

# Resettlement Plan

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VIE: Basic Infrastructure for Inclusive Growth in Nghe An, Ha Tinh, Quang Binh and Quang Tri Provinces Sector Project-Water Supply System for 7 Communes in Loc Ha District and 2 Communes in Can Loc District, Ha Tinh Province

Prepared by Planning and Investment Department of Ha Tinh 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
PPC	-	Provincial People Committee
PMU	-	Project Management Unit
RCS	-	Replacement Cost Study
SIA	-	Social Impact Assessment
VND	-	Vietnamese dong
VWU	-	Viet Nam Women's Union

## WEIGHTS AND MEASURES

m (meter)	–	unit of length
m <sup>2</sup> (square meter)	–	a measure of area
m <sup>3</sup> (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.
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.
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.
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 Nghe An, Ha Tinh, Quang Binh and Quang Tri Provinces Sector Project (BIIG2) funded by the ADB is implemented in Nghe An, Ha Tinh, Quang Binh and Quang Tri. This report concerns the output one representative subproject in Ha Tinh province: “Construction of clean water system for production and living activities of people in nine communes of Loc Ha and Can Loc District, Ha Tinh province”. The subproject has design capacity of 9,500m<sup>3</sup>/day. After being completed, the subproject will supply clean water for 17,302 households with 67,127 persons, 60 organizations/agencies and 230 enterprises/co-operative of nine communes in Loc Ha and Can Loc districts, Ha Tinh province to 2030.
2. **Scope of impacts:** The subproject includes two main work items:
  - (i) Upgrading and improvement of boost pump station with design capacity of 2.500m<sup>3</sup> /day in the territory of Thach Ha commune, Ha Tinh city. Water source of the pump station is taken from clean water treatment system of Ke Go reservoir which is managed by Ha Tinh Clean Water Company. The water source will supply water for three communes of Mai Phu, Thach Chau anh Thach My, Loc Ha district. The work items are constructed in area of the old station, hence no land of household or organization of acquired.
  - (ii) Construction of clean water supply and treatment system with design capacity of 7.000m<sup>3</sup>/day in Cu Lay reservoir in Thuan Thien commune, Can Loc district: the water source will supply water for six communes of Hong Loc, Phu Luu, Binh Loc and Ich Hau, Loc Ha district; communes Thuan Thien and Tung Loc, Can Loc district The work items of the treatment system are all newly constructed which will cause impact on land and asset on land in locations of implementing the subproject.
3. **Scope of Impacts:** Construction of clean water supply system of Cu Lay reservoir is expected to affect 25,280 m<sup>2</sup> of various types of land in which 10,000 m<sup>2</sup> of protection forest land is permanently acquired, 15,280 m<sup>2</sup> of various types of land will be limited the usability, including 580m<sup>2</sup> of annual crop land, 7,000m<sup>2</sup> of unused land, 4,800m<sup>2</sup> of protection forest land and 2,900m<sup>2</sup> of production forest land. The subproject is also expected to affect 2,378 perennial trees and 580 m<sup>2</sup> of crops. Affected trees and crops are mainly pine trees, melaleucas, eucalyptus, rice and cassave. There area seven households with 32 people and two organizations affected in Thuan Thien commune, Can Loc district and Hong Loc commune, Loc Ha district, Ha Tinh province. Details of impacts caused by the subproject will be presented in Part II – impacts caused by the subproject.
4. **Legal and policy framework:** The Resettlement Plan 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) and regulations of Ha Tinh province. 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.
5. **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 RP 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 RP. The grievance mechanism is designed and disclosed to people to ensure that APs’ concerns and grievances are addressed and resolved in a timely,



culturally appropriate and satisfactory manner. APs will be made fully aware of their rights verbally and in writing during consultation, survey, and at the time of compensation.

6. **Gender issues:** Population in the subproject area are mostly Kinh people and there is no ethnic minority household in the subproject area. During the construction process of the subproject, both positive and negative impacts are determined such as land acquisition, dust and noise. However, the impacts will be minimized through mitigation measures. 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. In addition, education level of women is lower than men. A gender action plan is prepared for this subproject to address concerns of women in order to improve their social status in the subproject area.

7. **Institutional Arrangements:** Ha Tinh 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 RP. A Compensation, Assistance and Resettlement Board (CARB) with representatives from affected persons (AP), will be established to implement the RP.

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

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

10. **Total resettlement cost:** The total cost for implementation of the RP, including management and contingency cost, is estimated to be VND **493,879,219** equivalent to USD **22,098.31**. The financing will be from Ha Tinh province's budget counterpart funds.

## I. SUBPROJECT DESCRIPTION

### A. Background

11. The Asian Development Bank (ADB) is planning to fund the Basic Infrastructure for Inclusive Growth in Nghe An, Ha Tinh, Quang Binh and Quang Tri Provinces Sector Project. The project is expected to improve the economic competitiveness of the provinces of Ha Tinh, Nghe An, Quang Binh and Quang Tri in accordance with socio-economic development plan of the provinces. The Project will: (i) improve the linkage among the North central provinces by development of important traffic infrastructures; (ii) improve rural water supply system; (iii) develop agriculture and rural value chains such as irrigation works with small scale and rural infrastructures in the four North Central provinces; and (iv) increase capacity for provincial government agencies in establishment of development and investment plan. The subproject in Ha Tinh province is “construction of clean water supply system for production and living activities for nine communes of Loc Ha and Can Loc district, Ha Tinh province”.

