacement.
- 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 - Means payment in cash or in kind to replace losses of land, housing, income and other assets caused by the Project. All compensation is based on the principle of replacement cost, which is the method of valuing assets to replace the loss at current market rates, plus any transaction costs such as administrative charges, taxes, registration and titling costs.
- Cut-off date - Means the date of land acquisition announcement made by local authorities. The APs will be informed of the cut-off date for each subproject component, and any people or assets that settle in the subproject area after the cut-off date will not be entitled to compensation and assistance under the subproject.
- Ethnic minority - People with a group status having a social or cultural identity distinct from that of the dominant or mainstream society.
- Entitlement - Refers to a range of measures comprising compensation, income restoration support, transfer assistance, income substitution, relocation support, etc. which are due to the APs, depending on the type and severity of their losses, to restore their economic and social base.
- Host community - Means communities receiving physically displaced persons of a project as resettlers.
- Income restoration - Re-establishing productive livelihood of the displaced persons to

		enable income generation equal to or, if possible, better than that earned by the displaced persons before the resettlement.
Income restoration program	-	A program designed with various activities that aim to support affected persons to recover their income / livelihood to pre-project levels. The program is designed to address the specific needs of the affected persons based on the socioeconomic survey and consultations.
Inventory of Losses (IOL)	-	This is the process where all fixed assets (i.e., lands used for residence, commerce, agriculture, including ponds; dwelling units; stalls and shops; secondary structures, such as fences, tombs, wells; trees with commercial value; etc.) and sources of income and livelihood inside the Project area are identified, measured, their owners identified, their exact location pinpointed, and their replacement costs calculated. Additionally, the severity of impact to the affected assets and the severity of impact to the livelihood and productive capacity of APs will be determined.
Land acquisition	-	Refers to the process whereby an individual, household, firm or private institution is compelled by a public agency to alienate all or part of the land it owns or possesses to the ownership and possession of that agency for public purposes in return for compensation at replacement costs.
Households under preferential treatment policy	-	The households: provided the meritorious services to the revolution, martyrs and wounded soldiers, Mothers of the Vietnamese Heroes, Families of the Heroes of the Public Armed Forces were awarded by the State of Vietnam as stipulated by the Ministry of Labor, War Invalids and Society
Rehabilitation	-	This refers to additional support provided to APs losing productive assets, incomes, employment or sources of living, to supplement payment of compensation for acquired assets, in order to achieve, at a minimum, full restoration of living standards and quality of life.
Relocation	-	This is the physical relocation of an AP from her/his pre-project place of residence and/or business.
Resettlement and Ethnic Minorities Development Plan (REMDP)	-	A plan for resettlement of affected population including ethnic minority population, combining the resettlement plan with specific ethnic minority concerns and cultural sensitivity for the specific needs of the ethnic minority groups.
Replacement cost	-	The amount needed to replace an affected asset net of transaction costs such as administrative charges, taxes, registration and titling costs.
Replacement Cost Study	-	This refers to the process involved in determining replacement costs of affected assets based on empirical data.
Resettlement	-	All direct economic and social losses resulting from involuntary land acquisition and/or involuntary restrictions on land use or on access to legally designated parks and protected areas, together with the consequent compensatory and remedial measures.
Natural Habitat		Land and water areas where the biological communities are formed largely by native plant and animal species, and where human activity has not essentially modified the area's primary ecological functions
Resettlement Plan (RP)	-	This is a time-bound action plan with budget setting out compensation and resettlement strategies, objectives, entitlement, actions, responsibilities, monitoring and evaluation.

Severely affected households	-	This refers to affected households who will (i) lose 10% or more of their total productive land and/or assets generating income, and/or (ii) have to relocate.
Stakeholders	-	Individuals, groups, or institutions that have an interest or stake in the outcome of a project. The term also applies to those potentially affected by a project. Stakeholders include land users, country, regional and local governments, implementing agencies, project executing agencies, groups contracted to conduct project activities at various stages of the project, and other groups in the civil society which may have an interest in the project.
Vulnerable groups	-	These are distinct groups of people who might suffer disproportionately or face the risk of being further marginalized by the effects of resettlement and specifically include: (i) single-female headed households with dependents, (ii) disabled household heads, (iii) households falling under the national poverty standard, (iv) children and the elderly households who are landless and with no other means of support; (v) ethnic minority households.

Note:

- (i) In this report, "\$" refers to US dollars.

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EXECUTIVE SUMMARY

- 1. Introduction:** The Basic Infrastructure for Inclusive Growth in four North Central provinces Sector Project (Project) funded by the ADB is implemented in Nghe An, Ha Tinh, Quang Binh and Quang Tri. This report presents the output one representative subproject in Nghe An province: “Upgrading and improvement of District Road 349 (DR34)” from Km0 in Dinh Son commune to Km8+000,71 at Cay Khe Junction, Anh Son district, Nghe An province. The route passes two communes of Dinh Son and Thanh Son of Anh Son district with a total length of 8.00071km. After being upgraded, the route will enhance the transport network linkage in the province and contribute to maize, sugar cane, accassia development in the locality, including Song Lam sugar processing plant and contribute to transport of wood as well as agriculture products of communes in Anh Son district in particular and Nghe An in general.
- 2. Scope of Impacts:** the DR349 will be upgraded and improved based on the existing road. Using the existing central line with a pavement designed to Category V mountainous road. The impacts caused by the improvement and upgrading of the route are assessed to be insignificant.
- 3.** The subproject will affect land, asset, tree and crop of 85 households with 387 persons in the territory of two communes of Thanh Son and Dinh Son, Anh Son district. Out of 85 affected households, there are 36 households under vulnerable groups, including: 31 affected households are ethnic minority groups; 23 poor households; one single woman headed household with dependent; and two households with a disable person (in which one household may be under many vulnerable groups). In addition, the subproject also affects land and asset of the Thanh Son CPC and Anh Son district Power Company. There is no household adversely affected by the subproject that losses 10% or more of their production land; no household has house partially or entirely affected or has to relocate.
- 4.** Construction of the subproject will acquire 4,788m² of different types of land, including 1,732m² of residential land, 1,988m² of annual crop land, 287m² of perennial crop land and 781m² of other public land which includes unused land, headquarter and community house. In addition, the subproject also affects some auxiliary works and structures of households/organizations such as: roof, gate, fence, yard, concrete drainage culvert, electric pole 0.4Kv/ccommunication tower and electric wire. A further 1,273m² of crop land and 820 trees of various types are affected by the improvement and upgrading of the route.
- 5. Legal and policy framework:** The Resettlement and Ethnic Minorities Development Framework of the project has been prepared based on policies and laws of Vietnam Government and ADB’s safeguard policy statement (SPS 2009) on Involuntary Resettlement (IR) and Indigenous Peoples (IP). The overall objective of these-above mentioned policies is to ensure that all people, including ethnic minority people affected by the subproject shall (i) improve or at least restore their living standards to at least pre-project levels; (ii) receive appropriate culturally socio-economic benefits; (iii) not be negatively affected by the subproject; and (iv) actively participate in projects that have impacts on them. The terms and principles in this REMDP are in accordance with the current regulations of Vietnam. However, in case of any discrepancy, Asian Development Bank’s (ADB’s) Policy will be followed.
- 6. Grievance Redress Mechanism (GRM):** To ensure that all APs’ grievances and complaints on aspects of land acquisition, compensation and resettlement are addressed in a timely and satisfactory manner and APs can send their complaints in the most satisfactory and convenient way, a well-defined grievance redress mechanism is established in this REMDP. All

APs can send any questions to implementation agencies about their rights in relation with entitlement of compensation, compensation policy, rates, land acquisition, resettlement, allowance and income restoration. Furthermore, APs will not be ordered to pay any fee during the grievance and complaints at any level of trial and court. Complaints will pass through 3 stages before they could be elevated to a court of law as a last solution.

7. **Information disclosure, Community consultation and participation:** Community consultation, information disclosure, discussion meetings at village level with APs and local officials have been carried out during the REMDP preparation. Full consultations with the ethnic minority groups have also been carried out during subproject preparation and REMDP preparation. Project policies, options for compensation, resettlement, and ethnic minority development plan and income restoration were discussed during the meetings. Concerns and proposals raised by the affected persons were elicited and incorporated into the REMDP. The grievance mechanism is designed and disclosed to people to ensure that APs' concerns and grievances are addressed and resolved in a timely, culturally appropriate and satisfactory manner. APs will be made fully aware of their rights verbally and in writing during consultation, survey, and at the time of compensation.

8. **Issues on Gender and EMs:** Total number of subproject affected households in two communes is 85 in which Kinh there are 54 Kinh HHs (accounting for 63.5%) and 31 ethnic minority HHs (accounting for 36.5%). There are still remaining issues relating to gender in the subproject area such as position of women in their family and community and their limited participation in decision making process. A gender action plan is prepared for this subproject to address concerns of women in order to improve their social status in the subproject area.

9. **Institutional Arrangements:** Nghe An Provincial People's Committee as the Executing Agency will allocate a provincial budget and direct its departments and district authorities to implement land acquisition as scheduled. Department of Planning and Investment (DPI) as the project owner is responsible for overall management and coordination of project implementation. Provincial Project Management Unit (PMU) will be established under DPI as Implementing Agency to manage and implement the subproject and will ensure that compensation and assistance are administered according to the provisions of this REMDP. A Compensation, Assistance and Resettlement Board (CARB) with representatives from affected persons (AP), will be established to implement the REMDP.

10. **Implementation schedule:** This REMDP will be implemented before commencement of civil works. It is expected that land acquisition will be carried out during 2017 and 2018.

11. **Monitoring and evaluation:** The subproject is category B in resettlement and ethnic minorities therefore; it is not required external monitoring experts. During resettlement implementation, Nghe An PMU will conduct internal monitoring and evaluation to ensure the implementation of the REMDP in compliance with ADB safeguard policy (SPS 2009) and prepare semi annual internal monitoring report to submit to ADB for review.

12. **Total resettlement cost:** The total cost for implementation of the REMDP, including management and contingency cost, is estimated to be VND **1,331,867,183** equivalent to USD **59,591.37**. The financing will be from Nghe An province's budget counterpart funds.

I. SUBPROJECT DESCRIPTION

A. Background

13. The Asian Development Bank (ADB) is planning to fund the Basic Infrastructure for Inclusive Growth Sector Project in four North Central provinces (BIIG2). The objective of the project is to use ODA loan to invest in poor provinces and sub regional economic zones to be a mean to connect and coordinate among provinces to promote economic development. The project is expected to improve the economic competitiveness of the North Central provinces in accordance with socio-economic development plan of the provinces. The Project will: (i) improve transport infrastructure; (ii) improve productive infrastructures for business development; and (iii) professionally manage the provincial infrastructure. It is consistent with ADB's Country Partnership Strategy (CPS) 2012–2015.

14. Nghe An is one of four North Central provinces under BIIG2 in four North Central provinces Sector Project with the representative subproject to improve and upgrade district road 349 (DR349). The route has a total length of 8,00071km, (the starting point at Km0+000 in Dinh Son commune, connecting to NH7 "Km81+650", the ending point at Km8+000.71 at Cay Khe cross road, Thanh Son commune, Anh Son district). Currently, the route has been seriously downgraded. Specially, pavement is damaged and muddy when it rains which causes much difficulty in transporting goods and travelling of people.

15. The Goernment plan is to upgrade to grade V of mountainous road in compliance with TCVN 4054-2005.

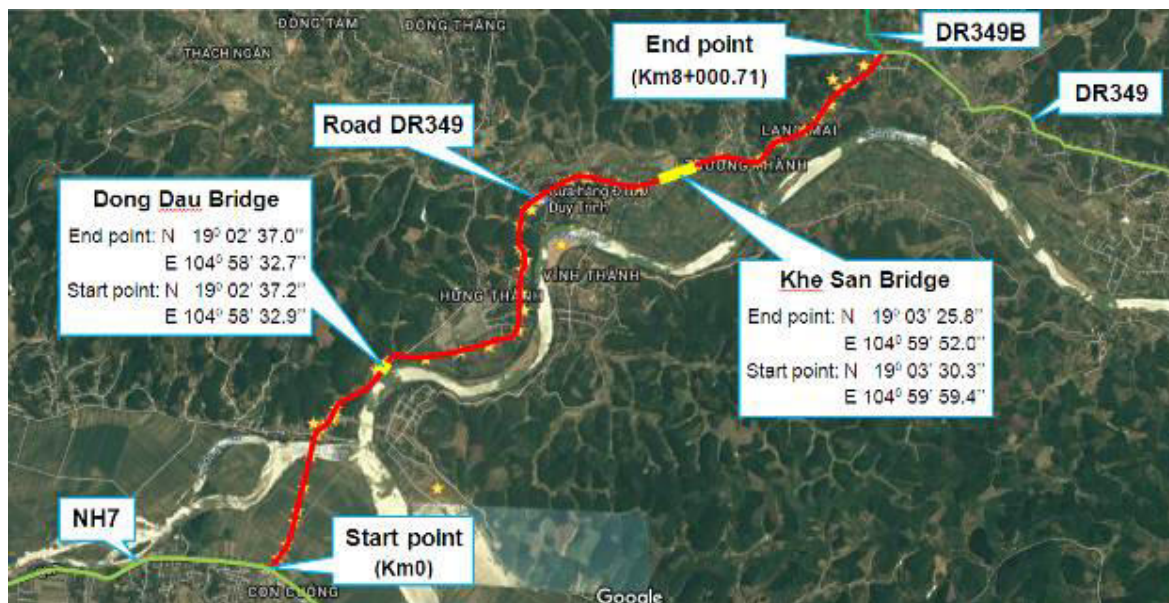


Figure 1: Map of the position of DR349

B. Civil works to be undertaken

16. According to preliminary design, this subproject has the following specifications: the DR349 from km0 to Cay Khe Junction (Km8+000,71), Anh Son district, Nghe An province shall be upgraded to category V mountainous roads with the technical specifications meeting standard TCVN4054 - 05 as follows:

- (i) Width of subgrade: 6.5m

- (ii) Width of road surface: 3.5m
 - (iii) Width of road shoulder: 2x1.5 m
 - (iv) Width of lined road shoulders: 2x0.5 m
 - (v) Design speed: 30km/h
17. Alignment: The subproject uses the existing center line. Some sections need adjusting to ensure the designed grade of the road.
18. The main work items on the route include three bridges in which two bridges are renewed:
- (i) The renewed bridge at Km1+700 has the width of 7m with designed span 1x12m, designed loading HL93 and tensioned concrete.
 - (ii) The renewed bridge at Km5+800 has the width of 7m with designed span 5x33m, designed loading HL93 and tensioned concrete.

C. Mitigation measures

19. To minimize impacts of land acquisition and resettlement on local people, the measures taken are as follows: improving the roads based on the existing alignments. Realignment will only be undertaken locally where the curves do not meet the design standard. Temporary use of land may be considered to avoid more loss for local people. The APs will be informed early about the land acquisition schedule so that they will not plant crops that cannot yet be harvested by the time the land is required for construction and also will not construct new houses and structures in the ROW. Positive and negative impacts during the subproject construction process have been determined such as noise and effect on traffic. However, when mitigation measures are applied, the negative impacts will be mitigated.

D. Objective of resettlement and ethnic minority development plan

20. This REMDP ensures that the subproject will wherever possible (i) avoid involuntary resettlement; (ii) minimize involuntary resettlement by design solutions; (iii) improve or, at least, restore living conditions of people to their pre-project condition, and (iv) improve living condition of the poor and vulnerable groups.

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

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.

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

23. The REMDP is based on the subproject's basic design. The summary of the REMDP is included in the feasibility study to ensure the allocation of government counterpart funds for the

subproject's implementation. The REMDP will be updated following detailed technical design approved by the PPC, DMS results, replacement cost survey and meaningful consultation as well.

II. PROJECT IMPACTS

A. Survey process

24. The social impact assessment (SIA) was conducted in the communes affected by the subproject. The SIA comprised of census and inventory of loss (IOL) for all AHs and socioeconomic survey (SES) of stakeholders within the subproject area. Additionally, a rapid replacement cost study (RCS) was also carried out.

