

# Resettlement and Ethnic Minority Development Plan

September 2020

Viet Nam: Climate Resilient Inclusive Infrastructure  
for Ethnic Minorities Project I

An Lao District Water Supply



## CURRENCY EQUIVALENTS

(As of 2 September 2020)

Currency unit	–	dong (D)
D1.00	=	\$0.000043
\$1.00	=	D23,166

## ABBREVIATIONS

ADB	-	Asian Development Bank
AH	-	Affected Household
AP	-	Affected Person
CARB	-	Compensation, Assistance and Resettlement Board
CRIEM	-	Climate Resilient Inclusive Infrastructure for Ethnic Minorities Project in the South Central Coastal Provinces
CPC	-	Commune Peoples, Committee
DARD	-	Department of Agriculture and Rural Development
DMS	-	Detailed Measurement Survey
DOF	-	Department of Finance
DONRE	-	Department of Natural Resources and Environment
DPC	-	District Peoples, Committee
DPI	-	Department of Planning and Investment
EA	-	Executing Agency
EMC	-	Ethnic Minority Community
FS	-	Feasibility Study
GOV	-	Government of Vietnam
HH	-	Household
IMO		Independent Monitoring Organization
IOL	-	Inventory of Losses
LIC	-	Loan Implementation Consultants
LURC	-	Land Use Rights Certificate
MOF	-	Ministry of Finance
MOLISA	-	Ministry of Labor, Invalids and Social Assistance
MONRE	-	Ministry of Natural Resources and Environment
MPI	-	Ministry of Planning and Investment
NTP	-	Notice to Proceed
PIB	-	Project Information Booklet

PMU	-	Project Management Unit
PPC	-	Provincial People Committee
RCS	-	Replacement Cost Study
REMDP	-	Resettlement and Ethnic Minorities Development Plan
SIA	-	Social Impact Assessment
VND	-	Vietnamese dong
VWU	-	Viet Nam Women's Union

### **WEIGHTS AND MEASURES**

m (meter)	–	unit of length
m <sup>2</sup> (square meter)	–	a measure of area
m <sup>3</sup> (cubic meter)	–	A measure of volume
kg (kilogram)	–	A measure of weight

## GLOSSARY

Affected person (AP) / Affected household (AH)	<ul style="list-style-type: none"><li>- 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.</li></ul> <p>In the case of affected household, it includes all members residing under one roof and operating as a single economic unit, who are adversely affected by a project or any of its components.</p>
Compensation	<ul style="list-style-type: none"><li>- Means payment in cash or in kind to replace losses of land, housing, income and other assets caused by the Project. All compensation is based on the principle of replacement cost, which is the method of valuing assets to replace the loss at current market rates, plus any transaction costs such as administrative charges, taxes, registration and titling costs.</li></ul>
Cut-off date	<ul style="list-style-type: none"><li>- Means the date of land acquisition announcement made by local authorities. The APs will be informed of the cut-off date for each subproject component, and any people or assets that settle in the subproject area after the cut-off date will not be entitled to compensation and assistance under the subproject.</li></ul>
Ethnic minority	<ul style="list-style-type: none"><li>- People with a group status having a social or cultural identity distinct from that of the dominant or mainstream society.</li></ul>
Entitlement	<ul style="list-style-type: none"><li>- Refers to a range of measures comprising compensation, income restoration support, transfer assistance, income substitution, relocation support, etc. which are due to the APs, depending on the type and severity of their losses, to restore their economic and social base.</li></ul>
Host community	<ul style="list-style-type: none"><li>- Means communities receiving physically displaced persons of a project as resettlers.</li></ul>
Income restoration	<ul style="list-style-type: none"><li>- Re-establishing productive livelihood of the displaced persons to enable income generation equal to or, if possible, better than that earned by the displaced persons before the resettlement.</li></ul>
Income restoration program	<ul style="list-style-type: none"><li>- 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.</li></ul>
Inventory of Losses (IOL)	<ul style="list-style-type: none"><li>- This is the process where all fixed assets (i.e., lands used for residence, commerce, agriculture, including ponds; dwelling units; stalls and shops; secondary structures, such as fences,</li></ul>

tombs, wells; trees with commercial value; etc.) and sources of income and livelihood inside the Project area are identified, measured, their owners identified, their exact location pinpointed, and their replacement costs calculated. Additionally, the severity of impact to the affected assets and the severity of impact to the livelihood and productive capacity of APs will be determined.