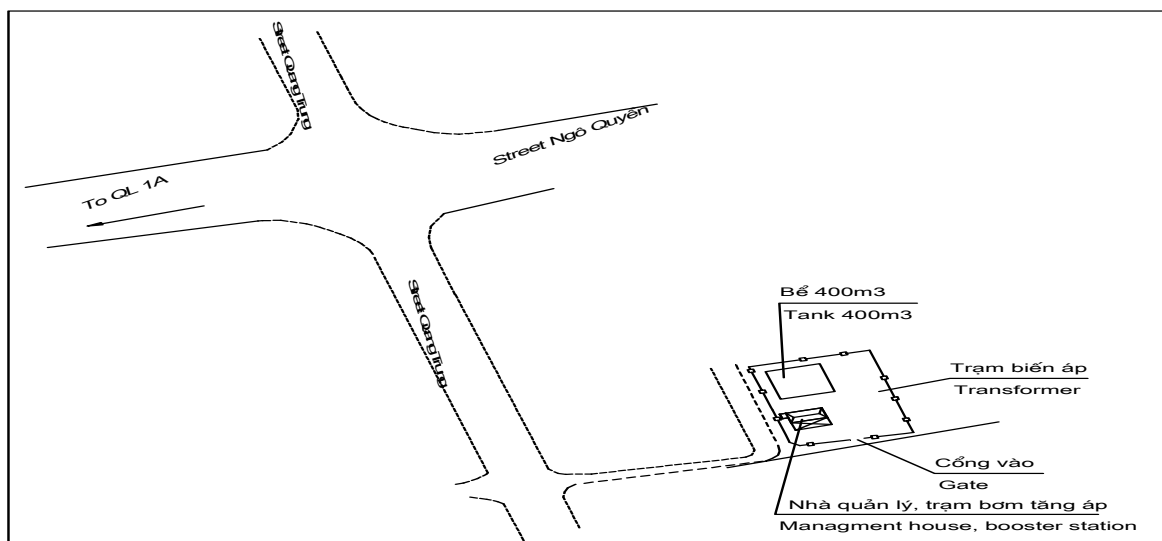


Figure 1: Map of Thach My water supply and boosting pump station

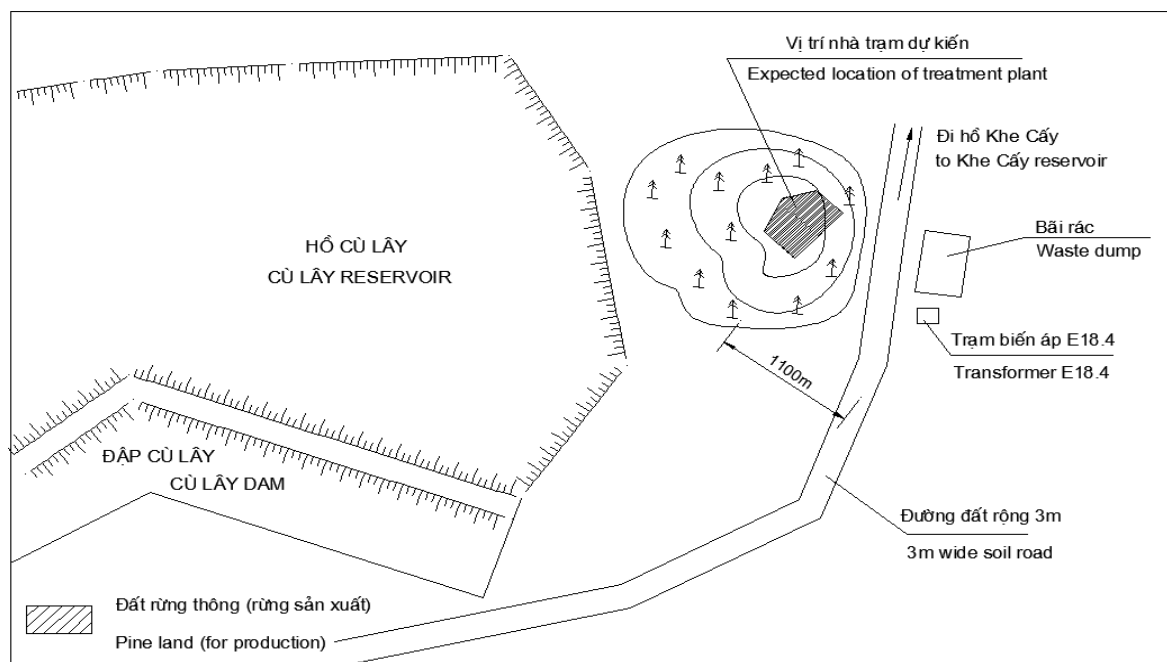


Figure 2: Map of Cu Lay reservoir water treatment and supply system

## B. Civil works to be undertaken

12. According to preliminary design, this subproject will be divided into two main work items:
- Construction of clean water supply and treatment system in Cu Lay reservoir with capacity of 7000 m<sup>3</sup>/day in Thuan Thien commune, Can Loc district: supplying water for nine communes, including: Hong Loc, Phu Luu, Binh Loc, Ich Hau of Loc Ha district; Communes Thuan Thien and Tung Loc of Can Loc district.
    - (i) Pump station supplies water for treatment plant
    - (ii) Clean water treatment plant
    - (iii) Water filter and water tank
    - (iv) Operation and management house
    - (v) Clean water treatment system
    - (vi) Water pipe
    - (vii) Substation
    - (viii) Road to water treatment area
  - Upgrading and expansion of boost pump station with capacity of 2,500m<sup>3</sup>/day under Ha Tinh Clean Water Company in Thach Ha commune, Ha Tinh city which supplies clean water for three communes of Mai Phu, Thach Chau and Thach My of Loc Ha district.
    - (i) Clean water tank
    - (ii) Boost pump station
    - (iii) Operation house
    - (iv) Treatment plant
    - (v) Water pipe
13. Location of the subproject is presented in the figure below

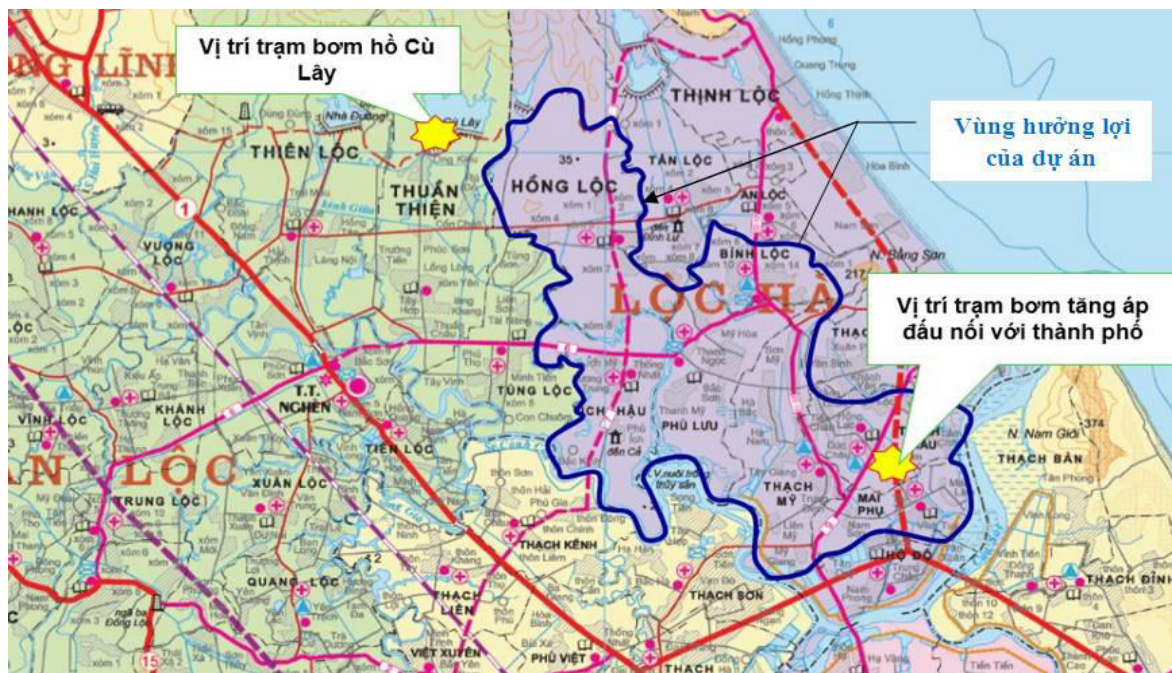


Figure 3: Location of subproject

14. After being constructed, the subproject will supply clean water for production and living activities of 50,000 people, Thach Chau industrial zone, farms and organizations in seven communes of Loc Ha district, Ha Tinh province to 2030. After being completed, the subproject will supply clean water for living activities and production of 17,302 households with

67,127 persons, 60 organizations/agencies and 230 enterprises/co-operatives of nine communes in Loc Ha and Can Loc districts, Ha Tinh province up to 2030. The subproject will help local people access to clean water source in accordance with the Standard of Ministry of Health and contribute to achieving the national target for clean water use.

15. After being constructed, the subproject will help people access to clean water which meets the requirement of Ministry of Health and contribute to completion of National targets on the use of clean water.

16. Objectives of the subproject are to:

- (i) Improve environment and living quality for people living in the subproject area through supplying clean water for daily production and living activities of households. Clean water supply system will change the current water source which does not meet the standards of Ministry of Health.
- (ii) Protect health of people, reduce the incidence of diseases related to polluted drinking water sources
- (iii) Supply water for production in Thach Chau industrial zone and livestock farms in the subproject area.
- (iv) Enhance awareness of people of public health, sanitation and environmental protection.
- (v) Contribute to improvement of socio-economic development and living condition of local people through supply of clean water.

### **C. Mitigation measures**

17. To minimize impacts of land acquisition and resettlement on the local people, the measures taken are as follows: design and construct pump station and water treatment plant in suitable location, minimize effect on house and structure of households. Water pipe will be installed underground, along road and on public land to avoid affecting land of households.

18. Impact mitigation measures are as follows:

- (i) Location of constructing pump station and water treatment station is on vacant land without house and structure of households.
- (ii) Installation of pipe along roads and on public land.
- (iii) Water supply pipe system will be installed underground and positions for putting the pipe system will be quickly recovered.
- (iv) Modern construction method is applied to minimize impact on households in the region during the construction process.
- (v) Recruit local labor during the construction process in order to create job opportunities and income for people and limit potential social impacts.

19. During the IOL and socio-economic survey process for preparation of RP, affected persons are early informed about land acquisition progress in order for them to not plant trees and construct new houses as well as structures in the land area expected to be acquired for construction of the subproject.

### **D. Objective of Resettlement Plan**

20. **Summary of impacts caused by the subproject.** The subproject is expected to cause impact on 25,280 m<sup>2</sup> of types of land in which permanently acquired land area is 10,000 m<sup>2</sup>, limited use land area is 8,280 m<sup>2</sup> and temporarily affected land area is 10,700 m<sup>2</sup>. The subproject also causes impact on 2,378 perennial trees and 580 m<sup>2</sup> of crops and trees which mainly include pine trees, melaleucas, eucalyptus, rice and maize. There are seven households with 32 people and two organizations affected in Thuan Thien commune, Can Loc district and

Hong Loc commune, Loc Ha district, Ha Tinh province. The subproject is expected to affect 25,280 m<sup>2</sup> of various types of land in which 10,000 m<sup>2</sup> of protection forest land is permanently acquired, 15,280 m<sup>2</sup> of various types of land will be limited the usability, including 580m<sup>2</sup> of annual crop land, 7,000m<sup>2</sup> of unused land, 4,800m<sup>2</sup> of protection forest land and 2,900m<sup>2</sup> of production forest land. The subproject is also expected to affect 2,378 perennial trees and 580 m<sup>2</sup> of crops. Affected trees and crops are mainly pine trees, melaleucas, eucalyptus, rice and cassave. Details of impacts caused by the subproject will be presented in Table 1 – summary of impacts caused by the subproject.