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

26. *Socioeconomic survey*: The SES was conducted by collecting socioeconomic information of affected households (including demographic characteristics of AHs, their income and livelihood, ethnic composition, education levels and on their concerns) through face to face interviews. The survey also collected statistical data from the Province, District and Communes and from the Provincial and District publications including the annual socioeconomic reports of communes.

27. *Replacement cost study*: The purpose of the RCS was to collect information on the market prices of land and non-land assets in the subproject area, in order to establish the estimated budget for compensation of APs at current market values. In future, during the detailed measurement survey stage, a replacement cost study will be carried out by an independently qualified and experienced appraiser to determine the unit prices for individual types of asset affected by subproject and submitted to PPC for approval. Such unit prices will be the basis for calculating compensation packages for AHs.

B. Permanent impacts

28. **Impact on households**: The subproject will affect a total of 85 households (AH) in two communes (including 80 households in Thanh Son commune and five households in Dinh Son commune). There is no household adversely affected by construction of the subproject who loses more than 10% of their productive land and no household who has house affected and relocated. Besides impact on households, the subproject also causes impacts on land and asset of two agency/organization including Thanh Son CPC and Anh Son District Power Company. Impacts of the subproject on households and organization/agency are summarized in Table 1.

Table 1: Impacts on households and organization/agency

No.	Commune	Number of AHs	Number of marginally AHs ¹	Number of severely AHs	Number of vulnerable groups	Number of affected ethnic minority households	Number of affected organization/agency	Number of affected enterprises	Remarks
1	Dinh Son	5	5	0	0	0	0	0	
2	Thanh Son	80	80	0	24	31	1	0	
Total		85	85	0	24	31	1	1	Anh Son District Power Company

Source: Inventory of losses in 12/2016

29. **Impacts on land:** According to the IOL results, the subproject will permanently acquire totally 4,788 m² of various kinds of land including 1,732 m² of residential land; 1,988 m² of agricultural land for annual crops; 287m² of perennial crop land and 781 m² of public land under management of CPCs (five households in Dinh Son commune have asset/crop affected and do not have land affected by the subproject). The IOL results are presented in Table 2.

Table 2: Impacts on land of households and organization/agency

No.	District/commune	Total affected land area (m ²)	Residential land (m ²)	Annual agriculture land (m ²)	Perennial crop land (m ²)	Other public land (m ²)
1	Dinh Son	-	-	-	-	-
2	Thanh Son	4,788	1,732	1,988	287	781
Total		4,788	1,732	1,988	287	781

Source: IOL in 12/2016

30. **Impacts on houses and structures:** The subproject does not affect houses of any households and only affects structures of 49 households living along the route (including two households in Dinh Son commune and 47 households in Thanh Son commune), specifically: 155m² of fibro cement roof, 169m² of concrete yard, 382m² of tree fence, 28 end post, 87m² of iron gate, 103m² of bamboo/wooden gate, 163m² of brick wall, 21 concrete drainage culverts, and 31m² of concrete slab. The subproject does not affect house of households/organization.

31. **Impacts on public assets:** affected structures of organization/enterprise include: six 0.4kV electric poles and 300m of electric wire under management of Anh Son District Power Company.

32. Survey result of impact level on house and structure is presented in Table 3 below.

¹ IMarginally affected AHs loose under 10% of total productive land, one part of residential area without relocation or rebuilding of their houses on the remained land areas.

Table 3: Impacts on structures of households and organizations

No.	Area	Fibro cement roof (m ²)	Gate pole (pole)	Tree fence (m ²)	Iron gate (m ²)	Concrete yard (m ²)	Drainage culvert (pieces)	Electric pole (pole)	Electric wire (m)	Bambo/wooden gate	Concrete slab	Brick wall
1	Dinh Son	17	-	25	-	37	-	-	-	-	-	-
2	Thanh Son	138	28	362	87	159	21	6	300	103	31	163
	Total	155	28	382	87	169	21	6	300	103	31	163

Source: Inventory of losses in 12/2016

33. **Impacts on tree and crop:** the subproject will affect 1,273m² of crop (rice, maize, potato, cassava) and 820 trees of various types which include timber trees and other industrial trees along the route in the territory of Dinh Don and Thanh Son communes, Anh Son district.

34. **Impacts on income and livelihood:** The subproject does not cause significant impact on agriculture production land of households and no household has house partially or entirely affected and no household has to relocate. All households are insignificantly affected (less than 10% of production land). Thus, the subproject does not cause adverse impact on income and livelihood of households.

35. **Impact on natural environment and culture of ethnic minority groups:** The subproject will not affect to the natural environment, livelihood system, cultural practice and ancestral domains, temples and pagodas, spiritual belief areas of people living in the project area in general and of the ethnic community and HHs in the subproject area in particular. The Table 4 below summarizes permanent impacts caused by the subproject.

Table 4: Summary of impacts on land and asset

No.	Type of impacts	Unit	Quantity
I	Affected land	m²	4,788
	Residential land	m ²	1,732
	Annual crop land	m ²	1,988
	Perennial crop land	m ²	287
	Other public land	m ²	781
II	Works/structures		
	Mortal fence	m ²	163
	Tree/bush fence	m ²	382
	Concrete yard	m ²	169
	End post	Pole	28
	Iron gate	m ²	87
	Bamboo/wooden gate	m ²	103
	Concrete/cement culvert	Piece	21
	Electric/communication pole	Pole	6
	Electric wire	m	300
	Concrete slab	m ²	31
	Fibro cement slab	m ²	155
III	Crop	m²	m²
	Rice	m ²	346
	Maize	m ²	445
	Cassava	m ²	387
	Potato	m ²	95

No.	Type of impacts		Unit	Quantity
IV	Tree		Tree	820
	<i>Fruit tree</i>	Orange	Tree	9
		Mango	Tree	29
		Banana	Tree	62
		Sugarcane	Tree	389
		Jackfruit tree	Tree	16
		Longan	Tree	29
		Other	Tree	58
	<i>Timber tree</i>	Meliaceae	Tree	50
		Bamboo	Tree	75
		Eucalyptus	Tree	45
		Acacia	Tree	58

Source: Inventory of losses in 12/2016

C. Temporary impacts

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

D. Tenure status

37. In the two subproject communes, most households have land under various types affected by the subproject. Determination of effectiveness of Land Use Right Certificate conducted in two communes shows that: by the time of inventory of losses, all households have Land Use Right Certificate in which 62 households have residential land affected; 27 households have annual crop land affected and two households have garden land affected. All of the households with affected land of households has been issued Land Use Right Certificate (accounting for 100%).

E. Ethnic minority households and vulnerable households

Out of 85 affected households, there are 36 households under vulnerable groups, including: 23 poor households, two households with disable person and one single women headed household with dependent person which is also under poor household. There are 31 ethnic minority households (Thai group) in Thanh Son commune. No household is adversely affected by the subproject.

III. GENERAL SOCIO-ECONOMIC PROFILE

A. Socioeconomic condition in the subproject area

A.1. Anh Son district

38. The subproject of improving and upgrading road (DR 349) is located in the territory of Anh Son district. The road passes two communes of Dinh Son and Thanh Son. Anh Son is a Western mountainous district of Nghe An province which is about 100km far from Vinh city to the Northwest, bordered by Do Luong district to the East, bordered by Tan Ky mountainous district and Quy Hop district to the North, bordered by Con Cuong mountainous district Lao PDR to the West and bordered by Thanh Chuong district to the South. The district has 21 administration units, including one town and 20 communes. The district has eight communes where ethnic minority people

(more than 8000 people) live, mainly Thai ethnic group which accounts for 6.4% of total population of the district.

39. NH7, which passes Anh Son district and connects Vietnam with Lao PDR, is a great advantage of the east-west corridor, connecting Lao PDR - Northeast region of Thailand - Mianma. The road is not only an important road for importing and exporting goods of these countries, but also attracts tourists to Anh Son, Cua Lo and Kim Lien.

40. Anh Son district has natural area of 60,328.40 ha (2008). According to soil investigation document of Nghe An province, there are two main land groups in Anh Son district, including alluvial land and hilly land in which alluvial land accounts for 15% of total natural land area and hilly land accounts for 85% of total natural land area. There are 27,382 households with 101,614 persons in the district. Number of persons in working age is 53,748 in which 26,699 of them are women, accounting for 49.67%.

A.2. Communes in the subproject area

41. **Population, ethnicity and relocation:** Population in two subproject communes is distributed as follows: there are 920 households with 3,355 persons in Thanh Son commune, 1,742 households with 7,466 persons in Dinh Son commune. People living in the two communes are mainly native people who have lived in the territory of two communes for a long time and few households relocate from other region to live in the communes. In Thanh Son commune, there are 497 Kinh households with 1,812 (accounting for 54%), 423 Thai households with 1,543 persons (accounting for 46%).

Table 5: Population and ethnicity structure in the subproject communes

No.	Area	Population	Ethnic minority		By ethnic minority group						Poor households
			Total	%	Kinh	Thai	Tay	Mong	Dao	Other	
1	Dinh Son	7,466	17	0.2	7,449	17	-	-	-	-	437
2	Thanh Son	3,355	1,543	46.0	3,355	1,543	-	-	-	-	58

Source: Statistics provided by district and commune in December 2016

42. **Land use status:** According to the statistics of communes in 2016, the subproject has caused impact on land of households. Determining the effectiveness of land use right certificate shows that by the monitoring time, most of the households have been issued land use right certificate.

43. **Education:** There are primary schools, secondary schools and kindergarten school in the subproject communes. According to the statistics, people mainly graduate from primary school, secondary school and high school. However, in the territory of Anh Son district, schools are only located in the centre of district or inter-commune points where pupils in the nearby communes are easy to access to the schools.

44. **Health:** there is one hospital in Anh Son district and health stations are in communes. All of the subproject communes have health stations and doctors/nurses of the health stations go to villages to check health status for people. Most children in the province are vaccinated and people in the province are taken medical care and treatment of common diseases before being introduced to the district hospital or provincial hospital in case of serious illness.

B. Information on affected households

45. A sample socio-economic survey has been carried out in December 2016 covering 100% of total AHs two subproject communes. Consultations with local authority, mass organizations,

AHs were carried out in all affected communes. Secondary data were also collected in all communes. Results of the socio-economic survey are summarized as follows.

46. **Demographic characteristics:** Among 85 affected households with the total of 387 people. In which, there is no significant gender difference with 192 men (49.6%) and 195 women (50.4%). The average size of household in subproject area is 4.5 people. This is also the average rate in the mountainous rural areas - see Table 6.

Table 6: Demographic characteristics of affected households

No.	Communes	Total number of affected households	Total number of surveyed households	%	average person /household	Number of affected persons					
						Total	%	Male	%	Female	%
1	Dinh Son	5	5	100	4.4	22	100	13	59.1	9	40.9
2	Thanh Son	80	80	100	4.6	365	100	179	49.0	186	51.0
Total		85	85	100	4.5	387	100	192	49.6	195	50.4

Source: Socio-economic survey in December 2016

47. Out of the 85 affected households, there are 17 women headed households (in which there is one single women headed household with dependent) and 68 men headed households. Age of household heads is mainly from 20 to 40 years old (women account for 7.0% and men account for 31.8%); from 41-60 years old (women account for 10.6% and men account for 35.3%). The age >60 accounts for low rate and there is no household head having the age under 20.

Table 7: Age and gender of household heads

Communes	Age of female					Age of male					Total
	Total	<20	20-40	41-60	>60	Total	<20	20-40	41-60	>60	
Dinh Son	1	0	1	0	0	4	0	2	2	0	5
Thanh Son	16	0	5	9	2	64	0	25	28	11	80
Total number of affected households	17	0	6	9	2	68	0	27	30	11	85
%	20.0	0	7.0	10.6	2.4	80.0	0	31.8	35.3	12.9	100

Source: Socio-economic survey in December 2016

48. In the territory of the two communes, there are Kinh and Thai households living. Out of the 85 affected households, number of Kinh household heads is 54 (accounting for 67.5%) and number of Thai household heads is 31 in Thanh Son commune (accounting for 32.5%).

Table 8: Ethnicity of household heads

No.	Communes	Ethnicity of household heads		Total
		Kinh	Thai	
1	Dinh Son	5	0	5
2	Thanh Son	49	31	80
Total	Affected households	54	31	85
	%	67.5	32.5	100.0

Source: Socio-economic survey in December 2016

49. **Educational background:** According to the socio-economic survey results, the education level of 85 AH heads is at the medium level in comparison with those living in the rural mountainous areas in general, with the majority of HH heads finishing junior secondary schools in which two household heads have not graduated from primary school (2.4%), seven household heads have graduated from primary school (8.2%), nine household heads have not graduated from secondary school (10.6%), 45 household heads have graduated from secondary school (52.9%), four household heads have not graduated from high school (4.7%), 15 household heads have graduated from high school (17.7%) and two household heads have education level of occupational school/ colleges /university (3.5%).

Table 9: Education level of household heads

Communes	Education level of household heads								
	Total	Illiterate	Not yet finished primary school	Finished primary school	Not yet finished junior secondary school	Finished junior secondary school	Not yet finished high school	Finished high school	Graduated from vocational school/ college/ university
Dinh Son	5	0	0	0	0	3	1	1	0
Thanh Son	80	0	2	7	9	42	3	14	3
Total	85	0	2	7	9	45	4	15	3
%	100	0	2.4	8.2	10.6	52.9	4.7	17.7	3.5

Source: Socio-economic survey in December 2016

50. **Livelihood, occupation and production condition:** interview with 85 surveyed household heads, it shows that the household heads mainly participate in four livelihood activities and have income from the sources, including: agriculture (58.8%), business/service (10.6%), officials in the State's agency (5.9%), retired officials (4.7%), employees (17.6%) and the remaining household heads doing housework and other jobs (2.4%).

Table 10: Main occupation of affected household heads

Main occupation	Dinh Son	Thanh Son	Total	Rate %
Agriculture	4	46	50	58.8
Business/service	1	8	9	10.6
Employee/unskilled labors	0	15	15	17.6
The State's officials	0	5	5	5.9
Retire	0	4	4	4.7
Housework/other jobs	0	2	2	2.4
Total	5	80	85	100.0

Source: Socio-economic survey in December 2016

51. The main agricultural activities in the sub-project area are cultivation of rice, maize, cassava, sweet potatoes and growing of sugarcane supplying for sugar processing plant in the locality and timber trees such as acacia, eucalyptus and rearing cattle, pigs, goats, chickens, ducks and other livestock or poultry.

52. **Income:** Out of 85 AHs in the subproject area, there are 23 poor HHs in Thanh Son commune under new poverty line of MOLISA in which there are 21 poor households under Thai

ethnic group. According to the survey, the monthly average income of poor households is VND 1,950,000 (VND 430,000/person/month). Households not under the poverty line (both male and female) have average income from four to five VND million/household/month (averagely VND one million/person/month).

53. Most of AHs own their private house. Households own grade 4 houses with brick walls and tiling roofs (66.7%), on floor house with flat roof (16.7%), stable house with two or more floors (13.3%) and wooden/ stilt house (3.3%).

54. **Assets:** Surveyed HHs have at least 1 TV (100%), motorbikes (98%), electric fans (100%), telephones (100%), refrigerator (22.4%), air conditioner (8.2%), water heater (23.5%), water pumping (14.2%).

Table 11: Assets of affected households

No	Main assets	Dinh Son	Rate (%)	Thanh Son	Rate (%)
1	Motorbike	5	100.0	78	97.5
2	Bike	4	80.0	67	83.8
3	Television	5	100.0	80	100.0
4	Refrigerator	2	40.0	17	21.3
5	Air conditioner	1	20.0	6	7.5
6	Electric fan	5	100.0	80	100.0
7	Water heater	2	40.0	18	22.5
8	Computer	1	20.0	15	18.8
9	Gas/electronic cooker	4	80.0	61	76.2
10	Telephone	5	100.0	80	100.0
11	VCD/DVD	2	40.0	16	20.0
12	Water pump	1	20.0	11	13.8

Source: Socio-economic survey in December 2016

55. **Domestic water supply and sanitation:** Most of surveyed HHs reported that they use the clean water supply sources from dug wells (93%), drilled wells (2.2%), some HHs use water from streams (4.9%), and no HH uses water from other unhygienic sources such as ponds, rivers or lakes for domestic use. Regarding sanitation, around 35.7% of surveyed HHs have septic tanks, 21.4%% of surveyed HHs used separated septic tanks, 42.9% of surveyed households used 2-compartment and semi-septic compartment toilets. No HHs reported that they don't have toilets.