- Land acquisition - Refers to the process whereby an individual, household, firm or private institution is compelled by a public agency to alienate all or part of the land it owns or possesses to the ownership and possession of that agency for public purposes in return for compensation at replacement costs.
- Households under preferential treatment policy - The households: provided the meritorious services to the revolution, martyrs and wounded soldiers, Mothers of the Vietnamese Heroes, Families of the Heroes of the Public Armed Forces were awarded by the State of Vietnam as stipulated by the Ministry of Labor, War Invalids and Society
- Rehabilitation - This refers to additional support provided to APs losing productive assets, incomes, employment or sources of living, to supplement payment of compensation for acquired assets, in order to achieve, at a minimum, full restoration of living standards and quality of life.
- Relocation - This is the physical relocation of an AP from her/his pre-project place of residence and/or business.
- Resettlement and Ethnic Minorities Development Plan (REMDP) - A plan for resettlement of affected population including ethnic minority population, combining the resettlement plan with specific ethnic minority concerns and cultural sensitivity for the specific needs of the ethnic minority groups.
- Replacement cost - The amount needed to replace an affected asset net of transaction costs such as administrative charges, taxes, registration and titling costs.
- Replacement Cost Study - This refers to the process involved in determining replacement costs of affected assets based on empirical data.
- Resettlement - All direct economic and social losses resulting from involuntary land acquisition and/or involuntary restrictions on land use or on access to legally designated parks and protected areas, together with the consequent compensatory and remedial measures.
- Natural Habitat - Land and water areas where the biological communities are formed largely by native plant and animal species, and where human activity has not essentially modified the area's primary ecological functions
- Resettlement Plan (RP) - This is a time-bound action plan with budget setting out compensation and resettlement strategies, objectives, entitlement, actions, responsibilities, monitoring and evaluation.

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

**Note:**

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

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## EXECUTIVE SUMMARY

1. **Introduction:** The Climate Resilient Inclusive Infrastructure for Ethnic Minorities -1: Sector Project in Binh Dinh and Quang Nam Provinces (CRIEM-1) is funded by the ADB. This report presents the resettlement and ethnic development plan for the representative subproject being the Construct and upgrade the Water Supply System in An Lao town and An Trung commune, An Lao district in Binh Dinh province. The existing water supply system in An Lao town and An Trung commune is currently ineffective and needs to be upgraded to ensure water supply pressure as well as water quality standards.

2. **Scope of Impacts:** The subproject will cause only minor effects on the local communities with the infrastructure being placed within the rights of way of public roads. Hence, they will not require the land acquisition of private or institutional property. The impacts caused by the improvement and upgrading of the water supply system are assessed to be insignificant.

3. A total of 50 households and 14 organizations are affected by the subproject. The subproject will affect structures and trees of 50 households with 199 persons in An Lao town and An Trung commune, An Lao district. Out of 50 affected households, there are 23 ethnic minority households categorized as vulnerable (of which, 11 ethnic minority households are poor households and 1 ethnic minority household is a woman-headed household with dependents). The subproject will not affect on land acquisition and all affected households are classified as marginally affected HHs.

4. The construction of water pipes only requires excavation of existing roads, so there is no impact on land acquisition, only some structures and trees will be affected during the construction period. The subproject affects some structures of households/organizations including: 677 m<sup>2</sup> of concrete yard, 120 m<sup>2</sup> of mesh fence. A further 2,170 trees of various types are affected by the subproject.

5. **Legal and policy framework:** The Resettlement and Ethnic Minorities Development Framework (REMDF) of the project has been prepared based on policies and laws of Vietnam Government and ADB's safeguard policy statement (SPS 2009) on Involuntary Resettlement (IR) and Indigenous Peoples (IP). The overall objective of these-above mentioned policies is to ensure that all people, including ethnic minority people affected by the subproject shall (i) improve or at least restore their living standards to at least pre-project levels; (ii) receive appropriate culturally socio-economic benefits; (iii) not be negatively affected by the subproject; and (iv) actively participate in projects that have impacts on them. The terms and principles in this REMDP are in accordance with the REMDF. In case of any discrepancy, Asian Development Bank's (ADB's) Policy will be followed.