21. The subproject will cause both positive and negative impacts on local people. However, negative impact is insignificant: there are only seven households affected by the subproject and the impact level on the households is insignificant and there is no household adversely affected. In addition, the subproject does not affect houses and structures of households. This RP 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.

22. This RP is the guiding document that identifies the key issues to address in reconciling the requirements of ADB's SPS (2009) on Involuntary Resettlement, the Government Policies and regulations of the province. Concerns about involuntary resettlement have been integrated in this document which will be the guideline document for designing, implementing and monitoring the subproject. The RP includes the main issues as follows: (i) Policy and procedural guidelines for asset acquisition, compensation, resettlement, and strategies that will help ensure full restoration of the AH's livelihood and standard of living; (ii) Identification of HHs and communities to be affected by the subproject, compensation and poverty reduction; (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 RP implementation.

23. The RP is based on the subproject's basic design. The basic design is required for preparation of feasibility study of the subproject approved by Ha Tinh PPC. The summary of the RP is included in the feasibility study to ensure the allocation of government counterpart funds for the subproject's implementation. The RP will be updated following detailed technical design approved by the PPC, DMS result and replacement cost survey.

## 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 survey:* 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 required budget for compensation of APs at current market values. In future, during the detailed measurement survey, 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.

28. *Group discussion and consultation:* Besides the surveys, group discussions are also conducted with affected and non-affected households living in the subproject area, representatives of women union, veterans' union, youth union, and fatherland front. The group discussions are to disseminate information, discuss and consult people about scale of impact, entitlement, implementation progress of DMS and grievance on compensation of the subproject. The group discussions are also focused on vulnerable groups such as poor households and women.

### **B. Permanent impact**

29. **Impact on household:** The subproject will affect seven households with 32 people in Hong Loc commune, Loc Ha district, specifically:

- (i) No household has land acquired or adversely affected (losing 10% or more than 10% of their production landholding).
- (ii) The subproject does not affect house/temporary house and structures on land.
- (iii) No household has residential land affected and relocate.

30. **Impact on land:** the subproject is expected to affect 28,980m<sup>2</sup> of types of land. However, only 10,000m<sup>2</sup> of protection forest land under management of Hong Linh protection forest management unit is permanently acquired.

31. **Impact on house and structure:** No house or structure is affected by construction of the subproject.

32. **Impact on trees and crops:** The subproject will affect 245 eucalyptus, 268 melaleucas, 240m<sup>2</sup> of cassava and 340m<sup>2</sup> of rice of seven households in Hong Loc commune, Loc Ha district and 1,865 pine trees under management of Hong Linh protection forest management unit. The subproject will affect 245 eucalyptus, 268 melaleucas, 240m<sup>2</sup> of cassava and 340m<sup>2</sup> of maize of seven households in Hong Loc commune, Loc Ha district and 1,865 pine trees under management of Hong Linh protection forest management board.

### **C. Temporary impact**

33. **Limited land usability:** about 8,280 m<sup>2</sup> of land will be limited usability when implementing the subproject, including 580 m<sup>2</sup> of annual crop land, 4,800 m<sup>2</sup> of protection forest land of seven households in Hong Loc commune, Loc Ha district and 2,900 m<sup>2</sup> of protection forest land under management of Hong Linh protection forest management unit. The land area with limited usability is the area for putting water pipe. The subproject will affect 245 eucalyptus, 268 melaleucas, 240m<sup>2</sup> of cassava and 340m<sup>2</sup> maize of seven households in Hong Loc commune, Loc Ha district and 1,865 pine trees under management of Hong Linh protection forest management board.

34. **Temporarily affected land area:** When the subproject is constructed, it will temporarily affect 10,700m<sup>2</sup> of types of land of six households and two organizations, including: 200m<sup>2</sup> of annual crop land, 500m<sup>2</sup> of production forest land, 3,000 m<sup>2</sup> of protection forest land and 7,000m<sup>2</sup> of vacant land. The work items causing temporary effect include: temporary road to

pump station, water treatment station, water pipe, material sites, waste dumping site and labor camp. During the construction process, the subproject also temporarily affects 120,000 m<sup>2</sup> of types of land, mainly including public land and traffic artery land. The work items causing temporary effect include: road to pump station, water treatment station, water pipe, material site, dumping site and labor camp in nine communes of Can Loc and Loc Ha districts.

35. To ensure that the temporary impact is minimized, if not avoided entirely, the construction contract will include the following provisions: (i) the contractor must pay rent for the land needed to serve construction work based on negotiation and consensus of the household; (ii) To the extent possible, only use unused land as construction sites. (iii) The land used temporarily will be restored or improved to the pre-project implementation status. With the mitigation measures as above, the rest of the temporary impact will be insignificant.

36. Summary of impacts caused by the subproject:

**Table 1. Summary of impacts caused by the subproject**

No.	Type of impact	Calculating unit	Quantity	Affected household/organization <sup>1</sup>
<b>I</b>	<b>Impact on land</b>		<b>25,280</b>	<b>Seven households, two organization</b>
<b>1</b>	<b>Permanently affected land</b>	m <sup>2</sup>	<b>10,000</b>	
1.1	Protection forest land	m <sup>2</sup>	10,000	Hong Linh protection forest management unit
<b>2</b>	<b>Land with limited usability</b>		<b>15,280</b>	
2.1	Annual crop land	m <sup>2</sup>	580	4 HHs
2.2	Production forest land	m <sup>2</sup>	4,800	5 HHs
2.3	Protection forest land	m <sup>2</sup>	2,900	Hong Linh protection forest management unit
2.4	Unused land	m <sup>2</sup>	7,000	<i>Thuan Thien CPC</i>
<b>3</b>	<b>Temporarily affected land</b>		<b>10,700</b>	
3.1	Annual crop land	m <sup>2</sup>	200	2 HHs
3.2	Production forest land	m <sup>2</sup>	500	4 HHs
3.3	Protection forest land	m <sup>2</sup>	3,000	Hong Linh protection forest management unit
3.4	Unused land	m <sup>2</sup>	7,000	Thuan Thien CPC
<b>II</b>	<b>Tree and crop</b>			<b>7 HHs and one organization</b>
<b>1</b>	<b>Tree</b>		<b>2,378</b>	<b>6 HHs and one organization</b>
1.1	Pine tree	Tree	1,865	Hong Linh protection forest management unit
1.2	Melaleuca	Tree	268	4 HHs
1.3	Acacia	Tree	245	3 HHs
<b>2</b>	<b>Crop</b>		<b>580</b>	<b>6 HHs</b>
2.1	Cassava	m <sup>2</sup>	240	3 HHs
2.2	Maize	m <sup>2</sup>	340	3 HHs

Source: Results of SES and IOL in December 2016

#### **D. Tenure status**

37. Determination of effectiveness of Land Use Right Certificate conducted in two communes/towns shows that: by the time of inventory of losses, seven affected households have been issued Land Use Right Certificate.

#### **E. Vulnerable households**

38. No household under vulnerable group and poor household is affected by the subproject.

<sup>1</sup> One household may have many types of land, tree and crop affected by the subproject

### III. GENERAL SOCIO-ECONOMIC PROFILE

#### A. Socio-economic condition in the subproject area

39. Loc Ha district was established in 2007 basing on the combination of seven communes of Can Loc district and six coastal communes of Thach Ha district. Loc Ha district is about 18km far from Ha Tinh city, bordered by Nghi Xuan district to the North, Thach Ha district and Ha Tinh city to the South, Can Loc district to the West and has 13 km of coastal road to the East. The district has a total natural land area of 11,742.84 ha, including 5,581.24 ha of agriculture land and 1,701 ha of forestry land.

40. Loc Ha district has 13 administration units at commune level with population of 86,611 people under 22,103 households in 2015. All people in Loc Ha district are Kinh people and live in rural area. In 2016, according to new poverty line, 11.11% of population of the district is under the poverty line and 10.77% of them is under nearly poverty line.

41. Can Loc, a delta district, is located in the center of Ha Tinh province. The district is about 20 km far from Ha Tinh city to the South and bordered by Nghi Xuan district and Hong Linh town to the North, by Duc Tho and Huong Khe districts to the West, by Loc Ha district to the East and by Thach Ha district to the South. Can Loc district has a natural area of 30,128.24 ha, including: 19,460.24 ha of agriculture land, 7,590.35 ha of non-agriculture land and 3,077.74 ha of unused land. Can Loc district has 22 communes and one town.