56. **Energy:** The most commonly used power source for lighting is electricity from the national grid (100%). For cooking, the main types of fuel to be used are wood (55.5%), oil and gas (37.5%), coal (2%), electricity or biogas (5%).

57. **Ethnic minority groups:** Ethnic minority people living in the region are Thai people who mainly live in Thanh Son commune (46%) and few of them live in Dinh Son commune (0.2%). Ethnic minority households live together with Kinh people in Dinh Son commune and ethnic minority households in Thanh Son commune live in a centralized area with their own cultural identity.

58. **Language:** All ethnic minorities in general, and EM affected HHs in particular in the subproject area have their own languages and almost all of them can speak and understand the

Vietnamese language, except for some old people who face with difficulties in listening and speaking Vietnamese language.

59. **Ethnic minorities:** The subproject area are mainly Kinh people, with the exception of about 50 ethnic minority households (Thai people) located in Hamlet 3 of Thanh Son commune. Of these, 31 households are affected by the subproject.

C. Social impact assessment

60. **Potential negative project impacts.** A social impact assessment (SIA) has been conducted through socio-economic survey and Inventory of loss (IOL) and community consultation to identify both positive and negative impacts caused by the subproject, and measures of negative impact mitigation and enhancing subproject benefits to local people. Results of SIA show that land acquisition is insignificant so that it does not much impact on incomes and livelihoods of APs including EMs.

61. For use of local labor during the subproject implementation process: because the education level and qualification of ethnic minority labor in the subproject's area are limited, so workers from other regions will take job opportunities of local labor in the area. However, these workers may cause risks disease transmission to ethnic minority people, especially women such as sexually transmitted infections like HIV and also social evils like drugs.

62. The construction of the subproject may cause negative impacts on women, especially ethnic minority women. However, these impacts are not significant because a few of workers from outside and construction duration is short. Moreover, mitigation measures will be considered through the processes of design, compensation and resettlement. In addition, during the construction process, environmental pollution such as dust, construction waste and noise may affect people. The impacts can be mitigated through mitigation measures proposed through EMP.

63. **Expected Positive impacts.** The subproject will bring a lot of positive effects to local people in general and to EM women in particular. The expected positive impacts are as follows:

- (i) To Improve transportation conditions in project communes where the EM and poor people live; improve accessibility to the markets, production locations, health centers and schools of local people especially the EM people; reduce living costs and improve potential for adding value to agricultural products;
- (ii) To create new jobs/works for local people leading to improving income for them, particularly for poor EM women and/or vulnerable persons from the subproject;
- (iii) To provide opportunities to improve the role of women, especially EM women and enhance their participation in community activities through gender action plan; and
- (iv) To directly contribute to poverty alleviation in the subproject commune.

D. Measures taken to minimize the negative impacts

64. In order to mitigate negative impacts on local peoples including EM people, at all stages of the project, the project staff will disseminate project information to and conduct consultations with ethnic minorities to ensure that EM people get maximum benefit from the subproject outcomes in a culturally appropriate manner such as: mitigation of impacts on land acquisition, avoiding impacts on religious works of people in the locality. During the construction process, the contractor should use dust and noise mitigation measures and restore quality of road if construction vehicles cause damage to the road. The contractor also needs to use measures of disseminating and preventing risks of sexually transmitted infection and discouraging or preventing social evils.

IV. INFORMATION DISSEMINATION, PUBLIC CONSULTATION AND PARTICIPATION

A. Information dissemination

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

66. APs are notified in advance of resettlement activities, including community meetings to disseminate subproject information about the scope of the subproject, work alignment plan, site clearance plan and construction plan. They are also involved in public meetings to discuss (i) detailed measurement survey results; (ii) lists of eligible APs and their entitlements; (iii) compensation rates and amounts, (iv) payment of compensation and other assistance; and (v) the grievance redress mechanism.

67. This REMDP will be uploaded in ADB websites in English and disclosed to the EMs through commune and village meetings in Vietnamese. The staff of CPC and mass organizations will translate into EM language (if needed) and disseminate the information to the EMs through loud speakers and other oral communication means in traditional market days as well as in public meetings.

B. Public Consultation and Participation

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

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

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

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

70. **Consultation and participation during the REMDP preparation.** Two focus group discussions and two consultation community consultation were conducted with local authorities, mass organizations, APs and non-APs in December 2016 and April 2017. The objective of the consultation meetings was to provide information, as much as possible, on the subproject to local authorities, mass organizations, APs and non-APs, and discuss and document their comments on subproject issues. Specifically, the following subjects were presented and discussed:

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

71. Results from observations and consultation meetings with local authority, organizations and affected people are summarized as follows:

- (i) affected and non-affected people support and agree with improvement and upgrading of the road DH 349;
- (ii) during the meetings, the potential impacts of the subproject in terms of land acquisition were duly discussed with APs whose lands and assets will be affected; All agreed that the impact of subproject is marginal however all impacts on the assets should be compensated and assisted;
- (iii) APs agreed with the subproject's principle on compensation and resettlement assistance;
- (iv) During the detailed design phase, it is necessary to consult with communal authority and local people;
- (v) It was noted that the environmental impacts of the subproject during construction are inevitable, but these can be minimized with the proposed mitigation measures in the EMP;
- (vi) It is necessary to have proper construction method especially for the road section running through residential area, structures of households near the road, structures of CPC, school, bridge and culvert in the territory of communes. During the construction period, the traffic should be controlled so that the disturbances to transportation, production and business of local people as well as enterprises will be avoided.
- (vii) Before civil work commencement, it is necessary to check the condition of houses close to the road to avoid the dispute on the cracking of the house;
- (viii) It was proposed that meaningful consultation with and participation of women and EMs in the process of REMDP implementation, management and monitoring will be continuously undertaken in next steps;
- (ix) APs proposed that the compensation payment should be paid at one time and before the start of construction. The APs also mentioned that the issues on the quality of the

subproject should be considered and that they are willing to be representative in the Community Monitoring Board during subproject construction;

- (x) The subproject's grievance mechanism and resolution procedure was consulted with APs. They proposed that their complaints should be resolved timely and successfully.

Table 12: Participants of public consultation meetings

No.	Communes	Location	Participants	Number of participants	Number of ethnic minority participants	Number of participating women
1	Dinh Son	CPC	Representatives of CPC, union, affected HHs	9	0	1
2	Thanh Son	CPC	Representatives of CPC, union, affected HHs	39	20	15

72. **Consultation and participation during REMDP implementation.** During the implementation phase, the PMU coordinates with compensation, assistance and resettlement board and Commune PC to disseminate subproject information (translated into local language if necessary) using various media such as organizing seminars, presentations, and public meetings for which subproject APs and beneficiaries are invited. The PMU will deliver the Project Information Brochure (PIB) and other documents of the subproject to the APs.

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

V. GRIEVANCE REDRESS MECHANISM

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

75. **First Stage, Commune People's Committee:** The aggrieved affected household can bring his/her complaint in writing or verbally to any member of the Commune People's Committee, either through the Village Chief or directly to the CPC. It is incumbent upon said member of CPC or the village chief to notify the CPC about the complaint. The CPC will meet personally with the aggrieved affected household and will have 30 days and maximum of 60 days following the lodging of the complaint, depending on complicated case or distance, to resolve it. The CPC secretariat is responsible for documenting and keeping file of all complaints that it handles.

76. **Second Stage, District People’s Committee:** If after 30 days or 45 days (in remote area) the aggrieved affected household does not hear from the CPC, or if the affected household is not satisfied with the decision taken on his/her complaint, the affected household may bring the case, either in writing or verbal, to any member of the DPC. The DPC in turn will have 30 days or maximum of 70 days following the lodging of the complaint, depending on complicated case or remote area, to resolve the case. The DPC is responsible for documenting and keeping file of all complaints that it handles and will inform the DCARB of any determination made and the DCARB is responsible for supporting DPC to resolve AH’s complaint. The DPC must ensure their decision is notified to the complainant.

77. **Third Stage, Provincial People’s Committee:** If after 30 days or 45 days (in remote area) the aggrieved affected household does not hear from the DPC, or if the affected household is not satisfied with the decision taken on his/her complaint, the affected household may bring the case, either in writing, to any member of the PPC. The PPC has 30 days or maximum of 70 days, depending on complicated case or remote area, to resolve the complaint to the satisfaction of all concerned. The PPC is responsible for documenting and keeping file of all complaints that reaches the same.

78. **Final Stage, the Court of Law Arbitrates:** If after 30 days following the lodging of the complaint with the PPC, the aggrieved affected household does not hear from the PPC, or if he/she is not satisfied with the decision taken on his/her complaint, the complainant can appeal again to the PPC. If the complainant is not satisfied with the second decision of the PPC, the case may be brought to a Court of law for adjudication. If the court rules in favor of the complainant, then PPC will have to increase the compensation at a level to be decided by the court. In case the court will rule in favor of PPC, then the complainant will receive compensation approved by PPC.

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

VI. LEGAL AND POLICY FRAMEWORK

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

A. ADB Policies

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

protected areas. Resettlement is considered involuntary when displaced individuals or communities do not have the right to refuse land acquisition those results in displacement.

82. **Indigenous Peoples (IP)/ Ethnic Minorities (EMs).** The main objectives of ADB's IP safeguards policy under the SPS 2009² are to: (i) avoid adverse impacts of projects on the environment and affected persons, where possible; (ii) minimize, mitigate, and/or compensate for adverse project impacts on the environment and affected persons when avoidance is not possible; and (iii) assist in strengthening country safeguard systems and develop the capacity to manage environmental and social risks. The policy is triggered if a subproject directly or indirectly affects the dignity, human rights, livelihood systems, or culture of EMs or affects the territories or natural or cultural resources that EMs own, use, occupy, or claim as their ancestral domain. Should ADB projects affect EMs, a set of general policy requirements are observed to maintain, sustain, and preserve their cultural identities, practices, and habitats (SR-3 of SPS 2009). A set of special requirements are in place should projects be (i) within ancestral domains and lands and related natural resources, (ii) commercial development of cultural resources and knowledge of EMs; (iii) physical displacement from traditional or customary lands; and (iv) commercial development of natural resources within customary lands under use that would impact on livelihoods or cultural, ceremonial, or spiritual uses that define the identity and community of EMs.

83. The subproject will affect 31 ethnic minority households out of 85 affected households. with minor land acquisition which does not significantly impact livelihood and income of the EMs. The subproject also does not affect identity, culture and custom livelihood system of EMs so Ethnic Minority Development Plan is incorporated with Resettlement Plan of the subproject in a combined document named REMDP with all elements of EMDP are included in the REMDP.

B. National Laws on Involuntary Resettlement and Ethnic Minorities (EMs)

84. **Compensation, Assistance and Resettlement.** The Constitution of the Socialist Republic of Viet Nam (2013) confirms the right of citizens to own and protect the ownership of a house. In addition, the Government has enacted a number of laws, decrees and regulations that constitute the legal framework for land acquisition, compensation, assistance and resettlement.

Reference	Date	Title	Description
No. 45/2013/QH13	29/11/2013	Land Law	Comprehensive land administration law
No. 47/2014/NĐ-CP	15/5/2014	Decree: Regulations on Compensation, Support and Resettlement upon Land Expropriation by the State	Specifies provisions for compensation and resettlement assistance
No. 37/2014/TT-BTNMT	30/06/2014	Circular on detailed regulations on compensation, support, and resettlement upon land expropriation by the State	Guides Decree 47
No. 44/2014/NĐ-CP	15/5/2014	Decree: Regulations on Land Prices	Specifies methods for land pricing and land price frameworks
No. 43/2014/NĐ-CP	15/5/2014	Decree Detailing a	Provides guidelines on the

²Safeguard Policy Statement, 2009

Reference	Date	Title	Description
		Number of Articles of the Land Law	implementation of the Land Law
No. 23/2014/TT-BTNMT	19/05/2014	Circular regulating Land Use Right Certificate (LURC)	Clarifies ownership rights of land and assets
No. 36/2014/TT-BTNMT	30/06/2014	Circular on land pricing	Guides Decree 44
No. 494/NQ-UBTVQH13	18/05/2012	Resolution	Resolution of the National Assembly Standing Committee implementation of policies and legislation on people with meritorious service records
No. 02/2011/QH13	11/11/2011	Complaints Law	Regulates handling of complaints against administrative decisions or acts of state administrative agencies
No. 75/2012/NĐ-CP	03/10/2012	Decree detailing a number of articles of the Law on complaints	Guides Complaint Law 02
No. 22/2013/QĐ-TTg	26/4/2013	Decision	Decision of the Prime Minister on supporting people with meritorious services records in housing
No.123/2014/QĐ-UBND	30/12/2014	Decision of Nghe An People's Committee	On promulgating land unit price in Nghe An province (in the period of 2015-2019)
No.13/2016/QĐ-UBND	26/2/2016	Decision of Nghe An People's Committee	On promulgating adjustment coefficient of land unit price in Nghe An province (in 2016)
No. 58/2015/QĐ-UBND	13/10/2015	Decision of Nghe An People's Committee	Guides compensation, assistance and resettlement policy when the State recovers land in the province of Nghe An.
No. 78/2015/QĐ-UBND	29/12/2015	Decision of Nghe An People's Committee	Guides promulgating regulation on compensation, assistance and resettlement when land is acquired by the State in Nghe An province.
No. 64/2014/QĐ-UBND	23/9/2014	Decision of Nghe An People's Committee	Guides promulgating compensation unit price for crop, livestock and relocation of tomb in Nghe An province and estimated cost of trees, which may be affected, basing on the market price.

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

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

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

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

88. The legal framework with respect to land acquisition, compensation and resettlement is based on the Constitution of the Socialist Republic of Vietnam (2013), and the Land Law 2013, and other relevant decrees/guidelines. The principal legal documents applied for this REMDF include the followings:

89. With regard to ethnic minorities (EMs)³, Constitution of Vietnam (2013) mandates the State to “Implement a policy on equality, unity and support for all ethnic groups in the development of a civilized society, and respect benefits, traditional cultures, languages and religions of ethnic minority groups. Related to this, a ministerial-level government body, Committee for Ethnic Minority and Mountainous Areas Affairs (CEMA) is tasked for developing and overseeing policies and programs to promote the welfare of EMs.

90. Programs that target EMs are numerous and diverse and cover a wide range of issues including poverty reduction, resettlement and sedentarization, forest land allocation, education, health and communication, cash subsidies on land reclamation, improvement of commune and village infrastructure, etc.⁴ Following are key regulations involving EMs in Viet Nam.

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

³ There are 54 ethnic groups in Viet Nam which are classified as minority or majority groups rather than indigenous or non-indigenous people. The Kinh and Hoa ethnic groups are considered as the ethnic majority groups, while the others are considered as ethnic minority groups.

⁴ Viet Nam: A Widening Poverty Gap for Ethnic Minorities. Hai-Anh Dang. January 2010.

