

# Resettlement and Ethnic Minority Development Plan

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August 2018

Viet Nam: Second Greater Mekong Subregion  
Tourism Infrastructure for Inclusive Growth Project

Hoa Binh Subproject: Tien Pagoda and Caves  
Access Improvement

Prepared by the Ministry of Culture, Sports and Tourism and Hoa Binh Provincial People's Committee, Socialist Republic of Viet Nam, for the Asian Development Bank.

## CURRENCY EQUIVALENTS

(as of 23 April, 2017)

Currency Unit	–	VND
VND1.00	=	\$ 0.000044
\$1.00	=	22,727 VND

## ABBREVIATIONS

ADB	–	Asian Development Bank
AHs	–	Affected Households
APs	–	Affected Persons
ASEAN	–	Association of Southeast Asian Nations
CLV	–	Cambodia, Lao PDR, Viet Nam
CPC	–	Commune People's Committee
CTG	–	Community Tourism Group
DARD	–	Department of Agriculture and Rural Development
DBST	–	Double Bituminous Surface Treatment
DDSSC	–	Detailed Design and Safeguards Support Consultant
DCSCB	–	District Compensation and Site Clearance Board
DMS	–	Detailed Measurement Survey
DPC	–	District People's Committee
DPI	–	Department of Planning and Investment
EA	–	Executing Agency
EMDP	–	Ethnic Minority Development Plan
FGDs	–	Focus Group Discussions
GAP	–	Gender Action Plan
GMS	–	Greater Mekong Sub-region
IOL	–	Inventory of Loss
IPP	–	Indigenous Peoples Plan
LAR	–	Land Acquisition and Resettlement
LURC	–	Land Use Right Certificates
MCST	–	Ministry of Culture, Sports and Tourism
O&M	–	Operation and Maintenance
PIB	–	Project Implementation Booklet
PMU	–	Project Management Unit
PPC	–	Provincial People's Committee
PPTA	–	Project Preparation Technical Assistance
RCS	–	Replacement Cost Study
RP	–	Resettlement Plan
SERD	–	Southeast Asia Regional Department
SES	–	Socio-Economic Survey
SPS	–	Safeguards Policy Statement
STIs	–	Sexually Transmitted Infections
USD	–	United States Dollars
VND	–	Viet Nam Dong
WVU	–	Vietnamese Women's Union

## GLOSSARY

- Affected person (AP) - 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 (AH), 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 or subprojects. 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 prior to which the occupation or use of any part of the project area makes residents or occupiers or users of the same eligible to be recognized as affected persons. In this subproject, the cut-off date for eligibility for compensation will be the date that Lac Thuy District People's Committee officially informs the issued Notice of Land Acquisition to the AHs and community.
- Detailed Measurement Survey (DMS) - With the aid of the approved detailed engineering design, this activity involves the finalization and/or validation of the results of the IOL, severity of impacts, and list of AHs conducted during the project's feasibility studies.
- Entitlement - Refers to a range of measures comprising of 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 or subproject 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 affected 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 Loss - This is the process where all fixed assets (i.e., lands used for

(IOL)	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 (HH), firm or private institution is compelled by a public agency to hand over 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, to achieve, at a minimum, full restoration of living standards and quality of life.
Relocation	- This is the physical relocation of an AP from her/his pre-project place of residence and/or business.
Resettlement and Ethnic Minority Development Plan (REMDP)	- A plan for resettlement of AHs including ethnic minority HHs, combining the resettlement plan with specific ethnic minority concerns and cultural sensitivity for the specific needs of the ethnic minority groups.
Replacement cost	- The amount needed to replace an affected asset net of transaction costs such as administrative charges, taxes, registration and titling costs.
Replacement Cost Study	- This refers to the process involved in determining replacement costs of affected assets based on empirical data.
Resettlement	- All direct economic and social losses resulting from involuntary land acquisition and/or involuntary restrictions on land use or on access to legally designated parks and protected areas, together with the consequent compensatory and remedial measures.
Severely affected households	- This refers to AHs who will (i) lose 10% or more of their total productive land and/or assets generating income, and/or (ii) must relocate.
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 HHs with dependents, (ii) disabled HH heads, (iii) HHs falling under the national poverty standard, (iv) children/the elderly HHs who are landless and with no other means of support; (v) ethnic minority HHs.

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## EXECUTIVE SUMMARY

### Project and Subproject Description

The Second Greater Mekong Subregion Tourism Infrastructure for Inclusive Growth Project will improve urban-rural transport infrastructure and urban environmental services, strengthen capacity to implement regional tourism standards, and strengthen tourism destination management in Cambodia, the Lao PDR and Viet Nam (CLV). It will help transform secondary towns in the Greater Mekong Subregion (GMS) Economic Corridors into green, inclusive and competitive international tourism nodes to boost trade in services and deepen market linkages between members of the GMS and Association of Southeast Asian Nations (ASEAN). The project will build on the ongoing GMS Tourism Infrastructure for Inclusive Growth Project, implemented in Cambodia, the Lao PDR, and Viet Nam (2014–2019).

For Viet Nam, the Project will be implemented in five provinces: Hoa Binh, Nghe An, Quang Tri, Thua Thien Hue, and Quang Binh. There are nine (09) subprojects in these five provinces.

**Tien Pagoda and Caves Access Improvements subproject.** Tien Pagoda and Caves are in Hoa Binh province approximately 8km from Lac Thuy District center. This is a growing tourist destination where the main attraction is the Tien Pagoda. However, tourism development is constrained by poor road access, lack of retail facilities and amenities, and inadequate vehicle parking. The subproject components will include (i) construction of a new 3.5 km access road and improving an existing 4.2km road segment, both to double bituminous surface treatment (DBST) standard with 6.5m carriageway, to link the pagoda area to Ho Chi Minh road; (ii) construction a new 3.1 km DBST loop road with 5m carriageway and 1m footpaths that connect Tien Pagoda to nearby caves; (iii) development of a two (02) ha vehicular parking area near Lao Ngoai village; and (iv) construction of a new tourist market (0.5 ha site). The subproject will directly benefit about 6,000 people living in Thanh Nong and Phu Lao Communes and the nearby settlements.

### Scope of Land Acquisition and Resettlement Impacts

The subproject implementation will permanently impact on 13,587.4 m<sup>2</sup> of agricultural and residential lands (11,116.4 m<sup>2</sup> and 2,471 m<sup>2</sup>, respectively). The total number of affected households (AHs) in Thanh Nong and Phu Lao communes is 89 AHs [364 affected persons (APs)] including 39 households (HHs) (155 APs) with residential land affected; 49 HHs (204 APs) have agricultural land acquired and one (01) AH (5 APs) have both residential and agricultural land acquired. The subproject implementation will not result in relocation of AHs' houses but there will be impacts to parts of their houses and their other structures including eight (08) temporary houses with a total area of 222.9 m<sup>2</sup>, and 21 fences with a total area of 393.6 m<sup>2</sup>. Of 89 AHs, there will be eight (08) AHs (31 APs) who will lose 10%-30% of their total production landholding and be categorised as severely AHs. In addition, 63 AHs are considered as vulnerable AHs comprising of 56 ethnic minority HHs (Muong ethnic), one (01) poor HH and six (06) female-headed HHs with dependents.

### Information Disclosure, Consultation and Participation

Public consultation meetings and discussions with APs and local officials were carried out during preparation of the Resettlement and Ethnic Minority Development Plan (REMDP). Several topics related to resettlement have been discussed in the public consultation meetings and focused group discussions (FGDs) including (i) project and subproject description; (ii) types of affected assets based on the results of Inventory of Losses (IOL); (iii) legal framework on resettlement of the Government of Viet Nam (national and provincial) and ADB Safeguard Policy Statement (SPS, 2009) and other-related policies; (iv) eligibilities and entitlements to the impacts; (v) cut-off date for eligibility; and (vi)



grievance redress mechanism. Broad Community Support (BCS) of the Muong ethnic group on the subproject implementation in the local has been gained and documented. Opinions, suggestions and concerns of the affected HHs and community raised in the consultation meetings and FGDs on compensation for affected land and assets and on other social issues have been addressed in this REMDP. Information dissemination and consultations will continue after this REMDP is approved, during updating of the REMDP and through-out the implementation of the updated REMDP.

### **Legal and Policy Framework**

The legal and policy framework for resettlement and ethnic minority (EM) development under the subproject is defined by the relevant laws and regulations of the Government of Viet Nam (GOV), Hoa Binh Provincial Peoples' Committee (PPC) and the ADB's SPS, 2009. Objectives of the resettlement policy are to avoid, or, if not possible to avoid, minimize resettlement impacts, restore income and livelihoods of AHs and improve living standards of poor and vulnerable AHs. For EMs, the safeguard policy objectives are to ensure that the subproject is designed and implemented in the way that fosters full respect for the identity, dignity, human rights, livelihood systems and cultural uniqueness of the local EM, so that the local EM will (i) receive culturally appropriate social and economic benefits from the subproject; (ii) do not suffer adverse impacts as a result of subproject; and (iii) can participate actively in the subproject.

An Entitlement Matrix and its applications are provided in this REMDP. It covers the compensation and types of assistance to be provided to the APs who will be affected by acquisition of their agricultural and residential lands, affected structures, and special assistances for the severely and/or vulnerable AHs. Measures to avoid, if not mitigate the adverse impacts on and to promote positive impacts of the subproject to the local EM have been developed. The Entitlement Matrix for compensation and assistance to the AHs and the EM development measures have been discussed and agreed by AHs, local authorities and the EM people.

### **Grievance Redress Mechanism**

To ensure that all APs', including the local EM's grievances and complaints on any aspects of resettlement and impacts on the local EM are addressed in a timely and satisfactory manner, and that all possible avenues are available to APs and the local EM to raise their grievances, a Grievance Redress Mechanism (GRM) will be established in accordance with ADB requirements and Government procedures. A bottom-up approach to address and resolve complaints will be designed such that all complaints will be initially lodged with the Commune Peoples' Committee (CPC) for resolution, and if not resolved within a duration in terms of number of days, the aggrieved party may elevate this to the district level for arbitration and on to the provincial level if not acted and when decision is not acceptable to the complainant. At any stage, complainant may directly elevate the complaint to a local court for litigation. APs will not be ordered to pay any fee during the grievance and complaints at any level of trial and court. The proposed GRM has been discussed with the AHs and the local EM and documented in the delivered Project Information Booklet (PIB) to all AHs and the Muong ethnic in the village consultation meetings. The GRM will be set-up prior to the commencement of Detailed Measurement Survey (DMS) of loss and will operate during the pre-construction, construction and operation phases of the subproject.

### **Institutional Arrangements**

The Hoa Binh Provincial People's Committee (PPC) is the subproject's executing agency (EA). A provincial Project Management Unit (PMU) will be established where safeguards focal staff members will be designated to perform responsibilities related to safeguards plans (including the REMDP) disclosure, updating, implementation and monitoring. A District Compensation and Site Clearance Board (DCSCB) will be set-up by Lac Thuy DPC comprising of technical staffs of the concerned district divisions (Ethnics,

Construction, Finance, Agriculture and Rural Development, etc.), relevant commune's leaders, representatives of mass organizations and AHs. With the technical support of the PMU and the Detailed Design and Safeguards Support Consultant (DDSSC), the DCSCB will perform all the resettlement and EM development activities of the subproject. Internal monitoring of the REMDP implementation will be carried-out by Lac Thuy DPC and the PMU (through the DDSSC).

#### **Indicative Resettlement and Ethnic Minority Development Budget**

The total estimated cost for compensation, assistance and implementation of EM development measures for the subproject in Hoa Binh Province is VND **10,979,033,894** (equivalent to US\$483,083) of which US\$430,556 is the direct costs for compensation, assistance and implementation of EM development measures; US\$8,611 (2%) is the administration cost; and US\$ 43,917 (10%) is for contingency to address the emerging needs during REMDP implementation. The budget will be updated during updating of the REMDP following the detailed technical design of the subproject, Replacement Cost Study (RCS) results, Socioeconomic Survey (SES) and additional consultations with the AHs, local authorities and EM people in the implementation stage of the subproject.

#### **Indicative Implementation Schedule**

ADB shall not approve any award of civil works contract for any subproject's component to be financed from the loan proceeds unless the updated REMDP based on DMS, RCS, SES and additional consultations has been submitted to and approved by ADB. The detailed activities and schedule of land acquisition, resettlement and EM development are presented in this document. Measures to mitigate adverse impacts and to promote positive impacts to the local EM will be implemented following REMDP updating.

#### **Monitoring and Evaluation**

The project is categorized B for involuntary resettlement and indigenous peoples following ADB's SPS 2009, so external monitoring activities are not required. Lac Thuy DPC and the PMU with support from the DDSSC and Community Tourism Groups (CTGs) communicators/facilitators, will carry out internal monitoring of the REMDP implementation. The objectives, scope, frequency of internal monitoring and reporting mechanism are presented herein.

## I. PROJECT DESCRIPTION

### 1.1 Project and Subproject Description

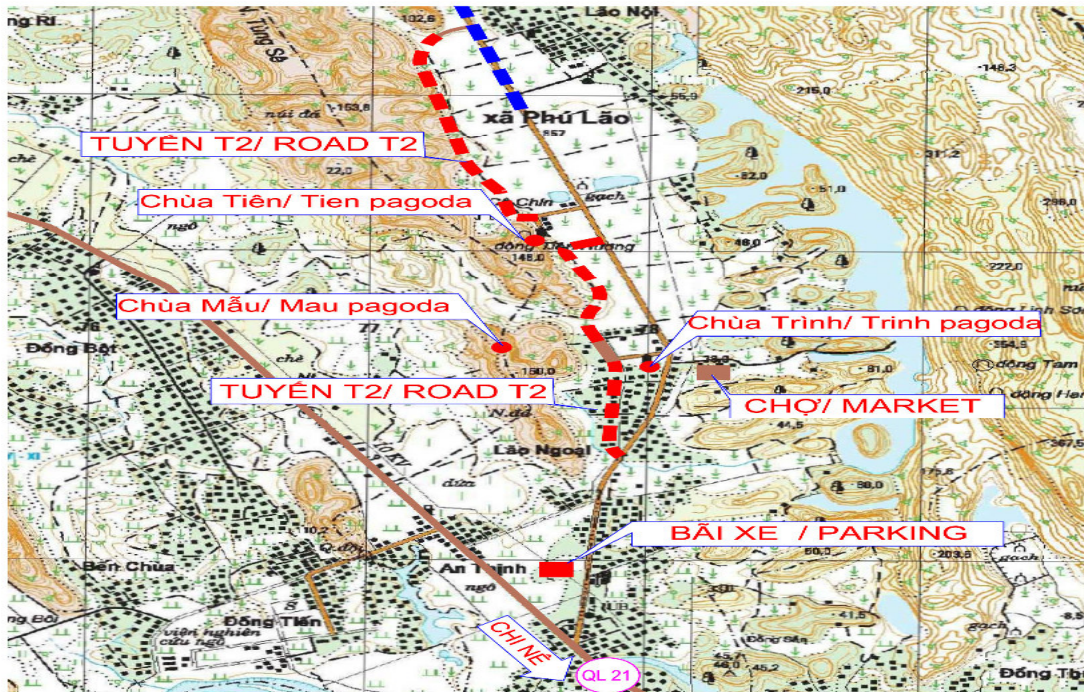
1. The Second Greater Subregion Tourism Infrastructure for Inclusive Growth Project will improve urban-rural transport infrastructure and urban environmental services, strengthen capacity to implement regional tourism standards, and strengthen tourism destination management in Cambodia, the Lao PDR and Viet Nam (CLV). It will help transform secondary towns in the Greater Mekong Subregion (GMS) Economic Corridors into green, inclusive and competitive international tourism nodes to boost trade in services and deepen market linkages between members of the GMS and Association of Southeast Asian Nations (ASEAN). The project will build on the ongoing GMS Tourism Infrastructure for Inclusive Growth Project, implemented in Cambodia, the Lao PDR, and Viet Nam (2014–2019).

2. The expected impact of the Project is sustainable, inclusive, and more balanced tourism development achieved, as envisaged in the ASEAN Tourism Strategic Plan 2016–2025. The expected outcome of the project is to tourism competitiveness of secondary towns increased. The outputs include: (i) urban-rural access infrastructure and urban environmental services improved; (ii) capacity to implement ASEAN tourism standards strengthened; and (iii) institutional arrangements for tourism destination management and infrastructure operations and maintenance (O&M) strengthened.

3. For Viet Nam, the Project will be implemented in five provinces: Hoa Binh, Nghe An, Quang Tri, Thua Thien Hue, and Quang Binh. There are nine (09) subprojects.

4. **Tien Pagoda and Caves Access Improvements subproject:** Tien Pagoda and Caves are in Hoa Binh province approximately 8.0 km from Lac Thuy District center. This is a growing tourist destination and in 2016 about 600,000 tourists visited Tien Pagoda, the main attraction, generating \$160,000 in ticket sales and 200 jobs. The projection for 2026 is 1,023,000 visitors, of which over 21,500 will be international tourists. Tourism development, however, is constrained by poor road access, lack of retail facilities and amenities, and inadequate vehicle parking. The subproject components include (i) construction of a new 3.5km access road and improvement of an existing 4.2km road segment, both with a 7m asphalt surfaced carriageway, to link the pagoda area to Ho Chi Minh road; (ii) construction of a new 3.1km asphalt surfaced road on the western side of the loop that connects Tien Pagoda to nearby caves with 5m carriageway and 1m footpaths; (iii) development of a 2ha vehicular parking area near Lao Ngoai village; and (iii) construction of a new tourist market (0.5ha site). The subproject will directly benefit about 6,000 people living in Thanh Nong, Phu Lao Commune and nearby settlements.

**Figure 1: Site Plan of Tien Pagoda and Caves Access Improvements Subproject**



## 1.2 Objective of Resettlement and Ethnic Minority Development Plan

5. This REMDP is prepared to ensure 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-subproject condition, and (iv) improve living condition of the poor and vulnerable groups.

6. Further, this document develops measures to ensure that any adverse impacts on the local EM (the Muong ethnic) is avoided, or mitigated, and positive impacts on the EM is promoted. The objective is to ensure that the subproject is designed and implemented in a way that fosters full respect for the Muong's identity, dignity, human rights, livelihood systems, and cultural uniqueness so that they (i) participate in the subproject, and receive culturally appropriate social and economic benefits; and (ii) do not suffer adverse impacts because of subproject.

7. This REMDP is the guiding document that identifies the key issues to address in reconciling the requirements of ADB's SPS (2009) on Involuntary Resettlement and Indigenous Peoples Policies with National and Provincial Government Policies.

8. The document is prepared based on the subproject's preliminary design. The REMDP will be updated following detailed technical design of the subproject, as approved by the Ministry of Culture, Sports and Tourism (MCST) and Hoa Binh PPC; the DMS, replacement cost study (RCS), SES, and additional consultations with AHs, APs, local authorities and the local EM people.

## II. SCOPE OF RESETTLEMENT IMPACTS

9. An IOL was conducted in August 2017 by the PPTA consultants for all AHs based on the preliminary design. Residential, agricultural and public lands to be acquired have been identified through referencing commune cadastral records and household Land Use Right Certificates (LURC). Affected trees have been determined by actual measurement and counting. The amounts indicated for area of land loss and affected trees will be validated during the DMS that will be done once the detailed technical design is approved.

10. **Mitigating measures.** To minimize impacts of land acquisition and resettlement (LAR) on local people particularly the EM and vulnerable groups, the following measures have been carried-out by the EA, local authorities and the PPTA Consultants:

- The access roads to be improved will mostly use existing alignments while the design of new roads will ensure that impacts to land of AHs are minimized, particularly EM lands. Realignment of roads will only be undertaken when design standards require it.
- The APs will be informed early about the land acquisition schedule so that they will not plant crops that cannot yet be harvested by the time the land is required for construction and will not construct new houses and structures in the right-of-way (ROW). Standing crops and trees on any affected land will be harvested prior to the start of civil works by informing AHs at least six (06) months in advance of the schedule for handing over of subproject-acquired land.
- Construction will be monitored by affected communities to ensure the impacts on surrounding land is minimized.
- Other than the aforementioned, the EA, PMU and DCSCB will ensure that the payment of compensation and assistance for AHs are completed prior to the issuance of the notice to proceed to start construction works.
- Measures to avoid and or mitigate of adverse impacts on the local EM - and to promote of the positive impacts of the Subproject on the EM is implemented timely and effectively, with participation of the EM and community.