42. **Demographic characteristics:** Total number of people in the benefited communes is 59,261 people under 16,532 households. There is no ethnic minority household. Population and demographic status are presented in Table 2.

**Table 2. Population and demographic status in the subproject area**

District/Communes	Villages	Number of people	HHs
<b>Loc Ha district</b>			
Hong Loc	7	7,543	2,223
Binh Loc	6	4,784	1,253
Ich Hau	5	6,930	2,023
Phu Luu	8	5,529	1,581
Thanh My	8	6,068	1,759
Thach Chau	11	5,577	1,592
Mai Phu	7	5,207	1,463
<b>Can Loc district</b>			
Thuan Thien	10	8,845	2,328
Tung Loc	12	8,778	2,310
<b>Total</b>	<b>74</b>	<b>59.261</b>	<b>16.532</b>

*Source: Result of SES and IOL in December 2016*

43. **Poverty:** The difference in poverty proportion of communes in the subproject area is quit high, in which Thach Chau and Ich Chau communes have lower poverty rate than the remaining communes. Mai Phu commune has the highest poverty rate in the district as of 2016. Details of poverty rate in subproject communes are presented in the Table below.



**Table 3. Poverty rate in the subproject area**

Commue/district	2011	2012	2013	2014	2015 <sup>2</sup>	2015 <sup>3</sup>	2016
Average in district	17.04	14.55	11.4	8.83	7.01	11.11	9.51
Hong Loc	19.5	17.39	15.14	12.47	9.13	12.95	11.74
Binh Loc	20.6	16.21	14.27	11.48	9.33	9.77	8.81
Ich Chau	9.2	8.33	7.1	4.64	4.69	6.82	4.94
Phu Luu	20.2	14.22	12.44	11.33	7.72	9.33	8.84
Thanh My	12.0	11.06	9.91	7.0	4.97	8.05	4.97
Thach Chau	4.7	3.8	3.83	3.55	3.55	6.61	4.91
Mai Phu	14.1	12.52	10.98	9.05	8.33	15.78	14.94
Thuan Thien	12.2	9.32	8.56	6.5	7.6	7.52	7.17
Tung Loc	13.2	11.4	10.31	9.2	8.7	8.33	8.15

Source: Result of SES and IOL in December 2016

#### B. Socio-economic characteristics of affected households

44. **Demographic characteristics:** The subproject will affect seven households with 32 people. Details of demographic characteristics of affected households are presented in the Table below.

**Table 4. demographic characteristics of affected households**

Commune/town	Number of HHs	Number of persons	By gender		By age		Ethnicity
			Male	Female	< 15	> 15	
Hong Loc	7	32	15	17	8	24	32

Source: Result of SES and IOL in December 2016

45. **Education:** Most household heads with acquired land graduate from secondary school and some household heads graduate from high school. Subproject affected persons mainly have education level at primary, secondary and high school levels and there is no illiterate person. Details of education level of subproject affected persons are presented in the Table below.

**Table 5. Education level of affected persons**

Education level	Household head	Proportion (%)	Affected persons	Proportion (%)
Illiterate	-	-	-	-
Graduating from primary school		-	8	25
Graduating from secondary school	5	71	9	28.1
Graduating from high school	2	29	8	25
Occupational school/ colleges	-	-	4	12.5
University and post graduating from university	-	-	3	9.4
Total	7	100	32	100

Source: Result of SES and IOL in December 2016

46. **Income and occupation:** Most subproject affected households have main income from doing business, one household has main income from doing business and one household has

<sup>2</sup> By normal poverty statistics

<sup>3</sup> By multidimensional poverty statistics

main income from salary. Annual average income of each household is VND 59,000,000/household/year.

47. **Vulnerable household:** No household under vulnerable group is affected by the subproject.

48. **Gender:** According to the survey result in December 2016, both men and women share housework, agriculture work and taking care of their children. Women are more equal in daily making decision.

49. Safe water source plays an important role to health of women and children. Women and children have a great need of clean water for their daily living activities. Providing enough clean water will reduce the risk of disease caused by water source.

50. **Gender analyse:** After being implemented, the subproject will address the urgent need of safe water source for women and children, improve health and sanitation and living conditions for women and children with the purpose of sustainable poverty reduction. In the process of designing and implementing sub-project, it needs to have an assistance policy for women and children:

51. Along with the construction of domestic water supply system, woman and children should have the opportunity to raise their awareness/knowledge of health, sanitation and disease prevention.

52. For participation of women in giving their opinion and making decision in implementation of RP, women union will involve in monitoring the implementation process of RP.

### **C. Social impact assessment**

53. **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. It may happen the situation that 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.

54. The construction of the subproject may cause negative impacts on local community in general and women in particular. However, these impacts are not significant. 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.

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

- (i) To provide clean water for women and children. Improve health and sanitation environment and living condition for women and children with the purpose of sustainable poverty reduction.
- (ii) To create new jobs/works for local people leading to improving income for them, particularly for women;
- (iii) To provide opportunities to improve the role of 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**

56. In order to mitigate negative impacts on local peoples at all stages of the project, the project staff will disseminate project information to and conduct consultations with local people to ensure that people get maximum benefit from the subproject outcomes in a culturally appropriate manner. 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**

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

58. 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.

59. This RP will be uploaded in ADB websites in both English and Vietnamese and disclosed to local community through commune and village meetings. The staff of CPC and mass organizations will disseminate the information to local community through loud speakers and other oral communication means in traditional market days as well as in public meetings. The Table 5 below shows the conducted community consultation meetings.

#### **B. Public consultation and Participation**

60. 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.

61. The aims of Public Consultation and Participation are to: 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;

- (i) 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;
- (ii) gather information about the needs and priorities of APs as well as their feedback on proposed resettlement and compensation policies, options and activities;
- (iii) 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;

- (iv) provide a mechanism for continued dialogue, raising of concerns and monitoring of implementation; and
- (v) Exploring options for the co-management of natural resources through participatory approaches aimed at sustainable use and conservation.
- (vi) 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, taking into account gender issues, social justice and the principle of equality.

62. **Consultation and participation during the RP 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 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 gender, restoration of incomes, livelihood and other support policies

63. 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 the subproject and hope that the subproject will be implemented soon;
- (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) The 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. 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 construction site to avoid the dispute on the cracking of the house;
- (viii) It was proposed that meaningful consultation with and participation of women in the process of RP 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) Complaints of APs should be resolved timely and successfully.

**Table 6: Participants of public consultation meetings**

No.	Communes	Location	Participants	Number of participants	Number of ethnic minority participants	Number of participating women
1	Thuan Thien	CPC	Representatives of CPC, union, affected HHs	10	0	2
2	Hong Loc	CPC	Representatives of CPC, union, affected HHs	12	0	2

64. 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.

65. Local people, especially affected persons have right to work for the subproject as specified in the Gender Action Plan and in this RP. All communities have rights to monitor not only the construction of the subproject but also the implementation of the RP, 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**

66. 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.

67. **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.

68. **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.

69. **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.

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

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

## VI. LEGAL AND POLICY FRAMEWORK

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

### A. ADB policies

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

74. **Indigenous Peoples (IP).** The main objectives of ADB's IP safeguards policy under the SPS 2009<sup>4</sup> 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 affects the territories or natural or cultural resources that local people own, use, occupy, or claim as their ancestral domain (SR-3 of SPS 2009).

#### **B. National Laws on Involuntary Resettlement**

75. **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.

76.	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 Number of Articles of the Land Law	Provides guidelines on the 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	Guides Complaint Law 02

<sup>4</sup>Safeguard Policy Statement, 2009

76.	Reference	Date	Title	Description
			the Law on complaints	
	No. 22/2013/QĐ-TTg	26/4/2013	Decision	Decision of the Prime Minister on supporting people with meritorious services records in housing
	No.94/2014/QĐ-UBND	27/12/2014	Decision of Ha Tinh People's Committee	On promulgating unit price of types of land in the period of 2015 – 2019 in Ha Tinh province.
	No.75/2014/QĐ-UBND	03/11/2014	Decision of Ha Tinh People's Committee	On compensation, assistance and resettlement policy when land is acquired in Ha Tinh province.
	No.01/2016/QĐ-UBND	08/1/2016	Decision of Ha Tinh People's Committee	On promulgating “unit price for types of house, structurem tomb, boat, equipment, farming and fishing tools, crop and aquaculture” when land is acquired by the State in Ha Tinh province.