2016	Decision No.1722/QĐ-TTg approving the national target program on sustainable poverty reduction for the 2016-2020 period. Specifies targets for reduction in incidence of poverty, and refers to districts inhabited by national minorities
2015	Decision No. 1557/QĐ-TTg approving certain criteria on implementation of MDGs for ethnic minorities in association with national post-2015 sustainable development goals
2015	Decision No. 59/2015/QĐ-TTg on the issuance of the criteria and the poverty line according to the multidimensional approach applies to the period from 2016 to 2020;
2014	Resolution 76/2014/QH13 of the NA on sustainable poverty reduction until 2020;
2014	Decision 2324/2014/QĐ-TTg dated 19/12/2014 on approval of the action plan to implement Resolution 76/2014/QH13;
2014	Decision No. 311/QĐ-MOLISA dated 20/03/2014 on approving the plan to transform from uni-dimensional to multi-dimensional poverty for the period 2016-2020;
2013	Decision No. 2356/QĐ-TTg, dated 12/04/2013 issued action program to implement the Master plan on the human resource development ethnic minorities and mountainous areas toward 2020;
2012	Joint Circular No. 01/2012/TTLT-BTP-UBND of the Ministry of Justice and the Committee of Ethnic Minorities, on guiding implementation of legal assistance for EMs.
2011	Decree No. 80/2011/NQ-CP on sustainable poverty reduction, period of 2011-2020
2011	Decree No. 05/2011/NĐ-CP on the work of ethnic minority.
2010	Decree No. 82/2010/ND-CP of government, dated 20 July 2010 on teaching and learning of ethnic minority languages in schools.
2008	Resolution No. 30a/2008/NQ-CP of government, dated 27 Dec. 2008 on support program for rapid and sustainable poverty reduction for 61 poorest districts
2008	Decree No. 60/2008/NĐ-CP dated 9-May-2008 of the government on the functions, tasks, authorities and structure of the Committee for Ethnic Minorities and Mountainous Areas Affairs.
2007	Decision no. 112/2007/QĐ-TTg of the Prime Minister dated 05-March-2007 on the policy of assistance for relocation and agriculture for Ethnic Minorities from 2007 to 2010.
2007	Decision no. 33/2007/QĐ-TTg of the Prime Minister dated 20-July-2007 on the policy of assistance to improve knowledge of laws as a program of 135, phase 2.
2007	Decision no. 01/2007/QĐ-UBND dated 31-May-2007 of the Ethnic Minorities Committee on the recognition of communes, districts in the mountainous areas
2007	Decision no. 05/2007/QĐ-UBND dated 06-September-2007 of the Ethnic Minorities Committee on its acceptance for three regions of ethnic minorities and mountainous areas based on development status
2007	Circular no. 06 dated 20-September-2007 of the Ethnic Minorities Committee guidance on the assistance for services, improved livelihood of people, technical assistance for improving the knowledge on the laws according the decision 112/2007/QĐ-TTg
2007	Decision no. 06/2007/QĐ-UBND dated 12-January-2007 of the Ethnic Minorities Committee on the strategy of media for the program 135-phase 2
1998	Decree no. 59/1998/ND-CP dated 13-August-1998 of the government on the functions, tasks, authorities and structure of the committee for Ethnic Minorities and Mountainous Areas

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

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

93. With regard to policy on indigenous peoples, a key difference is in the definition of Indigenous Peoples. In Viet Nam, the term "ethnic minorities" is used rather than "indigenous people" to refer to all the 53 ethnic groups other than the majority Kinh (Viet) ethnic group. In the case of development projects, there is no specific requirement under Viet Nam legislation concerning ethnic minorities particularly for: preparation of an indigenous peoples' plan (IPP) to address adverse impacts on ethnic minorities and maximize positive impacts.

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

95. A point of difference though is that ADB Policy does not consider the absence of legal rights of DPs on the acquired land as an impediment to receiving compensation for non-land assets and for resettlement assistance. An analysis of gaps between the policy principles set out in the ADB SPS for Resettlement and Viet Nam's resettlement legislation, including measures to address the differences, are outlined in the table below. Importantly however, the Land Law specifically provides for adherence to the frameworks and policies of international funding organizations supporting the projects. Article 87 of the land law states that, for projects using loans from international or foreign organizations for which Vietnam has committed to a policy framework for compensation, support and resettlement, that framework policy shall apply.

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

Table 83: Gap Analysis between Viet Nam Regulations and ADB SPS (2009) and project policy: Involuntary Resettlement and ethnic minority

Issue	ADB SPS requirement	Provision in Viet Nam Land law 2013, Decree 47/2014/ND-CP, 44/2014/ND-CP	Project Policy
Identification of severely impacted APs who lose productive land	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 ADB Safeguard category definitions: https://www.adb.org/site/safeguards/safeguard-categories	APs losing at 30% or more of productive agriculture land are considered severely impacted and are entitled to livelihood restoration measures. <i>Decree 47/2014/ND-CP, Article 19, Item 3:</i>	HHS 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. 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. Establish a grievance redress mechanism to receive and facilitate resolution of the affected persons' concerns. Support the social and cultural institutions of displaced persons and their host population. Where involuntary resettlement impacts and risks are highly complex and sensitive, compensation and resettlement decisions should be preceded by a social preparation phase. <i>SPS Involuntary Resettlement Safeguards Policy Principle 2</i>	Public consultation is required for the preparation of district land use plans (Land Law article 43). Notification of between 90-180 to be given to affected land users (Land Law 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 to mediate in case of disagreements/grievances. (Land Law Article 69)	Conducting meaningful consultations with affected persons, mass organizations and civic organizations as part of REMDP preparation throughout project cycle.

Issue	ADB SPS requirement	Provision in Viet Nam Land law 2013, Decree 47/2014/ND-CP, 44/2014/ND-CP	Project Policy
Compensation (general)	<p>Improve, or at least restore, the livelihoods of all displaced persons through (i) land-based resettlement strategies when affected livelihoods are land based where possible or cash compensation at replacement value for land when the loss of land does not undermine livelihoods, (ii) prompt replacement of assets with access to assets of equal or higher value, (iii) prompt compensation at full replacement cost for assets that cannot be restored, and (iv) additional revenues and services through benefit sharing schemes where possible.</p> <p><i>SPS Involuntary Resettlement Safeguards Policy Principle 3</i></p>	<p>Provision for cash at or replacement land of the same land use purpose (Land Law Article 74).</p> <p>Provision for valuation by licensed valuers (Land Law Articles 114 to 116 and Decree 44/2014/ND-CP).</p> <p>Provision with compensation for cost moving (Land Law Article 91).</p> <p>Provision of interest for compensation in case of late payment (Land Law Article 93).</p>	<p>Land and non land assets will be compensated at replacement costs. APs are to be consulted in determining arrangements whereby they receive relocation assistance, secured tenure to relocated land, with comparable access to production and employment opportunities, and civic infrastructure and community services as required, transitional support and development assistance such as land development, credit facilities, training or employment opportunities.</p>
Determination of compensation rates for houses and structures	<p>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</p> <p><i>SPS Appendix 2: Safeguard Requirements for Involuntary Resettlement</i></p>	<p>Houses/structures used for living purpose will be compensated at replacement cost.</p> <p>(Land Law 2013, Article 89, item 1)</p> <p>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, article 9)</p>	<p>Full compensation at replacement cost to be paid for all structures. No deductions for salvageable materials or depreciation to be made.</p>

Issue	ADB SPS requirement	Provision in Viet Nam Land law 2013, Decree 47/2014/ND-CP, 44/2014/ND-CP	Project Policy
Transparency, consistency and equitability in negotiated settlements	Develop procedures in a transparent, consistent, and equitable manner if land acquisition is through negotiated settlement to ensure that those people who enter into negotiated settlements will maintain the same or better income and livelihood status. <i>SPS Involuntary Resettlement Safeguards Policy Principle 6</i>	No regulation	Rents and conditions for temporary use of land or assets will be negotiated with land users. Restoration will be to equal or better condition.
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. <i>SPS Involuntary Resettlement Safeguards Policy Principle 7</i>	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 Article 79). The Land Law (Article 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. <i>SPS Involuntary Resettlement Safeguards Policy Principle 8</i>	Requirement for preparation of plans for compensation, support and resettlement. (Land Law Article 67) according to prescribed procedures (Article 69). Contents of plans provided in Decree No. 47/2014/NĐ-CP, Article 28.	REMDPs to be prepared for each subproject

Resettlement and Ethnic Minority Development Plan (REMDP)

Issue	ADB SPS requirement	Provision in Viet Nam Land law 2013, Decree 47/2014/ND-CP, 44/2014/ND-CP	Project Policy
Disclosure of draft resettlement plan	<p>Disclose a draft resettlement plan, including documentation of the consultation process in a timely manner, before project appraisal, in an accessible place and a form and language(s) understandable to affected persons and other stakeholders. Disclose the final resettlement plan and its updates to affected persons and other stakeholders.</p> <p><i>SPS Involuntary Resettlement Safeguards Policy Principle 9</i></p>	Full disclosure of detailed arrangements and compensation plans to affected persons. (Land Law Article 69)	Disclose draft REMDPs for each subproject, including documentation of the consultation process in a timely manner, before project appraisal, in an accessible place and a form and language(s) understandable to affected persons and other stakeholders. Disclose the final RP and its updates to affected persons, and other stakeholders.
Ethnic Minorities			
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, 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.

Issue	ADB SPS requirement	Provision in Viet Nam Land law 2013, Decree 47/2014/ND-CP, 44/2014/ND-CP	Project Policy
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 Policies

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

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

and relocation to new sites have been satisfactorily completed for that area, and (ii) agreed rehabilitation (income restoration) program is in place.

VII. ENTITLEMENTS, ASSISTANCE AND BENEFITS

A. Eligibilities

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

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

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

B. Compensation and assistance

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

102. **Compensation for land:** The compensation unit prices for land at the time of preparing the REMDP follow the unit prices for lands stipulated in Decision 123/2014/QĐ-UBND dated 30th December 2014 by Nghe An Provincial People's Committee on promulgating unit price of types of land in the period 2015 – 2019; Decision No. 13/2016/QĐ-UBND dated 26th January 2016 by Nghe An PPC on promulgating regulation on adjustment coefficient of land price in 2016 in Nghe An province and basing on the result of replacement cost survey by the time of conducting IOL for land and asset on land. Decisions on promulgating land unit price basing on the result of land price survey are executed by competent departments at all levels of Nghe An province. Compensation rate for annual crop land is VND 21,000, for perennial crop land is VND 17,000 and total compensation cost for annual crop land is VND 46,627,000. Assistance value for each m2 of unused land (vacant land) is VND 21,000VND/m2 and total assistance value for vacant land is VND 16,401,000. Compensation rate for each 1m2 of residential land is VND 190,000 and total compensation cost for residential land is VND 329,137,000.

103. **Compensation for structures:** The compensation unit price for structures and houses is stipulated in Decision No. 78/2015/QĐ-UBND dated 29th December 2015 on promulgating new construction unit price of house and structure to be the base for determining compensation and assistance value when land is acquired by the State in 2016 in Nghe An province.

104. **Compensation for trees:** Decision No. 64/2014/QĐ-UBND dated 23th September 2014 by Nghe An PPC on promulgating compensation unit price for crop, livestock and relocation of tomb in Nghe An province and estimated cost of trees, which may be affected, basing on the market price. Total compensation for affected trees and crop of HHs is VND 46,178,000. Total compensation cost for affected trees and crop under management of Thanh Son CPC is VND 2,450,000.

105. **Assistance for life stabilization:** Nghe An Following the provincial policy. For the households who lost less than 10% of their agricultural land holding, an assistance in cash equivalent 30kg of rice per person per month within one month will be provided. In this subproject, 35 households have production land affected less than 10%.

106. **Assistance for job changing/creation:** For the households who lost their agricultural land (annual/perennial crop land): Following the provincial policy, the cash assistance equivalent to 2 times the value of their affected land. Total assistance cost for occupational training/job creating for affected households is VND 93,254,000.

107. **Assistance for vulnerable households:** (i) Poor households: Households or individuals with acquired land, who are under the poor HHs regulated by the Government, Ministry of Labor, War Invalids, & Social Welfare and confirmed by competent PC in each phase, will be provided assistance in cash to improve their socio-economic condition equivalent to VND 2,000,000/one household (applied for insignificantly affected households) and assistance in Severity households (from 10% total of production land/ relocated resettlement), assistance of minimum VND 5,000,000 per household. The assistance for affected households is presented in the entitlement matrix table in accordance with the project's policy; (ii) According to the policy framework of the project, households under other vulnerable groups, not distinguishing the impact level, will be assisted by VND 2,000,000/HH to improve their socio-economic condition or according to the provincial policy, affected HHs will receive assistance with higher value. Households under two or more vulnerable criteria will only receive assistance with the highest value.

C. Entitlement Matrix

108. Entitlement Matrix to be applied for this Sub-Project is presented in the Table 14 below

109. **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 14: Entitlement Matrix⁵

Entitled Persons	Type & Level Of Impact	Compensation Policy	Implementation Issues
A. AGRICULTURAL LAND			
A.1. Permanently affected agricultural land			
Owners with LURC, owners in process of acquiring LURC, owners eligible to acquire LURC	Losing less than 10 percent of total productive landholding Total 2,275m2 of production land is acquired, including 1,988m2 of annual crop land, 278m2 of perennial crop land owned by 35 households in Thanh Son commune.	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 maximum of 5 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 at replacement cost before site clearing at least 01 (one) month. Level of assistance for job training/creation, decided by PPC. Implemented by DRCs Affected household should be informed three months before their land is acquired by the project. Affected HHs will fully receive compensation and allowance by replacement cost prior to site clearance.
Public organizations	There is total 781m2 of vacant land under management of Thanh Son CPC.	a/ No compensation for affected land but support equivalent with not exceeding 100% of compensation value of the affected land; and b/ Cash compensation at current market prices for standing crops on the affected land, if any.	The compensation amount must be paid to account of affected commune and used for infrastructure improvement of the commune
B. RESIDENTIAL AND/OR NON-AGRICULTURAL LAND			
B.1. Permanently Affected Residential and/or Non-Agricultural Land			

⁵ In case there are categories of impacts and DPs that are identified during the preparation of the RP/REMDP that are not included in this matrix, appropriate entitlements/compensation will be included in the updated REMDPs and no provision in this matrix can be lowered in the preparation of RP/REMDP.

<p>Owners with LURC, owners in process of acquiring LURC, owners eligible to acquire LURC</p>	<p>Loss of residential and/or non- agricultural landholding without houses and structures built thereon.</p> <p>Total 1,732m² of residential land is acquired by the subproject. The land is owned by 65 HHs in Thanh Son commune.</p>	<p>As a priority, allocation of replacement land: (i) equal to area and same type of affected land up to a maximum of land quota in province of project at a location satisfactory to DP; (ii) with full title in the names of both the household head and his/her spouse;</p> <p>and (iii) without charge for taxes, registration and land transfer charges; or, if DP opts,</p> <p>Cash compensation at replacement cost for the affected land. The compensated area does not exceed the residential land quota in the locality; and</p> <p>Cash compensation for the area greater than land quota at replacement cost based on current market prices for agricultural land plus an allowance equal to 20 to 50% (as per provincial decision) of the average affected residential land value.</p>	<p>a/ The DRC will determine availability of replacement land and consult with APs</p> <p>b/ If affected landholding is under dispute: Compensation is put in escrow account until land dispute is resolved.</p> <p>Affected household should be informed three months before their land is acquired by the project.</p> <p>Affected HHs will fully receive compensation and allowance by replacement cost prior to site clearance.</p>
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C. COMPENSATION FOR AFFECTED HOUSE AND STRUCTURE

C.1. Other Structures, e.g., kitchens, toilets, animal sheds, fences, foundations, etc.