### 2.1 Permanent Impacts

11. The Tien Pagoda and Caves Access Improvements subproject covers two communes in Lac Thuy District which are Thanh Nong and Phu Lao communes. According to IOL results, the subproject will cause impacts on a total of 89 AHs (364 APs). Of the 89 total AHs, 33 AHs are Kinh people and 56 AHs are EM people (The Muong). Table 1 shows the details on the number of AHs in the two communes in Lac Thuy district.

**Table 1: Total Number of AHs by the Subproject's Components**

Communes	Total Number of AHs	Total Number of APs	Subproject's Components			
			New and improvement of existing access road	DBST loop road	Vehicle parking	New tourist market
Thanh Nong	29	111	29	0	0	0
Phu Lao	60	253	0	59	1	0
<b>Total</b>	<b>89</b>	<b>364</b>	<b>29</b>	<b>59</b>	<b>1</b>	<b>0</b>

Source: IOL PPTA, 2017

12. The subproject will have severe impacts to a total of eight (08) AHs (31 person) who will lose 10-30% of their total production landholding (Table 2). Of the eight (08) severely

AHs, four (04) AHs are in Thanh Nong commune and others are in Phu Lao commune. Among the total 89 AHs, 63 AHs belong to vulnerable group (15 AHs are in Thanh Nong commune and 48 AHs are in Phu Lao commune) of which 56 AHs are EM people (Muong); one (01) AH is poor and six (06) AHs are female-headed HHs with dependents. It is noted that of 56 EM AHs, two (02) HHs are poor and six (06) HHs are female-headed HHs with dependents.

**Table 2: Number of Severely AHs and Vulnerable AHs**

Communes	Total AHs	Severely AHs			Vulnerable AHs			
		Total	Losing 10% or more production landholding		Total	Ethnic minority HH	Female – headed HH	Poor HH
			10%-30%	More 30%				
Thanh Nong	29	4	4	0	15	11	4	-
Phu Lao	60	4	4	0	48	45	2	1
<b>Total</b>	<b>89</b>	<b>8</b>	<b>8</b>	<b>0</b>	<b>63</b>	<b>56</b>	<b>6</b>	<b>1</b>

Source: IOL, PPTA, 2017

#### a. Impacts on land

13. Subproject's implementation will permanently impact 13,587.4 m<sup>2</sup> of agricultural and residential lands of 89 HHs in the two communes, including 11,116.4 m<sup>2</sup> of agricultural land and 2,471 m<sup>2</sup> of residential land. Of the 89 AHs, 39 HHs (155 APs) will have residential land affected; 49 HHs (204 APs) will have agricultural land acquired; and 1 HH (5 APs) will have both residential and agricultural land acquired by the subproject. Acquisition of residential land will not result in relocation of AHs. The subproject's implementation will also affect 3,531.1 m<sup>2</sup> and 10,056.3 m<sup>2</sup> of unused land (no tree or structure upon as it is reserved land) managed by Thanh Nong and Phu Lao CPCs, respectively. Table 3 shows a detailed description of the land to be permanently affected.

**Table 3: Summary of Affected Lands**

Type of affected land	Thanh Nong Commune		Phu Lao Commune		Total	
	No of AHs	Area (m <sup>2</sup> )	No of AHs	Area (m <sup>2</sup> )	No of AHs	Area (m <sup>2</sup> )
<b>Agricultural land</b>	6	1,912.1	44	9,204.3	50	11,116.4
<b>Rural residential land</b>	24	1,619.0	16	852.0	40	2,471.0
<b>Total</b>	<b>30</b>	<b>3,531.1</b>	<b>60</b>	<b>10,056.3</b>	<b>90</b>	<b>13,587.4</b>

Source: IOL, 2017

14. As mentioned above, 50 AHs accounting for 56.18% of total number of subproject AHs have agricultural land acquired. All AHs have land partially affected and they have LURC of the affected land. The IOL results show that eight (08) HHs (31 persons) are severely AHs due to the loss from 10% - 30% of total production landholding of the HH. Construction of the subproject components will require 2,471 m<sup>2</sup> of residential land belonging to 40 AHs; however, none of these HHs are required to relocate because all of them just have residential land partially affected and the remaining land area is sufficient for continued use by the households as indicated in IOL form. The partial loss of land will partially impact on the residential structures of 8 AHs. According to the IOL results, these



AHs have LURC for the affected residential land. The Table 4 below presents the severity of impacts on agricultural land of the HHs.

**Table 4: Severity of Impacts on Agricultural Land**

Communes	Severely AHs losing from more than 10% of total production landholding	
	Number of severely AHs	Number of severely APs
Thanh Nong	4	14
Phu Lao	4	17
<b>Total</b>	<b>8</b>	<b>31</b>

Source: IOL, 2017

**b. Affected crop and trees**

15. Permanent acquisition of land will result in the loss of trees. In both communes, 20 HHs will lose 1,383 trees such as coconut, banana, mango, and custard apple once the subproject is implemented. In line with regulations of GOV and ADB, the AHs who are growing paddy or other short-term crops (peanut, bean, etc.) in affected agricultural land will be prioritized for harvesting before the commencement of land acquisition so there is no paddy or other short-term crops that will be lost because of the subproject. Table 5 shows the affected trees in subproject communes.

**Table 5: Affected Trees**

Type of affected land	Thanh Nong Commune		Phu Lao Ward		Total	
	No of AHs	Quantity	No of Ahs	Quantity	No of AHs	Quantity
<b>Trees</b>	15	876	5	507	20	1,383

Source: IOL, 2017

**c. Affected structures**

16. Subproject implementation will impact parts of houses and other secondary structures of the HHs on the partially affected residential land along the ROW, including eight (08) temporary houses<sup>1</sup> of 8 AHs (31 persons) in two subproject's communes with a total area of 222.9 m<sup>2</sup>; and 21 brick fences with a total area of 393.6m.<sup>2</sup> It is noted that the remaining structures of the households are still viable for continued use after being affected. Table 6 shows the affected structures.

**Table 6: Affected Structures**

No.	Items	Thanh Nong		Phu Lao		Total	
		Quantity	Area (m <sup>2</sup> )	Quantity	Area (m <sup>2</sup> )	Quantity	Area (m <sup>2</sup> )
1	Temporary houses	4	116.4	4	106.5	8	222.9
2	Brick walls (fences)	11	240.6	10	152.9	21	393.6
	Total	15	357.0	14	259.5	29	616.5

Source: IOL, PPTA, 2017

**d. Affected business**

17. There is no loss of businesses or enterprises due to land acquisition because the affected land are agricultural land and residential land with no business facilities.

<sup>1</sup> Temporary house: Temporarily made of simple timber-poles, tin roof and walls.

### **e. Vulnerable groups**

18. Vulnerable HHs are those that might disproportionately suffer or are at risk of being further marginalized due to the negative impacts of resettlement. According to the SES results, 63 out of 89 AHs in the subproject's areas belong to vulnerable group, of which 56 are Muong EM people; one (01) AH is poor HH based on the GOV criteria<sup>2</sup>; and 6 AHs are female-headed. It is noted that of 56 Muong EM HHs, two (02) HHs are poor and six (06) are female-headed with dependents.

#### **2.2 Other Impacts**

19. The subproject may cause impacts during construction permanently and/or temporarily. These impacts will be specified at the time of detailed design and will be addressed during updating of the REMDP. If any permanent impacts on land and assets occur, compensation and assistance shall follow the entitlement matrix indicated in the updated REMDP. For the temporary impacts, contractors will have to pay rent for any impacts during construction work based on negotiations with, and concurrence of, AHs. The temporarily used land will be restored or improved to its pre-subproject condition, with monitoring by the PMU, DCSCB and the CTG.

#### **2.3 Impacts on Local Ethnic Minority**

20. The social impact assessment (SIA) was conducted by the PPTA consultants in 23-24 June 2017 in two affected communes. The SIA comprised a public consultation meeting with 72 representatives of HHs in the communes, a HH questionnaire survey covering 89 HHs (100% of the HHs living in the communes) and FGDs and key-informant interviews with 31 persons. Among the total surveyed and consulted persons (132 persons),<sup>3</sup> 106 persons (80.3%) are EM persons (Muong).

21. The Muong ethnic group are fully integrated into the "main-stream" way of life and derive their livelihoods from the same sources as the majority (the Kinh), namely agriculture, small trading, casual work, and others.

22. The survey, consultation, and IOL results show that there are no affected historical or cultural heritages in the subproject's areas which will adversely impact EM's culture. Most agricultural produce of the Muong is gathered from the paddy fields, and fruit and vegetable plantations are away from the subproject components (access road, market and car parking area). Construction of the subproject components will not pose any disturbance to their livelihoods.

23. Potential adverse impacts by the subproject to the Muong ethnic in two communes, according to the surveyed and consulted people, would be:

- EM HHs loss of agricultural land (mostly small areas of agricultural land of 56 EM HHs) would result in loss of crops and revenue.
- Health risk and increase in what the surveyed and consulted EM people in the communes called 'social evils' – both during subproject construction and once the subproject has been completed. The social evils can be summarized as drug trafficking, prostitution, transmission of HIV/AIDS, Sexually Transmitted Infections (STIs) and conflicts with local people, including local EM people - of construction workers (those are the outsiders coming to work in subproject area) during construction. Once the subproject has been completed, increase of accidents due to faster traveling speeds on the new and improved access road. Both the Kinh (the majority) and the Muong (EM) will face this risk equally because both are living together in the same communes and using the roads to access schools, and

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<sup>2</sup> As per poverty threshold in the rural area specified in Decision No. 59/2015/QDD-TTg of the Prime Minister dated on November 19, 2015, households whose monthly income is equal to or less than 700,000 dong per family member are classified as poor households

<sup>3</sup> Some surveyed HHs and consulted HHs are overlapped.



visit relatives and communal centers, etc. Implementation of measures to mitigate the risk will be for both Kinh and Muong people.

- Traditional values of the Muong could be affected due to increased interactions with people coming to the community and using the new market that will be constructed under the subproject.

24. The surveyed and consulted people realised that, there are three anticipated positive impacts that would be induced by the subproject to the local EM people, including:

- **Increase of trade of farmed food and handicraft products of HHs alongside the subproject areas, including the local EM HHs.** The proposed new market and the new access road would lead to an increase in tourists coming to the area. This will help HHs, including Muong EM HHs, increase economic opportunities. Higher income is expected by the HHs once the subproject has been completed.
- **Increased and better access to markets and social services via the new and improved access road.** Increases and better of access of local people to trading networks and social services, including Muong EM people, would be a benefit once the new and improved subproject road has been completed.
- **More information, knowledge, ideas, etc. would be gained by local people,** including Muong EM people, due to increased interactions with visitors coming to the community.

25. Measures to avoid and mitigate potential adverse impacts, and to promote positive impacts of the subproject on the Muong have been developed in consultation with affected groups. The measures will be implemented as part of REMDP implementation.

### III. SOCIO-ECONOMIC PROFILE

#### 3.1 Profile of Household Respondents

26. The SES was conducted from 23 – 24 June 2017 to collect socioeconomic information of affected HHs through a HH questionnaire survey covering 89 HHs (100% of the HHs living in the two subproject communes). Of 89 HH survey respondents, 86.54% (77) were males and 13.5% (12) were females.

**Table 7: Affected Household Respondents' Gender**

Communes	No. of Surveyed HHs	Male		Female	
		#	%	#	%
Thanh Nong	29	23	79.3%	6	20.7%
Phu Lao	60	54	90.0%	6	10.0%
<b>Total</b>	<b>89</b>	<b>77</b>	<b>86.5%</b>	<b>12</b>	<b>13.5%</b>

Source: SES, PPTA, 2017

27. Of the 89 HH respondents, 25.8% (23) were 18-40 years old, while those aged 41-60 years old comprise most SES respondents (51/7.38%). Those aged 61 years old and above comprised 16.9% (15) of total HH respondents. From the data, it is deduced that most HH respondents belong to the economically active group (58%). The age brackets of HH heads are shown in Table 8.

**Table 8: Age Brackets of Household Heads**

Communes	No. of AHs	Age Brackets					
		18-40		40 – 60		>60	
		#	%	#	%	#	%
Thanh Nong	29	6	20.7%	16	55.2%	7	24.1%
Phu Lao	60	17	28.3%	35	58.3%	8	13.3%
<b>Total</b>	<b>89</b>	<b>23</b>	<b>25.8%</b>	<b>51</b>	<b>57.3%</b>	<b>15</b>	<b>16.9%</b>

Source: SES, PPTA, 2017

28. Sixty-three (63), or 70.8% of total respondents belong to vulnerable groups, whereby 62.9% (56) are ethnic minorities belonging to the Muong group; 13.5% (12) are FHHs, and 3.4% (3) are poor HHs under preferential treatment policy of government. Of 56 Muong EM HHs, two (02) HHs are poor and six (06) are female-headed households with dependents.

**Table 9: Vulnerable groups of Household Respondents**

Communes	No. of AHs	Vulnerable groups							
		Poor HH		Female-Headed HH with Dependents		Children and elderly headed HHs no means of support		Ethnic Minorities	
		#	%	#	%	#	%	#	%
Thanh Nong	29	0	0.0%	6	20.7%	0	0%	11	37.9%
Phu Lao	60	3	5.0%	6	10.0%	0	0%	45	75.0%

Communes	No. of AHs	Vulnerable groups							
		Poor HH		Female-Headed HH with Dependents		Children and elderly headed HHs no means of support		Ethnic Minorities	
		#	%	#	%	#	%	#	%
<b>Total</b>	89	3	3.4%	12	13.5%	0	0%	56	62.9%

Source: SES, PPTA, 2017

29. The 89 HH respondents are engaged in farming 91% (81); manual labor (3 HHs – 3.4%); forest activities (2 HHs – 2.2%); fishing (1HH – 1.1%) and 2.2 % (2 HH respondents) are salaried employees (Table 10).

**Table 10: Main Occupation of Household Respondents**

Communes	No. of AHs	Main Occupations of HH Respondents									
		Farming		Fishing		Forest activities		Casual work (e.g., farm labor, construction)		Wage/salaries work (in the public sector)	
		#	%	#	%	#	%	#	%	#	%
<b>Thanh Nong</b>	29	27	93.1%	1	3.4%	1	3.4%	0	0.0%	0	0.0%
<b>Phu Lao</b>	60	54	90.0%	0	0.0%	1	1.7%	3	5.0%	2	3.3%
<b>Total</b>	89	81	91.0%	1	1.1%	2	2.2%	3	3.4%	2	2.2%

Source: SES, PPTA, 2017

30. Table 11 presents the education levels of HH heads. Of the 89 HH heads, the majority (47.2% or 42 HH heads) graduated from secondary school. The number of HH heads completing primary school only is 14 accounting for 15.7%. There are 26 HH heads that did not complete secondary school (29.2%) and 3 HHs heads did not complete primary school. One male HH head in Thanh Nong did not go to school at all but this man is literate and can read and write Vietnamese.

**Table 11: Education Levels of Household Respondents**

Communes	No. of AHs	Education levels of HH Heads															
		No schooling, Literate		Primary Incomplete		Primary Complete		Secondary Incomplete		Secondary Complete		Vocational/ Technical Incomplete		University Incomplete		University Complete	
		#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%
<b>Thanh Nong</b>	29	1	3.4%	0	0.0%	13	44.8%	8	27.6%	7	24.1%	0	0.0%	0	0.0%	0	0.0%
<b>Phu Lao</b>	60	0	-	3	5.0%	1	1.7%	18	30.0%	35	58.3%	1	1.7%	1	1.7%	1	1.7%
<b>Total</b>	<b>89</b>	<b>1</b>	<b>0</b>	<b>3</b>	<b>3.4%</b>	<b>14</b>	<b>15.7%</b>	<b>26</b>	<b>29.2%</b>	<b>42</b>	<b>47.2%</b>	<b>1</b>	<b>1.1%</b>	<b>1</b>	<b>1.1%</b>	<b>1</b>	<b>1.1%</b>

Source: SES, PPTA, 2017

### 3.2 Profile of Household Members

31. The total number of surveyed HH members in Thanh Nong and Phu Lao communes is 364, of which 199 persons are male, accounting for 54.67%. The proportion of females is 45.33% or 165 persons. The average HH size in the two communes is 4.09 persons. The demographic data of affected HHs in each commune, disaggregated by gender, is in Table 12.

**Table 12: Surveyed Households' Population by Gender**

Communes	No. of AHs	No. of APs	No. of APs				Size of AHs
			Male		Female		
			#	%	#	%	
<b>Thanh Nong</b>	29	111	76	68.47%	35	31.53%	3.83
<b>Phu Lao</b>	60	253	123	48.61%	130	51.39%	4.22
<b>Total</b>	<b>89</b>	<b>364</b>	<b>199</b>	<b>54.67%</b>	<b>165</b>	<b>45.33%</b>	<b>4.09</b>

Source: SES, PPTA, 2017

32. SES data indicate that a majority (36.4% / 131 HH members) are within the 40-60 years old bracket while HH members whose ages fall within the 20-40 years old bracket comprise 28.6% (107 HH members). These belong to the economically active population group. On the other hand, there is still a substantial number of HH members which belong to the economically dependent group. These are children and youth ages below 20 years which constitute 25.6% (92 HH members) and the elderly (61 years old and above) at 9.4% (34 HH members). Table 13 below describes the age bracket of HH members.

**Table 13: Age Bracket of Household Members**

Communes	No. of APs	Age Bracket							
		<15		15-40		40 – 60		>60	
		#	%	#	%	#	%	#	%
<b>Thanh Nong</b>	111	16	14.8%	39	33.3%	48	44.4%	8	7.4%
<b>Phu Lao</b>	253	76	30.2%	68	26.6%	83	32.9%	26	10.3%
<b>Total</b>	<b>364</b>	<b>92</b>	<b>25.6%</b>	<b>107</b>	<b>28.6%</b>	<b>131</b>	<b>36.4%</b>	<b>34</b>	<b>9.4%</b>

Source: SES, PPTA, 2017

The data reveals that the education levels of most HH members in the subproject appear high. Education status is shown in Table 14.

**Table 14: Education Levels of Household Members**

Communes	Education Levels																							
	No. of APs	No schooling, Illiterate		No Schooling, Literate		Primary Incomplete		Primary Complete		Secondary Incomplete		Secondary Complete		Vocational/ Technical Incomplete		Vocational / Technical Complete		University Incomplete		University Complete		Other		
		#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	
<b>Thanh Nong</b>	111	0	0.0%	1	0.9%	3	2.8%	13	12.0%	29	26.9%	52	45.4%	2	1.9%	4	3.7%	0	0.0%	0	0.0%	7	6.5%	
<b>Phu Lao</b>	253	1	0.4%	2	0.8%	18	7.1%	11	4.4%	66	26.2%	119	46.8%	4	1.6%	5	2.0%	3	1.2%	8	3.2%	16	6.3%	
<b>Total</b>	<b>364</b>	<b>1</b>	<b>0.3%</b>	<b>3</b>	<b>0.8%</b>	<b>21</b>	<b>5.8%</b>	<b>24</b>	<b>6.7%</b>	<b>95</b>	<b>26.4%</b>	<b>171</b>	<b>46.4%</b>	<b>6</b>	<b>1.7%</b>	<b>9</b>	<b>2.5%</b>	<b>3</b>	<b>0.8%</b>	<b>8</b>	<b>2.2%</b>	<b>23</b>	<b>6.4%</b>	

Source: SES, PPTA, 2017

33. Of the 272 working age HH members, the number employed is 238 persons. A majority of them at 63.4% or 151 persons are engaged in farming work. The proportion of HH members engaged in casual work and wage/ salaried work (in private sector) is the same at 14.7% or 35 persons. The other 3.4% (8 persons) are working in wage/salaried jobs (in public sector). Details of main occupations of HH members are presented in the Table 15.

**Table 15: Main Occupations of Household Members**

Communes	No. of AHs	No. of employed AH members	Main Occupations of Household Members													
			Farming		Fishing		Livestock		Forest Activities		Casual work (e.g., farm labor, construction)		Wage/salaried work (in the public sector)		Wage/salaried work (in the private sector)	
			#	%	#	%	#	%	#	%	#	%	#	%	#	%
<b>Thanh Nong</b>	111	76	64	84.2%	1	1.3%	0	0.0%	1	1.3%	8	10.5%	2	2.6%	0	0.0%
<b>Phu Lao</b>	253	162	87	53.7%	1	0.6%	3	1.9%	3	1.9%	27	16.7%	6	3.7%	35	21.6%
<b>Total</b>	<b>364</b>	<b>238</b>	<b>151</b>	<b>63.4%</b>	<b>2</b>	<b>0.8%</b>	<b>3</b>	<b>1.3%</b>	<b>4</b>	<b>1.7%</b>	<b>35</b>	<b>14.7%</b>	<b>8</b>	<b>3.4%</b>	<b>35</b>	<b>14.7%</b>

Source: SES, PPTA, 2017



### 3.3 Household Income and Assets Owned

34. Using the Government's poverty threshold in rural areas<sup>4</sup> to determine the poverty index of HHs in the subproject areas, it appears that three (03) among the 89 AHs is poor because their monthly income per capita is less than VND 700,000.00. A majority of surveyed HHs' income (55 HHs accounting for 61.8%) is from VND 2,000,000.00 to 5,000,000.00 per capita per month. The monthly income of AHs is presented in Table 16.