### C. Reconciliation of Government and ADB Policies on Resettlement

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

78. 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 7: Gap Analysis between Viet Nam Regulations and ADB SPS (2009) and project policy: Involuntary Resettlement**

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: <a href="https://www.adb.org/site/safeguards/safeguard-categories">https://www.adb.org/site/safeguards/safeguard-categories</a>	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. (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/ND-CP, Article 28.	REMDPs to be prepared for each subproject

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>	<p>Full disclosure of detailed arrangements and compensation plans to affected persons. (Land Law Article 69)</p>	<p>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.</p>
Recognition of customary rights	<p>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.</p>	<p>The issues of customary rights or ancestral domains have not been fully recognized through LURC.</p>	<p>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.</p>

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. The project's policies**

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

80. 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.

81. 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.

82. 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. Entitlement matrix**

83. Entitlement Matrix to be applied for this Sub-Project is presented in the Table 8 below.

84. **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 8: Entitlement Matrix<sup>5</sup>

Entitled Persons	Type & Level Of Impact	Compensation Policy	Implementation Issues
<b>A. AGRICULTURAL LAND</b>			
<b>A.1. Permanently affected agricultural land</b>			
Public organizations	Permanent impact Total 10,000m <sup>2</sup> of protection forest land under management of Hong Linh Protection Forest Management Unit is affected by the subproject.	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. It is not compensated for affected land but assisted equivalent to 100% of compensation price for the affected land. Price of 1m <sup>2</sup> of protection forest land is VND 2,970. Total assistance fund for affected land under management of Hong Linh Protection Forest Management Unit is VND 29,700,000.	The compensation amount must be paid to account of affected commune and used for infrastructure improvement of the commune
<b>A.2. Agriculture land is limited land usability</b>			
Owners with LURC, owners in process of acquiring LURC, owners eligible to acquire LURC; and organizations	Causing limit of land usability in a long time. (regarding positions of putting the pipe, the use of land should not affect beyond the regulated depth in order to avoid affecting the pipe system) The subproject is	According to the policy of Ha Tinh PPC. Land limited usability: it will not be compensated for the land but assisted not more than 50% of price of affected land.	Implemented by DRC. Asset on affected land will be compensated for the land owner. Affected households must be informed three months before land is acquired for construction of the project. Affected households will fully receive compensation and assistance at replacement cost before site clearance.

<sup>5</sup> 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.



Entitled Persons	Type & Level Of Impact	Compensation Policy	Implementation Issues
	expected to cause limit of usability to: 580 m <sup>2</sup> of annual crop land, 2,900m <sup>2</sup> of production forest land of seven households.		
Public organizations	The subproject is expected to cause limit of usability to: 4,800m <sup>2</sup> of protection forest land under management of Hong Linh protection forest management unit and 7,000m <sup>2</sup> of unused land under management of Thuan Thien CPC.	According to the policy of Ha Tinh PPC: Land limited usability: it will not be compensated for the land but assisted not more than 50% of price of affected land.	Compensation amount must be transferred to the account of affected public agencies/organizations and the amount will be used for improvement of infrastructure in the territory of the agencies/organizations.  Asset on affected land will be compensated for asset owner.
<b>B. COMPENSATION FOR AFFECTED CROPS AND TREES</b>			
Owners of crops and/or trees	Loss of annual crops The subproject is expected to affect 240m <sup>2</sup> of cassava and 340m <sup>2</sup> of maize of six households.	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  Total number of 2,378	Cash compensation at current market prices given the type, age and productive value of the affected crops and/or trees.	Compensation must equal in value to crops that would be harvested had acquisition not occurred.  Calculation of compensation for trees is

Entitled Persons	Type & Level Of Impact	Compensation Policy	Implementation Issues
	trees of various types is affected by the subproject in which there are 245 eucalyptus trees, 268 melaleuca trees and 1,865 pine trees of six households and one organization.		based on the age and diameter of the tree. APs have the right to use salvageable trees.

**C. Compensation and assistance**

85. Compensation and assistance for households and organizations affected by the subproject basing on entitlement matrix are as follows:

86. **Assistance for land:** assistance for 1m<sup>2</sup> of acquired protection forest land is VND 2,970, for protection forest land with limited usability is VND 1,485, for unused land with limited usability is VND 10,500, for annual crop land with limited usability is VND 13,650, for production forest land with limited usability is VND 1,650. Total assistance cost for affected land is VND 123,030,000.

87. **Compensation for trees and crop:** Average compensation price for pine tree is VND 132,000/tree, for eucalyptus is VND 70,000/tree, for melaleuca is VND 42,000/tree. Compensation for 1m<sup>2</sup> of maize is VND 4,000 and for cassava is VND 5,000. Total compensation cost for tree and crop is VND 277,146,000.

88. **Assistance for job changing/creation:** no household has land permanently acquired by the subproject therefore there is no assistance for job training and changing.

89. **Assistance for vulnerable households:** no household under vulnerable group is affected by the subproject.

90. Details of compensation and assistance are presented in Table 8.

**VIII. RESETTLEMENT BUDGET AND FINANCING PLAN**

91. **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 crops and trees issued by Ha Tinh 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. For this RP, the selected price for compensation will be calculated in accordance with the issued unit price. The market price of land and crops are presented in Table 9. All these prices will be used to estimate the cost of compensation and resettlement and shall be updated during RP implementation process.

**Table 7: Replacement cost for land**

No.	Items	Unit	Location	Position	Unit price regulated by PPC (VND) <sup>6</sup>	Proposed replacement cost (VND)
<b>I</b>	<b>Loc Ha district</b>					
1	Hong Loc commune					
1.1	Annual crop land	VND/m <sup>2</sup>	Mountainous commune	1	27,300	27,300
1.2	Production forest land	VND/m <sup>2</sup>			3,300	3,300
1.3	Protection forest land	VND/m <sup>2</sup>			2,970	2,970
<b>II</b>	<b>Can Lo district</b>					
1	Thuan Thien commune					
1.1	Unused land	VND/m <sup>2</sup>	Mountainous	2	21,000	21,000

<sup>6</sup> Decision No: 94/2014/QĐ-UBND dated 12<sup>th</sup> December 2014, coefficient of k=1

1.2	Protection forest land	VND/m <sup>2</sup>	commune		2,970	2,970
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**Table 8: Replacement cost for trees /crop**

No.	Items	Unit	Unit price regulated by PPC (VND) <sup>7</sup>	Proposed replacement cost (VND)
1	Pine tree (Φ 26-40cm)	VND/tree	132,000	132,000
3	Eucalyptus (Φ 26-35cm)	VND/tree	70,000	70,000
4	Melaleucas (Φ 20-35cm)	VND/tree	70,000	70,000
5	Cassava	VND/m <sup>2</sup>	5,000	5,000
6	Maize	VND/m <sup>2</sup>	4,000	4,000

92. **Budget for resettlement: The estimated** cost in accordance with the unit prices above, including compensation for land and asset on land, allowance, cost for maintenance and contingency is VND **493,879,219** equivalent to USD **22,098,31** (see Table 11). The financing will be from Ha Tinh province's budget counterpart funds.

93. The resettlement budget is funded by Ha Tinh PPC, using the provincial budget and will be allocated sufficiently and on time based on the subproject resettlement implementation schedule.

**Table 9: Compensation and allowance budget**

No	Items	Unit	Quantity	Unit price (average)	In cash (VND)
<b>A</b>	<b>Assistance for land</b>				<b>123,030,000</b>
<b>I</b>	<b>Acquired land under management of CPC</b>				<b>29,700,000</b>
1	Thuan Thien commune, Can Loc district				29,700,000
1.1	Protection forest land	VND/m <sup>2</sup>	10,000	2,970	29,700,000
<b>II</b>	<b>Land with limited use</b>	VND/m <sup>2</sup>			<b>93,330,000</b>
1	Hong Loc commune, Loc Ha district	VND/m <sup>2</sup>			12,702,000
1.1	Annual crop land	VND/m <sup>2</sup>	580	13,650	7,917,000
1.2	Production forest land	VND/m <sup>2</sup>	2,900	1,650	4,785,000
2	Thuan Thien commune, Loc Ha district	VND/m <sup>2</sup>			80,628,000
2.1	Protection forest land under Hong Linh Protection Forest Management Unit	VND/m <sup>2</sup>	4,800	1,485	7,128,000
2.2	Unused land under management of CPC	VND/m <sup>2</sup>	7,000	10,500	73,500,000
<b>B</b>	<b>Compensation for tree and crop</b>				<b>277,146,000</b>
1	Hong Loc commune, Loc Ha district				<b>30,966,000</b>
1.1	Eucalyptus	VND/tree	245	70,000	17,150,000
1.2	Melaleucas	VND/tree	268	42,000	11,256,000
1.3	Cassava	VND/m <sup>2</sup>	240	5,000	1,200,000
1.4	Maize	VND/m <sup>2</sup>	340	4,000	1,360,000
2	Hong Linh Protection Forest Management Unit				246,180,000

<sup>7</sup> Decision No: 01/2016/QĐ-UBND dated 08<sup>th</sup> January 2016; Remarks: Adjustment coefficient for land k=1.