<p>Owners of structures</p>	<p>Partially or totally affected structures or other property</p> <p>Total 1,171m²/end post/slab/gate of 49 households in Dinh Son and Thanh Son commune is affected by the subproject.</p> <p>There are six electric poles, 300m of 0.4kV</p>	<p>Cash compensation at full replacement cost with no deduction for depreciation or salvageable materials; OR</p> <p>In-kind assistance to relocate affected structures or property; OR</p> <p>Cash assistance to repair of property to original or better condition.</p>	<p>Owners of structures are entitled to compensation regardless of whether or not they possess a) land use rights to the land OR b) construction permits for the structures.</p> <p>Costs for repairing the remaining house/structure should be negotiate with DP.</p>
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	electric wire under management of Anh Son power company and 16 culverts under management of Thanh Son CPC affected by the subproject.		
D. COMPENSATION FOR AFFECTED CROPS AND TREES			
Owners of crops and/or trees	Loss of annual crops There is 1.273m2 of crop affected by the subproject	If standing crops are ripening and cannot be harvested, cash compensation of un- harvested crops at market values based on the average production over past 3 years. No compensation for crops if harvested	A minimum of 3 months' notice to harvest crops; Owners of crops and/or trees are entitled to compensation regardless of whether they possess land use rights Calculation of compensation for crop is based on the highest productivity of one crop during the last 3 years.
	Loss of perennial crops, fruit and timber trees and tree fences 820 trees of various types affected by the subproject	Cash compensation at current market prices given the type, age and productive value of the affected crops and/or trees. Total compensation for affected trees and crop of HHs is VND 46,178,000. Total compensation cost for affected trees and crop under management of Thanh Son CPC is VND 2,450,000.	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.
E. PACKAGE OF ECONOMIC REHABILITATION AND RELOCATION ASSISTANCE			
<i>E. 1. Economic Rehabilitation Assistance</i>			
Affected DPs (displaced from housing or losing 10% or more of their productive, income generating asset irrespective of tenure status.	There are 35 households with 158 persons having less than 10% of their agriculture land area affected by the subproject.	According to policy of Nghe An PPC, these households will be provided assistance equivalent to 30kg of rice/person/month within one month.	The assistance will be paid prior to site clearance. Rice price is calculated in accordance with the market price by District's Financial Division by the time of establishing compensation plan

	<p>Job training/Creation allowance</p>	<p>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 level People's Committees who shall organize consultations with, and give explanation and assimilate opinions from, people whose land is recovered⁶.</p> <p>Cash assistance equal to maximum of 5 times of compensation value for affected land area but not exceed land quota in locality⁷.</p> <p>If DP requests for training, he/she will be entitled to a free training course</p> <p>35 households losing less than 10% of their production land by the subproject will be provided assistance. (Affected area and assistance amount/ m2 of land are presented in Item A.2)</p>	<p>Eligibility will be confirmed during DMS.</p> <p>Level of assistance for job training/creation decided by PPC</p> <p>The assistance will be paid to affected households by the time of conducting compensation payment and before conducting site clearance.</p>
<p>E. 2. Special allowance for social and economically vulnerable households</p>			
<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,</p>	<p>Assistance to poor and vulnerable households to improve their social and economic conditions.</p> <p>There are 36 households under vulnerable groups in the subproject</p>	<p>a) Poor households: Proposed assistance to poor households: (i) acquired land less than 10% total of production land (slightly affected HHs) VND assistance of minimum 2,000,000 per household; (ii) Severity households (from 10% total of production land/ relocated resettlement, assistance of minimum VND 5,000,000 per household.</p> <p>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</p> <p>c) All vulnerable households: participation in income restoration program regardless of severity of impact.</p>	<p>Eligible households are those who are classed as vulnerable under relevant definitions of MOLISA and this document.</p> <p>The assistance will be paid to affected households by</p>

⁶ Land Law (2013) Article 84

⁷ Decree 47/2014/ND-CP (Regulations on Compensation, Support and Resettlement upon Land Expropriation by the State) Article 20

<p>(v) landless, and (vi) ethnic minorities.</p>			<p>the time of conducting compensation payment and before conducting site clearance.</p> <p>Using information from the resettlement survey, Compensation, Assistance and Resettlement Board of District will establish the list of vulnerable persons.</p>
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VIII. RESETTLEMENT

110. In this stage, there is no affected household has to relocate. This section will be updated during the DMS and updating REMDP. Relocation options of households will be consulted in detailed and resettlement site will be arranged (if needed).

IX. INCOME RESTORATION PROGRAM

111. Out of 85 households on land, there are 36 households under vulnerable groups. During the DMS and updating the REMDP, impacts on land and identification of vulnerable groups shall be updated. Addition to compensation and cash allowances for them, vulnerable households will be participated in an income and livelihood restoration program (if needed) which shall be developed during project implementation based on results of a need assessment for income and livelihood restoration and accepted by the ADB before the civil work commencement

X. ETHNIC MINORITY ACTION PLAN

112. According to SIA, EM people will be mainly benefited from the project. A simple action plan is necessary for affected ethnic minority people to facilitate them participating in the subproject implementation process. The plan will create new opportunities for ethnic minority people, increase income and reduce the burden for them and improve their social position in the subproject's area. Objectives of the plan are as follows:

- (i) Local contractors are encouraged to use local labor (both male and female), especially ethnic minority people, for construction/improvement. Job opportunities should be prioritized for members of affected ethnic minority HHs (if any);
- (ii) Local contractors may not under any circumstances use child labor;
- (iii) Ethnic minority communities are consulted about design of all work items of the project;
- (iv) Training on prevention of HIV/AIDS for ethnic minority communities as part of the gender action plan implementation;
- (v) Provide training courses on cultivation and livestock and poultry rearing techniques which will be combined and implemented in accordance with the gender action plan;
- (vi) Training courses on policy of ADB on ethnic minority people for executing agencies at provincial level and local agencies (PMU and the stakeholders) will be carried out by the LIC;
- (i) At least, one member of communal supervision board, who is the representative of ethnic minority community, will participate in construction supervision missions of the subproject;

113. The subproject does not affect negatively livelihoods of ethnic minority people. Thus, it is not necessary to establish a livelihood restoration program. Affected ethnic minority households will benefit from resettlement activity in accordance with the resettlement policy and ethnic minority programs of the province. Thus, implementation and management costs for activities in the EMDP are included in the resettlement implementation cost budget.

XI. RESETTLEMENT BUDGET AND FINANCING PLAN

114. **Replacement cost.** A rapid replacement cost assessment has been undertaken via consultation with local authorities and local people to determine compensation unit price issued by the PPC and the results indicate that the current prices for houses and structures and crops/trees issued by Nghe An provincial People's Committee for compensation are acceptable. For this REMDP, the selected price for compensation will be calculated in accordance with the issued unit price. The proposed price of land, structures and trees/crops are presented in Table 15-. All these prices are used to estimate the cost of compensation and resettlement. The compensation prices for lands and non-land assets will be updated at time of DMS based on results of replacement cost survey conducted by an independent qualified and experienced evaluator. For this REMDP, the selected price for compensation from provincial promulgated price and market price of land and crops are presented in below tables. All these prices will be used to estimate the cost of compensation and resettlement and shall be updated during REMDP implementation.

Table 15: Replacement cost for land

No.	Items	Unit	Location	Position	Unit price regulated by PPC (VND) ⁸	Proposed replacement cost (VND)
I	Thanh Son commune					
1	Residential land and commercial land	VND/m2	Thanh Son commune	1	190.000	190.000
2	Annual crop land	VND/m2		1	21.000	21.000
3	Perennial crop land	VND/m2		1	17.000	17.000

Table 16: Replacement cost for structures

No.	Items	Unit	Unit price regulated by PPC (VND)	Adjustment coefficient	Unit price multiplied by coefficient (VND)	Proposed replacement cost (VND)
I	Anh Son district					
1	Galvanized iron roof	VND/m2	300,000	1	300,000	300,000
2	Concrete yard	VND/m2	215,000	1	215,000	215,000
3	Grouting brick end post	VND/m2	969,000	1	969,000	969,000
4	Iron gate	VND/m2	800,000	1	800,000	800,000
5	Bamboo/wooden gate	VND/m2	35,000	1	35,000	35,000
6	Brick wall	VND/m2	213,000	1	213,000	213,000
7	Drainage culvert	VND/m2	273,000	1	273,000	273,000
8	Concrete slab (0.6m ² , thickness of 5-7cm)	VND/slab	150,000	1	150,000	150,000
9	Concrete slab (0.6m ² , thickness of 10-15cm)	VND/slab	570,000	1	570,000	570,000

⁸ Decision No.: 13/2016/QD-UBND (coefficient of K-1)

Table 17: Replacement cost for tree/crop

No.	Type of trees	Unit	Unit price regulated by PPC (VND)	Proposed replacement cost (VND)
1	Meliaceae (Φ 26-35cm)	tree	150,000	150,000
2	Meliaceae (Φ 21-25cm)	tree	105,000	105,000
3	Meliaceae (Φ 16-20cm)	tree	90,000	90,000
4	Meliaceae (Φ 6-16cm)	tree	50,000	50,000
5	Acacia, Eucalyptus (Φ 26-35cm)	tree	130,000	130,000
6	Acacia, Eucalyptus (Φ 21-25cm)	tree	90,000	90,000
7	Acacia, Eucalyptus (Φ 16-20cm)	tree	50,000	50,000
8	Acacia, Eucalyptus (Φ 6-15cm)	tree	30,000	30,000
9	Unharvested banana	tree	10,000	10,000
10	Banana being going to be harvested	tree	20,000	20,000
11	Papaya	tree	30,000	30,000
12	Unharvested orange more than two years	tree	200,000	200,000
13	Fig tree, star fruit tree, mango which can be harvested	tree	110,000	110,000
14	Harvested longan, more than five years	tree	250,000	250,000
15	Jackfruit tree, more than five years	tree	250,000	250,000
16	Alstonia scholaris, Terminalia catappa, Flamboyant with foliage from 6m ² to 10m ²	tree	90,000	90,000
17	Sugercane	tree	6,500	6,500
18	Two season rice	m ²	4,500	4,500
19	Local maize, Nghi Loc glutinous corn	m ²	7,000	7,000
20	Hybrid corn	m ²	4,000	4,000
21	New variety of cassava (KM94,95)	m ²	5,000	5,000
22	Sweet potato	m ²	1,500	1,500
23	Bush fence	VND/m ²	35,000	35,000

115. **Budget for resettlement:** The estimated cost in accordance with the unit prices above, including compensation for land and asset on land, allowance, costs for administration and contingency is VND **1,389,414,226**, equivalent to USD **62,166.18** (see Table 18). EM action plan will be implemented in combination with gender action plan and current agriculture extension program of communes, so it is no need arrangement of budget for EM activities.

116. The resettlement budget is funded by Nghe An PPC, using the provincial budget and will be allocated sufficiently and on time based on the subproject resettlement implementation schedule.

Table 18: Cost estimate for compensation

No.	Items	Unit	Quantity	Average unit price (Đ)	Total (Đ)
A	Compensation for land				375,764,000
I	Residential land		1,732	190,000	329,137,000

No.	Items	Unit	Quantity	Average unit price (Đ)	Total (Đ)
1	In Thanh Son commune	VND/m ²	1,732.3	190,000	329,137,000
II	Annual crop land		1,988	21,000	41,748,000
1	In Thanh Son commune	VND/m ²	1,988	21,000	41,748,000
III	Perennial crop land		287	17,000	4,879,000
1	In Thanh Son commune	VND/m ²	287	17,000	4,879,000
B	Compensation for tree, crop				46,178,000
1	In Dinh Son commune	VND/tree	49	40.816	2,000,000
2	In Thanh Son commune	VND/tree			44,178,000
2.1	Trees	VND/tree	771	49.700	38.318.500
2.2	Crops	VND/m ²	1.273	4.603	5.859.500
C	Compensation for structure				255,604,000
1	In Dinh Son commune	VND/m ²	79	176.329	13,930,000
2	In Thanh Son commune	VND/m ²	1092	221.313	241,674,000
D	Allowance				236,129,000
1	In Thanh Son commune				236,129,000
1.1	Assistance for stabilizing living and production	VND/Person	158	450,000	70,875,000
1.2	Assistance for occupational training and job creating				93,254,000
1.2.1	Annual crop land	VND/m ²	1,988	42,000	83,496,000
1.2.2	Perennial crop land	VND/m ²	287	34,000	9,758,000
1.3	Assistance for vulnerable groups	VND/HH	36	2,000,000	72,000,000
1.3.1	HHs under ethnic minority group and the poor group	VND/HH	20	2,000,000	40,000,000
1.3.2	Ethnic minority HH	VND/HH	11	2,000,000	22,000,000
1.3.3	Women headed poor HH	VND/HH	1	2,000,000	2,000,000
1.3.4	HH with disable person	VND/HH	2	2,000,000	4,000,000
1.3.5	Poor HH	VND/HH	2	2,000,000	4,000,000
E	Public				165,459,000
1	In Thanh Son commune	VND/m ²			165,459,000
F	Total direct cost				1,079,134,000
G	Administration cost	%	2		21,582,680
H	Subtotal				1,100,716,680
Y	Contingencies	%	10		110,071,668
K	Total (H+Y)				1,210,788,348
L	VAT (10%)				121,078,835
M	Total (VND)				1,331,867,183
O	Total (USD)				59,591.37

XII. INSTITUTIONAL ARRANGEMENT

A. Provincial level

117. The Nghe An Provincial People's Committee with the role of Executing Agency, is responsible for implementation of resettlement activities within its administrative jurisdiction. The main responsibilities of PPC include:

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

118. The Nghe An Provincial Department of Planning and Investment (DPI) authorized by Nghe An PPC as Project Owner, is responsible To manage the project loan allocated for subprojects in Nghe An province:

- (i) To establish Provincial Project Management Unit;
- (ii) To direct PMU to implement all project activities according to the regulations of government and ADB policies;
- (iii) To ensure budget available for implementation of land acquisition in time;
- (iv) To coordinate with relevant agencies to ensure timely redress of complaints or grievances of APs;
- (v) To supervise the project's implementation.

119. The Nghe An Provincial Project Management Unit, on behalf of the project owner is responsible for comprehensive REMDP implementation and internal monitoring. The main tasks of PMU are.

- (i) To prepare, update, and monitor REMDP implementation of subprojects;
- (ii) To guide CARB to implement all resettlement activities in compliance with the approved REMDP; and handle with any mistakes or shortcomings identified by internal monitoring to ensure that the objectives of the REMDP are met;
- (iii) To coordinate with CARB and CPCs, conduct information campaigns and stakeholder consultation in accordance with established project guidelines;
- (iv) To coordinate with relevant agencies to ensure timely: providing compensation, support and rehabilitation measures, and handle with complaints or grievances of APs;

- (v) To conduct internal resettlement monitoring, establish and maintain resettlement and grievance databases in accordance with procedures and requirements in approved REMDP and providing regular reports to Nghe An PPC, DPI and ADB;
- (vi) To implement prompt corrective actions in response to internal monitoring.

B. District level

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

- (i) To approve the schedule and monitoring the progress of land acquisition and resettlement implementation in compliance with REMDP;
- (ii) To establish a District Compensation, Assistance and Resettlement Board (CARB) or LFDC and direct them and relevant district departments to appraise and implement the detailed compensation, assistance and resettlement;
- (iii) To approve and take responsibility on the legal basis, and accuracy of the detailed compensation, assistance and resettlement plans in the local area; To approve cost estimates on implementation of compensation, assistance and resettlement work;
- (iv) To take responsibility for issuing LURC, certificate on land owning right of HHs and individuals who have land, house entirely recovered; to adjust LURC for HHs and individuals who have land, house partially recovered, in accordance with authorization;
- (v) To direct Communal People's Committees and relevant organizations on implementation of various resettlement activities;
- (vi) To review and confirm the REMDP approved by PPC and ADB;
- (vii) To resolve complaints and grievances of APs

C. District Compensation, Assistance and Resettlement Board (CARB) or the Land Fund development center (LFDC)

121. Members of the CARB include the chairman/deputy chairman of the DPC (to be the head of the CARB), representative of Environmental and Natural Resource Division, Division of Finance, Division of Agriculture and Rural Development, chairman of CPC, affected households, members of farmer union and women union. The main role of the CARB includes:

- (i) To organize, plan and carry out compensation, assistance and resettlement activities;
- (ii) To conduct DMS, consultation and information dissemination activities, design and implement income restoration program, coordinate with various stakeholders;
- (iii) To prepare compensation plan and submit to DPC for approval. Implement compensation, assistance and resettlement alternative; to take responsibility for legal basis applied in compensation, assistance and resettlement policy following approved REMDP;
- (iv) To assist in the identification and allocation of land for relocated HHs;

- (v) To lead and coordinate with the CPC in the timely delivery of compensation payment and other entitlements to AHs; and
- (vi) To assist in the resolution of grievances.

D. District Ethnic Department

122. Ethnic minority committees of PPCs will direct EM department of districts and supervise on implementation of EM action plan. Ethnic minority department of districts in combination with PMUs and other agencies is responsible to carry out:

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

E. Communal level

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

- (iv) To cooperate with District level and with local mass organizations at commune level to mobilize people who will be acquired to implement the compensation, assistance and settlement policy according to approved REMDP;
- (v) To cooperate with CARB to present reason of compensation for people with acquired land area; disseminate and disclosure compensation plan to people;
- (vi) To assign Commune officials to assist the CARB in the updating of the REMDP and implementation of resettlement activities;
- (vii) To identify replacement land for Ahs;
- (viii) To sign the Agreement Compensation Forms along with the AHs;
- (ix) To assist in redressing grievances; and,
- (x) To actively participate in all resettlement activities.