**Table 16: Household Monthly Income per Capita**

Communes	No. of AHs	Monthly HH income per capita							
		Under VND 7,000,000		700,000-2,000,000		VND2,000,000-5,000,000		Over VND 5,000,000	
		#	%	#	%	#	%	#	%
<b>Thanh Nong</b>	29	0	0.0%	3	10.3%	21	72.4%	5	17.2%
<b>Phu Lao</b>	60	3	5.0%	13	21.7%	34	56.7%	10	16.7%
<b>Total</b>	<b>89</b>	<b>3</b>	<b>3.4%</b>	<b>16</b>	<b>18.0%</b>	<b>55</b>	<b>61.8%</b>	<b>15</b>	<b>16.9%</b>

Source: SES of AHs/APs, PPTA, 2017

35. The most common assets owned by the HH respondents are: refrigerators (76 HHs), motorbikes (74 HHs), bicycles (65 HHs) and mobile phones (46 HH). These HH assets are considered necessities that every HH owns if they can afford them. Bicycles and motorbikes are essential to travel faster and for easy mobility within the subproject areas and in nearby communities. Refrigerators are necessary for food preservation especially in areas that are far from markets or when the nature of income source is related to selling food, like owning and operating restaurants and small stores. Mobile phones are necessary, on the other hand, for fast and easy communications. Few HHs own power generators (14 HHs), air-conditioning units (15 HHs), cable televisions (21 HHs), computers (11 HHs), and 3 HHs have savings account booklets. These are HHs who have monthly income range of 2.01-5 million VND and the two (02) HHs earning monthly incomes of 5.01 million VND -10 million VND. Table 17 shows assets owned by the respondents' HHs.

**Table 17: Household Assets Owned**

HH Assets	Frequency	%
Motorbike	74	69.2%
Bicycle	65	60.7%
Power generator	14	13.1%
Air-conditioning unit	15	14.0%
Refrigerator	76	71.0%
Computer	11	10.3%
Washing Machine	21	19.6%
Mobile phone/telephone	46	43.0%
Cable/Television/Video	21	19.6%
Savings account booklet	3	2.8%
Others please specify	0	0.0%

<sup>4</sup> As per poverty threshold in the rural area specified in Decision No. 59/2015/QDD-TTg of the Prime Minister dated on November 19, 2015, households whose monthly income is equal to or less than 700,000 dong per family member are classified as poor HHs.

HH Assets	Frequency	%
<b>Total Responses</b>	514	100%

Source: SES of AHs/APs, PPTA, 2017

36. SES findings on sources of domestic water supply indicate that a majority at 84.3% (75 HH respondents of the total HH respondents access domestic water supply from tradition/shallow wells, another 12.4% (11 HH respondents) from piped water, and 2.2% (2 HHs) from rain water. These HHs, likely, come from Thanh Nong and Phu Lao communes in Lac Thuy district which are rural communities. The above findings indicate limited access and high vulnerability to water borne diseases. Public faucets which are usually found in rural areas are also unavailable as per SES data (Table 18).

**Table 18: Sources of Domestic Water**

Commune	No. of AHs	Domestic Water Supply							
		Rain water		Tradition/ shallow well		Deep well		Piped water	
		#	%	#	%	#	%	#	%
<b>Thanh Nong</b>	29	0	0.0%	23	79.3%		0.0%	6	20.7%
<b>Phu Lao</b>	60	2	3.3%	52	86.7%	1	1.7%	5	8.3%
<b>Total</b>	<b>89</b>	<b>2</b>	<b>2.2%</b>	<b>75</b>	<b>84.3%</b>	<b>1</b>	<b>1.1%</b>	<b>11</b>	<b>12.4%</b>

Source: SES of AHs/APs, PPTA, 2017

37. 100% of the HHs respondents in all subproject areas are connected to the public utility/power grid which indicates they have good access to power facilities. Likewise, they have good access to communication facilities because most have mobile phones (81 HHs) and cable televisions (76HHs) and radio (50HHs) which are their sources of information. These HHs are likely those located within service areas of the telecommunication companies. Information from local authorities such as print memo/flyer from commune office (60 HHs) and village meetings (29 HHs) are an information source for some HHs respondents.

38. In terms of availability and proximity of health facilities in the subproject areas, it appears that most of the respondents' houses are located quite far (at about 1-1.5 kilometers to more than 1.5 kilometers) from commune health centers, district public and private hospitals and public health centers. Only a few respondents' homes (15.3%) are less than 1 kilometer away. Public and private district hospitals are in Hoa Binh City and Hanoi, which is 70 km from both Hoa Binh City and Lac Thuy District. The data implies that only minor health cases can be attended and treated at commune health centers, while those that require major medical procedures are taken to hospitals and clinics in Hanoi. In terms of access to health facilities, SES results show AHs have limited access to public and private health facilities (Table 19).

**Table 19: Access to Health Facilities of Household Members**

Type of Health Facilities	Distance from House					
	Less than 1 kilometer		1-1.5 Kilometer		More than 1.5 kilometers	
	Freq,	%	Freq,	%	Freq,	%
<b>Village/Commune Health Center/Clinic</b>	11	15.3%	33	45.8%	28	38.9%
<b>District Public Hospital/Clinic</b>	0	0.0%	2	3.7%	52	96.3%

Type of Health Facilities	Distance from House					
	Less than 1 kilometer		1-1.5 Kilometer		More than 1.5 kilometers	
	Freq,	%	Freq,	%	Freq,	%
District Private Hospital Clinic	0	0.0%	0	0.0%	18	100.0%
Others, specify	0	0.0%	0	0.0%	0	0.0%

Source: SES of AHs/APs, PPTA, 2017

39. Proximity of nursery and kindergarten to HHs' residences (according to 32.8% (20) of total HH respondents) are close at just under a kilometer, while a large number (36.1% (22) and 31.1% (19) respectively) stated their houses are 1-1.5 km to more than 1.5 km away. Likewise, primary and secondary school locations are usually 1-1.5 km away to more than 1.5 km away from their homes. All HH respondents disclosed that location of colleges, universities and vocational schools are very far from their houses, at more than 1.5 km away. These are likely located in Hanoi or in Hoa Binh City. Table 20 describes the distance from house of surveyed persons to educational facilities.

**Table 20: Access to Educational Facilities of Household Members**

Type of Educational Facilities	Distance from House					
	Less than 1 kilometer		1-1.5 Kilometer		More than 1.5 kilometers	
	Freq.	%	Freq.	%	Freq.	%
Nursery/Kindergarten	20	32.8%	22	36.1%	19	31.1%
Primary School	24	37.5%	21	32.8%	19	29.7%
Secondary School	24	50.0%	11	22.9%	13	27.1%
High School	18	42.9%	9	21.4%	15	35.7%
College/University	1	1.1%	0	0.0%	37	100%
Vocational School	1	1.6%	0	0.0%	37	100%

Source: SES of AHs/APs, PPTA, 2017

### 3.4 Ethnic Minority Socioeconomic Data

40. As mentioned above, of 89 AHs, 56 AHs (241 APs) belong to Muong group including 11 AHs in Thanh Nong commune and 45 AHs in Phu Lao commune. The proportion of male and female affected due to land acquisition of the subproject are equal with 121 males and 120 females. Table 21 presents the demographic data of EM AHs in each commune disaggregated by gender.

**Table 21: Population by Gender of Ethnic Minority Affected Households**

Communes	No. of EM AHs	No. of EM APs	No. of Ethnic Minority Affected Persons			
			Male		Female	
			#	%	#	%
Thanh Nong	11	47	23	48.9%	24	51.1%
Phu Lao	45	194	98	50.5%	96	49.5%
<b>Total</b>	<b>56</b>	<b>241</b>	<b>121</b>	<b>50.2%</b>	<b>120</b>	<b>49.8%</b>

Source: SES of AHs/APs, PPTA, 2017

41. According to SES results, most of EM AHs in the subproject area are engaged in farming (40 AHs accounting for 71.4%) and the remaining are engaged in casual work (16 AHs representing 28.6%). The main occupations of EM AHs are shown in Table 22.

**Table 22: Main Occupation of Ethnic Minority Affected Households**

Communes	No. of EM AHs	Main Occupations of EM AHs			
		Farming		Casual Work	
		#	%	#	%
Thanh Nong	11	8	72.7%	3	27.3%
Phu Lao	45	32	71.1%	13	28.9%
<b>Total</b>	<b>56</b>	<b>40</b>	<b>71.4%</b>	<b>16</b>	<b>28.6%</b>

Source: SES of AHs/APs, PPTA, 2017

42. A majority of 56 EM AHs (80.4%) or 45 AHs have monthly income per capita falling within VND 2,000,000.00 – 5,000,000.00 and 8.9% or five (05) AHs have monthly income more than VND 5,000,000. According to the Government definition on poverty rate in rural area, two (02) AHs of 56 EM AHs who have monthly income per capita lower than VND 700,000.00 and are considered poor HHs. Table 23 presents in income details of the 56 EM AHs.

**Table 23: Monthly Income of Ethnic Minority AHs**

Communes	No. of EM AHs	Monthly Income per Capita							
		< VND 1,000,000		VND 1,000,000 - 2,000,000		VND 2,000,000 - 5,000,000		>VND 5,000,000	
		#	%	#	%	#	%	#	%
Thanh Nong	11	0	0.0%	0	0.0%	9	81.8%	2	18.2%
Phu Lao	45	2	4.4%	4	8.9%	36	80.0%	3	6.7%
<b>Total</b>	<b>56</b>	<b>2</b>	<b>3.6%</b>	<b>4</b>	<b>7.1%</b>	<b>45</b>	<b>80.4%</b>	<b>5</b>	<b>8.9%</b>

Source: SES of AHs/APs, PPTA, 2017

43. According to the SES results, all AHs who belong to Muong group, are connected to the national power grid. Most of them (94.6% or 53 HHs) are now using tradition/ shallow well and the remaining are using rain-water or piped water for daily and production activities. The sources of water that EM AHs use are presented in Table 24.

**Table 24: Sources of Water of Ethnic Minority AHs**

Commune	No. of EM AHs	Sources of Water							
		Rain water		Tradition/shallow well		Deep well		Piped water	
		#	%	#	%	#	%	#	%
Thanh Nong	11	0	0.0%	11	100.0%	0	0.0%	0	0.0%
Phu Lao	45	1	2.2%	42	93.3%	0	0.0%	2	4.4%
<b>Total</b>	<b>56</b>	<b>1</b>	<b>1.8%</b>	<b>53</b>	<b>94.6%</b>	<b>0</b>	<b>0.0%</b>	<b>2</b>	<b>3.6%</b>

Source: SES of AHs/APs, PPTA, 2017

44. The kinds of toilets used by EM AHs are presented in Table 25. Most use indoor toilets.

**Table 25: Types of Toilet of Ethnic Minority AHs**

Commune	No. of EM AHs	Type of Toilet							
		Pit latrine		Toilet in house		Others		None	
		#	%	#	%	#	%	#	%
<b>Thanh Nong</b>	11	2	18.2%	8	72.7%	0	0.0%	1	9.1%
<b>Phu Lao</b>	45	6	13.3%	37	82.2%	2	4.4%	0	0.0%
<b>Total</b>	<b>56</b>	<b>8</b>	<b>14.3%</b>	<b>45</b>	<b>80.4%</b>	<b>2</b>	<b>3.6%</b>	<b>1</b>	<b>1.8%</b>

Source: SES of AHs/APs, PPTA, 2017

45. Muong EM in the two subproject communes have lived together with Kinh people for generations, so they are similar to the Kinh. The Muong language belongs to the Viet-Muong group. All the Muong people in the subproject areas speak Vietnamese) and Muong language - they speak Muong language at-home and within their community but mostly speak Vietnamese in public places. The popular literature and arts of the Muong are rich including long poems, "mo" (ceremonial songs), folksongs, dialogue duets, proverbs, lullabies, and children's songs. The gong is a favorite musical instrument of the Muong, as are the two stringed violins, flutes, drums and pan pipes. Traditionally, men dress in indigo cloth and women wear white rectangular scarves, long skirts, and short vests that are open at the front without buttons; however, the Muong in the communes nowadays dress similarly to the Kinh. The Muong have practiced farming for a long time. Wet rice is their main food staple. The EM farmers are still cultivating field by using traditional practices.

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

46. The objectives of information disclosure, public consultation and participation of local people include: (i) ensuring the participation of all stakeholders, including APs and local EM during the design, preparation and decision-making for the subproject; (ii) disseminating all the information, activities related to the subproject to the relevant stakeholders; (iii) collecting ideas, suggestions, concern, need or priorities of stakeholders, particularly the APs and the local EM to the subproject; (iv) ensuring that all APs and local EM are notified of all decisions related directly to their income and living standards; and (v) ensuring transparency in implementation of land acquisition, resettlement and EM development.

##### **4.1. Information Disclosure, Public Consultation and Participation during the REMDP Preparation**

47. The first round public consultations and information disclosure were carried out during 5 – 6 June 2017 before the commencement of the IOL and SES. The PPTA consultants worked with the EA, local authorities (the District and two communes) and mass organisations (Fatherland Front, Women's Union and Farmer Union) to organize consultation meetings with two subproject communes. Based on the preliminary design of the subproject, issues discussed in the meetings included: (i) the subproject's components and the potential impacts; (ii) schedule for IOL and SES; and (iii) participation of local people and community in the subproject's activities.

48. After the IOL and SES was carried-out, the PPTA consultants together with Lac Thuy DPC, CPCs and mass-organisations conducted the second round of public consultations (23-24 June 2017) with AHs in two subproject communes. A total of 72 representatives of AHs (including 56 Muong EM persons) participated in the meetings, of which 49 (68%) were men and 23 (32%) were women. Issues related to the subproject were discussed including: (i) design of subproject's components; (ii) scope of impacts by the subproject's components (based on the result of IOL); (iii) entitlements to compensation, assistance in line with the Government (national and provincial) policies and ADBs' safeguard policy (SPS, 2009); (iv) potential impacts of the subproject (negative and positive) on the local EM (Muong ethnic); (v) measures of avoid and minimize the potential negative impacts and promote the anticipated positive impacts to the local EM; (vi) implementation schedule of land acquisition, resettlement and EM development measures; and (vii) the GRM. As all the attendants in the meetings who are Muong people can speak Vietnamese the meetings were carried out in Vietnamese. In these consultation meetings, the PIB was given to all participants. Generally, compensation prices for the affected lands and potential environmental impacts (dusts, noise, etc.) during construction of the subproject are the most concerns of the local people. Anticipated positive impacts of the subproject as assessed by local people include: (i) facilitate smooth traffic flow when tourists visit the sites and will boost tourism services in the area; (ii) increase income from sales of tourism products and services to local people; and (iii) better road access.

**Table 26: Results of Public Consultation Meetings in the Subproject's Communes**

Meeting in Phu Lao and Thanh Nong Communes, dated 24-25 June, 2017

Number of AHs participated: 72 persons (49 males and 23 female)

<b>Issues Discussed</b>	<b>Concerns and Opinions raised by participants</b>	<b>Agreements Reached in the Meeting</b>
Subproject's components	Subproject design	The subproject stakeholders unanimously agreed with the subproject designs and hoped that the subproject will be implemented soon to develop local tourism by attracting more tourists and in turn improving the lives of the people in Thanh Nong, Phu Lao in Lac Thuy District.
	Parking location.	There will be two parking places under the district planning. The first parking place has been identified (the land area near the CPC office). The outside commune parking place will minimize the impacts on the people such as traffic safety, environmental pollution caused by vehicle emissions, dust, and garbage discharged by visitors. Visitors must walk or use the tram service of the people to go to the attractions.
Environmental Impacts	Management of workers during construction so that there is no impact on local community (fighting, causing disorders...)	When the contractor comes to the area, they must report and register the workers list with the CPC. Disruptions will be dealt with in accordance with the law. Details of management of workers during construction is specified in the subproject's Initial Environmental Examination (IEE) and it is responsibility of the contractor to strictly followed. IEE implementation will be monitored by the PMU, DPC and CTG.
	Impacts of construction activities on the surrounding areas must be controlled.	EA, PMU and DDSSC will ensure that impacts on the surrounding area will be controlled and or minimized by the construction contractor. Local people may participate in monitoring of construction activities in their area and inform to the PMU, DDSSC or village leaders of any violations by the contractor.
Entitlements on compensation and assistance	Compensation price for affected lands and assets should be reasonable.	Compensation for affected land and assets shall be at replacement cost. A qualified replacement cost appraiser will be engaged in the subproject implementation stage to evaluate the value of affected lands and assets to constitute of compensation rate.
Measures to mitigate of negative impacts and promote of positive impacts on the EM	The measures should be implemented as soon as possible.	The measures to mitigate of negative impacts and to promote of positive impacts of the subproject on the EM will be agreed after detailed design of the subproject is completed and the PMU is established.
	Budget and responsibilities of concerned agencies to	Budget to implement of the agreed measures has been estimated in the REMDP and will be updated during updating of the REMDP with additional consultations with the

	implement the measures should be well defined.	local EM and authorities. The GOV committed to allocate of budget adequately and timely to implement the measures. Responsibilities of concerned agencies to implement the measures have been discussed and defined in the REMDP.
Grievance redress mechanism	AHs want to be oriented on the GRM because they have never experienced disputes related to resettlement before	During the progress of updating REMDP, the GRM with more details (contact details of persons in charge of GRM in various levels, places that the GRM will be posted, template of complaint letter to follow by complainants, etc.) will be provided the AHs. Social safeguard specialists of the DDSSC will guide the AHs on the GRM process and other related matters of the GRM.
Implementation Schedule	Subproject activities that are directly related to APs should be informed in advance to AHs for their information and participation (if necessary).	Schedule for land acquisition, resettlement and EM development measures implementation will be disclosed to all AHs in advance. Written detailed schedule will be delivered to all the APs and local EM via the village leaders and the CTG.



49. Participation is done through expression of views, opinions and suggestions on how best the subproject can be efficiently implemented. Information disclosure as well as regular consultations will be conducted by the PMU's safeguards focal staffs assisted by trained subproject communicators/grassroots facilitators from the Women's Union who are member of the CTG. All stakeholders' suggestions will be captured in reports and will be considered during subproject design and construction phases of subproject implementation. Reports will highlight comments and views of women and the vulnerable groups and will be disaggregated by gender and ethnicity.

50. Broad Community Support (BCS) has been gained with all the Muong EMHHs in the two subproject communes. All 56 EM HHs (100%) who are residing in Thanh Nong and Phu Lao communes signed minutes of meeting confirming that they support the subproject. The signed minutes of meeting is attached in Appendix 2.

51. Community consultations and information dissemination with subproject stakeholders will be a continuous, normative-iterative process. The subproject EA will direct and oversee the community consultation process. The PMU and Lac Thuy DPC will ensure that consultations with stakeholders are carried out during the entire subproject planning and implementation cycle. PMU's safeguards focal staff members will conduct the consultation and information dissemination activities. They will be supported by the DCSCB as well as the CTGs in Thanh Nong, Phu Lao communes.

52. During subproject implementation, upon completion and approval of the subproject detailed design, the REMDP will be updated and implemented. AHs and local EM HHs, mobilized by the CTGs, will participate in the various REMDP updating processes during subproject implementation such as in the conduct of the DMS by the DCSCB, RCS by qualified external resettlement cost appraiser as required, compensation and provision of other entitlements, implementation of EM development measures, monitoring of impacts and benefits, and discussion and settlement of grievances.

#### **4.2 Disclosure Requirements**

53. This REMDP and the updated REMDP will be made available in Vietnamese language and sent to Hoa Binh PPC, Lac Thuy DPC, Thanh Nong and Phu Lao CPCs and other concerned agencies of the district and communes (district natural resources and environment, finance, construction, district and communal mass-organisations, etc.). This REMDP and the updated REMDP will be uploaded to the ADB and MCST websites and posted in public places, such as headquarters of the CPCs, house of village leaders and other accessible public places.

54. The internal monitoring reports prepared by PMU and Lac Thuy DPC will also be posted in public places, sent to village leaders, relevant agencies and uploaded to ADB's and MCST websites.