6. **Grievance Redress Mechanism (GRM):** To ensure that all APs' grievances and complaints on aspects of land acquisition, compensation and resettlement are addressed in a timely and satisfactory manner and APs can send their complaints in the most satisfactory and convenient way, a well-defined grievance redress mechanism is established in this REMDP. All APs can send any questions to implementation agencies about their rights in relation with entitlement of compensation, compensation policy, rates, land acquisition, resettlement, allowance and income restoration. Furthermore, APs will not be ordered to pay any fee during the grievance and complaints at any level of trial and court. Complaints will pass through 3 stages before they could be elevated to a court of law as a last solution.

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

8. **Issues on Gender and EMCs:** Although the construction of water supply system impacts on 23 ethnic minority households (Hre group), none of them are significantly affected. Only some structure and tree affected during construction phase. There remain issues relating to gender in the subproject area such as position of women in their family and community and their limited participation in decision making process. A gender action plan is prepared for the project to address concerns of women in order to improve their social status in the subproject area.

9. **Institutional Arrangement:** Binh Dinh Provincial People's Committee as the Executing Agency (EA) will allocate a provincial budget and direct its departments and district authorities to implement the REMDP provision relating to land acquisition and compensation as scheduled. The Management Board of Investment Projects for construction of agriculture and rural development works of Binh Dinh province (PMU) as the project owner (Implementing Agency (IA)) is responsible for overall project management and implementation. PMU is responsible for reporting to the Binh Dinh Provincial Peoples Committee. The PMU as Implementing Agency is responsible for managing the implementation of the subproject and for ensuring that the REMDP is updated based on the detailed design and all compensation and assistance are administered according to the provisions of this REMDP. A Compensation, Assistance and Resettlement Board (CARB) with representatives from affected persons (AP), will be established to implement the REMDP within the An Lao District.

10. **Implementation schedule:** This REMDP will be implemented before commencement of civil works. It is expected that land acquisition will be carried out during 2020/2021.

11. **Monitoring and evaluation:** The subproject is category B for Involuntary Resettlement (IR) and Indigenous Peoples (IP), so it is not required external monitoring experts. During implementation of the REMDP the PPMU will conduct internal monitoring and evaluation to ensure the implementation of the REMDP in compliance with ADB safeguard policy (SPS 2009).

12. **Total resettlement cost:** The total cost for implementation of the REMDP, including management and contingency cost, is estimated to be VND 280,121,600 equivalent to USD 12,017. The financing will be from Binh Dinh province's budget counterpart funds.

## I. SUBPROJECT DESCRIPTION

### A. Background

13. The Climate Resilient Infrastructure for Ethnic Minorities -1: Sector Project (CRIEM-1) will support the acceleration of inclusive socioeconomic development of Quang Nam and Binh Dinh provinces. The project is aligned with the National Target Program on New Rural Development for 2016-2020 and the Master Plan on Socioeconomic Development of Central Coastal Provinces (CCPs) through 2020.

14. The project investment targets 8 of 29 districts within Binh Dinh and Quang Nam provinces with the highest proportion of EMCs. These mostly remote western districts have very low population density meaning that most local inhabitants face extended travel times to access services and markets compared with high density areas where schools and health clinics are able to be provided closer. The impact of the project will be increased economic opportunities and service delivery for EMCs with the Project outcome being service delivery and economic opportunities in the Central Coastal Provinces increased.

15. The Project is being implemented under the ADB sector modality and as such the ADB TRTA design process uses two representative subprojects for which the TRTA consultants provide the input to the environmental assessment. The remaining 9 subprojects are prepared as part of the requirement for the Government Investment Proposal and Subproject Feasibility Studies prior to project approval. All environmental assessments will be updated based on the final designs during Project Implementation.

16. A total of 11 subprojects are shortlisted in accordance with agree project eligibility criteria of which 7 are proposed under output 1 transport infrastructure improved; and 4 subprojects under output 2 water resources infrastructure improved. Output 3 will support data systems for climate risk management updated. The systems will allow improved design decision based on more reliable local data that is adjusted for projected climate change impacts on hydrological determinants and inputs into detailed engineering designs.

17. The project will contribute to achieving ADB's Country Partnership Strategy (2016–2020) objective of promoting inclusive and environmentally sustainable economic growth by targeting support to disadvantaged provinces, grading their capacity to deal with increasing climate risks and strengthening regional reform agendas.