XIII. IMPLEMENTATION SCHEDULE

124. The implementation schedule for resettlement activities for the subproject is presented in Table 19 including (i) activities that have been completed to prepare the REMDP; (ii) resettlement implementation activities and, (iii) internal monitoring activities.

Table 19: Initial Schedule of Resettlement and compensation activities

Activities	Time
Approval and disclosure of final draft REMDP	
Endorse final draft REMDP by PPC and ADB	5/2017
Disclose the endorsed REMDP in ADB website and disclose locally to APs and communes	5/2017

Activities	Time
Implementation of the approved REMDP	
Detailed engineering and demarcation of land to be acquired	Quarter II/2017
Conduct public consultation meeting with APs	Quarter II/2017
Conduct DMS and prepare the draft compensation plans (replacement cost survey if required)	Quarter III/2017
Consult APs on the draft compensation plan	Quarter IV/2017
Update the REMDP based on results of DMS (if required)	Quarter IV/2017
Submit compensation plan to DPC for review and approval	Quarter IV/2017
Disclose approved compensation plan to Aps	Quarter I/2018
Conduct all payments of compensation and allowances	Quarter I/2018
Conduct site clearance	Quarter I/2018
Carry out construction	Quarter II/2018
Monitoring	
Conducting monthly monitoring on the implementation of REMDP	Quarter III/2017
Preparation of semi-annual monitoring report to submit CPMU and ADB	Quarter III/2017

XIV. MONITORING AND EVALUATION

125. 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 due to category B and uncomplicated subproject.

A. Community monitoring

126. 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.

127. 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

128. The objectives of internal monitoring is to assess:

- (i) The compliance with the approved REMDP;
- (ii) The availability of resources and the effective use of these resources to implement land acquisition and resettlement activities;
- (iii) If resettlement agencies are well-functioning during the project implementation process;


- (iv) If resettlement activities are undertaken in accordance with the implementation schedule described in the REMDP;
- (v) To identify problems, if any, and remedial actions.

129. Internal monitoring is the responsibility of PMU, the project executing agency. PMU will be responsible for pre-determining the establishment, implementation and activities of each agency in charge of resettlement in province and district. PMU 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 monthly progress report to PMU. PMU 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 of the reports include gender and ethnic minority issues.

130. PMU will establish an internal monitoring schedule, indicators, sequence and requirement for report of all subprojects that respond to the REMDF 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:

- (i) Compensation, assistance and resettlement amount paid to affected households in accordance with agreement in resettlement policy framework and REMDP;
- (ii) Completion of coordination of land acquisition and compensation, and the time of conducting construction as requirement of resettlement;
- (iii) The consent between sequence and procedure of information dissemination to community in comparison with contents in report; and
- (iv) The consent between procedure of grievance redress and the content of grievance redress in report.
- (v) Affected person and compensation: number of affected people by type of impact; status of compensation and allowance payment, relocation and other assistance;
- (vi) Status of income restoration activity: number of adversely affected or partially affected persons due to (a) losing production land and/or (b) relocation; number of affected persons under vulnerable group; relocation status of affected persons; status of income restoration assistance;
- (vii) 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;
- (viii) Complaint and grievance redress: summary of recored 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;
- (ix) Financial management: the amount of fund allocated for compensation and other activities; the amount compensated for each affected household;
- (x) Resettlement progress: completion of activities in accordance with the schedule plan; the delay and reason for the delay; adjustment of resettlement schedule;
- (xi) 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;
- (xii) Implementation issues: arising issues, reason and solution for the arising issues

ANNEX I: COMMUNITY CONSULTATION MINUTES AND LIST OF PARTICIPANTS


CỘNG HÒA XÃ HỘI CHỦ NGHĨA VIỆT NAM
 Độc lập – Tự do – Hạnh phúc

Nghiệm..... ngày 26 tháng 04 năm 2017

BIÊN BẢN THAM VẤN CỘNG ĐỒNG
 Về Chính sách an toàn Tái định cư và Dân tộc thiểu số
 DỰ ÁN HẠ TẦNG CƠ BẢN CHO PHÁT TRIỂN TOÀN DIỆN 4 TỈNH BẮC TRUNG BỘ

I. Thời gian, địa điểm và tiêu dự án được tham vấn:

- Thời gian tham vấn: 8h 30 phút Ngày 26 tháng 4 năm 2017
- Địa điểm tham vấn: Hội Trường UBND xã Thành Sơn
- Tên Tiêu dự án: Nâng cấp, cải tạo đường huyện 399 Đình Sơn - Thành Sơn

II. Thành phần tham dự:

- Đại diện chủ đầu tư:
 - Ông/Bà Lưu Thanh Phương (hiệu), Chức vụ Chuyên Viên BALPA
 - Ông/Bà..... Chức vụ.....
- Đại diện UBND xã:
 - Ông/Bà Lô Anh Hằng..... Chức vụ CT UBND xã Thành Sơn
 - Ông/Bà Trần Văn Dũng..... Chức vụ PCT UBND xã
 - Ông/Bà Võ Thị Nhung..... Chức vụ CT Hội Phụ Nữ
 - Ông/Bà Lương Thị Hân..... Chức vụ CT Hội LHPN
 - Ông/Bà Hồ Văn Tĩnh..... Chức vụ CT Hội Nông Dân
 - Ông/Bà Nguyễn Thị Hoa..... Chức vụ ĐP chính
 - Ông/Bà Nguyễn Hữu Sơn (Hội Sơn)..... Chức vụ Trưởng thôn 4
- Đại diện nhóm Tư vấn:
 - Ông/Bà Nguyễn Phúc Tâm..... Chức vụ Chuyên gia Tái định cư
 - Ông/Bà..... Chức vụ.....
- Đại diện những hộ bị ảnh hưởng bởi TDA:
 - Tổng số người tham dự họp..... 39..... người
 - Trong đó: Nam..... 24..... Nữ..... 15..... Dân tộc thiểu số..... 20.....

(Danh sách đại biểu tham dự đính kèm)

III. Nội dung tham vấn

III.1 Các nội dung phổ biến thông tin:

- Giới thiệu chung về dự án, cung cấp các thông tin về dự án như mục tiêu, địa điểm, quy mô, các thông số kỹ thuật cơ bản của các hạng mục được đầu tư, chủ đầu tư và nhà tài trợ nguồn vốn;
- Phổ biến thông tin về phạm vi, mức độ, loại hình ảnh hưởng đến tài sản của người dân bởi tiểu dự án
- Phổ biến Khung chính sách Tái định cư và phát triển DTTS và các quyền lợi được hưởng;
- Phổ biến quy trình khiếu nại và giải quyết khiếu nại về bồi thường Tái định cư cho các hộ bị ảnh hưởng...;

III.2. Các nội dung tham vấn cộng đồng:

- Tham vấn về phạm vi ảnh hưởng và các tác động thu hồi đất, các tài sản bị ảnh hưởng của việc thực hiện dự án;
- Tham vấn về Chính sách bồi thường và quyền lợi của người bị ảnh hưởng;
- Tham vấn về nhu cầu hỗ trợ và khả năng tiến hành các biện pháp phục hồi cuộc sống; Đặc biệt chú trọng các hộ ảnh hưởng nặng, hộ phải di dời Tái định cư;
- Tham vấn các vấn đề về tái định cư, các tác động dự kiến, quyền lợi của người bị ảnh hưởng;
- Tham vấn về các tác động tích cực, các biện pháp giảm thiểu tối đa các tác động tiêu cực, đến người/cộng đồng bị ảnh hưởng;
- Thu thập các ý kiến khác liên quan đến công tác bồi thường Tái định cư và Phát triển dân tộc thiểu số...

VI. Ý kiến thảo luận

VI.1. Các vấn đề về bồi thường, tái định cư

Ông Lê Anh Hồng: Chủ tịch UBND xã Thanh Sơn, giới thiệu đại biểu, thành phần tham gia và nội dung cuộc họp.

Ông Nguyễn Phúc Tára: Chuyên gia Tái định cư phổ biến

+ Các thông tin liên quan đến dự án Hạ tầng cơ bản cho phát triển toàn diện ở tỉnh Bắc Trung Bộ

+ Kết quả nhiệm vụ sơ bộ mua đất ảnh hưởng của Dự án.

+ Khung chính sách của dự án.

+ Tham vấn các văn kiện phổ biến và các văn kiện liên quan đến dân tộc thiểu số và giới.

- Chính quyền cho phương và các hệ dân trong các hợp tác xã đồng thời với thu hút dự án mong chờ an sinh được thực hiện.

- Các hệ dân cũng nhất trí không nhất hình thức mà thường bằng tiền mặt cho đất và tư sản kết đất bị ảnh hưởng.

- Các chính sách hỗ trợ cũng như người dân mong muốn hỗ trợ bằng tiền mặt.

- Ông Nguyễn Hữu Thọ, Thứ 4, Ủy viên Trung ương, người liên hệ tác giả xuống cấp, làm trung gian hướng dẫn giao hàng ở lại, thông thường các biệt là ảnh hưởng đến việc chi trả của các cháu. Dự án đầu tư đường là rất tốt cho dân chúng tại hết sức cũng hi.

Ủy viên ngay phía bên kia thường hỗ trợ cho đất và tài sản trên đất BATH chúng ta cũng mong rằng sẽ có thêm các chính sách hỗ trợ cho tài sản tại địa phương.

Việc quản lý đất đai bảo vệ chất lượng cho công dân cũng được đặt lên hàng đầu mong rằng có các đơn vị quản lý đất đai thực hiện tại việc này.

- Lưu Văn Phú, Thứ 2: Các chính sách của địa phương chúng ta tại đồng thời ủng hộ thế nhưng việc thu hút công tác hỗ trợ hàng loạt là trách nhiệm của tỉnh mà trực tiếp là Ban hỗ trợ hàng giải phóng mặt bằng huyện thực hiện. Vậy thì mong rằng để chính sách đến người dân tỉnh còn có văn bản chỉ đạo thật cụ thể, giúp người dân có căn cứ, thực hiện nhiều mặt hàng và để liên quan đến bất thục.

Sai lầm cơ sở đặc biệt là dân hai quốc
lệ cho người dân.

III.2. Các vấn đề Dân tộc thiểu số và giới

Trên địa bàn xã Thanh Sơn có 8 thôn trong
đó có chủ yếu nhất là 3 là có người dân
thiểu số sinh sống (Thái) và kinh tế chủ yếu cũng
là theo cơ chế tự nhiên nhất, và cũng là
theo cơ chế thị trường nhất xã
+ Ông Mạc Văn Quý, Ban An, 3 sinh sống chủ
yếu địa phương đang nhận tiền đẻ sống còn nhiều khi
khó, dân trí còn thấp, người dân chủ yếu là
biên giới nhưng chủ yếu là cũng trong vùng
sống đi ăn cũng sẽ có thêm những việc khác nữa
họ tự cái họ gia đình nghề, họ gia đình sản
hệ thiểu số hay cũng đồng dân tộc thiểu số trên
địa bàn xã

Đi với vấn đề và giới: Bà Ludwig Thị Hiền: Chủ tịch
Hội Liên hiệp phụ nữ: Bà Phương cũng là chủ tịch hội
truyền, giới chủ, vấn đề xã cũng cấp cho phụ nữ
nơi đây bà con nói chung cái tiền thuê liên quan
đến việc thuê đất, bán lúa gạo, sức khỏe
sinh sản. Hầu hết chỉ em dân như thuê đất các
nơi dùng truyền truyền, phổ biến cho nên để hạn chế
được cái hạn vì bà họ gia đình, năng cao

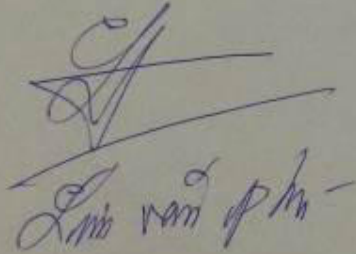
Đơn từ và thi' cao' quyết' phá' mẽ' hàng' giá' đôn'

III. Kết luận

- Chất lượng của phương và các dự án tham gia của hợp tác xã nhất là thời kỳ dự án xã mang lại an sinh kinh tế.
- Người dân cũng đang được hưởng lợi từ các chương trình đầu tư xây dựng.
- Để tăng khả năng tiếp cận các dự án cần nhiều chi phí trong các khâu đầu tư.

Cuộc họp các bên thống nhất và kết thúc vào lúc 10h 55' ngày 26 tháng 04 năm 2017

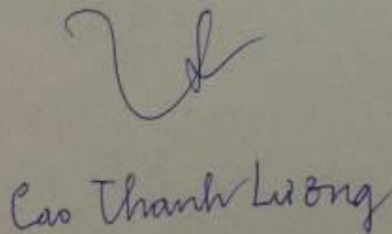
Đại diện cộng đồng


Lâm Văn Phú

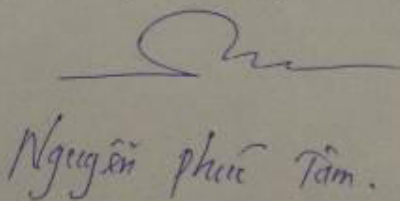
Đại diện chính quyền địa phương



LÔ ANH HỒNG

BQL Tiêu dự án


Cao Thanh Lương

Đại diện Tư vấn


Nguyễn Phúc Tâm

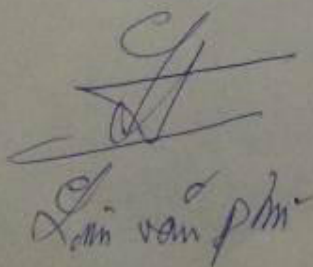

DANH SÁCH ĐẠI BIỂU THAM DỰ CUỘC HỌP THAM VẤN CỘNG ĐỒNG
DỰ ÁN HẠ TẦNG CƠ BẢN CHO PHÁT TRIỂN TOÀN DIỆN CÁC TỈNH BẮC TRUNG BỘ

Xã: Thành Sơn Huyện: Anh Sơn Tỉnh: Nghệ An
 Tên tiểu dự án: Nông Cống, Cải tạo đường huyện 349, Đình Sơn, Thành Sơn

STT	Họ và tên	Giới tính	Dân tộc	Địa chỉ	Ký tên	Ghi chú
1	Lê Văn Ngọc	Nam	Thái	Thôn 1 - Thôn 16	NGOC	
2	Phan Văn Quý	V	Thái	Thôn 3 Thôn 16	QUY	
3	Vũ Ngọc Thống	V	Thái	" "	THONG	
4	Nguyễn Văn Sơn	V	"	"	SON	
5	Đỗ Thị Ngọc	Nữ	"	"	NGOC	
6	Vũ Thị Xuân	Nữ	"	"	XUAN	
7	Nguyễn Thị Thu	V	"	"	THU	
8	Nguyễn Thị Thanh	V	"	"	THANH	
9	Nguyễn Thị Ngọc	V	"	"	NGOC	
10	Nguyễn Thị Liên	V	"	CT - Thị trấn	LIEN	
11	Hà Văn Tiến	Nam	"	Thôn 1 Thôn 16	TIEAN	
12	Nguyễn Văn Nam	V	Khơ	Thôn 4 Thôn 16	NAM	
13	Nguyễn Văn Thọ	V	Khơ	Thôn 4 Thôn 16	THO	
14	Vũ Thị Công	V	Thái	Thôn 4 Thôn 16	CONG	
15	Nguyễn Thị Bình	V	Khơ	"	BINH	
16	Nguyễn Thị Huệ	Nữ	Khơ	"	HUE	
17	Nguyễn Văn Phú	Nam	Khơ	Thôn 2 Thôn 16	PHU	
18	Nguyễn Văn Bình	Nam	Khơ	Thôn 4 Thôn 16	BINH	
19	Nguyễn Văn Dũng	Nam	Khơ	Thôn 4 Thôn 16	DUNG	
20	Nguyễn Văn Sơn	V	Khơ	"	SON	
21	Đỗ Thị Hoa	Nữ	Khơ	Thôn 4 Thôn 16	HOA	
22	Lê Văn Ngọc	Nam	"	Thôn 7 Thôn 16	NGOC	
23	Nguyễn Văn Sơn	V	"	Thôn 9 Thôn 16	SON	
24	Vũ Thị Tuyết	V	Thái	Thôn 9 Thôn 16	TUOY	
25	Vũ Thị Nhung	Nữ	Khơ	CTMTB	NHUNG	
26	Lê Văn Tiến	Nam	Thái	CT Thị trấn	TIEAN	
27	Lê Hải Hùng	V	Thái	CT UBND xã	HUNG	
28	Trần Văn Dũng	V	Khơ	ĐC UBND xã	DUNG	
29	Nguyễn Văn Sơn	V	Thái	Thôn 3 Thôn 16	SON	
30	Nguyễn Văn Sơn	V	Khơ	"	SON	nhà ghép mới