## V. GRIEVANCE REDRESS MECHANISM

55. It is the responsibilities of communes and district authorities and the Hoa Binh PPC to resolve confusion, misunderstandings or complaints about land acquisition, resettlement and EM development under the subproject. Detailed procedures for hearing and redressing grievances, including appeal processes have been discussed in the public consultation meetings in June 2017. The GRM is to ensure that all grievances of people on land acquisition, resettlement and EM development under the subproject are resolved in a timely and satisfactory manner, and that all avenues for airing grievances are available to the people without discrimination. The procedures were also included in the subproject's (PIB) delivered to all the meeting participants. As the Muong ethnic in the local is most similar to the Kinh (the majority) there is no issue with Muong people to follow the GRM procedures as they confirmed in the consultation meeting, it is however, in any case that the EM persons who face with difficulties to lodge their complaints the CPC and DDSSC will assist them in sending their complaints following to the agreed GRM procedures.

56. Grievances related to any aspect of the subproject will handled through meaningful consultation aimed at achieving consensus. An aggrieved AP or AH will not be required to pay any fees in connection with the lodging and resolution of complaints, as these will be borne by the EA.

57. Grievances redress mechanisms of the subproject will follow Chapter XIII of the Land Law No.45/2013/QH13 dated 29<sup>th</sup> November 2013; and other related documents including Complaints Law No.02/2011/QH13 dated 11 November, 2011; Decree No. 75/2012/ND-CP dated 03 October, 2012 of the GOV on specific provisions a number of articles of the Complaints Law; Denunciation Law 03/2011/QH13 dated 11 November, 2011; Decree No. 76/2012/ND-CP dated 03<sup>rd</sup> October, 2012 of the GOV on specific provisions a number of articles of the Denunciation Law.

58. A grievance must be submitted within 90 days of the time they receive the decision or become aware of the actions of the administrative action in question. In circumstances, such as sickness, natural calamity, or being required to work or study in a distant location or other objective constraints, that time will not be counted within the 90 days mentioned above.

59. Before the decision on land recovery is issued by the DPC, requests or opinions (not grievance) of persons/HHs regarding to land acquisition, DMS, design of the subproject - or any other issues, including the EM development issues - can be sent directly to the DPC. DPC will coordinate with relevant agencies to respond to persons/HHs within 15 working days.

60. Grievance redress under the subproject can be summarized in the steps set out below:

- **First Stage:** Commune People's Committee. An aggrieved AP may bring his/her complaint to any member of the CPC, either through the village head or directly to the CPC, in writing or verbally. It is incumbent upon said member of CPC or the village head to notify the CPC about the complaint. The CPC will meet personally with the aggrieved AP and will have 15 days (or 30 days for complicated cases) following the lodging of the complaint to resolve it. The CPC secretariat is responsible for documenting and keeping file of all complaints that it handles.
- **Second Stage:** District People's Committee (DPC). If the CPC does not respond to the AP within the said period or the AP is not satisfied with the response of the CPC, the AP can send the complaint to the DPC via the Residents Receiving Office of the DPC. Upon receipt of the complaint from the aggrieved person, the DPC will have 30 days (or 45 days for complicated cases) following the lodging of

the case to act and resolve this. The DPC through its secretariat is responsible for documenting and keeping file of all complaints that it handles.

- **Third Stage:** Provincial People's Committee. If the DPC does not respond to the AP within the said period or the AP is still dissatisfied with the response of the DPC, the AP can bring the complaint to Hoa Binh PPC via the Residents Receiving Office of the PPC. Upon receipt of the complaint from the AP, the PPC will have 45 days (or 60 days for complicated cases) following the PPC's receipt of the complaint to resolve the case. The PPC is responsible for documenting and keeping files of all complaints.

61. At any stage in the GRM, the complainant may have the option to elevate the complaint to the district court for litigation following the rules of court. During the litigation of the case, the subproject proceeds without disruption while the case is being heard. If any party is dissatisfied with the ruling of the district court, that party can elevate the case to a higher court. It should be noted that, the GRM shall not impede access to the country's judicial or administrative remedies.

62. If efforts to resolve complaints or disputes are still unresolved and unsatisfactory following the subproject's GRM, the APs have the right to send their concerns or problems directly to ADB's Southeast Asia Department (SERD) through ADB Viet Nam Resident Mission. . If the APs are still not satisfied with the responses of SERD, they can directly contact the ADB's Office of the Special Project Facilitator: <https://www.adb.org/site/accountability-mechanism/main>. (Address of ADB Viet Nam Resident Mission: 3rd Floor, Cornerstone Building, No.16 Phan Chu Trinh Street, Hoan Kiem District, Hanoi, Viet Nam, Tel: +8424 39331374. Fax: +8424 39331373).

63. The PMU will (i) coordinate with concerned agencies in registration, reviewing and resolving of grievances and responding to the complainant; (ii) follow-up with relevant agencies in settling of grievances in the provided timeframe; (iii) summarize the grievances and status of grievance resolution in the project progress reports and safeguards monitoring reports; and (iv) respond to the enquiries of affected persons or complainants that are directly addressed to the PMU. Complainants may contact Mr. Bui Duc Hinh, representative of Hoa Binh DPI and also PMU leader (Tel: + 84 (0) 218 3852 111).

## VI. LEGAL AND POLICY FRAMEWORK

64. This REMDP strictly adheres with the laws, regulations and policies of the Government of Viet Nam and Asian Development Bank Safeguard Policy Statement (SPS, 2009).

### 6.1 Laws on Land Acquisition and Resettlement of the Government

65. The Constitution of the Socialist Republic of Viet Nam (2013) affirms the rights of every citizen to own a house and ensure its protection from man-made and natural disasters and other hazards. Furthermore, the Vietnamese government has enacted several laws, decrees, regulations and decisions that constitute the legal policy framework for land acquisition, compensation to land and other assets as well as other assistance regarding resettlement activities.

66. These legal documents include the Land Law No.45/2013/QH13 which provides comprehensive land administration regulations. The 2013 Land Law supersedes earlier versions of the law enacted in 1987 and 1993 and 2003 respectively. Clause 1, Article 67 of the 2013 Land Law stipulates that information must be disclosed first to the APs, within a minimum of 90 days to a maximum of 180 days, before the actual recovery of agricultural and non-agricultural lands.

67. An enumeration of the various Laws, Decrees and Decisions on Land Acquisition and Resettlement in Viet Nam are cited below:

- Constitution of the Socialist Republic of Viet Nam adopted on 28 November 2013 by the Thirteenth National Assembly, and took effect on 1 January 2014;
- Land Law of 2013 (No. 45/2013/QH13) enacted on 10/12/2013 and took effect on July 1, 2014;
- Decree no. 43/2014/ND-CP dated 15 May 2014 by the Government specifying the implementation of several articles of the Land Law no 45/2013/QH13 (replacing Decree No 181/2004/ND-CP dated 29/10/2004; Decree No 17/2006/ND-CP dated 27/01/2006; Decree No 84/2007/ND-CP dated 25/05/2007; Decree No 69/2009/ND-CP dated 13/08/2009; and Decree No. 88/2009/ND-CP dated 19/10/2009);
- Decree No 44/2014/ND-CP dated 15 May 2014 by the Government providing for land price (which replaces Decree No. 188/2004/2004 and Decree No 123/2007/ND-CP dated 27/07/2007);
- Decree No. 45/2014 dated 15 May 2014 by the Government providing for the collection of land use fees (replacing Decree 198/2004/ND-CP dated 3 December 2004; Decree No. 44/2008/ND-CP dated 9 April 2008; Decree No 120/2010/ND-CP dated 30 December 2010);
- Decree No. 47/2014 dated 15 May 2014 by the Government providing for compensation, assistance and resettlement when land is acquired by the State (which replaces Decree 197/2004/ND-CP dated 3/12/2004);
- Decree 84/2013/ND-CP dated 25/7/2013 on development and management of resettlement housing;
- Decree 16/2016/ND-CP dated 16 March 2016 on use of ODA funds.
- Circular No 37/2014/TT-BTNMT dated 30/06/2014 by Ministry of Natural Resources and Environment providing detailed regulations on compensation, assistance and resettlement when land is acquired by the State;

- Circular 74/2015/TT-BTC dated 15 May, 2015 of the MOF providing the budget, using and settling costs for compensation, assistance and resettlement implementation when land is acquired by the State;
- Circular 07/2014/TT-TTTP dated 31 October, 2014 on procedures for settling complaints and denunciations;
- Circular 36/2014/TT-BTNMT dated 30/6/2014 of MONRE on the detailed methodology for valuation of land, structures, amending land value gazettes, specific valuation of land and consultancy for land valuation;
- Decision 63/2015/QD-TTg dated 10 December 2015 on vocational training and job referral policy for laborers who are impacted by land acquisition;
- Decision 46/2014/QD-UBND dated 05 August 2014 of Hoa Binh's PPC issuing detailed regulations on implementation of some articles of the Land Law and Decree 47/2014/ND-CP dated 15 May, 2014 of the Government on compensation, assistance and resettlement when land is acquired by the State in Hoa Binh province.
- Decision No.24/2014/QD-UBND dated 55 September 2014 of Hoa Binh PPC on the regulations on compensation, support and resettlement when the State recovers land in Hoa Binh province; and Decision No.15/2015/QD-UBND dated 02 June 2015 Decision No.16/2016/QD-UBND dated 11 may 2016 of the People's Committee of Hoa Binh province on review/ modify Article 29, Clause 3 of Article 15 and Clause 1 of Article 16 Decision No.24/2014/QD-UBND dated 55 September 2014.
- Decision No.25/2014/QD-UBND dated September 25, 2014 of the People's Committee of Hoa Binh province, promulgating the unit prices of all the asset on land for compensation and support when the State recovers land in Hoa Binh province.
- Decision No.27/2014/QD-UBND dated September 30, 2014 of the People's Committee of Hoa Binh province, promulgating the quota of (i) new residential land handed, (ii) compensation residential land; (iii) unused land handed to households, for agricultural production, forestry, aquaculture
- Decision No.37/2014/QD-UBND dated December 25, 2014 issued by Hoa Binh Provincial People's Committee on land prices in Hoa Binh province for 5 years (2015 - 2019).

68. With regards to the EMs Viet Nam's constitution (2013) mandates the State to "Implement a policy on equality, unity and support for all ethnic groups in the development of a civilized society, and respect benefits, traditional cultures, languages and religions of EM groups (Article 5)". Related to this, a ministerial-level government body, Committee for Ethnic Minority and Mountainous Areas Affairs (CEMA) is tasked to develop and oversee policies and programs to promote the welfare of EMs.

69. Programs that target EMs are numerous and diverse and cover a wide range of issues including poverty reduction, resettlement and agriculture, productive and residential land allocation, education, health and communication, cash subsidies on land reclamation, improvement of commune and village infrastructure, and the like.

70. Following are the key regulations involving EMs in Viet Nam.

- Decree No. 80/2011/NQ-CP of the Government on sustainable poverty reduction, period of 2011-2020;
- Decree No. 05/2011/ND-CP of the Government on the work of EM;

- Decision No. 01/2007/QĐ-UBND dated 31 May 2007 of the Ethnic Minorities Committee on the recognition of communes, districts in the mountainous areas;
- Decision No. 05/2007/QĐ-UBND dated 06 September 2007 of the Ethnic Minorities Committee on its acceptance for three regions of ethnic minorities and mountainous areas based on development status;
- Circular No. 06 dated 20 September 2007 of the Ethnic Minorities Committee guidance on the assistance for services, improved livelihood of people, technical assistance for improving the knowledge on the laws according the decision 112/2007/QĐ-TTg;

## **6.2 ADB Policies**

71. The applicable ADB Policy on Involuntary Resettlement and ethnic minorities is the Safeguard Policy Statement (SPS, 2009) as detailed in ADB's OM Section F1/OP.

72. The main objectives of ADB's Policy on Involuntary Resettlement is to avoid, or, if not possible to avoid, minimize resettlement impacts, restore income and livelihoods of AHs and improve living standards of poor and vulnerable AHs.

73. ADB's Policy on Indigenous Peoples (SPS, 2009) states that the borrower/client will ensure (i) that affected Indigenous Peoples receive culturally appropriate social and economic benefits; and (ii) that when potential adverse impacts on Indigenous Peoples are identified, these will be avoided to the maximum extent possible. Where this avoidance is proven to be impossible, based on meaningful consultation with indigenous communities, the Indigenous Peoples Plan (IPP) or the Ethnic Minority Development Plan (EMDP) will outline measures to minimize, mitigate, and compensate for the adverse impacts.

74. Other ADB policies which have bearing on resettlement and EM development planning and implementation are the (i) Public Communications Policy (2011); and (ii) Accountability Mechanism (2012). These are required to proactively and regularly share and disclose all subproject-related information with stakeholders and the public at large. Affected people should have easy access to subproject information. People adversely affected by the subproject should be able to freely voice their views and opinions and seek solutions to problems during and after resettlement and EM development measures implementation. The GRM, public consultations and information disclosure activities are included in the REMDP and disclosed to the affected people.

75. Altogether, the ADB's SPS, 2009, Laws of the Government of Viet Nam, and the PPC's Decrees/Decisions on resettlement provide a comprehensive legal basis to identify, mitigate past, and compensate to the involuntary resettlement impacts and risks as well as EM development measures.

## **6.3 Resolving Inconsistencies of Government and ADB Policy on Resettlement and ethnic minorities**

76. With the issuance of Land Law 45/2013 and Decree 47/2014 regulating compensation, assistance and resettlement when land is recovered by the State, the policies of the Government have significantly improved and are becoming more consistent with ADB's social safeguards policies. Nonetheless, provisions and principles adopted in this REMDP will supersede the provisions of the relevant decrees currently enforced in Viet Nam wherever a gap exists, as provided for under Paragraph 51 of the Decree 16/2016/ND-CP (16 March 2016), which regulates the management and use of official development assistance (ODA).

77. The comparison and differences (gaps) between the Government of Viet Nam's laws and decrees and ADB's SPS, 2009 regarding LAR as well as EM peoples, and how to address these gaps for this subproject are shown in Table 27.

**Table 27: Gaps between Viet Nam National Resettlement Laws and ADB's Policies**

Items	Viet Nam Government Regulations	ADB SPS (2009)	Subproject Policy
<b>Severely impacted APs losing productive land</b>	Decree 47/2014/ND-CP, Article 19, Item 3: APs losing from more than 30% of productive land are considered severely impacted and are entitled to livelihood restoration measures	APs who are (i) physically displaced from housing or (ii) losing from 10% of their productive assets (income generating) are considered severely impacted	APs losing from 10% of their production landholding (income generating) or who are physically displaced from housing shall be considered as severely impacted
<b>APs without LURC</b>	<p>Land Law 2013, Article 77, Item 2 and Article 92: Persons who has used land before 1<sup>st</sup> July 2004 and directly be involved in agriculture production on the acquired land without LURC or illegalization will be compensated for the acquired land area but not exceed quota of agricultural land allocation.</p> <p>No compensation for non-land assets in the following cases: (i) the assets subject to the land recovery as stipulated in one of items a, b, d, đ, e, l, clause 1, article 1, article 64 and items b, d, clause 1, article 65 of the Land Law 2013; (ii) the assets created after the notification on land acquisition; and (iii) unused public infrastructures and other works</p>	APs who have neither formal legal rights nor recognized or recognizable claims to such land are entitled to be compensated for the loss of non-land assets other than land, and for other improvements to the land, at full replacement cost (including temporary and partial losses), if they occupied the land or structures prior to the cut-off date.	APs without LURC or recognizable legal claims to land acquired, will be equally entitled to participation in consultations and subproject benefit schemes where possible, and be compensated for their lost non-land assets created before cut-off date at replacement cost. They will be entitled to resettlement assistance and other compensation and social support to assist them to improve or at least restore their pre-subproject living standards and income levels
<b>Compensation for affected houses/structures</b>	Land Law 2013, Article 89, Item 1: houses/structures used for living purpose will be compensated at replacement cost. Decree 47/2014/ND-CP, Article 9: Houses/structures used for other purposes will be compensated equal to the remaining vale of the affected house plus some percentage of current value, but total compensation amount is not exceeding value of the new house/structure	Non-land assets, including house/structure created before the cut-off date will be compensated at replacement cost without deduction for salvageable materials or depreciation;	Full compensation at the cost of new house/structure with similar technical standard will be paid for all affected houses/structures without any deductions for salvageable materials or depreciation;
<b>Support life stabilization and production</b>	Compensate and support only registered manufacturing and business enterprise or	Promptly compensate all economically displaced persons for	Cash assist to AHs who are with or without registered business. The



Items	Viet Nam Government Regulations	ADB SPS (2009)	Subproject Policy
	HHs	the loss of income or livelihood sources at full replacement cost, and assist through credit facilities, training and employment opportunities.	AHs (with or without business license) will be entitled to participate in the income restoration plan (IRP)
<b>Monitoring</b>	No monitoring indicators indicated	Monitoring indicators specified for internal and external monitoring and reporting. In case of significant or sensitive impacts, an external monitoring organization is required to conduct monitoring on the REMDP implementation	The PMU and DPC to undertake internal monitoring according to the critical indicators.
<b>Ethnic Minority</b>			
<b>Action Planning</b>	No provisions of the Governments on preparation of EMDP	The preparation of the REMDP is based on the social impact assessment and meaningful consultation with the assistance of qualified and experienced experts and that draw on Indigenous knowledge and participation by the affected EM communities	A combined REMDP is prepared and will be updated in consultation with the local EM
<b>Meaningful consultation with EM</b>	There is no regulation under the government's regulations on organizing the public consultation with the participation of ethnic minorities.	Undertake meaningful consultations with affected Ethnic Minority Peoples communities and concerned Ethnic Minority Peoples organizations to solicit their participation in designing, implementing, and monitoring measures to avoid adverse impacts or, when avoidance is not possible, to minimize, mitigate, or compensate for such effects.	Meaningful consultations have been organised with the local EM during REMDP preparation. Consultations will be organised during updating of the REMDP to solicit the local EM participation in designing, implementing, and monitoring measures to avoid adverse impacts or, when avoidance is not possible, to minimize, mitigate, or compensate for such effects.

Items	Viet Nam Government Regulations	ADB SPS (2009)	Subproject Policy
<b>Monitoring</b>	No monitoring indicators indicated.	Monitoring indicators specified for internal and external monitoring and reporting. In case of significant or sensitive impacts, an external monitoring organization is required to conduct monitoring on REMDP implementation	The PMU and DPC will undertake internal monitoring according to the critical indicators.  As negative impacts of the subproject on local EM are minor, external monitoring on REMDP implementation by external monitoring organization is not required.

## **VII. SUBPROJECT PRINCIPLES, ELIGIBILITY AND ENTITLEMENT**

### **7.1 Subproject Resettlement and Ethnic Minority Development Principles**

78. The basic principles of this subproject related to involuntary resettlement and EM development are the following:

- (i) Involuntary resettlement and impacts on land, structures and other fixed assets will be avoided or minimized where possible by exploring all alternative options;
- (ii) APs residing, working, doing business and cultivating land within the required subproject area (the cut-off-date) will be entitled to compensation and rehabilitation assistance to assist them in improving, or at least maintaining, their pre-subproject living standards and productive capacities;
- (iii) Lack of formal legal title or rights will not be barrier to eligibility for compensation and assistance under the subproject. AHs without title or any recognizable legal rights to land are eligible for resettlement assistance and compensation for non-land assets at replacement cost;
- (iv) APs will not be displaced until they have been compensated as per the provisions of this REMDP and rehabilitation measures are in place;
- (v) All compensation will be based on the principle of replacement cost at the time of compensation. For houses and other structures, this will involve the costs for materials and labor at the time of acquisition, with no deduction for depreciation or for salvageable materials. Compensation for land will be replacement land or, in cases where replacement land is not available, or the household opts for cash compensation, cash adequate to purchase land locally of equivalent size and quality, and where required to improve land to achieve suitable quality;
- (vi) Updating and finalising of EM development measures (to mitigate negative impacts and to promote of positive impacts on the local EM) will be done in full consultations with the Muong ethnic group;
- (vii) The process and timing of land acquisition and implementation of EM development measures will be determined in consultation with APs and the Muong ethnic group to minimize disturbance;
- (viii) Where houses and structures are partially affected to the degree that the remaining portion is not viable for its intended use, the subproject will acquire the entire asset, and APs will be entitled to compensation at replacement cost for the entire asset. In case the remaining portion is viable, APs will be provided an allowance for repair of remaining house and structures;
- (ix) APs and the Muong will be systematically informed and consulted about the subproject, the rights and options available to them and proposed mitigating measures. The comments and suggestions of APs and the Muong will be considered;
- (x) Resettlement planning and implementation and EM development measures implementation will ensure that gender concerns are incorporated, including gender-specific consultation and information disclosure. This includes special attention to guarantee women's assets, property, and land-use rights, and to ensure the restoration of their income and living standards;
- (xi) Existing cultural and religious practices of both Kinh and Muong will be respected and, to the maximum extent practical, preserved;
- (xii) Special measures will be incorporated in the REMDP to protect socially and economically vulnerable groups such as ethnic minorities, women-headed households, children, households headed by the disabled, the elderly, landless and

people living below the generally accepted poverty line. Vulnerable APs will be provided with appropriate assistance to help them improve their standard of living through asset building strategies such as provision of land, replacement housing of minimum standards and increased security of tenure;

- (xiii) There will be effective mechanisms for hearing and resolving grievances during updating and implementation of the REMDP;
- (xiv) Institutional arrangements will be in place to timely and effectively implement the land acquisition, compensation, resettlement, and rehabilitation programs with full participation and meaningful consultation with AHs and the Muong ethnic in the local;
- (xv) Adequate budget will be fully committed and made available to cover the costs of land acquisition, resettlement, EM development measures within the agreed implementation period;
- (xvi) Appropriate reporting, monitoring and evaluation mechanisms will be identified and set in place as part of the resettlement and EM development management system;
- (xvii) Civil works will not commence for a specific subproject component until (i) compensation payment has been satisfactorily completed for that subproject's component; (ii) agreed rehabilitation program is in place; (iii) the EM development measures have been started; and (iv) the area is free from all encumbrances as per approved REMDP.