18. Binh Dinh is one of two Provinces under CRIEM-1 and the Provincial Authorities agreed that the proposed An Lao district water supply scheme will be used as the representative subproject. The proposed water supply subproject is divided into two parts: Part 1 involves the rehabilitation and extension of the existing An Lao town water supply system and Part 2 covers two villages in An Trung commune.

### B. An Lao Town Water Supply System:

19. The proposed subproject design capacity is for 2045 when the total population to be served is projected to be 23,955 spread across 6,821 households (3.5 person per household). By 2045, it is expected that a total of 5,798 households will be served (85% coverage) requiring the production of nearly 3,500 m<sup>3</sup> per day of which 2290 m<sup>3</sup> per day will supply domestic consumers.

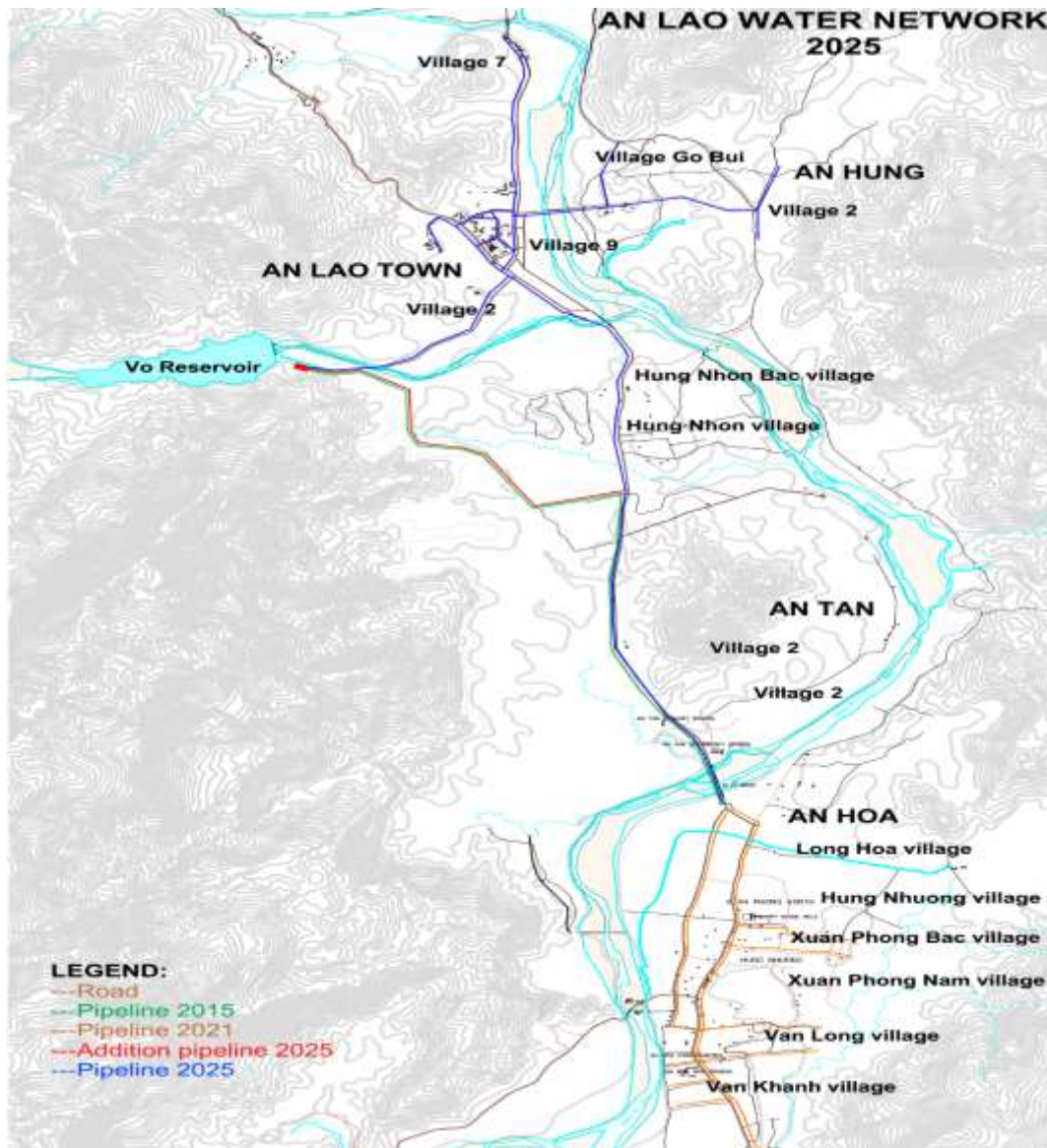
20. The proposed scheme includes the following works:

- (i) Installation of a new water treatment plant within the existing water treatment yard that includes: flocculation treatment to reduce turbidity, sand filtration, back wash filters, automated chlorine dosing, a clean water tank that will be integrated with the existing clean water tank.
- (ii) A new intake from the irrigation canal
- (iii) Operator office and laboratory facilities

- (iv) A booster pumping station to increase mainline pressure and the service reliability within the service area
- (v) Upgrade onsite drainage and waste water discharge into the An Lao River systems
- (vi) Security fencing
- (vii) Network upgrade including replacement of mainlines installed prior to 2014 with new diameter and pressure rated HDPE mainline and sub-mainlines.
- (viii) Extending the mainlines in Go Bui, village 7 and through to Village 4 An Hung commune
- (ix) Provision of household connections including water meters.
- (x) Installing additional mainline capacity to support the south An Hoa commune extension comprising 2,500m alongside the mainline installed in 2015 to future proof the hydraulic performance of this southern service area.

21. All works will be retained within the current water treatment yard or alongside existing mainlines (that will be removed) within the road right of way. The subproject is funding all connections and water meters, including the replacement of existing meters, to increase the likely uptake of service.

**Figure 1: An Lao Water Supply Scheme – Proposed 2025**

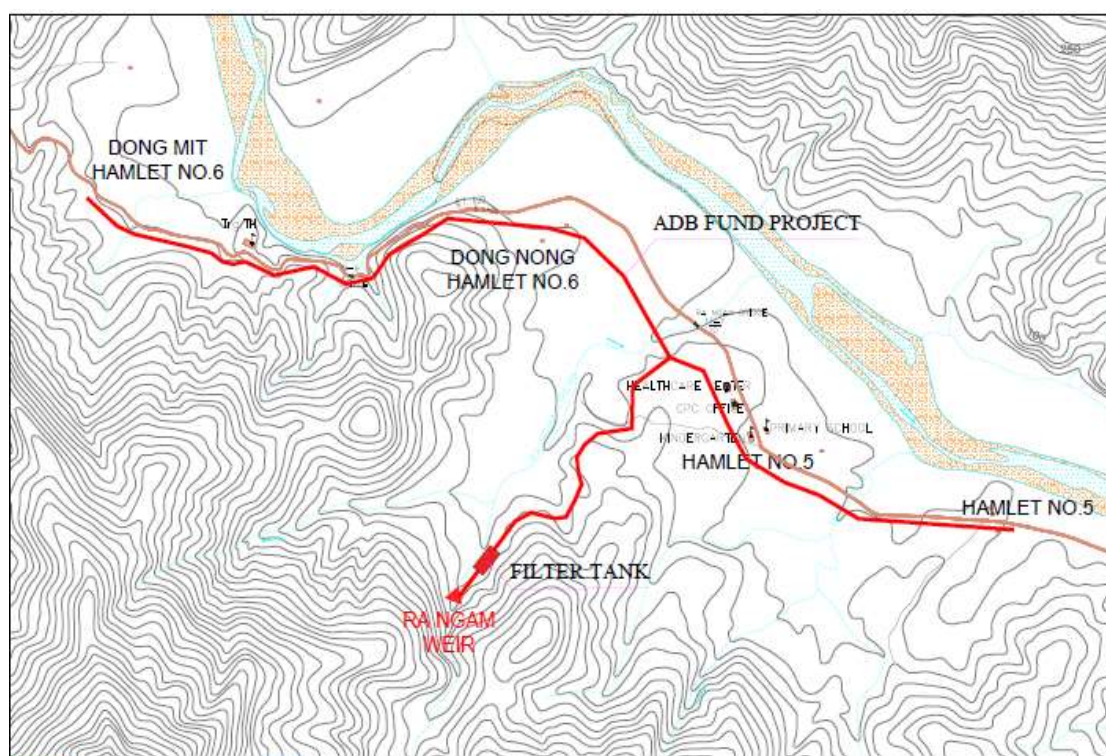


### C. An Trung Commune Water Supply System:

22. The network within An Trung rural commune will provide reliable 24 hour per day water to Dong Mit village 6, Dong Nong 5 and Village 5 consisting of a total 220 households with an average household size of 3.8 persons. The scheme designed capacity is to serve the projected 2045 population of 308 households supporting a total population of 1,157.