STT	Họ và tên	Giới tính	Dân tộc	Địa chỉ	Ký tên	Ghi chú
31	Hồ Mạnh Hiệp	Nam	Hoa	thôn 3	Hiệp	
32	Lương Thị Hằng	Nữ	"	"	Hằng	
33	Mac Văn Tuấn	Nam	"	"	Đ	
34	Mac Thị Hải	Nữ	"	"	Hải	
35	Lương Văn Xoa	Nam	"	"	Xoa	
36	Trần Thị Loan	Nữ	Hoa	thôn 5	Loan	
37	Nguyễn Thị Huệ	"	"	"	Huệ	
38	Nguyễn Thị Vân	"	"	thôn 7	Vân	
39	Nguyễn Ngọc Bình	Nam	"	thôn 5	Bình	
/						

Đại diện cộng đồng


Trần Văn Phẩm

Đại diện chính quyền địa phương



TRẦN VĂN DƯƠNG



CỘNG HÒA XÃ HỘI CHỦ NGHĨA VIỆT NAM

Độc lập – Tự do – Hạnh phúc

Nghị An, ngày 26 tháng 09 năm 2017

BIÊN BẢN THAM VẤN CỘNG ĐỒNG

Về Chính sách an toàn Tái định cư và Dân tộc thiểu số
 DỰ ÁN HẠ TẦNG CƠ BẢN CHO PHÁT TRIỂN TOÀN DIỆN 4 TỈNH BẮC TRUNG BỘ

I. Thời gian, địa điểm và tiểu dự án được tham vấn:

1. Thời gian tham vấn: 19h 00' Ngày 26 tháng 09 năm 2017
2. Địa điểm tham vấn: Hội Trường UBND Xã Đình Sơn
3. Tên Tiểu dự án: Nông cấp, Cơ tạo chiêng huyện 399 Đình Sơn - Thành Sơn

II. Thành phần tham dự:**1. Đại diện chủ đầu tư:**

- Ông/Bà Cao Thanh Lương Chức vụ Đại diện BALDA
- Ông/Bà Chức vụ

2. Đại diện UBND xã:

- Ông/Bà Nguyễn Văn Hùng Chức vụ CT UBND xã Đình Sơn
- Ông/Bà Nguyễn Thị Thành Chức vụ CT Hội phụ nữ xã
- Ông/Bà Nguyễn Đình Quế Chức vụ CT Mặt trận tổ quốc xã
- Ông/Bà Nguyễn Đình Chiến Chức vụ Địa chính xã
- Ông/Bà Nguyễn Xuân Hà Chức vụ thôn Trướng xóm 8
- Ông/Bà Chức vụ
- Ông/Bà Chức vụ

3. Đại diện nhóm Tư vấn:

- Ông/Bà Nguyễn Phước Tâm Chức vụ Tái định cư
- Ông/Bà Chức vụ

4. Đại diện những hộ bị ảnh hưởng bởi TDA:

- Tổng số người tham dự họp: 49 người
- Trong đó: Nam 3 Nữ 1 Dân tộc thiểu số 0

(Danh sách đại biểu tham dự đính kèm)

III. Nội dung tham vấn

III.1 Các nội dung phổ biến thông tin:

- Giới thiệu chung về dự án, cung cấp các thông tin về dự án như mục tiêu, địa điểm, quy mô, các thông số kỹ thuật cơ bản của các hạng mục được đầu tư, chủ đầu tư và nhà tài trợ nguồn vốn;
- Phổ biến thông tin về phạm vi, mức độ, loại hình ảnh hưởng đến tài sản của người dân bởi tiểu dự án
- Phổ biến Khung chính sách Tái định cư và phát triển DTTS và các quyền lợi được hưởng;
- Phổ biến quy trình khiếu nại và giải quyết khiếu nại về bồi thường Tái định cư cho các hộ bị ảnh hưởng....;

III.2. Các nội dung tham vấn cộng đồng:

- Tham vấn về phạm vi ảnh hưởng và các tác động thu hồi đất, các tài sản bị ảnh hưởng của việc thực hiện dự án;
- Tham vấn về Chính sách bồi thường và quyền lợi của người bị ảnh hưởng;
- Tham vấn về nhu cầu hỗ trợ và khả năng tiến hành các biện pháp phục hồi cuộc sống; Đặc biệt chú trọng các hộ ảnh hưởng nặng, hộ phải di dời Tái định cư;
- Tham vấn các vấn đề về tái định cư, các tác động dự kiến, quyền lợi của người bị ảnh hưởng,
- Tham vấn về các tác động tích cực, các biện pháp giảm thiểu tối đa các tác động tiêu cực, đến người/cộng đồng bị ảnh hưởng;
- Thu thập các ý kiến khác liên quan đến công tác bồi thường Tái định cư và Phát triển dân tộc thiểu số...

VI. Ý kiến thảo luận

IV.1. Các vấn đề về bồi thường, tái định cư

Ông Nguyễn Văn Hữu: Chủ tịch UBND xã Đình Sơn
 giới thiệu chi tiêu, khoản phân ra nội dung
 của hợp

Ông Nguyễn Phúc Tâm: Chuyên gia tư vấn Tái
 định cư phổ biến các nội dung:

+ Thông tin chi án họ hàng ở bản cho phát
 triển toàn diện 4 tỉnh Bắc Trung Bộ

+ Thông tin về Khung chính sách của dự án.

+ Thông tin về kết quả kiểm tra sơ bộ

+ Tham vấn ý kiến của các hộ dân, chính quyền
 địa phương về các nội dung phổ biến, các vấn

đi và tái định cư, nhưng chính sách của dự
 án, các vấn đề về dân tộc thiểu số và giới:

- Chính quyền địa phương và các hệ dân cư miền
 bị ảnh hưởng đến ứng xử và thực hiện các
 dự án và mong các dự án sớm thể hiện

- Các hệ dân cư xã Đôn Sơn dự kiến sẽ không
 BAH vì đất đai không đủ để xây dựng và các
 các địa phương sẽ BAH. Các hệ mang mức độ cao
 bị thương khi dự án thực hiện

- Các hệ gia đình cũng mong muốn được bồi thường
 bằng tiền mặt để về lại xã BAH.

- Chính quyền địa phương mong rằng khi tiến hành
 thực hiện dự án, các nhà thầu dân sự cũng cần
 phải báo trước cho chính quyền địa phương cũng
 như thể hiện các cam kết trong quá trình thực
 hiện để tránh gây ảnh hưởng đến người dân.

- Các hệ dân cư địa phương xã Đôn Sơn cũng mong
 muốn giải quyết thi công và thực hiện bồi thường phải
 công khai, minh bạch, đúng thời hạn. Người dân
 cũng tham gia vào giám sát việc thực hiện cũng
 như tham gia vào đội ngũ lao động

III.2. Các vấn đề Dân tộc thiểu số và giới

Không có hộ nào là người dân tộc thiểu số bị ảnh hưởng bởi Dự án. Toàn bộ dân xã chỉ có 17 hộ gia đình là người dân tộc thiểu số, có bốn các hộ đều có kinh tế khá, không có những nhà nghèo như một số xã cùng tỉnh.

Là xã nông thôn quá lạc hậu, đời sống khổ cực. Các bà con được có điều kiện phát triển, phụ nữ và cộng đồng người dân sống tại địa bàn xã đều nhận thấy tốt các vấn đề xã hội, công tác. Vai trò của người phụ nữ ngày được nâng cao. Các n. báo lưu giữ ảnh ngày một giảm. Một sáng vẫn như ngày mới. Các các phong trào thi đua thi đua, phong trào các hội liên hiệp phụ nữ xã diễn ra thường xuyên. Hình thức hoạt động vẫn là từ ngày xưa các tổ hội liên hiệp phụ nữ xã.

Bà Nguyễn Thị Thuận: Chủ tịch hội liên hiệp phụ nữ xã Đỉnh Sơn: Các buổi sinh hoạt, tuyên truyền giải đáp thắc mắc địa phương các em tham gia rất đông chỉ vì nhà ở kinh, chính vì là đi mà các nhà.

hiện thời chỉ cần tiếp thu dạy dỗ, nhận thưởng của chị em
ngày càng cao.

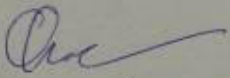
III. Kết luận

- Chính quyền địa phương và các hộ gia đình điều
điều hòa việc thực hiện Di dân vùng Dự án Môn
Thôn Hiến
- Các hộ gia đình dân đồng thuận và hăng hái bồi
thường như không chút tiếc dè ra và mang được
lời thường bằng tiền mặt
- Không có lý do gì khiến xã nào bắt buộc Dự án
vào địa bàn đang giữ được chị em phụ nữ xã nào
đồng và các hộ gia đình đều nhận thấy tốt

Cuộc họp các bên thống nhất và kết thúc vào lúc 16^h 25^{ph} ngày 26 tháng 09 năm 2017

Đại diện cộng đồng

Đại diện chính quyền địa phương

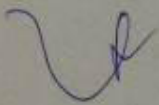

ĐẶNG VĂN CHINH

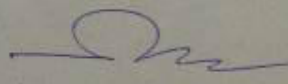


Nguyễn Văn Hiếu

BQL Tiểu dự án

Đại diện Tư vấn


Cao Thanh Lương


Nguyễn Phúc Tấn

DANH SÁCH ĐẠI BIỂU THAM DỰ CUỘC HỌP THAM VẤN CỘNG ĐỒNG
DỰ ÁN HẠ TẦNG CƠ BẢN CHO PHÁT TRIỂN TOÀN DIỆN CÁC TỈNH BẮC TRUNG BỘ

Xã: Đình Sơn Huyện: Anh Sơn Tỉnh: Nghệ An
 Tên tiểu dự án: Nâng cấp, cải tạo đường huyện 249 Đình Sơn - Thanh Sơn.

STT	Họ và tên	Giới tính	Dân tộc	Địa chỉ	Ký tên	Ghi chú
1	Đặng Văn Chí	Nam	Hinh	Xóm 8	<i>Cuu</i>	
2	Nguyễn Văn Đức	✓	✓	✓	<i>Đức</i>	
3	Nguyễn Văn Thuận	✓	✓	✓	<i>Thuận</i>	
4	Đặng Văn Ngụ	✓	✓	✓	<i>Ngụ</i>	
5	Nguyễn Văn Hiếu	✓	✓	Chỉ tịch UBND		
6	Nguyễn Thị Thuận	Nữ	✓	Chỉ tịch Hội PV	<i>Thuận</i>	
7	Nguyễn Văn Quý	Nam	✓	Chỉ tịch MTQT	<i>Quý</i>	
8	Nguyễn Đình Chinh	✓	✓	Đa chức xã	<i>Chinh</i>	
9	Nguyễn Xuân Hòa	✓	✓	Xóm trưởng xóm 8	<i>Hòa</i>	

Đại diện cộng đồng

Đại diện chính quyền địa phương

Cuu
ĐẶNG VĂN CHÍ



Hiếu
Nguyễn Văn Hiếu

ANNEX II: LIST OF SUBPROJECT AFFECTED HOUSEHOLDS

Code	Full name	Gender	Ethnicity	Village	Commune	Vulnerable groups
TS001	Dinh Van Dinh	Male	Thai	3	Thanh Son	Poor HH
TS002	Ha Manh Tuan	Male	Thai	3	Thanh Son	Poor HH
TS003	Ha Mong Diep	Male	Thai	3	Thanh Son	Poor HH
TS004	Ha Van Nam	Male	Thai	3	Thanh Son	Poor HH
TS005	Ha Van Thuy	Male	Thai	3	Thanh Son	Poor HH
TS006	Ha Van Tien	Male	Thai	3	Thanh Son	Poor HH
TS007	Ha Van Tinh	Male	Thai	3	Thanh Son	
TS008	Ha Van Tung	Male	Thai	3	Thanh Son	Poor HH
TS009	Le Thi Thien	Female	Thai	3	Thanh Son	Poor HH
TS010	Le Van Thu	Male	Thai	3	Thanh Son	Poor HH
TS011	Luong Thanh Hoa	Male	Thai	3	Thanh Son	Poor HH
TS012	Luong Thi Dien	Male	Thai	3	Thanh Son	Poor HH
TS013	Luong Van Chien	Male	Thai	3	Thanh Son	Poor HH
TS014	Luong Van Chinh	Male	Thai	3	Thanh Son	
TS015	Luong Van Dung	Male	Thai	3	Thanh Son	Poor HH
TS016	Luong Van Hoc	Male	Thai	3	Thanh Son	
TS017	Luong Van Huynh	Male	Thai	3	Thanh Son	
TS018	Luong Van Khoa	Male	Thai	3	Thanh Son	
TS019	Luong Van Linh	Male	Thai	3	Thanh Son	
TS020	Luong Van Long	Male	Thai	3	Thanh Son	Poor HH
TS021	Luong Van Nghi	Male	Thai	3	Thanh Son	
TS022	Luong Van Quyen	Male	Thai	3	Thanh Son	
TS023	Luong Van Xao	Male	Thai	3	Thanh Son	
TS024	Luu Van Tan	Male	Thai	3	Thanh Son	Poor HH
TS025	Mac Dang Khoa	Male	Thai	3	Thanh Son	Poor HH
TS026	Mac Van Lieu	Male	Thai	3	Thanh Son	
TS027	Mac Van Que	Male	Thai	3	Thanh Son	Poor HH
TS028	Ngan Thi Thu	Female	Thai	3	Thanh Son	
TS029	Vi Ngoc Thang	Male	Thai	3	Thanh Son	Poor HH
TS030	Vi Van Mau	Male	Thai	3	Thanh Son	Poor HH
TS031	Dinh Van Dinh	Male	Thai	3	Thanh Son	Poor HH
TS032	Dao Quang Minh	Male	Kinh	4	Thanh Son	HH with disable person
TS033	Dao Thi Mui	Female	Kinh	4	Thanh Son	
TS034	Dao Van Tien	Male	Kinh	4	Thanh Son	
TS035	Ho Ngoc An	Male	Kinh	4	Thanh Son	
TS036	Ho Thi Nhan	Female	Kinh	4	Thanh Son	
TS037	Nguyen Huan Phu	Male	Kinh	4	Thanh Son	
TS038	Nguyen Huu Cuu	Male	Kinh	4	Thanh Son	
TS039	Nguyen Huu Hung	Male	Kinh	4	Thanh Son	
TS040	Nguyen Huu Nam	Male	Kinh	4	Thanh Son	HH with disable person