## **7.2 Eligibility and Entitlements**

79. **Eligibility.** All APs who own or occupy land or operate businesses in the subproject-impacted areas before the cut-off date, will be entitled to compensation for their affected land and assets and to rehabilitation measures sufficient to assist them to improve or at least maintain their pre-subproject living standards, income-earning capacity and production levels. In this subproject, the cut-off date for eligibility for compensation will be the date that Lac Thuy DPC officially informs the issued Notice of Land Acquisition to the AHs and community (Thanh Nong and Phu Lao Communes ).

80. **Entitlements.** The entitlement matrix in Table 28 includes the main types of losses and their corresponding nature and scope of entitlements. The detailed civil works design, DMS and SES will be the basis for determining actual impacts. The PMU will engage an qualified independent cost appraiser to carry-out the RCS to determine actual replacement costs and rates. Entitlements described in this REMDP will not be lowered during the REMDP updating but can be enhanced in the subproject REMDP as required.

**Table 28: Entitlement Matrix**

	Type of Loss	Application	Eligible AP	Subproject Entitlement	Implementation Issues
I.1	Agricultural Land	Marginal loss of agricultural land	AH with LURC or in the process of acquiring it; those who are eligible to acquire LURC.  <b><u>42 AHs</u></b>	<ul style="list-style-type: none"> <li>• Cash compensation for affected land at full replacement cost, free from taxes and transaction costs.</li> <li>• Job training, transition and job seeking assistance in cash equals to 3.0 times of compensation unit rate regulated by Hoa Binh PPC.</li> </ul>	<ul style="list-style-type: none"> <li>• A qualified replacement cost appraiser shall be mobilized by the PMU to appraise the replacement cost of the affected land.</li> <li>• If the remaining area of the land plot is no-longer economically viable (too small, the shape is difficult for cultivation) and if the land user requests, the entire plot shall be acquired and compensated by replacement cost</li> <li>• LURC shall be adjusted at no cost for the owner.</li> </ul>
I.2	Agricultural Land	Severe loss of agricultural (loss more than 10% of total production landholding)	AH with LURC or in the process of acquiring it; those who are eligible to acquire LURC  <b><u>8 AHs</u></b>	<ul style="list-style-type: none"> <li>• Cash compensation for affected land at full replacement cost, free from taxes and transaction costs.</li> <li>• Job training, transition and seeking assistance in cash is equal to 3.0 times of compensation unit rate regulated by Hoa Binh CPC.</li> <li>• For the HHs who lose from 10% - 30% of total production landholding, assistance for life stabilization and production stabilization in cash is equal to 30kg rice/person/month for all family members for 6 months</li> <li>• Entitled to the IRP</li> </ul>	<ul style="list-style-type: none"> <li>• A qualified replacement cost appraiser shall be mobilised by the PMU to appraise the replacement cost of the affected land.</li> <li>• If the remaining area of the land plot is no-longer economically viable (too small, the shape is difficult for cultivation) and if the land user requests, the entire plot shall be acquired and compensated by replacement cost</li> <li>• LURC shall be adjusted at no cost for the owner.</li> <li>• The price of rice is calculated based on the local average price of rice announced by the Department of Finance in the first 6 months or the last 6 months of the year;</li> <li>• The IRP will be specified during REMDP updating process</li> </ul>
I.3	Agricultural land	Loss of any	520 m <sup>2</sup> of unused land	Assistance at 50% of the price	

Type of Loss		Application	Eligible AP	Subproject Entitlement	Implementation Issues
	managed by the CPC	agricultural land (unused land) managed by the CPC	managed by Thanh Nong CPC	of land of the same type and position as specified in the PPC's land price list. The assistance payment will be remitted into the State budget, which can only be used to invest in infrastructure construction and used for the public interest of the commune.	
<b>II.1</b>	Residential land	Marginal or severe loss of residential land.	AH with LURC or in the process of acquiring it; those who are eligible to acquire LURC. <b><u>40 AHs</u></b>	<ul style="list-style-type: none"> <li>• Cash compensation for affected land at full replacement cost, free from taxes and transaction costs.</li> </ul>	<ul style="list-style-type: none"> <li>• A qualified replacement cost appraiser shall be mobilised by the PMU to appraise the replacement cost of the affected land.</li> <li>• LURC shall be adjusted at no cost for the land user.</li> </ul>
<b>III.1</b>	Loss of trees		Owners, regardless of land tenure status <b><u>20 HHs</u></b>	<b>Trees:</b> Cash compensation at market price based upon their type, age and productive value.	<ul style="list-style-type: none"> <li>• A qualified replacement cost appraiser shall be mobilised by the PMU to appraise the market rate of the affected trees to constitute the basic for compensation.</li> </ul>
<b>IV.1</b>	House and structures	Partially affected	Structure owners with or without acceptable proof of ownership of land; with or without building permit <b><u>8 AHS</u></b>	<ul style="list-style-type: none"> <li>• Cash compensation at replacement cost for the affected portion with no deduction for depreciation, taxes or salvageable materials.</li> <li>• Cash assistance for repairing the remaining houses and structures: VND 3,000,000/ household.</li> </ul>	<ul style="list-style-type: none"> <li>• A qualified replacement cost appraiser shall be mobilised by the PMU to appraise the replacement cost of the affected structures.</li> <li>• AHs can use the salvageable materials. Deduction shall not be for depreciation when calculating the replacement cost for affected structures</li> </ul>

	Type of Loss	Application	Eligible AP	Subproject Entitlement	Implementation Issues
<b>V.1</b>	Higher risk of impoverishment of vulnerable affected persons due to land acquisition and resettlement impacts.		Vulnerable APs <b><u>63 AHs</u></b>	(i) Entitled to the IRP (ii) Assistance in cash: VND 3,000,000/household.	

## VIII. INCOME RESTORATION AND REHABILITATION

### 8.1 Income Restoration Program

81. An Income Restoration Program (IRP) will be developed and implemented by the PMU and the DCSCB to (a) maximise the use of remaining unacquired production land for farming purpose; (b) create career opportunities through vocational trainings and job creating activities; (c) provide technical assistance or/and small business/service models for those who want to do business/services, particularly tourism related services. To create career opportunities through vocational trainings and job creating activities, the program will organize tourism-related training courses that suit their needs, capacity and provide supplementary trainings, consultations, allowance and other supports to participants attending the courses as well as tools/equipment for career establishment after being trained. With the objective of providing technical assistance or/and small business/service models for those who want to do business/services in the local, the program will provide them with technical advice, small business/service models and other training courses, and some in-kind/materials support for business/service establishment.

82. The IRP is designed to support (i) eight (08) severely AHs losing 10% or more of their production/income-generating assets; and (ii) 63 the vulnerable AHs (56 Muong EM households, 06 female headed HHs and 01 poor AH) of the subproject. The total number of HHs will be participated in IRP is 64 AHs because seven (07) of eight (08) severely AHs belong to vulnerable groups. The final figures on the severely AHs and vulnerable AHs by the subproject will be updated following the result of the DMS during the subproject implementation.

83. As the DCSCB of Lac Thuy District will be established consisting of heads of district divisions and chaired by the Vice-chairman of the DPC - the DCSCB will be the implementing agency for the IRP. A detailed needs assessment will be carried out by the DCSCB in cooperation with the PMU and the CPCs during the REMDP updating phase to assess the needs and eligibility of the AHs and to constitute the detailed income restoration activities. The PMU, through its DDSSC, will (i) support the DCSCB in carrying out of detailed needs assessment, (ii) discuss and agree with the DCSCB, CPCs and the IRP eligible households on specific income restoration measures to implement; (iii) support DCSCB in preparing the IRP for submission to Hoa Binh PPC for review and acceptance; (iv) reflect the IRP in the updated REMDP and submit to the PPC and ADB for review and concurrence; (v) transfer of budget to DCSCB to implement of the accepted IRP.

84. Budget for IRP implementation (cost of capacity building, provisions of materials/inputs) have been estimated as VND 7,000,000 per HH. This proposed amount is based on the consultation results with Lac Thuy District Agriculture Extension and Lac Thuy District Division of Labour, Invalid and Social Affairs on the budgets of the on-going agricultural development, poverty reduction and business development support programs in the local and consultation results with the potential IRP eligible households. It is noted that, during the detailed needs assessment and additional consultations during updating REMDP to finalise the IRP, the rates may be adjusted if necessary to ensure that the income restoration activities are implemented effectively to restore of income and develop of livelihoods of eligible HHs.

85. No cash assistance shall be provided directly to the IRP eligible HHs but will be in-kind/materials. After implementation of the IRP, the HHs will not have to return the provided assistance to the subproject.

86. The HHs will be supported with trainings to build their production capacity. According to the consultations organised in 23-24 June 2017 with the local people, trainings for the IRP participating HHs will cover the following areas:



- For maximize in the use of remaining unacquired production land for farming purpose:
  - Land use rotation and suitable crops for plantation;
  - High productivity and high value crops plantation;
  - New and effective plantation techniques; and
  - Combination of animals rising and crops plantation
- For creating career opportunities through vocational trainings:
  - Motorbike, vehicle and cell-phone repairing;
  - Vehicle driving (tourism transport), and
  - Electronic devices repairing.
- For setting-up of tourism related business/services
  - Business planning and management;
  - Access microfinance and financial literacy;
  - Service/production group formation/strengthening;
  - Handicraft/food production/culinary and marketing, and service quality enhancement.
  - Marketing

87. Training requirements of the IRP eligible households will be finalised during updating of the REMDP. The HHs at that time will know the details of impacts on their land and livelihood, compensation and assistance package for their HH, and will have concrete ideas on what should be the income restoration measures that they wish to implement - detailed training program will be developed accordingly. Trainings will be provided by batches. The first training will be conducted prior to provision of IRP material support to the eligible households, and will focus on (i) the specific training needs of the eligible households identified during the detailed needs assessment (carried out during updating of the REMDP); and (ii) the areas that the specialized agencies (Agricultural Extension Division of the District, for example) consider necessary for effective implementation of the income restoration activities. The second batch of trainings (“refresher” trainings) will be conducted during implementation of the income restoration activities; and the final training will be scheduled after implementation of the activities. This last training will focus on sharing of lessons learned and how participating IRP can continue to apply the knowledge gained. The training sessions will involve visual aids and practical training, and participants will be provided with handouts that can be used as reference during implementation of the income restoration activities.

88. In addition to the trainings, IRP eligible HHs will receive materials and technical supports to increase agricultural productivity (both livestock and aquaculture). The HHs will also be equipped with tools, equipment and other means to improve their production efficiency as well as their businesses/services. All the support aims to help to generate income for the HHs .

## **8.2 Implementation of Ethnic Minority Development Measures**

89. As the first activity to implement of EM development measures - field staff of the PMU will receive social sensitivity training by the DDSSC through workshops that address issues of working with Muong EM and addressing gender and poverty issues. The training will be provided when the DDSSC has been engaged.

90. The Table 29 presents how the agreed EM development measures will be implemented by the subproject.

**Table 29: Ethnic Minority Development Measures**

Measures	Responsibility	Activities	Remarks
<b>Mitigation of Potential Negative Impacts by the Subproject</b>			
<b>1. Loss of agricultural land of the EM HHs</b>	PMU DCSCB	<ul style="list-style-type: none"> <li>• Compensation for affected land by replacement cost;</li> <li>• Effectively implement of the IRP;</li> </ul>	<ul style="list-style-type: none"> <li>• REMDP</li> <li>• REMDP</li> </ul>
<b>2. Health risk and increased of social evils</b>	PMU DPC CPCs	<ul style="list-style-type: none"> <li>• Effectively implement the IEE and the Gender Action Plan (GAP) by the PMU;</li> <li>• DPC and CPCs will increase of police checks to prevent drug trafficking and prostitution as well as labour camp management by the construction contractor.</li> <li>• PMU and DPC to organize of awareness rising campaign on safety traffics in two subproject communes.</li> </ul>	<ul style="list-style-type: none"> <li>• IEE and GAP</li> <li>• IEE</li> <li>• IEE</li> </ul>
<b>3. Impacts on traditional values of Muong ethnic</b>	PMU DPC CPCs CTGs	<ul style="list-style-type: none"> <li>• Effectively implement the IEE by the PMU</li> <li>• PMU, DPC, CPCs and CTGs to organise of awareness rising campaign on protection of traditional values of Muong ethnic in two subproject communes.</li> </ul>	<ul style="list-style-type: none"> <li>• IEE</li> <li>REMDP</li> </ul>
<b>Promote Potential Positive Impacts by the Subproject</b>			
<b>1. Increased of trade of farmed food and handicrafts products of households</b>	PMU/ DCSCB DPC/CPC CTGs	<ul style="list-style-type: none"> <li>• Implementation of policies (Central and Provincial/ District Government policies) of the local authorities on encouraging households for production<sup>5</sup>.</li> </ul>	

<sup>5</sup> There are three policies/programs on encouraging of households for production that are being implemented in the area: (i) Poverty Reduction Program for Ethnic Minority Communes (Government funded Program); (ii). Program for Industrial, Service and Business Development Supports of Hoa Binh Province to the year 2020, oriented to 2025 (Hoa Binh Provincial funded Program); and (iii) Program for Encouraging and Supporting for Processing and Reservation of Agricultural, Aqua-cultural and Forest Products (Hoa Binh Provincial Funded Program). Local people in the subproject area are entitled to participate in these programs

Measures	Responsibility	Activities	Remarks
<b>2. Increased and better access via the new and improved access road</b>	PPC and DPC	<ul style="list-style-type: none"> <li>Regularly carry-out road maintenance</li> </ul>	
<b>3. Increased interactions with other people coming to the community</b>	DPC CPCs	<ul style="list-style-type: none"> <li>Good operation and management of the new market (under the Capacity Building Program of the Project, trainings on O&amp;M to DPC/CPCs will be provided)</li> </ul>	

## IX. RELOCATION OF HOUSING AND SETTLEMENT

91. According to the IOL carried out in June 2017, the subproject will only acquire parts of residential land of the households; therefore, no relocation of AHs is required.

## X. INDICATIVE REMDP BUDGET

92. The cost for LAR and EM development will be covered from the counterpart funds of the EA (MCST). At the official request of the DCSCB, the EA shall provide the funds for the implementation of the REMDP in a timely manner.

93. A rapid replacement cost study was conducted by PPTA Consultants in June 2017 for affected land and assets on land. For the information on replacement cost of affected lands (land for perennial tree and paddy land), the PPTA consultants consulted with the AHs on the market-price of lands in the local and other administrative costs of land transaction. Consultations were also conducted with unaffected HHs in the area on the prices of lands that they are willing to sell or buy. Market rate of trees (bananas and coconuts) was gathered from the AHs, local authorities and the local fruit-vendors. In addition, the consultants conducted interviews with construction material vendors and construction agencies on the current cost of construction materials (including transportation costs) and labor cost which make up the replacement cost for affected structures. The result of the rapid replacement cost study is used to calculate compensation budget for affected land, structures and trees in this REMDP.

94. Budget calculation for compensation, assistance and EM development for the subproject presented in this REMDP are based on the IOL that was completed in June 2017; entitlements of AHs and EM development measures which have been consulted with the AHs, local authorities/concerned agencies and EM in the local and the result of the rapid replacement cost study. The budget will be updated during the REMDP updating following the results of DMS, RCS and additional consultations with the AHs and the local EM.

95. The total estimated cost for compensation, assistance and implementation of EM development measures for the subproject in Hoa Binh Province is VND **10,979,033,894** (equivalent to US\$483,083) of which US\$430,556 is the direct costs for compensation, assistance and implementation of EM development measures; US\$8,611 (2%) is the administration cost; and US\$ 43,917 (10%) is for contingency to address the emerging needs during REMDP implementation. Table 30 describes in detail the indicative REMDP budget.

**Table 30: Indicative REMDP Budget**

(Exchange Rate: 22,727/USD)

No.	Item	Unit	Quantity	Unit Cost (Average)	Total Cost		Note	
					In VND	In US\$		
1	Compensation for land		13,587.5		5,664,766,000	249,253		
1.1	Residential land	m <sup>2</sup>	2,471.1	2,000,000	4,942,200,000	217,459		
1.2	Agricultural land	m <sup>2</sup>	11,116.4	65,000	722,566,000	31,793		
2	Compensation for temporary house	m <sup>2</sup>	222.9	1,502,000	334,795,800	14,731		
3	Compensation for sub structures		-		717,845,400	31,586		
3.1	Brick wall	m <sup>2</sup>	393.6	1,390,000	547,104,000	24,073		
3.2	Temporary house	m <sup>2</sup>	222.9	766,000	170,741,400	7,513		
4	Compensation for trees	Tree	1,383.0	120,000	165,960,000	7,302		
5	Compensation for public land	m <sup>2</sup>	520.0	32,500	16,900,000	744		
6	Allowances & Assistance	HHs			2,416,968,000	106,348		
6.1	Job training, job transition and job seeking	m <sup>2</sup>	11,116.4	195,000	2,167,698,000	95,380		
6.2	Stabilization assistance for loss form 10% - 30% of total production landholding	person	31	1,170,000	36,270,000	1,596	30kg rice * 6,500VND/kg * 6month	
6.3	Assistance for vulnerable group	HH	63	3,000,000	189,000,000	8,316		
6.4	Assistance for repair remaining houses and structures	HH	8	3,000,000	24,000,000	1,056		
7	Income Restoration Program	HH	64	7,000,000	448,000,000	19,712		
8	Implementation of EM Development Measures	package	1	20,000,000	20,000,000	880		
9	Total Direct Costs (1+...+8)				9,785,235,200	430,556		
10	Administration and implementation (2% x 9)	%	2		195,704,704	8,611		
11	Total (9+10)					9,980,939,904	439,167	
12	Contingency (5% x 10)	%	10		998,093,990	43,917		

No.	Item	Unit	Quantity	Unit Cost (Average)	Total Cost		Note
					In VND	In US\$	
13	Grand Total				10,979,033,894	483,083	

## XI. INSTITUTIONAL ARRANGEMENTS

96. The roles and functions of each organization responsible for resettlement and EM development measures implementation is outlined below:

97. **Lac Thuy District PMU:** The PMU will appoint safeguards focal staff members to perform responsibilities related to the safeguards plans, including the REMDP, implementation and monitoring. The PMU of the subproject is tasked to coordinate the day-to-day subproject implementation including planning, updating implementation and monitoring of the REMDP. The MCST through its PMU will coordinate closely with the Hoa Binh PPC. The PMU specific tasks include the following:

- Engage of qualified independent replacement cost appraiser to conduct the RCS.
- Review and approve of the REMDP, submit and ensure of approval on the REMDP by ADB
- Update the REMDP after the DMS, RCS and additional consultations with APs and local EM.
- Safeguard and keep the data base of APs and assets that will be gathered during the preparation and updating of the REMDP both in e-copies and hard copies; and
- Prepare progress reports on REMDP implementation for submission to ADB.