23. An Trung currently has a gravity system that delivers filtered, but untreated water from the headworks in the Ra Ngam mountain stream. The proposed scheme sources water at the same location but will construct a replacement sand filter system close to the headworks to remove foreign matter from the network. A single mainline will be installed within the existing road reserve and then split into two distribution mainlines – one to the east to supply Village 5 and one to the west supplying Dong Mit Village 6. All households will be connected into the distribution mains (see Figure 2). All connections will be metered and the project will provide resources for these connections.

**Figure 2: Layout of An Trung Network.**



24. The proposed scheme will replace the existing mainlines that run from the headworks, including those illegally installed, with systems that will operate fully on gravity and capable of delivering the average daily demand of 130 m<sup>3</sup> per 24 hours in 2040, based on an estimated design demand of 100 l/s per person.

### D. Mitigation measures

25. To minimize impacts of land acquisition and resettlement on local people, the measures taken are as follows:

- (i) Construction and repair of water pipes based on existing pipelines.
- (ii) Disclosure of information and full meaningful consultation with local authorities and affected people throughout the project implementation process;
- (iii) Compensate fully for the value of affected assets of the people affected by the project;

- (iv) Minimize and control dust and noise in the construction phase and ensure traffic maintenance for local people through construction methods;
- (v) Disseminate information and propagate and put warning signs in the construction phase to raise awareness for people, avoid traffic accidents occurring during construction;
- (vi) Maintain good consultation and coordination between PMU, construction contractors, local authorities and residential communities to promptly solve problems arising in the construction phase.
- (vii) After the construction process, the contractor should restore quality of road and public structures if construction vehicles cause damage to them.
- (viii) The contractor also needs to use measures of disseminating and preventing risks of sexually transmitted infection and discouraging or preventing social evils when mobilizing workers during construction

**E. Objective of Resettlement and Ethnic Minority Development Plan**

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

27. The document provides a plan for affected HHHs, including affected EMCs. The objective is to design and implement subproject in a way that fosters respect for affected HHHs' feedbacks, ensure consultation and participation of affected people; especially in the implementation of compensation, site clearance and resettlement in the subproject.

28. 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 that are presented in the REMDF and follows the guidance of the REMDF that outlines the requirements for the following:

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

29. The REMDP is based on the basic design and will therefore need updating based on the final detailed design approved by the PPC, the results of DMS and replacement cost survey along with meaningful consultation with all affected households as defined in the REMDF.



## II. PROJECT IMPACTS

### A. Survey process

30. The TRTA conducted a joint social impact assessment (SIA) in the communes affected by the subproject along with census, inventory of loss (IOL) from a replacement cost survey of all affected HHs and enterprises within the subproject area. Those affected households were then included in a 100 percent survey sample to assess the Socio Economic Survey of Affected Households (SESAH).

31. An inventory of losses was prepared for all affected households based on the preliminary design. The result of IOL **shows that the subproject does not require land acquisition**, only a small number of cement yard and some trees are affected during the construction phase have been determined by actual measurement and counting. The amounts indicated for area of structures loss and affected trees/crops will be validated during the DMS to be updated during the detailed engineering design process.

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

33. Rapid Replacement cost study (RRCS): The RRCS collected information on the market prices of land and non-land assets in the subproject area, in order to establish the estimated budget for compensation of APs at current market values. During the detailed engineering design, a replacement cost survey will be undertaken by an independently qualified and experienced appraiser to determine the unit prices for individual types of asset affected by subproject and submitted to PPC for approval. Once approved the unit prices will be the basis for calculating compensation packages for AHHs within the subproject.

### B. Permanent impacts

#### 1. Impact on households

34. Because the subproject mostly replaces existing water pipes, the subproject construction is confined to the existing right of way, so the subproject will not require land acquisition. There are a total of 50 households and 14 organizations in An Lao town and An Trung commune that are anticipated to have structure and trees affected.