No	Items	Unit	Quantity	Unit price (average)	In cash (VND)
1.1	Pine tree	VND/tree	1,865	132,000	246,180,000
<b>C</b>	<b>Total (A+B)</b>				<b>400,176,000</b>
<b>D</b>	<b>Implementation cost of compensation + assistance + resettlement (2%)</b>				<b>8,003,520</b>
<b>E</b>	<b>Total (C+D)</b>				<b>408,179,520</b>
<b>F</b>	<b>Contingency (10% of F)</b>				<b>40,817,952</b>
<b>G</b>	<b>Total (E+F)</b>				<b>448,997,472</b>
<b>H</b>	<b>VAT (10%)</b>				<b>44.899.747</b>
<b>I</b>	<b>Total (VND)</b>				<b>493.897.219</b>
<b>K</b>	<b>Total (USD)</b>				<b>22.098,31</b>

## IX. INSTITUTIONAL ARRANGEMENT

### A. Provincial level

94. The Ha Tinh Provincial People's Committee (PPC) 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 RP;
- (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 RP;
- (iii) To timely provide the budget for compensation, support and resettlement;
- (iv) To directly supervise provincial relevant departments to implement effectively the RP.
- (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.

95. The Ha Tinh Provincial Department of Planning and Investment (DPI) authorized by Ha Tinh PPC as Project Owner, is responsible:

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

96. The Ha Tinh Provincial Project Management Unit (PMU), on behalf of the project owner is responsible for comprehensive RP implementation and internal monitoring. The main tasks of PMU are.

- (i) To prepare, update, and monitor RP implementation of subprojects;
- (ii) To guide LFDC to implement all resettlement activities in compliance with the approved RP; and handle with any mistakes or shortcomings identified by internal monitoring to ensure that the objectives of the RP are met;
- (iii) To coordinate with LFDC 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 RP and providing regular reports to Ha Tinh PPC, DPI and ADB;
- (vi) To implement prompt corrective actions in response to internal monitoring.

**B. District level**

97. 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 RP;
- (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 RP approved by PPC and ADB;
- (vii) To resolve complaints and grievances of APs

**C. District Compensation, Assistance and Resettlement Board (CARB)**

98. 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 RP;
- (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**

99. 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**

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

- (i) 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 RP;
- (ii) To cooperate with CARB to present reason of compensation for people with acquired land area; disseminate and disclosure compensation plan to people;
- (iii) To assign Commune officials to assist the CARB in the updating of the RP and implementation of resettlement activities;
- (iv) To identify replacement land for Ahs;
- (v) To sign the Agreement Compensation Forms along with the AHs;
- (vi) To assist in redressing grievances; and,
- (vii) To actively participate in all resettlement activities.

### **X. IMPLEMENTATION SCHEDULE**

101. The implementation schedule for resettlement activities for the subproject is presented in Table 12 including (i) activities that have been completed to prepare the RP; (ii) resettlement implementation activities and, (iii) internal monitoring activities.

**Table 10: Resettlement and compensation payment plan**

<b>Activities</b>	<b>Time</b>
<b>Approval and disclosure of final draft RP</b>	
Endorse final draft RP by PPC and ADB	5/2017
Disclose the endorsed RP in ADB website and disclose locally to APs and communes	5/2017
<b>Implementation of the approved RP</b>	
Detailed engineering and demarcation of land to be acquired	Quarter II/2017
Conduct public consultation meeting with APs	Quarter II/2017
Conduct IOL and prepare compensation plan (replacement cost survey if required)	Quarter III/2017
Consult APs on the compensation plan	Quarter IV/2017

Activities	Time
Update the RP 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 payment of compensation and allowance	Quarter I/2018
Conduct site clearance	Quarter I/2018
Carry out construction	Quarter II/2018
<b>Monitoring</b>	
Conducting monthly monitoring on the implementation of RP with LIC's support	Quarter III/2017
LIC support for preparation of semi-annual monitoring report to submit CPMU and ADB	Quarter III/2017

## XI. MONITORING AND EVALUATION

102. The implementation of the RP 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

103. Community-based monitoring will be applied to record overall opinion of community on the implementation of RP of subprojects. People, especially affected households in the subproject area will be encouraged by PMU to monitor the implementation of RP and compensation amount that they receive in comparison with the amount in the RP.

### B. Internal monitoring

104. The objectives of internal monitoring is to assess:

- (i) The compliance with the approved RP;
- (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 RP;
- (v) To identify problems, if any, and remedial actions.

105. 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 CPMU. DCARD will submit monthly implementation progress report to PMU



and the 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. Data on ethnic minorities and gender will be separated.

106. 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. Internal monitoring report will be submitted to ADB two times/year and posted on the website of ADB. Internal monitoring indicators will include but not limit as follows:

- (i) Affected person and compensation: number of affected people by type of impact; status of compensation and allowance payment, relocation and other assistance;
- (ii) Status of income restoration activity: number of adversely affected or partially affected persons due to (a) lossing production land and/or (b) relocation; number of affected persons under vulnerable group; relocation status of affected persons; status of income restoration assistance;
- (iii) 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;
- (iv) Complaint and grievance redress: summary of recored grievance; implemention 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;
- (v) Financial management: the amount of fund allocated for compensation and other activities; the amount compensated for each affected household;
- (vi) Resettlement progress: completion of activities in accordance with the schedule plan; the delay and reason for the delay; adjustment of resettlement schedule;
- (vii) 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;
- (i) 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

Hà Tĩnh, ngày 28 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 tiểu dự án được tham vấn:

- Thời gian tham vấn: 8h 00 Ph. Ngày 28 tháng 04 năm 2017
- Địa điểm tham vấn: Hội Trường UBND xã Hồng Lĩnh
- Tên Tiểu dự án: Xây dựng hệ thống nước sạch phục vụ 9 xã Hồng Lĩnh, Lạc Hóa

II. Thành phần tham dự:

1. Đại diện chủ đầu tư:

- Ông/Bà Đào Ngọc Phước, Chức vụ: Ban quản lý dự án
- Ông/Bà, Chức vụ

2. Đại diện UBND xã:

- Ông/Bà Hồ Sĩ Cường, Chức vụ: Bí thư Đảng ủy xã Hồng Lĩnh
- Ông/Bà Nguyễn Đức Tuấn, Chức vụ: Chủ tịch HĐND xã
- Ông/Bà Phạm Thị Thủy, Chức vụ: Chủ tịch hội phụ nữ
- Ông/Bà Lê Huy Vũ, Chức vụ: Chủ tịch Mặt trận TĐ
- Ông/Bà Nguyễn Thị Hồng, Chức vụ: Trưởng ban Trại An
- Ông/Bà, Chức vụ
- Ông/Bà, Chức vụ

3. Đại diện nhóm Tư vấn:

- Ông/Bà Nguyễn Phúc 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: 12 người
- Trong đó: Nam: 10 Nữ: 2 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 Hồ Sĩ Quang: Bí thư Đảng ủy xã Hồng  
Là người chịu trách nhiệm phân tham gia, nội dung  
của hợp

Ông Nguyễn Phúc Tâm: Chuyên gia tái định  
cư, phó bí thư các tháng từ  
+ Thông tin liên quan tới Dự án Ho tàng  
ở các địa phương trên toàn tỉnh + Tiả bố Bắc  
Trung Bộ  
+ Tiả bố dự án xây dựng hệ thống cấp  
nước sạch cho 2 xã huyện Lạc Hòa và các xã  
tiả bố Hòa Ninh

+ pho' bien ki' qua' veim' dem' xi' be' mui' chi' anh' hui'ng' be' Nieu' du' an'

+ pho' bien' cac' thong' tra' lieu' qua' den' phuong' chon' sach' cua' Nieu' du' an'

+ than' van' va' chon' quy' en' da' phuong' cac' ho' di' hien' bi' anh' hui'ng' cac' van' de' lien' qua' den' Nieu' du' an'

- chon' quy' en' da' phuong' va' cac' ho' dau' dau' ung' ho' va' than' hien' Nieu' du' an' va' cung' mang' tieu' di' an' san' than' hien'