Code	Full name	Gender	Ethnicity	Village	Commune	Vulnerable groups
TS041	Nguyen Huu Tinh	Male	Kinh	4	Thanh Son	
TS042	Nguyen Huu Trinh	Male	Kinh	4	Thanh Son	
TS043	Nguyen Huu Tuan	Male	Kinh	4	Thanh Son	
TS044	Nguyen Ngo Dong	Male	Kinh	4	Thanh Son	
TS045	Nguyen Thi Dien	Female	Kinh	4	Thanh Son	Poor HH
TS046	Nguyen Thi Hoan	Female	Kinh	4	Thanh Son	Poor HH
TS047	Nguyen Thi Huong	Female	Kinh	4	Thanh Son	Woman headed HH – Poor HH
TS048	Nguyen Thi Ngoc	Female	Kinh	4	Thanh Son	
TS049	Nguyen Tu Minh	Male	Kinh	4	Thanh Son	
TS050	Nguyen Van Dai	Male	Kinh	4	Thanh Son	
TS051	Dang Van Dung	Male	Kinh	5	Thanh Son	
TS052	Ha Van Phu	Male	Kinh	5	Thanh Son	
TS053	Le Thi Thanh	Female	Kinh	5	Thanh Son	
TS054	Le Van Quy	Male	Kinh	5	Thanh Son	
TS055	Ngo Xuan Tam	Male	Kinh	5	Thanh Son	
TS056	Ngo Xuan Thuan	Male	Kinh	5	Thanh Son	
TS057	Nguyen Dinh Minh	Male	Kinh	5	Thanh Son	
TS058	Nguyen Thanh Dong	Male	Kinh	5	Thanh Son	
TS059	Nguyen Thi Hue	Female	Kinh	5	Thanh Son	
TS060	Nguyen Thi Xoan	Female	Kinh	5	Thanh Son	
TS061	Nguyen Van Loan	Male	Kinh	5	Thanh Son	
TS062	Nguyen Van Loi	Male	Kinh	5	Thanh Son	
TS063	Nguyen Van Son	Male	Kinh	5	Thanh Son	
TS064	Nguyen Viet Vy	Male	Kinh	5	Thanh Son	
TS065	Tran Dinh Hao	Male	Kinh	5	Thanh Son	
TS066	Tran Ngu Hanh	Male	Kinh	5	Thanh Son	
TS067	Tran Thi Loan	Female	Kinh	5	Thanh Son	
TS068	Vo Trong Hieu	Male	Kinh	5	Thanh Son	
TS069	Dang Van Mao	Male	Kinh	7	Thanh Son	
TS070	Do Duc Hai	Male	Kinh	7	Thanh Son	
TS071	Le Hong Hai	Male	Kinh	7	Thanh Son	
TS072	Le Huong Giang	Male	Kinh	7	Thanh Son	
TS073	Nguyen Duong Phi	Male	Kinh	7	Thanh Son	
TS074	Nguyen Thi Lam	Female	Kinh	7	Thanh Son	
TS075	Tran Cong Diep	Male	Kinh	7	Thanh Son	
TS076	Tran Thi Thang	Male	Kinh	7	Thanh Son	
TS077	Tran Van Cuong	Male	Kinh	7	Thanh Son	
TS078	Tran Van Nam	Male	Kinh	7	Thanh Son	
TS079	Tran Van Phuong	Male	Kinh	7	Thanh Son	
TS080	Vo Van Nhat	Male	Kinh	7	Thanh Son	
DS081	Nguyen Van Dao	Male	Kinh	8	Dinh Son	

Code	Full name	Gender	Ethnicity	Village	Commune	Vulnerable groups
DS082	Nguyen Van Thuan	Male	Kinh	8	Dinh Son	
DS083	Dang Van Chin	Male	Kinh	8	Dinh Son	
DS084	Dang Van Ngu	Male	Kinh	8	Dinh Son	
DS085	Dang Van Nien	Male	Kinh	8	Dinh Son	
TS001	Dinh Van Dinh	Male	Thai	3	Thanh Son	Poor HH
TS002	Ha Manh Tuan	Male	Thai	3	Thanh Son	Poor HH
TS003	Ha Mong Diep	Male	Thai	3	Thanh Son	Poor HH
TS004	Ha Van Nam	Male	Thai	3	Thanh Son	Poor HH
TS005	Ha Van Thuy	Male	Thai	3	Thanh Son	Poor HH
TS006	Ha Van Tien	Male	Thai	3	Thanh Son	Poor HH
TS007	Ha Van Tinh	Male	Thai	3	Thanh Son	
TS008	Ha Van Tung	Male	Thai	3	Thanh Son	Poor HH
TS009	Le Thi Thien	Female	Thai	3	Thanh Son	Poor HH
TS010	Le Van Thu	Male	Thai	3	Thanh Son	Poor HH
TS011	Luong Thanh Hoa	Male	Thai	3	Thanh Son	Poor HH
TS012	Luong Thi Dien	Male	Thai	3	Thanh Son	Poor HH
TS013	Luong Van Chien	Male	Thai	3	Thanh Son	Poor HH
TS014	Luong Van Chinh	Male	Thai	3	Thanh Son	
TS015	Luong Van Dung	Male	Thai	3	Thanh Son	Poor HH
TS016	Luong Van Hoc	Male	Thai	3	Thanh Son	
TS017	Luong Van Huynh	Male	Thai	3	Thanh Son	
TS018	Luong Van Khoa	Male	Thai	3	Thanh Son	
TS019	Luong Van Linh	Male	Thai	3	Thanh Son	
TS020	Luong Van Long	Male	Thai	3	Thanh Son	Poor HH
TS021	Luong Van Nghi	Male	Thai	3	Thanh Son	
TS022	Luong Van Quyen	Male	Thai	3	Thanh Son	
TS023	Luong Van Xao	Male	Thai	3	Thanh Son	
TS024	Luu Van Tan	Male	Thai	3	Thanh Son	Poor HH
TS025	Mac Dang Khoa	Male	Thai	3	Thanh Son	Poor HH
TS026	Mac Van Lieu	Male	Thai	3	Thanh Son	
TS027	Mac Van Que	Male	Thai	3	Thanh Son	Poor HH
TS028	Ngan Thi Thu	Female	Thai	3	Thanh Son	
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TS030	Vi Van Mau	Male	Thai	3	Thanh Son	Poor HH
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TS032	Dao Quang Minh	Male	Kinh	4	Thanh Son	HH with disable person
TS033	Dao Thi Mui	Female	Kinh	4	Thanh Son	
TS034	Dao Van Tien	Male	Kinh	4	Thanh Son	
TS035	Ho Ngoc An	Male	Kinh	4	Thanh Son	
TS036	Ho Thi Nhan	Female	Kinh	4	Thanh Son	
TS037	Nguyen Huan Phu	Male	Kinh	4	Thanh Son	
TS038	Nguyen Huu Cuu	Male	Kinh	4	Thanh Son	

Code	Full name	Gender	Ethnicity	Village	Commune	Vulnerable groups
TS039	Nguyen Huu Hung	Male	Kinh	4	Thanh Son	
TS040	Nguyen Huu Nam	Male	Kinh	4	Thanh Son	HH with disable person
TS041	Nguyen Huu Tinh	Male	Kinh	4	Thanh Son	
TS042	Nguyen Huu Trinh	Male	Kinh	4	Thanh Son	
TS043	Nguyen Huu Tuan	Male	Kinh	4	Thanh Son	
TS044	Nguyen Ngo Dong	Male	Kinh	4	Thanh Son	
TS045	Nguyen Thi Dien	Female	Kinh	4	Thanh Son	Poor HH
TS046	Nguyen Thi Hoan	Female	Kinh	4	Thanh Son	Poor HH
TS047	Nguyen Thi Huong	Female	Kinh	4	Thanh Son	Woman headed HH – Poor HH
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TS049	Nguyen Tu Minh	Male	Kinh	4	Thanh Son	
TS050	Nguyen Van Dai	Male	Kinh	4	Thanh Son	
TS051	Dang Van Dung	Male	Kinh	5	Thanh Son	
TS052	Ha Van Phu	Male	Kinh	5	Thanh Son	
TS053	Le Thi Thanh	Female	Kinh	5	Thanh Son	
TS054	Le Van Quy	Male	Kinh	5	Thanh Son	
TS055	Ngo Xuan Tam	Male	Kinh	5	Thanh Son	
TS056	Ngo Xuan Thuan	Male	Kinh	5	Thanh Son	
TS057	Nguyen Dinh Minh	Male	Kinh	5	Thanh Son	
TS058	Nguyen Thanh Dong	Male	Kinh	5	Thanh Son	
TS059	Nguyen Thi Hue	Female	Kinh	5	Thanh Son	
TS060	Nguyen Thi Xoan	Female	Kinh	5	Thanh Son	
TS061	Nguyen Van Loan	Male	Kinh	5	Thanh Son	
TS062	Nguyen Van Loi	Male	Kinh	5	Thanh Son	
TS063	Nguyen Van Son	Male	Kinh	5	Thanh Son	
TS064	Nguyen Viet Vy	Male	Kinh	5	Thanh Son	
TS065	Tran Dinh Hao	Male	Kinh	5	Thanh Son	
TS066	Tran Ngu Hanh	Male	Kinh	5	Thanh Son	
TS067	Tran Thi Loan	Female	Kinh	5	Thanh Son	
TS068	Vo Trong Hieu	Male	Kinh	5	Thanh Son	
TS069	Dang Van Mao	Male	Kinh	7	Thanh Son	
TS070	Do Duc Hai	Male	Kinh	7	Thanh Son	
TS071	Le Hong Hai	Male	Kinh	7	Thanh Son	
TS072	Le Huong Giang	Male	Kinh	7	Thanh Son	
TS073	Nguyen Duong Phi	Male	Kinh	7	Thanh Son	
TS074	Nguyen Thi Lam	Female	Kinh	7	Thanh Son	
TS075	Tran Cong Diep	Male	Kinh	7	Thanh Son	
TS076	Tran Thi Thang	Male	Kinh	7	Thanh Son	
TS077	Tran Van Cuong	Male	Kinh	7	Thanh Son	
TS078	Tran Van Nam	Male	Kinh	7	Thanh Son	

Code	Full name	Gender	Ethnicity	Village	Commune	Vulnerable groups
TS079	Tran Van Phuong	Male	Kinh	7	Thanh Son	
TS080	Vo Van Nhat	Male	Kinh	7	Thanh Son	
DS081	Nguyen Van Dao	Male	Kinh	8	Dinh Son	
DS082	Nguyen Van Thuan	Male	Kinh	8	Dinh Son	
DS083	Dang Van Chin	Male	Kinh	8	Dinh Son	
DS084	Dang Van Ngu	Male	Kinh	8	Dinh Son	
DS085	Dang Van Nien	Male	Kinh	8	Dinh Son	

ANNEX III: SURVEY QUESTIONNAIRE FOR AFFECTED HOUSEHOLDS**SURVEY AND INVENTORY OF LOSSES QUESTIONNAIRES (IOL)**Basic Infrastructure for Inclusive Growth in North Central Provinces
-----**Code of questionnaire** (should not be recorded by surveyor): ___/___/___; **Date:** ___/___/2016**A-BACKGROUND INFORMATION**

1. Name of householder:Age..... Gender: [] (Male=1; Female =2)
 - a) Ethnicity: [] (1=Kinh; 2= Tay; 3=Thai; 4=Dao; 5= Nung; 6=; 7= Muong; 8=H'Mong; 9= Tho; 10=other)
 - b) Education level: [] (0= Illiterate, not attend school; 1=not graduate primary school; 2= graduate primary school; 3= not graduate secondary school; 4= graduate secondary school; 5= not graduate high school; 6= graduate high school; 7= Intermediate college/college; 8=university and post graduate university; 8=other)
 - c) Main occupation: [] (1=cultivation; 2=livestock; 3=business; 4=retirement; 5=worker in factory; 6=the State's official; 7= employees; 8= handicraft; 9= unemployed;10=housekeeper; 11=other)
 - d) Subsidiary occupation:[] (1=cultivation; 2=livestock; 3=business; 4=retirement; 5=working in factory; 6=the State's official; 7= employees; 8= handicraft; 9= unemployed;10=housekeeper; 11=other)
2. Address: Village:Commune:.....District.....Province.....
3. Vulnerable groups: [] (Single women headed HH with dependent person =1; severely affected ethnic minority household =2; HH with disable person =3; Poor HH =4; HH with single elderly =5; HH under preferential policy =6).
4. Number of persons in HH sharing living condition (living and eating activities) []; Male [] Female []
5. Number of persons under the age of 15 years old []; Over the age of 15 years old []
6. Number of persons under ethnicity of: Kinh [] Tay [] Thai [] Dao [] Muong [] Others.....

B. INVENTORY OF LOSSES**7. Acquired land area and legal status of the acquired land area**

Type of land	Total land area being used by HH (m ²)	Affected land area		Status of Land use right	Legal status of the land plot
		Total permanently affected land area (m ²)	Total temporarily affected land area (m ²)		
1=Residential land 2=Garden land 3=Annual crop land 4=Perennial crop land 5=Aquaculture land 6=Non – agriculture land for business 7=Production forest land 8=Protection forest land 9=Other land				1=Owner of land 2= Tenant	1=with LURC 2=without LURC 3=rent land of the State 4=rent private land
Total					

8. Affected house

Type of houses	Total floor area (m ²)	Impact level		Legal status
		Affected floor area (m ²)	(partially affected =1; entirely affected=2)	
1. Villa 2. One floor house, constructed by brick, tile roof and metal sheet roof covering 3. One floor house with reinforced concrete structure, flat roof 4. Two floors house or more 5. Stilts house with wooden wall and floor 6. Temporary house 7. House combining with business shop 8. Business shop outside house				1=with LURC 2=without LURC 3= constructed on agriculture land 4= renting house
Total				

Remarks: HHs may have more than one house affected by the project so it needs to fully fill information on the affected houses.

9. Does your household own other land/house located in the project commune/ward?

1. Yes, area:.....m²;

2. No

10. Works, structures and tombs on affected land

Works/structures	Type of works	Unit	Quantity	Remarks
1. Separate kitchen outside main house	1. Temporary 2. Stable	m ²		
2. Separate store outside main house	1. Temporary 2. Stable	m ²		
3. Separate toilet outside main house	1. Temporary 2. Stable	m ²		
4. Separate bathroom outside main house	1. Temporary 2. Stable	m ²		
5. Abat-vent, scaly roof covering		m ²		
6. Animal shed (Cattle, pigs, goats)/ poultry (chicken, duck, goose ...)	1. Temporary 2. Stable	m ²		
7. Electric meter and estimated wire from the meter to house	Electric meter Wire	Piece m		
8. Water meter and estimated water pipe from the meter to house	Water meter Pipe	Piece m		
9. Stable telephone		Piece		
10. Fence	1. Brick wall, stone wall 2. Iron wall or wooden wall 3. Bush	M		
11. Wall	1. Built wall 2. Iron 2. Wood/Bamboo	m ²		
12. Earth tomb		Piece		
13. Sarcophagus		Piece		
14. Well	1. Drilling 2. Excavation	Piece		
15. Water tank	1. Brick/concrete 2. Inox 3. Plastic	Piece		
16. Yard (concrete or brick yard is taken into account only)		m ²		
17. Fish pond		m ²		
18. Others (name of works and affected area)				

11. Types of affected trees and crops

Types of tree/crop or agricultural product	Unit	Quantity	Remarks
Fruit tree (main tree)	Tree		
Timber (main tree)	tree		
Agricultural tree	tree		
Crop (main crop)	m2		
e) Aquaculture (by each main product)	m2		
Other (specify).....			

D. SELECTION OF COMPENSATION OPTION**For households lost agricultural land**

- a) Option of land by land (if land fund is available in commune) with the same type of land and equivalent area/nature of land []
- b) Cash []
- c) Not yet decided []

For households lost residential land and relocated

- a) Receive compensation in cash and self-relocate to new place []
- b) Relocate to the resettlement area of the project or area arranged by locality []
- c) Build new house on the remaining land area (if the remaining land area is suitable for planning of residential land) []
- d) Not yet decided []

Option of restoring livelihood and income (for households lost 10% of their agricultural landholding or affected business and service)

- a) Continue to do the current job []
- b) Continue to do the current job combining with new job []
- c) Change into new job []

Surveyor

Representative of household

ANNEX IV: INVENTORY FORM OF PUBLIC STRUCTURES**INVENTORY FORM FOR AFFECTED PUBLIC LAND AND STRUCTURES**

Basic Infrastructure for Inclusive Growth in four North Central Provinces

Commune:.....District:.....Province:.....

Works:.....

1. Land:

No.	Name of commune	Type of acquired land	Area (m ²)
		Agricultural land	
		Traffic and irrigation land	
		Religious land	
		Pond, river and stream land	
		Land for doing business and service	
		Forest land	
		Other land (specify)	

2. Affected public asset and works

No.	Name of commune	Type of acquired land	Area (m ²)
		Electric station	
		Electric tower	
		Electrical cable	
		Gate	
		Irrigation ditch	
		Drainage system	
		Communication cable	
		Market	
		Office	
		School	
		Health care center	
		Business/service shop	
		Other (specify).....	

Surveyor

Representative of Agency/organization