35. Out of the total 50 AHHs, there are 23 ethnic minority households as vulnerable (of which, 11 ethnic minority households are poor households and 1 ethnic minority household is a woman-headed household with dependents). All affected households in the subproject area were identified as marginally affected households. Impacts of the subproject on households and organization are summarized in Table 1.

**Table 1: Impacts on households and organization**

Commune/ Town	Affected HHs (numb)	Marginally Affected HH1	Severely Affected HHs (numb)	Vulner able HHs (numb)	Affected ethnic minority HHs	Reloca tion HHs	Affected organiza tion/Ente rprises
An Lao	32	32	0	5	5	0	12

An Trung	18	18	0	18	18	0	2
Total	50	50	0	23	23	0	14

Source: IOL in June 2019

## 2. Impacts on land

36. According to the IOL results, the subproject will not require land acquisition. There are some areas of cement yard and trees affected during construction phase.

## 3. Impacts on houses and structures

37. The subproject does not affect any household residencies, only affecting associated structures of 28 households living along the water pipe in An Lao town, including 138 m<sup>2</sup> of concrete yard and 120 m<sup>2</sup> of b40 mesh fence. Further, there are 539 m<sup>2</sup> of concrete yard affected from 11 organizations in An Lao Town and 2 organizations in An Trung Commune during construction.

## 4. Impacts on tree and crop

38. There are 23 HHs and 1 organization that will loss trees along the water pipe in An Lao town and An Trung commune. A total of 2,170 trees of various types will be removed during construction period of water pipe system.

## 5. Impacts on income and livelihood

39. As the subproject does not involve land acquisition and there is a limited impact on cement yards and the number of trees it is anticipated that the subproject will have no significant impact on household income and livelihood.

## 5. Impact on natural environment and culture of ethnic minority groups

40. The subproject will not affect the natural environment, livelihood system, cultural practice and ancestral domains, temples and pagodas, spiritual belief areas of people living in the project area in general and of the ethnic community and HHs in the subproject area in particular.

41. The Table 2 below summarizes permanent impacts caused by the subproject.

**Table 2: Summary of impacts**

No.	Type of impacts	Unit	Quantity
I	Works/structures	m <sup>2</sup>	797
	Mesh fence b40	m <sup>2</sup>	120
	Concrete yard	m <sup>2</sup>	677
II	Tree	tree	2,170
	Grapefruit	tree	20
	Acacia	tree	2,020
	Terminalia catappa	tree	25
	Flamboyant	tree	15
	Areca catechu	tree	44
	Chukrasia tabularis	tree	3

Source: IOL in June 2019

### C. Temporary impacts

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

### D. Vulnerable households and Ethnic Minority households

43. Among the 50 households affected by the subproject, there are 23 ethnic minority households, 11 poor households and 1 single female household with dependents. However, because 11 poor households and 1 female household head are also among 23 ethnic minority households. Therefore, in the whole subproject, there are 23 affected households belong to vulnerable groups. Details are shown in the table below:

**Table 3: Summary of vulnerable households**

Commune/ town	Ethnic minority	Poor	AHs with single women with dependents	Households with single elderly people	Policy households	Total
An Lao	5	5	0	0	0	5
An Trung	18	6	1	0	0	18
<b>Total</b>	<b>23</b>	<b>11</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>23</b>

Source: SES and IOL in June, 2019

## III. GENERAL SOCIO-ECONOMIC PROFILE

### A. Socioeconomic condition in the subproject area

#### 1. An Lao district

44. An Lao District is situated in the mountainous area in the north of Binh Dinh province. Four sides of the district are bounded by mountain ranges, so it is also called An Lao Valley. The centre of the district, today called An Lao Town, lies on Provincial Road DT629 some 30km from National Road 1. DT629 is the only Provincial Road connecting to and from other districts. There are plans to connect DT629 to Quang Ngai, but this road currently reaches only as far as An Hung Commune in An Lao District. This road situation reportedly inhibits travel and freight movement, especially in the flood season.

45. The weather in the district is significantly affected the climate of the Highlands. There are two distinct seasons, rainy season and dry season. In this area the dry season can give rise to drought, which can result in drying up of wells used by households.