98. **Provincial People's Committee (PPC).** Hoa Binh PPC is responsible for resettlement and EM development activities within its administrative jurisdiction. The main responsibilities of the PPC include:

- (i) Approve the updated REMDP to be prepared following the completion and approval of the subproject's detailed designs;
- (ii) Issue decision on approval of land valuations applied for compensation, allowances and other support to APs, especially vulnerable groups, based on principles of REMDP;
- (iii) Approve and allocate budget for compensation, support, resettlement and EM development.
- (iv) Direct and supervise relevant provincial departments to effectively implement the REMDP;
- (v) Settle APs' complaints and grievances related to land acquisition, resettlement and EM development according to the law-prescribed competence;

99. **District People's Committee (DPC).** Lac Thuy DPC is responsible for the following primary tasks:

- (i) Establish the DCSCB and direct the DCSCB and relevant district departments to appraise and implement the detailed compensation and site clearance plans
- (ii) Approve the detailed compensation and site clearance plans in line with the provision of the updated REMDP and monitor the progress of land acquisition, resettlement and EM development measures implementation in compliance with updated REMDP;
- (iii) Adjusting LURC for HHs and individuals who have land/house partially recovered, in accordance with authorized decisions;
- (iv) Direct the CPCs and relevant organizations to support resettlement activities (DMS, RCS etc.) in various resettlement activities conducted at their villages and communes and implementation of the EM development measures;
- (v) Resolve complaints and grievances of APs.

100. **District Compensation and Site Clearance Board (DCSCB)**. The main responsibilities of the DCSCB are the following:

- (i) Organize, plan and carry out compensation, assistance and resettlement activities and EM development measures;
- (ii) Conduct the DMS, public consultation and disclosure activities as well as the SES of affected HHs/persons;
- (iii) Design and implement income restoration program in coordination with various stakeholders;
- (iv) Prepare detailed compensation and site clearance plans in line with the REMDP and submit to the DPC for approval.
- (v) Implement compensation, assistance and resettlement and EM development measures;
- (vi) Assist in the resolution of APs' grievances.

101. **Commune People's Committee (CPC)**. The CPCs will assist the DCSCB in their resettlement and EM development tasks. Specifically, the CPCs will be responsible for the following:

- (i) Assign commune officials to assist the DCSCB and the PMU in the updating of the REMDP and implementation of resettlement and EM development activities;
- (ii) Assist the DCSCB in the conduct of the public consultation, DMS and SES;
- (iii) Assist the independent appraiser in the conduct of the RCS in their commune;
- (iv) Mobilize AHs/APs to actively participate in the REMDP updating process
- (v) Attend to the resolution of grievances lodged at their level.

102. **Women's Union as member of the Community Tourism Group**. The WU will be responsible for following primary tasks:

- (i) Support to PMU and DCSCB in the conduct of information dissemination and community consultation activities;
- (ii) Prepare simple reports on results of ward/commune/village level information dissemination and consultation;
- (iii) In behalf of CPC, mobilize women and the vulnerable group's participation in subproject implementation;
- (iv) Participate in coordination meetings with PMU, DCSCB, CPC.

103. **Community Tourism Group (CTG)**. The subproject will organize and train a commune level CTG headed by the deputy CPC Chairman and with representatives from the Fatherland Front Committee, Youth Union, Women's Union, and village leaders and representatives of local EM. They will be tasked to conduct information dissemination and consultation with subproject stakeholders as well as perform simple field monitoring of status of civil works implementation as well as status of REMDP, IEE and GAP implementation. They will be trained by the DDSSC to ensure that they efficiently perform their responsibilities. Likewise, they will assist the PMU in preparing monitoring progress reports as well as participate in coordination meetings with contractors, construction supervisor consultants and the PMU.

104. **Project Implementation Consultants (DDSSC)**. DDSSC will have an international social safeguards specialist (4 months) and a national social safeguards specialist (12 months) to support the PMU in handling resettlement and EM issues. The specific tasks of the social safeguard specialists include:

- (i) Ensure that due diligence is carried out in implementing the REMDP for the subproject;
- (ii) Assist in the preparation of materials and strategy for information campaigns, public consultation and community participation;
- (iii) Review the SES materials and method to complete the DMS after completion and approval of the detailed design and recommend improvements as required;
- (iv) Update the REMDP, and follow-up to ensure PPC and ADB approval of the REMDP;
- (v) Brief officials at all levels on the content and procedures for implementing the REMDP improve, if necessary, procedures for the coordination of resettlement and EM development measures implementation;
- (vi) Establish and implement procedures for ongoing internal monitoring of REMDP implementation;
- (vii) Verify the calculations of compensation made by the DCSCB in relation to the provisions of the REMDP entitlement matrix, and advise the PMU on any required measures to ensure compensation payments are made in accordance with the REMDP provisions;
- (viii) Monitor compensation payment and advise the PMU on what actions to take to ensure compensation is paid in full and in a timely and transparent manner; monitor the implementation of the EM development measures.
- (ix) Ensure that grievances are addressed promptly and properly and that the GRM is functioning well;
- (x) Conduct periodic mentoring on grievance redress if needed;
- (xi) Establish and implement procedures for ongoing internal monitoring of REMDP;
- (xii) Design and conduct capacity development activities on ADB social safeguard policies for all relevant agencies, as needed, including requirements for participation, communication and gender mainstreaming;
- (xiii) Train PMU designated social safeguards focal person staffs to carry out internal monitoring and reporting on REMDP implementation;
- (xiv) Monitor grievance process of affected AHs/APs who have lodged complaints with relevant levels of grievance redress.



## XII. IMPLEMENTATION SCHEDULE

105. The REMDP will be updated and implemented from end of 1<sup>st</sup> Quarter 2021. An indicative implementation schedule is presented in Table 31 below.

**Table 31: Indicative REMDP Implementation Schedule**

Activities	Schedule
Preparation and approval of detailed design	Quarter 4, 2020
Conduct of public consultations, DMS, RCS, SES	Quarter 4, 2020
Approval of updated REMDP by PPC and ADB	End of Quarter 1· 2021
Implementation of EM development measures	Quarter 2, 2021 – Q 4 2023
Payment of compensations to eligible AHs/APs and attending to complaints and grievances	Quarter 2, 2021
Implementation of IRP	Quarter 2, 2021 – Q 4 2023
Internal Resettlement monitoring	Continuous, started from Quarter 2 2021
Consultations with subproject beneficiaries i.e. AHs/APs, local EM.	Continuous, started from Quarter 1 2020 during detailed design of the subproject
Grievance redress	Until resolved

### XIII. MONITORING AND EVALUATION

106. Monitoring and evaluation of the REMDP allows the subproject owner to ensure smooth progress of the implementation of resettlement activities. Importantly, monitoring must also address the degree to which the REMDP activities have achieved their desired objectives, particularly where this involves the rehabilitation of AP’s housing, changes in livelihoods and lifestyles and the impacts on local EM.

107. The subproject is categorized as class B in resettlement and ethnic minorities so the external monitoring is not required. These monitoring objectives will be addressed through internal monitoring by the PMU and the DPC with support from the national and international resettlement specialists of the DDSSC.

108. The primary responsibility for internal monitoring lies with the PMUs’ safeguards focal staff persons and Lac Thuy DPC. The PMU will prepare semi-annual social safeguard monitoring reports (these reports are separate from the quarterly subproject progress reports) to the ADB which contains the progress of the REMDP implementation and issues confronting it. All monitoring data will be disaggregated by sex and ethnicity. The semi annual social safeguard reports will also include financial statements to verify the disbursements of counterpart funds for resettlement and EM development. Examples of indicators that will be regularly monitored are shown in following table:

**Table 32: Monitoring and Evaluation Indicators**

Type	Indicator	Examples of Variables
Input Indicators	Finance	<ul style="list-style-type: none"> <li>Funds allocated and disbursed for implementation of land acquisition, resettlement and EM development.</li> <li>Funds disbursed to APs in a timely and transparent manner (compensation for non-land assets, land acquisition and allowances) and to implement of EM development measures.</li> </ul>
Process Indicators	Consultation, Participation, and Grievance Resolution	<ul style="list-style-type: none"> <li>Number of consultations (meetings/individual) undertaken as scheduled in the REMDP, Consultation and Participation Plan and the Stakeholder Communication Strategy</li> <li>Grievances by type and resolved: number of AHs with complaints, nature of complaints, status of the resolution of the complaints; assessment of efficiency of the GRM.</li> <li>Number of mass-based organizations participating in subproject e.g. WU, Fatherland Front and Youth Union</li> </ul>
Output Indicators	Compensation and Rehabilitation	<ul style="list-style-type: none"> <li>Confirmation of the number of severely affected AHs affected by the entire loss of houses and/or the loss of 10% or more of their aggregate productive assets, the number of marginally affected AHs, and the number of vulnerable AHs.</li> <li>Number of AHs (land, houses, structures, trees) including temporary and permanently affect.</li> <li>Number of owners compensated by type of losses</li> <li>Amount compensated by type and owner</li> <li>Number and amount of payment paid</li> <li>Compensation payments made on time and in a transparent manner;</li> <li>Compensation payments consistent with agreed rates.</li> </ul>

Type	Indicator	Examples of Variables
	Implementation of Income Restoration Program	<ul style="list-style-type: none"> <li>• Number of AHs who are eligible to take part in IRP;</li> <li>• Number of income restoration activities have been implemented and status of their implementation;</li> </ul>
	Implementation of EM Development Measures	<ul style="list-style-type: none"> <li>• The agreed EM development measures implemented</li> <li>• Number of EM attended in the awareness rising complains</li> <li>• Effectiveness of the implemented EM development measures.</li> </ul>

## ANNEXES

## Annex 1: List of Affected Households/Lands, Structures and IOL data

### HB1: Tien Pagoda and Caves Access Improvements

No.	Name of Household/ organization	Land			Structure					Trees/ Croft			Unit	
		Residential (m <sup>2</sup> )	Agricultural (m <sup>2</sup> )	Public (m <sup>2</sup> )	House		Other structure			Croft		Tree		
					Kind	Area	Kind	Qty	Unit	Kind	Qty	Kind		Qty
	<b>Grand Total</b>	<b>2,471</b>	<b>11,116</b>	<b>520</b>		<b>616,5</b>		<b>394</b>			<b>8.800,9</b>		<b>1.383</b>	
<b>I</b>	<b>Thanh Nong Commune</b>	<b>1,619</b>	<b>1,912</b>	<b>360</b>		<b>357,0</b>		<b>241</b>			<b>957,6</b>		<b>876</b>	
1	Bui Thanh Long	39										Jack fruit	32	tree
2	Bui Manh Khai	48										Grapefruit	41	tree
3	Bui Van Cay	40										Jack fruit	46	Tree
4	Bui Van Khanh	34										Logan	35	Tree
5	Bui Thi Quyen	23												
6	Nghiem Van Duong	50					Brick wall	12	m3			Lychee	42	Tree
7	Pham Hong Hai	25												
8	Pham Thiet Hung	30												
9	Pham Van Giang	53										Grapefruit	100	Tree
10	Nguyen Van Dong	63					Brick wall	20	m3			Guava	120	Tree
11	Nguyen Van Dong	29										Jack fruit	35	Tree
12	Nguyen Van Trang		320							Rice	320			m2
13	Nguyen Thi Tinh	235					Brick wall	34	m3		121	Jack fruit	121	tree
14	Pham Quang Cuong	89					Brick wall	20	m3		35	Lychee	35	Tree
15	Bui Thi Sinh		450							Rice	150			M2
16	Nguyen Trung Dong	73									120	Jack fruit	120	Tree
17	Nguyen Van Chinh	60			Temp. house	42			m2					

No.	Name of Household/ organization	Land			Structure					Trees/ Croft				
		Resident ial (m <sup>2</sup> )	Agricult ural (m <sup>2</sup> )	Public (m <sup>2</sup> )	House		Other structure			Croft		Tree		Unit
					Kind	Area	Kind	Qty	Unit	Kind	Qty	Kind	Qty	
18	Bui Duc Manh	90					Brick wall	11	m3		30	Grapefruit	30	Tree
19	Pham Van Son	94					Brick wall	15	m3					
20	Nguyen Thi Xuan		364							Rice	364			M2
21	Nguyen Thi Luan		224							Rice	124			M2
22	Pham Thi Oanh	148					Brick wall	26	m3		60	Grapefruit	60	Tree
23	Vu Van Truong	61	320		Temp. house	20	Brick wall	12	m3					
24	Nguyen Thanh Xuan		234											
25	Nguyen Huu Thanh	29												
26	Bui Van Hong	148			Temp. house	24	Brick wall	30	m3					
27	Bui Manh Ha	110					Brick wall	40	m3			Grapefruit	40	Tree
28	Quach Cong Ngan	34												
29	Quach Cong An	14.49					Brick wall	20	m3			Lemon	20	Tree
	Thanh Nong CPC			360										
<b>II</b>	<b>Phu Lao Commune</b>	<b>852</b>	<b>9,204</b>	<b>160</b>		<b>259,5</b>	0	<b>153</b>			<b>7.843,3</b>		<b>507</b>	
<b>II.1</b>	<b>Lao Noi Village</b>													
1	Cao Van Luan		230							Rice	230			M2
2	Nguyen Thi Tham		180							Rice	180			M2
3	Tran Dinh Chu		246							Rice	246			M2
4	Cao Ba Ky		237							Rice	237			M2
5	Tran Dinh Nhat		231							Rice	231			M2
6	Dinh Van Sau		250							Rice	250			M2

No.	Name of Household/ organization	Land			Structure						Trees/ Croft		Unit		
		Resident ial (m <sup>2</sup> )	Agricult ural (m <sup>2</sup> )	Public (m <sup>2</sup> )	House		Other structure			Croft		Tree			
					Kind	Area	Kind	Qty	Unit	Kind	Qty	Kind		Qty	
7	Dinh Van Uy		143								Rice	143			M2
8	Bui Duc Toan		120								Rice	120			M2
9	Bui Van Du		231								Rice	231			M2
10	Dinh Van Nghi		143								Rice	143			M2
11	Nguyen Thi Quy		230								Rice	230			M2
12	Tran Dinh Tieu		231								Rice	231			M2
13	Nguyen Van Sinh		261								Rice	261			M2
14	Nguyen Thi Hoa		175								Rice	175			M2
15	Tran Trung Hieu		252								Rice	252			M2
16	Tran Dinh Cong		200								Rice	200			M2
17	Nguyen Van Nga		241								Rice	241			M2
18	Tran Quoc Bao		130								Rice	130			M2
19	Nguyen Quang Phung		194								Rice	194			M2
20	Vu Dinh Quynh		104								Rice	104			M2
21	Dinh Van Chin		195								Rice	195			M2
22	Dinh Van Sam		315								Rice	315			M2
23	Dinh Van Cam		168								Rice	168			M2
24	Dinh Van Ngoan		297								Rice	297			M2
25	Cao Ba Phuong		105								Rice	105			M2
26	Nguyen Van Nguyen		277								Rice	277			M2
27	Quach Thi Quy		123								Rice	123			M2
28	Tran Dinh Tin		102								Rice	102			M2

No.	Name of Household/ organization	Land			Structure					Trees/ Croft					
		Resident ial (m <sup>2</sup> )	Agric ultural (m <sup>2</sup> )	Public (m <sup>2</sup> )	House		Other structure			Croft		Tree		Unit	
					Kind	Area	Kind	Qty	Unit	Kind	Qty	Kind	Qty		
29	Tran Dinh Luc		296								Rice	296			M2
30	Cao Ba Dong		199								Rice	199			M2
<b>II.2</b>	<b>Lao Ngoai Village</b>			<b>160</b>		<b>107</b>									
31	Pham Van Van		150												
32	Dao Van Hue	120			Temp. house	20	Brick wall	40			Acacia	150	Acacia	150	Tree
33	Dao Van Manh	43					Brick wall	34			Dragon fruit	180	Dragon fruit	180	Tree
34	Dao Van Thuong	11													
35	Dao Van Hue		170								Rice	170			M2
36	Dao Van Khoat		320								Rice	320			M2
37	Chu Thi Hong		164								Rice	164			M2
38	Vu Thi Binh		262								Rice	262			M2
39	Mau Van Phi		123								Rice	123			M2
40	Mau Van Quan		98								Rice	98			M2
41	Mau Mong Lieu		340								Rice	340			M2
42	Mau Van Pha		260								Rice	260			M2
43	Mau Chi Cuong	60													
44	Nguyen Van Quynh	33					Brick wall	9							
45	Bui Van Toai	18					Brick wall	3							
46	Mau Anh Dong		356												
47	Bui Quang Vinh	4													
48	Quach Cong Dong	3													



No.	Name of Household/ organization	Land			Structure						Trees/ Croft			
		Resident ial (m <sup>2</sup> )	Agricult ural (m <sup>2</sup> )	Public (m <sup>2</sup> )	House		Other structure			Croft		Tree		Unit
					Kind	Area	Kind	Qty	Unit	Kind	Qty	Kind	Qty	
49	Quach Cong Xuat		170											
50	Quach Cong Voc	120			Temp. house	16	Brick wall	15				Grapefruit	61	Tree
51	Mau Van Luong	160			Temp. house	41	Brick wall	23						
52	Bui Van Toan	21												
53	Mau Van Phong	66					Brick wall	2				Logan	60	Tree
54	Trinh Van Nhat	36												
55	Trinh Van Thuan	120			Temp. house	30	Brick wall	20				Jack fruit	56	Tree
56	Mau Van Xung		260											
57	Tran Van Chuong		227											
58	Mau Van Manh	19					Brick wall	5						
59	Mau Van Hung	19					Brick wall	2						
60	Nguyen Van Tho		198											

## **Annex 2: Minutes of Public Consultation Meetings**

### **MINUTES OF PUBLIC CONSULTATION ON ISSUES RELATED TO LAND ACQUISITION, COMPENSATION, ASSISTANCE, RESETTLEMENT AND ETHNIC MINORITY THE SECOND GREATER MEKONG SUBREGION TOURISM INFRASTRUCTURE FOR INCLUSIVE GROWTH PROJECT – HOA BINH PROVINCE**

Phu Lao Communes, Lac Thuy District, Hoa Binh Province

24 June 2017

#### **I. PARTICIPANTS:**

##### **1.1. Representatives of District Basis Construction Project Management Unit:**

- Mr. Bui Manh Tuong – Director;
- Mr. Vu Khanh Son – Official;

##### **1.2. Representatives of Phu Lao Commune People’s Committee (CPC):**

- Mr. Dinh Van Luc – Chairman of Phu Lao CPC;
- Mr. Nguyen Van Thanh – Chairman of Phu Lao Fatherland Front Committee;
- Ms. Tran Thi Tam – Chairwoman of Phu Lao Women’s Union;

##### **1.3. Representatives of Project Preparatory Technical Assistance (PPTA) Consultants:**

- Mr. Vu Xuan Son – Resettlement Specialist;
- Ms. Hoang Hanh – Social Specialist;

##### **1.4. Representatives of Lao Noi, Lao Ngoai village**

**1.5. Representatives of local people:** List of households participating in the public consultation meeting with their signatures is attached herein below.

#### **II. CONTENTS:**

1. Lac Thuy DPC, PMU and PPTA Consultants provided participants with relevant information as follows:
  - Description of tentative scope and implementation schedule of the subproject in Hoa Binh province;
  - Potential impacts on land, non-land assets and livelihood of households and other impacts based on the results of IOL;
  - Potential impacts (positive and negative impacts) on local ethnic minority (The Muong);
  - Measures to minimize the impacts on land acquisition and livelihood of households; mitigation measures of the negative impacts and promotion measures of the positive impacts that affect to local ethnic minority committee during the implementation and completion of the subproject;
  - Proposed policies on compensation, assistance and resettlement of the subproject in accordance with SPS, 2009 of ADB and provisions of GOV of Viet Nam and Hoa Binh province;
  - The GRM.

2. The Project Information Booklet (PIB) was provided to the participants.
3. Participants discussed and raised their opinions.