- khi' chon' ho' ngoi' dem' va' hien' than' boi' thuong', cac' ho' dem' thong' nhap' phuong' da' boi' thuong' bang' tien' mat'

- dang' tie' van' thuong', di' da' ma' cac' sach', thi' ngoi' dem' chuong' to' hoi' sac' nang' ho' da' tu'g' nhien' van' de' boi' thuong' chuong' to' mang' mua' chon' boi' thuong' va' mua' gia' hiep' ly'

- dang' quy' en' van' phong' to' cung' cung' qua' diem' va' cac' ho' o' day' va' cung' ca' de' nghi' thien' van' de' ma' o' ca' khi' ca' thiet' ki' chi' tiet' cua' Nieu' du' an' thi' can' phai' kien' thong' bao' cho' cac' ho' dem' da' phuong', cong' tac' boi' thuong' phai' duoc' boi' thuong' tuoc' thi' giai' phung' mat' bang'

- dang' ha' si' bang' bang' bi' the' dang' ung' xa' hoi' lo' chon' quy' en' da' phuong' ca' ngoi' dem' dau' ung' ho' va' than' hien' Nieu' du' an', tu'g' nhien' chuong' to' cung' de' nghi' cac' be' lien' qua' cua' thong' phuong' an' giao' thien' to' da' mua' chi' anh' hui'ng' cua' du' an' cong' tac' boi' thuong' phai' dien' ra' van' day' di' cho' cac' ho' B.A.T. van'

C SA  
 ANG  
 X 2  
 ING  
 LUC

đều chúng tôi quan ngại ở đây là như đã mấy  
mức rồi. Năm thì người này sẽ phục vụ cho nông  
nghiệp được lại thì họ lại lại để bị ảnh hưởng  
như thế nào các địa và vùng nghiên cứu này  
vả cũng để là các biện pháp giảm thiểu tác  
động

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

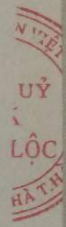
- Dân cư trong khu vực thuộc diện Tiểu chiếm  
cũng như các hoạt động bị ảnh hưởng bởi đến địa  
điểm không có hệ thống là người dân tộc thiểu  
số

- Trao đổi về các vấn đề liên quan đến giới  
Chỉ số hội phụ nữ xã Hồng Lạc. Phấn Thi  
Thủy:

+ Hội phụ nữ xã Hồng Lạc đang xuyên định hoạt  
động của các hoạt động, phân bổ, giáo dục các  
khiến thành về toàn tăng giới, từ việc sinh  
sản, bao bọc gia đình, cho chị em

+ Kinh tế hệ gia đình của nhiều chị em còn khá  
khó khăn, chúng tôi cũng đã tổ chức các tổ, nhóm hỗ  
trợ giúp đỡ để chị em cũng xóa đói, giảm nghèo  
tuy nhiên vẫn còn nhiều khó khăn, quá trình hoạt động  
là một phần để có thể tổ chức được như cũ  
và thường xuyên hơn

+ Vai trò của chị em phụ nữ trong gia đình  
ngày càng được nâng cao, các vấn đề về bất



bình đẳng giới ngày một hạn chế. Bao lực gia đình ngày một giảm.

III. Kết luận

Người dân và chính quyền địa phương đều ủng hộ việc thực hiện Tiểu khu dân cư và mong tiêu chuẩn sống được thực hiện trên địa bàn.

Công tác bồi thường phải dựa trên mức bồi thường pháp luật. Cần tăng thực hiện việc chi trả phải thông báo tới người dân và chính quyền địa phương.

Cuộc họp các bên thống nhất và kết thúc vào lúc 16h 20p ngày 28 tháng 04 năm 2017

Đại diện cộng đồng

*[Handwritten signature]*  
Nguyễn Tuấn

Đại diện chính quyền địa phương

*[Red circular stamp: ĐẢNG ỦY XÃ HỒNG LỘC HỒNG LỘC HẠ TỈNH]*  
*[Handwritten signature]*

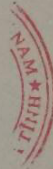
Hồ Sỹ Giang

BQL Tiểu dự án

*[Handwritten signature]*  
Đoàn Ngọc Phương

Đại diện Tư vấn

*[Handwritten signature]*  
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... Hồng Lũy ..... Huyện... Lộc Hà ..... Tỉnh... Hồ Tĩnh .....  
 Tên tiểu dự án: Xây dựng hệ thống nước sạch phục vụ 9 xã Hồng Lũy, Lộc Hà

STT	Họ và tên	Giới tính	Dân tộc	Địa chỉ	Ký tên	Ghi chú
1	Đoàn Ngọc Phước	Nam	Kinh	BQL DA.	<i>Phước</i>	
2	Nguyễn Văn Phong	''	''	Thôn Trừng An.	<i>Phong</i>	
3	Dương Tao	''	''	Thôn Thương Phú	<i>Tao</i>	
4	Phan Văn Xuân	''	''	Thôn Trừng Thủy, Phú	<i>Xuân</i>	
5	Hồ Văn Thương	''	''	Thôn Thương Phú	<i>Thương</i>	
6	Hồ Sĩ Giang	''	''	Bí thư đảng ủy Xã	<i>Sĩ Giang</i>	
7	Nguyễn Đức Tài	''	''	Đình xã	<i>Tài</i>	
8	Cù Huy Vi	''	''	CT Mặt trận TQ.	<i>Huy Vi</i>	
9	Phan Thị Thủy	Nữ	''	CT Hội phụ nữ	<i>Thủy</i>	
10	Đặng Ngọc Anh	Nam	''	Đo chỉ huy xã	<i>Anh</i>	
11	Đường Văn Dũng	Nam	''	Trưởng thôn	<i>Dũng</i>	
12	Nguyễn Thị Hồng	Nữ	''	''	<i>Hồng</i>	

Đại diện cộng đồng

*Tao*  
 Dương Tao

Đại diện chính quyền địa phương



Hồ Sĩ Giang

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

Hà Tĩnh, ngày 27 tháng 4 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: 14h.00 phút ngày 27 tháng 4 năm 2017.
2. Địa điểm tham vấn: Hội trường UBND xã Thuận Thiên.
3. Tên Tiểu dự án: Xây dựng hệ thống nước sạch phục vụ 9 xã Lạc Hóa và Con Lóc

**II. Thành phần tham dự:**

**1. Đại diện chủ đầu tư:**

- Ông/Bà Đoàn Ngọc Phước, Chức vụ: BAN DA
- Ông/Bà....., Chức vụ.....

**2. Đại diện UBND xã:**

- Ông/Bà Võ Văn Chung, Chức vụ: Chủ tịch UBND xã
- Ông/Bà Lê Sĩ Căn, Chức vụ: Phó chủ tịch UBND xã
- Ông/Bà Phạm Quang Thiên, Chức vụ: Chủ tịch Hội Nông dân
- Ông/Bà Lê Thị Tích, Chức vụ: Chủ tịch Hội Phụ nữ
- Ông/Bà Trần Duy Tuyên, Chức vụ: Thanh tra nhân dân
- Ông/Bà Nguyễn Văn Bông, Chức vụ: Đại diện Ban Kinh tế xã
- Ông/Bà Võ Văn Cường, Chức vụ: Hộ gia đình quản lý đường

**3. Đại diện nhóm Tư vấn:**

- Ông/Bà Nguyễn Phúc 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: 10 người
- Trong đó: Nam: 8, Nữ: 2, 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 Võ Văn Chung: Giới thiệu thành phần tham dự và nội dung cuộc họp tham vấn.
- Ông Nguyễn Phúc Tâm: Chủ trì giới thiệu:
  - + Các thông tin của Dự án Hạ tầng cơ bản cho phát triển trên diện 4 tỉnh Bắc Trung Bộ, tiểu dự án thu hồi trên địa bàn
  - + Kết quả kiểm tra sơ bộ mức độ ảnh hưởng của Tiểu dự án
  - + Khung chính sách của Dự án
  - + Các vấn đề liên quan đến dân tộc thiểu

Số xã giải,  
+ Có chi nhiều nơi và giải quyết nhiều nơi

- Tham vấn với các bên liên quan để với các vấn đề của địa phương.

- Chính quyền địa phương, người dân và các bên liên quan đều ủng hộ việc thực hiện. Tiểu dự án Tiểu dự án sẽ giúp bà con, cộng đồng dân cư sinh sống tại xã được tiếp cận với người nước ngoài bảo vệ sinh và cũng mong muốn Tiểu dự án sớm được thực hiện.