### III. RESULTS

1. Regarding the scope of land acquisition and resettlement impacts caused by the subproject
  - All the participants agreed with the implementation and investment plan of four (04) subproject components.
  - If the subproject is completed, benefits will be brought to local people such as (i) addressing and minimizing impacts on environment of the existing tourism area; (ii) safe and convenient travel; (iii) improving the income generated from selling goods for tourists.
  - The subproject is required to be implemented as soon as possible;
  - The market and bus station are in the general planning of the commune. If the market and bus station are constructed in another place, land acquisition of households is required, which is not good. The local people requested the subproject to be constructed in the same place and the business area should be arranged reasonably. The subproject should pay attention to the toilets, garbage collection, drainage system and explosion safety and the local people should be participated during the design process of the subproject.
2. Regarding measures taken to minimize land acquisition and resettlement impacts:
  - The participants agreed with the mitigation measures which were proposed;
  - The compensation should be reasonable;
  - The RCS should be conducted at the compensation time;
  - The subproject should pay attention to dust and vibration impact and during the construction process and the impacts on caves area should be minimized;
3. Regarding impacts and mitigation measures of impacts on ethnic minority:
  - The contractors must inform and register workers list with the CPC;
  - The contractors must manage their worker and ensure that they do not violate the law, drink alcohol and fight with local people.
4. Regarding grievance redress mechanism
  - Participants were aware of their rights and obligations, especially the disclosed GRM.
  - Local authorities, Fatherland Front Committee and Women's Union are responsible for ensuring the entitlements of the local people.
5. Other issues
  - The participants required to participate in various activities of the subproject. Disruption of the subprojects' implementation will be dealt with in accordance with the law;
  - The District and Commune should construct two (02) bus stations at the starting point and ending point of the street. The tourists can go on foot or use the tram to go sight-seeing. These will reduce the impact on environment and daily activities of local people.
  - All the ethnic minority households who participated in the consultation meeting and the surveyed ethnic minority households agreed with the implementation of the subproject.

The meeting finished at 3:30 pm in the same day. Representatives of local authorities, villages, representatives of mass organizations, and of affected people participating in the meeting read and agreed with the contents of the meeting minutes and signed herein below.

**Representative of PMU**

*(signed and sealed)*

**DIRECTOR**

**Bui Manh Tuong**

**Representative of CPC**

*(signed and sealed)*

**CHAIRMAN**

**Dinh Van Luc**

**Representative of Fatherland Front  
Committee**

*(signed and sealed)*

**Nguyen Van Thanh**

**Representative of Women's Union**

*(signed and sealed)*

**Tran Thi Tam**

**BIÊN BẢN THAM VẤN CỘNG ĐỒNG VỀ CÁC VẤN ĐỀ LIÊN QUAN  
ĐẾN THU HỒI ĐẤT, ĐỀN BÙ, HỖ TRỢ, TÁI ĐỊNH CƯ VÀ DÂN TỘC  
THiểu SỐ**

**DỰ ÁN PHÁT TRIỂN CƠ SỞ HẠ TẦNG DU LỊCH HỖ TRỢ TĂNG  
TRƯỜNG TOÀN DIỆN KHU VỰC TIỂU VÙNG MÊ KÔNG MỞ RỘNG –  
TỈNHHÒA BÌNH**

*Xã Phú Lão, huyện Lạc Thủy, tỉnh Hòa Bình.*

*Ngày 24 tháng 6 năm 2017*

**1. THÀNH PHẦN THAM DỰ**

**1.1. Đại diện Ban Quản lý dự án xây dựng cơ bản huyện**

- Ông (Bà): Bùi Mạnh Tường - Chức vụ: Giám đốc.
- Ông (Bà): Vũ Khánh Sơn - Chức vụ: Chuyên viên.

**1.2. Đại diện UBND xã Phú Lão**

- Ông (Bà): *Đình Văn Lạc*..... - Chức vụ: Chủ tịch UBND xã
- Ông (Bà): *Nguyễn Văn Thanh*..... - Chức vụ: Chủ tịch UBMTTQ xã
- Ông (Bà): *Tân Thị Tâm*..... - Chức vụ: Chủ tịch Hội phụ nữ xã

**1.3. Tư vấn chuẩn bị dự án**

- Ông: Vũ Xuân Sơn - Chức vụ: Chuyên Gia tái định cư
- Bà: Hoàng Hạnh - Chức vụ: Chuyên Gia xã hội

**1.4. Đại diện các thôn Lão Nội, Lão Ngoại**

**1.5. Đại diện các hộ gia đình: Danh sách người tham gia được đính kèm.**

**2. NỘI DUNG THAM VẤN**

- 2.1. UBND huyện Lạc Thủy, Ban QLDA huyện và Tư vấn chuẩn bị dự án cung cấp các thông tin cho người tham dự bao gồm:
- Mô tả về Dự kiến quy mô và Dự kiến kế hoạch triển khai của Dự án và Tiểu dự án thuộc tỉnh Hòa Bình;
  - Phạm vi, các ảnh hưởng tiềm tàng đến đất, các tài sản trên đất và sinh kế của các hộ gia đình và các ảnh hưởng khác trên cơ sở kết quả khảo sát thiệt hại (IOL);
  - Các tác động tiềm ẩn của tiểu dự án (tiêu cực và tích cực) đối với người dân tộc thiểu số địa phương (dân tộc Mường);
  - Các biện pháp giảm thiểu tác động thu hồi đất, sinh kế của hộ gia đình và các biện pháp khả thi và khả thi để tránh các tác động tiêu cực đến cộng đồng người dân tộc thiểu số địa phương, đồng thời chỉ ra và đề xuất các biện pháp

thúc đẩy các tác động tích cực cho người dân tộc thiểu số ở địa phương trong quá trình thực hiện dự án và sau khi dự án hoàn thành;

- Dự kiến chính sách bồi thường, hỗ trợ, tái định cư của Dự án; Các khoản hỗ trợ của dự án theo chính sách tự vệ của ADB (SPS, 2009) và hài hòa với chính sách của Chính phủ, của Tỉnh Hòa Bình.
- Cơ chế giải quyết thắc mắc, khiếu nại.

2.2. Tài liệu Thông tin dự án (PIB) được cung cấp cho tất cả các đại biểu tham dự

2.3. Người tham dự trao đổi và phát biểu ý kiến.

### 3. KẾT QUẢ THAM VẤN:

3.1. Về quy mô ảnh hưởng của Dự án và kế hoạch thực hiện

- Tất cả những người tham gia cuộc họp đều đồng ý với đề xuất và kế hoạch đầu tư của 4 hạng mục của dự án;
- Nếu dự án hoàn thành sẽ có rất nhiều lợi ích cho người dân như (i) giải quyết và làm giảm tác động đến môi trường của khu du lịch hiện nay; (ii) Giao thông thuận lợi và an toàn; (iii) Phát triển kinh doanh tăng thu nhập nhờ hàng hoá bán được nhiều hơn cho khách du lịch.
- Đề nghị dự án sớm triển khai sớm tiến độ đề xuất để người dân được hưởng lợi;
- Chợ hiện tại và Bến xe nằm trong quy hoạch chung của xã, nếu xây dựng một nơi khác, phải thu hồi đất của người dân, vì vậy không tốt. Đề nghị Dự án xây dựng tại chỗ và thiết kế và bố trí hợp lý các khu vực kinh doanh cho từng loại hàng hoá để đảm bảo vệ sinh môi trường. Dự án cần lưu ý tới các hạng mục nhà vệ sinh, thu gom rác, thoát nước thải và an toàn cháy nổ..., đồng thời cần có tham vấn và tham gia của người dân trong quá trình thiết kế.

3.2. Về các tác động và biện pháp giảm thiểu tác động thu hồi đất và tái định cư

- Thống nhất với các biện pháp giảm thiểu Tư vấn đã giới thiệu;
- Đề nghị dự án bồi thường thỏa đáng cho các thiệt hại người dân;
- Chúng tôi hiểu rằng đây là một dự án thu hồi đất của nhà nước nhằm mục đích quốc phòng, an ninh và phát triển kinh tế. Vì vậy, chúng tôi thấy rằng chính sách về tái định cư và chi phí về đất đai, cây cối và công trình của tỉnh Hòa Bình phù hợp. Đề nghị khi thực hiện dự án cần khảo sát giá tại thời điểm bồi thường như nội dung đã giới thiệu.
- Đề nghị đặc biệt lưu ý đến ảnh hưởng bụi, lu rung trong quá trình thi công và có biện pháp giảm thiểu tác động đến các khu vực hang động.

3.3. Về các tác động và biện pháp giảm thiểu tác động đối với cộng đồng dân tộc thiểu số địa phương

- Khi các nhà thầu đến làm việc tại địa phương, Dự án phải yêu cầu họ thông báo và đăng ký danh sách lao động với UBND xã để quản lý.
- Các nhà thầu phải quản lý công nhân không vi phạm pháp luật, gây rối trật tự công cộng. Không cờ bạc rượu chè, gây gổ với người địa phương.



3.4. Về cơ chế giải quyết khiếu nại

- Người dân hiểu rõ quyền và nghĩa vụ của mình, đặc biệt với cơ chế giải quyết được nêu trong sổ tay dự án.
- Chính quyền địa phương, UBMTTQ, Hội Phụ Nữ có trách nhiệm hướng dẫn và đảm bảo các quyền lợi của người dân.

3.5. Về các vấn đề khác:

- Đề nghị được tham gia các hoạt động xây dựng dự án. Sự gián đoạn sẽ được giải quyết theo luật pháp;
- Huyện và xã cần đầu tư hai bến xe ở hai đầu đường, Du khách có thể đi bộ hoặc sử dụng dịch vụ xe điện của người dân để đi đến các điểm tham quan. Việc này giúp giảm tác động đến môi trường, cũng như sinh hoạt của người dân địa phương.

- Chúng tôi tôn trọng các lợi ích của các tộc thiểu số. Tham gia cuộc họp với các hội đoàn thể thiểu số được khai sát (100%) đồng ý hoàn thành việc thi công dự án...

Dự án sẽ ưu tiên sử dụng lao động địa phương. Thông báo tuyển dụng sẽ được công bố Cuộc họp kết thúc lúc ..... giờ cùng ngày. Đại diện UBND xã, thôn, đại diện các tổ chức đoàn thể và người dân tham dự cuộc họp cùng đọc và thống nhất với nội dung biên bản cuộc họp và cùng ký tên dưới đây./.

Đại diện BQL DA

(Ký tên, đóng dấu)



GIÁM ĐỐC  
*Bùi Mạnh Trường*

Đại diện Chính quyền địa phương

(Ký tên, đóng dấu)



CHỦ TỊCH  
*Dinh Văn Lạc*

Đại diện Ủy ban MTTQ xã

(Ký tên, đóng dấu)



CHỦ TỊCH  
*Nguyễn Văn Thành*

Đại diện Hội phụ nữ xã

(Ký tên, đóng dấu)



CHỦ TỊCH  
*Trần Thị Lâm*

Đại diện thôn/ xóm

*Bùi Ngọc Diệp*

**MINUTES OF PUBLIC CONSULTATION ON ISSUES RELATED TO LAND  
ACQUISITION, COMPENSATION, ASSISTANCE, RESETTLEMENT AND  
ETHNIC MINORITY  
THE SECOND GREATER MEKONG SUBREGION TOURISM INFRASTRUCTURE FOR  
INCLUSIVE GROWTH PROJECT – HOA BINH PROVINCE**

Thanh Nong Communes, Lac Thuy District, Hoa Binh Province

**I. PARTICIPANTS:**

**1.1. Representatives of District Basis Construction Project Management Unit:**

- Mr. Bui Manh Tuong – Director;
- Mr. Vu Khanh Son – Official;

**1.2. Representatives of Phu Lao Commune People’s Committee (CPC):**

- Mr. Duong Vinh Quang – Chairman of Phu Lao CPC;
- Mr. Ngo Thanh Hai – Chairman of Phu Lao Fatherland Front Committee;
- Ms. Bui Thi Nga – Chairwoman of Phu Lao Women’s Union;

**1.3. Representatives of Project Preparatory Technical Assistance (PPTA) Consultants:**

- Mr. Vu Xuan Son – Resettlement Specialist;
- Ms. Hoang Hanh – Social Specialist;

**1.4. Representatives of Doi village**

**1.5. Representatives of local people:** List of households participating in the public consultation meeting with their signatures is attached herein below.

**II. CONTENTS:**

1. Regarding the scope of land acquisition and resettlement impacts caused by the subproject
  - All the participants agreed with the implementation and investment plan of four (04) subproject components.
  - If the subproject is completed, benefits will be brought to local people such as (i) addressing and minimizing impacts on environment of the existing tourism area; (ii) safe and convenient travel; (iii) improving the income generated from selling goods for tourists.
  - The subproject is required to be implemented as soon as possible; The market and bus station are in the general planning of the commune. If the market and bus station are constructed in another place, land acquisition of households is required, which is not good. The local people requested the subproject to be constructed in the same place and the business area should be arranged reasonably. The subproject should pay attention to the toilets, garbage collection, drainage system and explosion safety and the local people should be involved in the design process of the subproject.
2. Regarding measures taken to minimize land acquisition and resettlement impacts:
  - The participants agreed with the mitigation measures which were provided by the Consultants;
  - The compensation should be reasonable;
  - The RCS should be conducted at the compensation time;
  - The subproject should pay attention to dust and vibration impact during the construction process and the impacts on caves area should be minimized;



3. Regarding impacts and mitigation measures of impacts on ethnic minority:
  - The contractors must inform and register workers list with the CPC;
  - The contractors must manage their worker and ensure that they do not violate the law, drink alcohol and fight to local people.
4. Regarding grievance redress mechanism
  - Participants were aware of their rights and obligations, especially the disclosed grievance redress mechanism.
  - Local authorities, the Fatherland Front Committee and Women's Union are responsible for ensuring the entitlements of the local people.
5. Other issues
  - The participants required to participate in various activities of the subproject. Disruptions of the subproject implementation will be dealt with in accordance with the law;
  - The District and Commune should construct two (02) bus stations at the starting point and ending point of the street. The tourists can go on foot or use the tram to go sight-seeing. These will reduce the impact on environment and daily activities of local people.
  - All the ethnic minority households who participated the consultation meeting and the surveyed ethnic minority households agreed with the implementation of the subproject.

The meeting finished at 10 am in the same day. Representatives of local authorities, villages, representatives of mass organizations, and of affected people participating in the meeting read and agreed with the contents of the meeting minutes and signed herein below.

**Representative of PMU**

*(signed and sealed)*

**DIRECTOR**

**Bui Manh Tuong**

**Representative of CPC**

*(signed and sealed)*

**CHAIRMAN**

**Duong Vinh Quang**

**Representative of Fatherland Front  
Committee**

*(signed and sealed)*

**Ngo Thanh Hai**

**Representative of Women's Unions**

*(signed and sealed)*

**Bui Thi Nga**

**BIÊN BẢN THAM VẤN CỘNG ĐỒNG VỀ CÁC VẤN ĐỀ LIÊN QUAN  
ĐẾN THU HỒI ĐẤT, ĐỀN BÙ, HỖ TRỢ, TÁI ĐỊNH CƯ**

**DỰ ÁN PHÁT TRIỂN CƠ SỞ HẠ TẦNG DU LỊCH HỖ TRỢ TĂNG  
TRƯỜNG TOÀN DIỆN KHU VỰC TIỂU VÙNG MÊ KÔNG MỞ RỘNG –  
TỈNH HÒA BÌNH**

*Xã Thanh Nông, huyện Lạc Thủy, tỉnh Hòa Bình.*

*Ngày ..... tháng ..... năm 2017*

**1. THÀNH PHẦN THAM DỰ**

**1.1. Đại diện Ban Quản lý dự án xây dựng cơ bản huyện Lạc Thủy**

- |                            |                          |
|----------------------------|--------------------------|
| - Ông (Bà): Bùi Mạnh Tường | - Chức vụ: Giám đốc.     |
| - Ông (Bà): Vũ Khánh Sơn   | - Chức vụ: Chuyên viên . |

**1.2. Đại diện UBND xã Thanh Nông**

- |                                     |                                    |
|-------------------------------------|------------------------------------|
| - Ông (Bà): <i>Đường Vĩnh Quang</i> | - Chức vụ: Chủ tịch UBND xã.       |
| - Ông (Bà): <i>Ngô Thanh Hải</i>    | - Chức vụ: Chủ tịch UBMTTQ xã.     |
| - Ông (Bà): <i>Lưu Thị Nga</i>      | - Chức vụ: Chủ tịch Hội phụ nữ xã. |

**1.3. Tư vấn chuẩn bị dự án**

- |                   |                                   |
|-------------------|-----------------------------------|
| - Ông Vũ Xuân Sơn | - Chức vụ: Chuyên Gia tái định cư |
| - Bà Hoàng Hạnh   | - Chức vụ: Chuyên Gia xã hội      |

**1.4. Đại diện Trưởng thôn Đồi**

**1.5. Đại diện các hộ gia đình: Danh sách người tham gia được đính kèm.**

**2. NỘI DUNG THAM VẤN**

**2.1. UBND huyện Lạc Thủy, Ban QLDA huyện và Tư vấn chuẩn bị dự án cung cấp các thông tin cho người tham dự bao gồm:**

- Mô tả về Dự kiến quy mô và Dự kiến kế hoạch triển khai của Dự án và Tiểu dự án thuộc tỉnh Hòa Bình;
- Phạm vi, các ảnh hưởng tiềm tàng đến đất, các tài sản trên đất và sinh kế của các hộ gia đình và các ảnh hưởng khác trên cơ sở kết quả khảo sát thiệt hại (IOL);
- Các tác động tiềm ẩn của tiểu dự án (tiêu cực và tích cực) đối với người dân tộc thiểu số địa phương (dân tộc Mường);
- Các biện pháp giảm thiểu tác động thu hồi đất, sinh kế của hộ gia đình và các biện pháp khả thi và khả thi để tránh các tác động tiêu cực đến cộng đồng người dân tộc thiểu số địa phương, đồng thời chi ra và đề xuất các biện pháp

thúc đẩy các tác động tích cực cho người dân tộc thiểu số ở địa phương trong quá trình thực hiện dự án và sau khi dự án hoàn thành;

- Dự kiến chính sách bồi thường, hỗ trợ, tái định cư của Dự án; Các khoản hỗ trợ của dự án theo chính sách tự vệ của ADB (SPS, 2009) và hài hòa với chính sách của Chính phủ, của Tỉnh Hòa Bình.
- Cơ chế giải quyết thắc mắc, khiếu nại.

2.2. Tài liệu Thông tin dự án (PIB) được cung cấp cho tất cả các đại biểu tham dự

2.3. Người tham dự trao đổi và phát biểu ý kiến.

### 3. KẾT QUẢ THAM VẤN:

3.1. Về quy mô ảnh hưởng của Dự án và kế hoạch thực hiện

- Tất cả những người tham gia cuộc họp đều đồng ý với đề xuất và kế hoạch đầu tư của 4 hạng mục của dự án;
- Nếu dự án hoàn thành sẽ có rất nhiều lợi ích cho người dân như (i) giải quyết và làm giảm tác động đến môi trường của khu du lịch hiện nay; (ii) Giao thông thuận lợi và an toàn; (iii) Phát triển kinh doanh tăng thu nhập nhờ hàng hoá bán được nhiều hơn cho khách du lịch.
- Đề nghị dự án sớm triển khai sớm tiến độ đề xuất để người dân được hưởng lợi;
- Đồng ý với đề xuất đưa tuyến đường qua khu dân cư để người dân có thể kinh doanh, buôn bán, phát triển các dịch vụ du lịch.

3.2. Về các tác động và biện pháp giảm thiểu tác động thu hồi đất và tái định cư

- Thống nhất với các biện pháp giảm thiểu Tư vấn đã giới thiệu;
- Đề nghị dự án bồi thường thỏa đáng cho các thiệt hại người dân;
- Chúng tôi đã được đền bù khi mở đường Hồ Chi Minh và thấy rằng chính sách Dự án được giới thiệu có nhiều lợi hơn. Chúng tôi hiểu rằng đây là một dự án thu hồi đất của nhà nước nhằm mục đích quốc phòng, an ninh và phát triển kinh tế. Vì vậy, chúng tôi thấy rằng chính sách về tái định cư và chi phí về đất đai, cây cối và công trình của tỉnh Hòa Bình phù hợp. Đề nghị khi thực hiện dự án cần khảo sát giá tại thời điểm bồi thường như nội dung đã giới thiệu.
- Đề nghị đặc biệt lưu ý đến ảnh hưởng bụi, lu rung trong quá trình thi công và có biện pháp giảm thiểu tác động khi qua khu dân cư.

3.3. Về các tác động và biện pháp giảm thiểu tác động đối với cộng đồng dân tộc thiểu số địa phương

- Khi các nhà thầu đến làm việc tại địa phương, Dự án phải yêu cầu họ thông báo và đăng ký danh sách lao động với UBND xã để quản lý.

- Các nhà thầu phải quản lý công nhân không vi phạm pháp luật, gây rối trật tự công cộng. Không cờ bạc rượu chè, gây gổ với người địa phương.

3.4. Về cơ chế giải quyết khiếu nại

- Người dân hiểu rõ quyền và nghĩa vụ của mình, đặc biệt với cơ chế giải quyết được nêu trong sổ tay dự án.
- Chính quyền địa phương, UBMTTQ, Hội Phụ Nữ có trách nhiệm hướng dẫn và đảm bảo các quyền lợi của người dân.

3.5. Về các vấn đề khác:

- Đề nghị được tham gia các hoạt động xây dựng dự án. Sự gián đoạn sẽ được giải quyết theo luật pháp;

*Chúng tôi, toàn bộ các hộ dân tại thôn 8, tham gia cuộc họp và các hộ dân tại thôn 8, đã đồng ý 100% đồng ý hùn tiền với việc triển khai dự án nơi trên tại địa phương.*

Dự án sẽ ưu tiên sử dụng lao động địa phương. Thông báo tuyển dụng sẽ được công bố Cuộc họp kết thúc lúc ..... giờ cùng ngày. Đại diện Ủy ban nhân dân xã, thôn, đại diện các tổ chức đoàn thể và người dân tham dự cuộc họp cùng đọc và thống nhất với nội dung biên bản cuộc họp và cùng ký tên dưới đây./.

**Đại diện BQL DA**

(Ký tên, đóng dấu)  
  
**GIÁM ĐỐC**  
*Bùi Mạnh Tường*

**Đại diện Chính quyền địa phương**

(Ký tên, đóng dấu)  
  
**PHỦ CHỦ TỊCH**  
*Đường Văn Quang*

**Đại diện Ủy ban MTTQ xã**

(Ký tên, đóng dấu)  
  
**CHỦ TỊCH**  
*Ngô Thanh Hải*

**Đại diện Hội phụ nữ xã**

(Ký tên, đóng dấu)  
  
**CHỦ TỊCH**  
*Bùi Thị Nga*

**Đại diện thôn/ xóm**

*Unky*  
*đ/vn Văn Hiệp*

### Annex 3: Gender-Disaggregated Participants' Attendance Sheet

#### Tien Pagoda and Caves Access Improvements

No.	Participants' Attendance	Men	Women	Note
	<b>Total</b>	<b>48</b>	<b>24</b>	<b>72</b>
<b>A</b>	<b>Thanh Nong Commune</b>	<b>12</b>	<b>13</b>	<b>25</b>
1	Hoang Thi Thuy		1	
2	Bui Thi Tuyet		1	
3	Nguyen Thi Tuong		1	
4	Bach Thi Hong		1	
5	Nguyen Thi Hai		1	
6	Bui Manh Ha		1	
7	Nguyen Thi Tinh		1	
8	Pham Van Son	1		
9	Nguyen Thi Them		1	
10	Pham Thi Oanh		1	
11	Pham Quang Cuong	1		
12	Nguyen Van Chinh	1		
13	Pham Hong Hai	1		
14	Pham Van Giang	1		
15	Vu Van Hiep	1		
16	Le Thi Huong		1	
17	Bui Thi Duyen		1	
18	Bui Thanh Long	1		
19	Bui Manh Khai	1		
20	Vu Van Truong	1		
21	Duong Thanh Huong		1	
22	Nguyen Huu Hai	1		
23	Bui Duc Manh	1		
24	Nguyen Huu Thanh	1		
25	Bi Thi Sinh		1	
<b>B</b>	<b>Phu Lao Commune</b>	<b>36</b>	<b>11</b>	<b>47</b>
1	Bui Minh Chat	1		
2	Dao Van Khoat	1		
3	Mau Le Thu	1		
4	Mau Mai Pha	1		
5	Mau Van Truong	1		



No.	Participants' Attendance	Men	Women	Note
6	Bui Van Nhi	1		
7	Dinh Van Ngu	1		
8	Trinh Van Nhao	1		
9	Bui Van Toan	1		
10	Bui Dang Luyen	1		
11	Bui Minh Hieu	1		
12	Mau Thi Hien		1	
13	Dinh Van Nghe	1		
14	Cao Ba Luan	1		
15	Mau Van Phi	1		
16	Bui Van Toai	1		
17	Nguyen Van Tho	1		
18	Nguyen Van Quynh	1		
19	Ha Thi Hien		1	
20	Quach Cong Dong	1		
21	Quach Cong Xuat	1		
22	Tran Thi Mai Vinh		1	
23	Kieu Van Lung	1		
24	Chu Thi Hong		1	
25	Mau Chi Cuong	1		
26	Bui Thi Lan		1	
27	Tran Dinh Luc	1		
28	Tran Dinh Cong	1		
29	Nguyen Thi Hoa		1	
30	Mau Thi Lua		1	
31	Ngan Thi Tham		1	
32	Nguyen Thi Duc		1	
33	Bui Thu Ha		1	
34	Cao Ba Dong	1		
35	Tran Dinh Huynh	1		
36	Bui Duc Toan	1		
37	Vu Dinh Quynh	1		
38	Tran Dinh Tin	1		
39	Tran Dinh So	1		
40	Mau Van Luong	1		

No.	Participants' Attendance	Men	Women	Note
41	Mau Mong Lieu	1		
42	Vo Thi Binh		1	
43	Tran Van Chuong	1		
44	Mau Van Phoay	1		
45	Tran Dinh Kien	1		
46	Mau Van Sung	1		
47	Bui Van Du	1		

## **Annex 4: Public Information Booklet**

### **I. Overview of subproject information**

1. The proposed project will improve urban-rural transport infrastructure, urban environmental services, strengthen capacity to implement regional tourism standards, and strengthen tourism destination management in Cambodia, the Lao PDR and Viet Nam (CLV). It will help transform secondary towns in the Greater Mekong Subregion (GMS) Economic Corridors into green, inclusive and competitive international tourism nodes to boost trade in services and deepen market linkages between members of the GMS and Association of Southeast Asian Nations (ASEAN). The project will build on the ongoing GMS Tourism Infrastructure for Inclusive Growth Project, implemented in Cambodia, the Lao PDR, and Viet Nam (2014–2019).
2. The expected impact is sustainable, inclusive, and more balanced tourism development achieved, as envisaged in the ASEAN Tourism Strategic Plan 2016–2025. The expected outcome is to increase the tourism competitiveness of secondary towns in Cambodia, Lao PDR and Viet Nam. Outputs include: (i) urban-rural access infrastructure and urban environmental services improved, (ii) capacity to implement ASEAN tourism standards strengthened, and (iii) institutional arrangements for tourism destination management and infrastructure operations and maintenance (O&M) is strengthened.

### **II. The impacts of land acquisition and resettlement plan**

3. The subproject implementation will permanently impact on 13,587.4 m<sup>2</sup> of agricultural and residential lands (11,116.4 m<sup>2</sup> and 2,471 m<sup>2</sup>, respectively). Total number of AHs in Thanh Nong and Phu Lao communes is 89 HHs (364 APs) including 39 HHs (155 APs) with residential land affected; 49 HHs (204 APs) have agricultural land acquired and one (01) HH (5 APs) have both residential and agricultural land affected. The subproject implementation will not result in relocation of AHs' houses but there will be impacts to parts of their houses and their other structures along the right-of-way (ROW) which are eight (08) temporary houses of eight (08) households with a total area of 222.9 m<sup>2</sup>, and 21 bricked fences with a total area of 393.6 m<sup>2</sup>. Of 89 AHs, there will be eight (08) AHs (31 APs) who will lose 10%-30% of their total production landholding and be categorised as severely AHs. In addition, 63 AHs are considered as vulnerable AHs comprising of 56 EM HHs (Muong ethnic), one (01) poor HH and six (06) female-headed HHs with dependents.

### **III. Legal framework**

4. The REMDP must be based on the following grounds:
  - i ADB Safeguard Policy Statement (SPS 2009).
  - ii Land Law No. 45/2013/QH13 the National Assembly of the Socialist Republic of Viet Nam passed on November 29, 2013, at the sixth session, the National Assembly XIII and takes effect since July 1, 2014, marking the renewal of the policy, land legislation to meet the requirements of social - economic development of the country in the new period.
  - iii Decree No.43/2014/ND-CP, dated 15/5/2014 of the Government, detailing the implementation of some articles of the Law on Land, effective since 01/07/2014, replacing some documents (Decree 181/2004/ND-CP, dated 29/10/2004 and Decree 17/2006/ND-CP, dated 27/01/2006; Decree 84/2007/ND-CP, dated 25/05/2007 and Decree 69/2009/ND-CP, dated 13/08/2009, Decree 88/2009/ND-CP dated 19/10/2009).



- iv Decree No. 44/2014/ND-CP, dated 15/5/2014 of the Government, providing on land price, effective since 01/07/2014, replacing some documents (Decree 188/2004/ND-CP, dated 16/11/2004 and Decree 123/2007/ND-CP, dated 27/07/2007).
- v Decree No. 47/2014/ND-CP, dated 15/5/2014 of Government on compensation, support and resettlement when the State recovers land, effective from 01/07/2014 to replace Decree 197/2004/ND-CP, dated 03/12/2004.
- vi The decisions of Hoa Binh province:
  - Decision No.24/2014/QD-UBND dated 55 September 2014 of Hoa Binh PPC on the regulations on compensation, support and resettlement when the State recovers land in Hoa Binh province; and Decision No.15/2015/QD-UBND dated 02 June 2015 Decision No.16/2016/QD-UBND dated 11 may 2016 of the People's Committee of Hoa Binh province on review/ modify Article 29, Clause 3 of Article 15 and Clause 1 of Article 16 Decision No.24/2014/QD-UBND dated 55 September 2014.
  - Decision No.37/2014/QD-UBND dated December 25, 2014 issued by Hoa Binh Provincial People's Committee on land prices in Hoa Binh province for 5 years (2015 - 2019).
  - Decision No.25/2014/QD-UBND dated September 25, 2014 of the People's Committee of Hoa Binh province, promulgating the unit prices of all the asset on land for compensation and support when the State recovers land in Hoa Binh province.
  - Decision No.27/2014/QD-UBND dated September 30, 2014 of the People's Committee of Hoa Binh province, promulgating the quota of (i) new residential land handed, (ii) compensation residential land; (iii) Unused land handed to house hold, for agricultural production, forestry, aquaculture.

**IV. The objectives and principles of land acquisition, resettlement and ethnic minority development.**

5. The legal and policy framework for resettlement and ethnic minority development under the subproject is defined by the relevant laws and regulations of the Government of Viet Nam (GOV), Hoa Binh Provincial Peoples' Committee (PPC) and the ADB's Safeguard Policy Statement (SPS 2009). Objectives of the resettlement policy are to avoid, or, if not possible to avoid/minimize resettlement impacts, restore income and livelihoods of AHs and improve living standards of poor and vulnerable AHs. For the ethnic minority, the safeguard policy objectives are to ensure that the subproject is designed and implemented in the way that fosters full respect for the identity, dignity, human rights, livelihood systems and cultural uniqueness of the local ethnic minority, so that the local ethnic minority will (i) receive culturally appropriate social and economic benefits from the subproject; (ii) do not suffer adverse impacts as a result of subproject; and (iii) can participate actively in the subproject.

**V. Livelihood restoration**

6. The income restoration measures or support programs for severely-affected and vulnerable households will be designed and implemented in consultation with AHs and other stakeholders during the preparation of the REMDP and during the updating stage of the REMDP. The measures/programs will include agriculture programs and non-agricultural programs (e.g. vocational training, job changing) and diversification programs by considering gender, age of people affected by the subproject.

## **VI. The community participatory and consultation mechanism**

7. The consultation and participation with affected people and the key stakeholders is to (i) inform the local government, people, communities and organizations affected by the subproject development and record their responses on the development and implementation of the resettlement plan, (ii) reduce the risk of conflicts, (iii) minimize the risk of subproject delays, and (iv) help the subproject to implement the resettlement plan and the rehabilitation program in a comprehensive way that is consistent with the priorities of the AHs, which can maximize economic and social benefits through the subproject development. The objectives of the information campaign and consultation program is to disseminate and acknowledge the feedback of the stakeholders on compensation issues and resettlement plans, restoration plans and livelihood improvement. The main objectives include:
- Share the full information about the subproject to the AHs.
  - Obtain information about the needs and priorities of AHs as well as their feedback on the resettlement plan and other relevant activities for the development of the livelihood restoration plan.
  - Obtain the cooperation and participation of the affected people, communities of ethnic minorities and local communities through all stages of REMDP implementation thereof.
  - Ensure the transparency of all activities related to land acquisition, resettlement and rehabilitation/improvement of necessary activities indicated REMDP.
  - During the preparation and implementation of the REMDP, the subproject's main information on compensation, support and resettlement will be disclosed to APs during public consultation conducted in communes located within the subproject areas; disclosed information will be supported by the distribution of the PIB to local authorities, stakeholders and project implementers.

## **VII. The grievance redress mechanism**

8. The procedures for the GRM applied to the subproject include 4 steps:
- **First Stage:** Commune People's Committee. An aggrieved AP may bring his/her complaint to any member of the CPC, either through the village head or directly to the CPC, in writing or verbally. It is incumbent upon said member of CPC or the village head to notify the CPC about the complaint. The CPC will meet personally with the aggrieved AP and will have 15 days (or 30 days for complicated cases) following the lodging of the complaint to resolve it. The CPC secretariat is responsible for documenting and keeping file of all complaints that it handles.
  - **Second Stage:** District People's Committee (DPC). If the CPC does not respond to the AP within the said period or the AP is not satisfied with the response of the CPC, the AP can send the complain to the DPC via the Residents Receiving Office of the DPC. Upon receipt of the complaint from the aggrieved person, the DPC will have 30 days (or 45 days for complicated cases) following the lodging of the case to act and resolve this. The DPC through its secretariat is responsible for documenting and keeping file of all complaints that it handles.
  - **Third Stage:** Provincial People's Committee. If the DPC does not respond to the AP within the said period or the AP still dissatisfied with the response of the DPC, the AP can bring the complaint to Hoa Binh PPC via the Residents Receiving Office of the PPC. Upon receipt of the complaint from the AP, the PPC will have 45 days (or 60 days for complicated cases) following the PPC's receipt of the complaint to resolve the case. The PPC is responsible for documenting and keeping files of all complaints.

9. At any stage in the grievance redress mechanism, the complainant may have the option to elevate the complaint to the district court for litigation following the rules of court. During the litigation of the case, the subproject proceeds without disruption while the case is being heard. If any party is dissatisfied with the ruling of the district court, that party can elevate the case to a higher court. It should be noted that, the GRM shall not impede access to the country's jurisdiction or administrative remedies.

10. If efforts to resolve complaints or disputes are still unresolved and unsatisfactory following the subproject's GRM, the APs have the right to send their concerns or problems directly to ADB's Southeast Asia Department (SERD) through ADB Viet Nam Resident Mission. If the APs are still not satisfied with the responses of SERD, they can send the case to the ADB's Office of the Special Project Facilitator via ADB Viet Nam Resident Mission (Address of ADB Viet Nam Resident Mission: 3rd Floor, Cornerstone Building, No.16 Phan Chu Trinh Street, Hoan Kiem District, Hanoi, Viet Nam, Tel: +8424 39331374. Fax: +8424 39331373).

11. The PMU will (i) coordinate with concerned agencies in registration, reviewing and resolving of grievances and responding to the complainants; (ii) follow-up with relevant agencies in settling of grievances in the provided timeframe; summarize the grievances and status of grievance resolution in the project progress reports and safeguards monitoring reports; and (iii) respond to the enquiries of APs or complainants that directly addressed to the PMU. For more information on the subproject and compensation and assistance, complainants may contact Mr. Bui Duc Hinh, representative of Hoa Binh DPI and PMU (Tel: + 84 (0) 218 3852 111).

#### VIII. Implementation schedule

12. The schedule of subproject activities is presented in table below:

Activities	Schedule
Preparation and approval of detailed design	Quarter 4, 2020
Conduct of public consultations, DMS, RCS, SES	Quarter 4, 2020
Approval of updated REMDP by PPC and ADB	End of Quarter 1, 2021
Implementation of EM development measures	Quarter 2, 2021 – Q 4 2023
Payment of compensations to eligible AHs/APs and attending to complaints and grievances	Quarter 2, 2021
Implementation of IRP	Quarter 2, 2021 – Q 4 2023
Internal Resettlement monitoring	Continuous, started from Quarter 2 2021
Consultations with subproject beneficiaries i.e. AHs/APs, local EM.	Continuous, started from Quarter 1 2020 during detailed design of the subproject
Grievance redress	Until resolved

## Annex 5: Template of Socio-Economic Survey of AHs/ Businesses

### 1. Household Composition

<b>1.1</b>	<b>Head of Household (HH)</b>								
	Sex	Female			Male				
	Age	<65			>65				
	Widowed	Yes			No				
	EM								
	FHH								
	Poor HH								
	Disabled	Yes			No				
	Owner of Land	Yes			No				
	Occupation								
	Monthly Income								
<b>1.2</b>	<b>Location of Affected Area</b>								
	Name								
	Village				Commune				
	District				Province				
<b>1.3</b>	<b>Number of Household Members</b>								
	No	Name of Household Member	Age	Sex	Relationship to HH head	School Grade Reached	Illiteracy	Major Occupation	Other Occupation
	1								
	2								
	3								
	5								
	6								
	7								
	8								
	9								
	10								
	11								
<b>Total Number of Household Members</b>					<b>Number of members living in household</b>				
<b>1.6</b>	Households income source (s)								

	Source Of Income	VND/Riel/Kip /Year	Income Source	VND/Riel/Kip Year
	Farming		Fishing	
	Manual labour		Business/trade	
	Agricultural products		Salary/Wages	
	Non-timber forest products		Livestock	
	Handicraft		Other/Specify	
	Household Monthly Income in VND/Riel/Kip			

## 2. Access to Basic Services and Utilities

### 2.1. Source of Domestic Water

Source of Domestic Water	Yes	No
Creek		
Pond		
Open/Dug Well		
Public Faucet		
Water Utility Company		

### 2.2. Source of Power/Electricity

Power/Electricity Source	Yes	No
Kerosene Lamp		
Generator Set		
Public Utility/Grid		
Private Utility/Power grid		
Others, specify		

### 2.3. Source of Communication/Telecommunication

Source (s)	Yes	No
Mobile phone		
Landline Phone		
Cable Television		
Local authorities		
Others, please specify		

## 3. Access to Health and Educational facilities

### 3.1. Toilet and Sanitation Facility

Type of Toilet facility	Yes	No
Pour flush		
Sanitary toilet with septic tank		
Pit toilet		
No toilet		
Other, please		

### 3.1 Health Facilities

Type of Health Facility	Distance from House		
	Less than 1 kilometer	1-1.5 Kilometer	More than 1.5 kilometers
Village/Commune Health Center/Clinic			
District Public Hospital/Clinic			
District Private Hospital Clinic			
Others, specify			

### 3.2 Educational Facilities

Type of Educational Facility	Distance from House		
	Less than 1 kilometer	1-1.5 Kilometer	More than 1.5 kilometers
Nursery/Kindergarten			
Primary School			
Secondary School			
High School			
College/University			
Vocational School			

### 4. Household Assets Owned

Household Assets (please check more than 1 asset)	Yes, I own	No, I don't
Motorbike		
Bicycle		
Power generator		
Air-condition		
Refrigerator		
Computer		
Washing Machine		
Mobile phone/telephone		
Cable/Television/Video		
Savings account booklet		
Others please specify		

### 5. Land Ownership (for subproject with land acquisition)

Affected Area	Total area affected in m <sup>2</sup>	Land Ownership Status		
		LURC/ Title	Pending LURC/ Title Claim	Illegally occupied
Residential land				
Commercial/Business land				
Agricultural land				
Orchard land				

Garden land				
Forest land				

**6. Types of Housing Materials**

Type of Materials	Nature of Impact		Area affected		
	Temporary	Permanent	Whole	Portions	Area (sq m <sup>2</sup> )
Concrete house					
Brick house with tiles and metal roofing					
Stilt house or traditional house with tiles and metal roof					
Stilt house or house with asbestos-cement roof					
House made of bamboo and earth wall					
No house					

**7. Types of Materials for Affected Business Establishment/Shops/Guesthouse/Restaurant**

Type of Materials	Nature of Impact		Area affected		
	Temporary	Permanent	Whole	Portions	Area (sq m <sup>2</sup> )
Concrete with tiles/metal roofing					
Semi concrete with tiles/metal roofing					
Wood and with galvanized iron roofing					
Bamboo walls and galvanized iron roofing					
Others please specify					

**8. Affected structures**

Name of Structure		
Fence		
Electric pole		
Improved well		
Concrete post		
Gate of house/driveway		
Others, please specify		

**9. Affected Trees**

Name of Tree	Total Number	Description		
		Age	Fruit Bearing	Diameter
1. Coconut				
2. Bamboo				
3. Tamarind				
4. Jackfruit				
5. Grapefruit				
6. Mango				
7. Banana				
8. Guava				
9. Acacia				
10. Cashew				
11. Papaya				
12. Avocado				
13. Others, please specify				



**Annex 6. Selected Photos on the Public Consultation Activities**