- Ông Nguyễn Văn Bằng, tổ trưởng tổ quản lý khu rừng phòng hộ bị ảnh hưởng bởi Tiểu dự án cho rằng: Việc thực hiện Tiểu dự án rất hữu ích cho cộng đồng dân cư địa phương, tự nhiên quốc gia thực hiện dự án sẽ gây ảnh hưởng đến khu rừng phòng hộ rừng quản lý.

+ Ông mong rằng quá trình thực hiện thiết kế chi tiết cần phải có những biện pháp hạn chế tối nhất mức độ ảnh hưởng tới đất rừng cây cối.

- Ông Võ Văn Chung: Chủ tịch UBND xã Thuận Thuận. Ông bị chính quyền và nhân dân xã Thuận Thuận đều ủng hộ việc thực hiện dự án và chúng tôi cũng đã biết được các thông tin đến những chính sách của dự án. Chúng tôi cũng mong rằng trong quá trình thực hiện dự án các tác động tạm thời, hay ảnh hưởng của quá trình thực công đến đất đai, tài sản của người dân sẽ được bồi thường đúng địa phương đúng theo chính sách.

+ Chính quyền xã cũng mong muốn các nhà thầu khi thực hiện dự án cần phải thông báo tới UBND xã và có những cam kết trong quá trình thực công.

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

- Đại đa số dân tộc thiểu số di cư vào không có hộ gia đình nào là người dân tộc thiểu số cũng như không có hộ nào BMM là người dân tộc thiểu số.

- Chưa có và các thông tin về giới từ địa phương xã Bà Lụa thì các chi tiết họ liên tiếp phụ nữ xã Thuận Thuận là xã thuận nam, thì sống chủ yếu phụ nữ nội trợ, người dân nói chung tuy còn nhiều khó khăn trong kinh tế gia đình tuy nhiên sản xuất chủ yếu phụ nữ đều có nhận thức cao đối với các vấn đề về bình đẳng giới, các thông tin và kiến thức liên quan đến bình đẳng giới, bao gồm gia đình, sức khỏe sinh sản đều được chúng tôi thường xuyên tuyên truyền, giáo dục và phổ biến đến chị em phụ nữ.

Các vụ bạo lực gia đình ngày càng giảm, vai trò của người phụ nữ trong gia đình ngày càng nâng cao, các công việc gia đình và xã hội đều dần sẽ cho nhau.

III. Kết luận

Chính quyền địa phương, người dân và các bên liên quan đều ủng hộ việc thực hiện dự án và mong muốn Điều lệ sẽ sớm được thực hiện.

Chính quyền địa phương cũng mong muốn trong quá trình thực hiện Điều lệ sẽ hạn chế tối đa các tác động đến người dân và các chất sách, tài sản đang theo quy định.

Cuộc họp các bên thống nhất và kết thúc vào lúc 16h 15ph ngày 27 tháng 04 năm 2017

Đại diện cộng đồng

*[Handwritten signature]*  
Cổ Văn Giáp

Đại diện chính quyền địa phương

*[Handwritten signature]*  
*[Red circular stamp: UBND XÃ THUAN THIEN H. CAN LOU, QUANG BINH]*  
Đỗ Văn Chung

BQL Tiểu dự án

*[Handwritten signature]*  
Đào Ngọc Phương

Đại diện Tư vấn

*[Handwritten signature]*  
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... Thuận... Thiên... Huyện... Cao Lỗ... Tỉnh... Hà... Tĩnh...  
 Tên tiểu dự án: Xây... dựng... hệ... thống... nước... sạch... phục... vụ... 9... xã... Lộc... Hà... xã... Cao Lỗ

STT	Họ và tên	Giới tính	Dân tộc	Địa chỉ	Ký tên	Ghi chú
1	Đoàn Ngọc Phước	Nam	Kinh	BQL DA	<i>Phước</i>	
2	Võ Văn Chung	Nam	Kinh	Chi tiết UBND	<i>Chung</i>	
3	Đỗ Sỹ Căn	Nam	Kinh	phó CT UBND	<i>Đỗ</i>	
4	Phạm Quang Chiêm	Nam	Kinh	Chi tiết HĐND	<i>Chiêm</i>	
5	Đỗ Thế Minh	Nữ	Kinh	Chi tiết HĐND	<i>Minh</i>	
6	Trần Duy Trường	Nam	Tai	Thường tra	<i>Trường</i>	
7	Võ Văn Giảng	Nam	Tai	hộ dân	<i>Giảng</i>	
8	Nguyễn Văn Bông			BQL Rừng phòng hộ	<i>Bông</i>	
9	Đinh Thị Huyền	Nữ		Người dân gần dân	<i>Huyền</i>	
10	Nguyễn Văn Hên	Nam		Người dân vùng dân	<i>Hên</i>	

Đại diện cộng đồng

*Võ Văn Giảng*

Đại diện chính quyền địa phương

*Chung*  
  
 Võ Văn Chung

**ANNEX II: LIST OF SUBPROJECT AFFECTED HOUSEHOLDS**

<b>Code</b>	<b>Full name</b>	<b>Gender</b>	<b>Ethnicity</b>	<b>Communes</b>	<b>Vulnerable groups</b>
01	Ho Van Thuong	Male	Kinh	Hong Loc	
02	Duong Van Tao	Male	Kinh	Hong Loc	
03	Duong Van Dinh	Male	Kinh	Hong Loc	
04	Ho Van Phong	Male	Kinh	Hong Loc	
05	Ho Sy Hung	Male	Kinh	Hong Loc	
06	Ho Si Hop	Male	Kinh	Hong Loc	
07	Nguyen Van Diep	Male	Kinh	Hong Loc	
08	Nguyen Van Bong	Male	Kinh	Hong Linh Protection Forest Management Unit	

**ANNEX III: SURVEY QUESTIONNAIRE FOR AFFECTED HOUSEHOLDS****SURVEY AND INVENTORY OF LOSSES QUESTIONNAIRES (IOL)**  
Basic Infrastructure for Inclusive Growth in North Central Provinces

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**Code of questionnaire** (should not be recorded by surveyor): \_\_\_/\_\_\_/\_\_\_; **Date:** \_\_\_/\_\_\_/2016

**A-BACKGROUND INFORMATION**

107. 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)
108. Address: Village: .....Commune:.....District.....Province.....
109. 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).
110. Number of persons in HH sharing living condition (living and eating activities) [ ]; Male [ ] Female [ ]
111. Number of persons under the age of 15 years old [ ]; Over the age of 15 years old [ ]
112. Number of persons under ethnicity of: Kinh [ ] Tay [ ] Thai [ ] Dao [ ] Muong [ ] Others.....

**B. INVENTORY OF LOSSES****113. Acquired land area and legal status of the acquired land area**

Type of land	Total land area being used by HH (m <sup>2</sup> )	Affected land area		Status of Land use right	Legal status of the land plot
		Total permanently affected land area (m <sup>2</sup> )	Total temporarily affected land area (m <sup>2</sup> )		
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
<b>Total</b>					

**114. Affected house**

Type of houses	Total floor area (m <sup>2</sup> )	Impact level		Legal status
		Affected floor area (m <sup>2</sup> )	(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
<b>Total</b>				



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

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

1. Yes, area:.....m<sup>2</sup>; 2. No

116. **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 <sup>2</sup>		
2. Separate store outside main house	1. Temporary 2. Stable	m <sup>2</sup>		
3. Separate toilet outside main house	1. Temporary 2. Stable	m <sup>2</sup>		
4. Separate bathroom outside main house	1. Temporary 2. Stable	m <sup>2</sup>		
5. Abat-vent, scaly roof covering		m <sup>2</sup>		
6. Animal shed (Cattle, pigs, goats) / poultry (chicken, duck, goose ...)	1. Temporary 2. Stable	m <sup>2</sup>		
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 <sup>2</sup>		
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 <sup>2</sup>		
17. Fish pond		m <sup>2</sup>		
18. Others (name of works and affected area)				

117. Types of affected trees and crops

Types of tree/crop or agricultural product	Unit	Quantity	Remarks
<b>a) Fruit tree (main tree)</b>	<b>Tree</b>		
1)			
2)			
3)			
4)			
5)			
6)			
<b>b) Timber (main tree)</b>	<b>Tree</b>		
1)			
2)			
3)			
4)			
5)			
6)			
<b>c) Agricultural tree ( )</b>	<b>tree</b>		
1)			
2)			
3)			
4)			
5)			
6)			
<b>d) Crop (main crop)</b>	<b>m<sup>2</sup></b>		
1)			
2)			
3)			
4)			
5)			
6)			
<b>e) Aquaculture (by each main product)</b>	<b>m<sup>2</sup></b>		
<b>Other (specify).....</b>			

**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 <sup>2</sup> )
		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 <sup>2</sup> )
		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