46. Total land area of the District is 69,688 ha. Forested land occupies 87.8% of the land area, followed by agricultural land 8.5%, special-purpose land 1.2 % and housing land 0.3%. The population density of An Lao District is the lowest for any district on the province at 35.8 persons/km<sup>2</sup>. People reside predominantly on the river flats and low land areas.

47. An Lao District consists of 10 communes and one town. Three of the communes are mountainous in terrain owns and 7 are described as “high area communes. The district population is approximately 24.918, with males making up 49.2% and females 50.8%. The urban population accounts for 14.2% and rural residents 85.8%.

48. Ethnically, the population consists of the majority Kinh ethnic group which is concentrated in An Hoa, An Tan and An Lao Town – the more urban areas. The minority Hre people are mainly found in An Vinh, An Dung, An Trung and An Hung Communes. The Hre are the indigenous people of the project area. The other ethnic minority that appears in the population statistics is the Ba Na, and they are mainly located in the An Toan and An Nghia communes.

## 2. Subproject Communes

49. An Lao became a town in 2007 with a total area of 1,441 ha. The town borders An Hung commune in the east, An Tan commune to the south, and Na Trung to both the West and North. An Lao town has approximately 3,534 persons with 1,732 males and 1,802 females. The number of ethnic minority households is 289. An Lao town has 550 poor households and 258 near- poor households.

50. An Trung commune was re-established in 2007 with a total area of 6,854.2 ha. The North borders Duc Pho district (Quang Ngai province), East borders An Hung commune and An Lao town, the South borders An Tan and An Quang communes, and the West An Vinh and An Dung communes. An Trung commune has approximately 2,101 persons with 1,017 males and 1,084 females. The number of ethnic minority households is 640. According to Statistical year book of An Lao District 2017, An Trung commune has 493 poor households and 87 near- poor households.

**Table 4: Population and ethnicity structure in the subproject communes**

Commune/ town	Population			Ethnic minority (Hre group)		Land		Poor HHs	Near- poor HHs
	Total	Male	Female	HHs	poor HHs	Total (ha)	Agricultural land (ha)		
An Lao	3,534	1,732	1,802	289	230	1,441	422.9	550	258
An Trung	2,101	1,017	1,084	640	472	6,854.2	640.3	493	87

*Source: An Lao District Statistical Yearbook, 2017*

## 3. Affected households

51. A socio-economic survey of affected households (SESAH) (June 2019) covering 100% of AHs within the two subproject communes. Consultations with local authority, mass organizations, AHs were carried out in all affected communes. Secondary data were also collected in all communes. Results of the socio-economic survey are summarized as follows.

### a. Demographic characteristics:

52. The 50 affected households have a total of 199 people with a significant gender difference with 103 men (51.7%) and 96 women (48.3%). The average size of household in the subproject area is 3.9 people similar to the wider mountainous region in the Province - see Table 4.

**Table 5: Demographic characteristics of affected households**

No.	Commune or town	Total No. AHs	Total No. of surveyed AHs	average person /HH	Number of affected persons					
					Total	%	Male	%	Female	%
1	An Lao	32	32	3.9	134	100	68	50.7	66	49.3
2	An Trung	18	18		65	100	35	53.8	30	46.2
Total		50	50	3.9	199	100	103	51.7	96	48.3

Source: SES and IOL in June, 2019

53. Out of the 50 affected households, there is 1 female headed household. Age of household heads ranges from 41 to 60 years old.

**Table 6: Age of household heads**

No.	Commune/town	Age				Total
		<20	20-40	41-60	>60	
1	An Lao	0	11	18	3	32
2	An Trung	0	3	14	1	18
Total	No.	0	14	32	4	50
	%	0	28	64	8	100

Source: SES and IOL in June, 2019

54. Out of the 50 affected households, 27 are Kinh households with 23 Hre ethnicity household (including 5 in An Lao town and 18 in An Trung commune).

**Table 7: Ethnicity of household heads**

No.	Commune/town	Ethnicity of household heads		Total
		Kinh	Ethnic Minority	
1	An Lao	27	5	32
2	An Trung	0	18	18
Total	No.	27	23	50
	%	54	46	100

Source: SES and IOL in June, 2019

55. According to the socio-economic survey, the education level of 50 AH heads is at the medium level in comparison with those living in the rural mountainous areas in general, with most HH heads finishing primary schools with only 2 household heads not graduating from primary school (4.0%).

56. The survey results also show that the majority of Kinh household heads from An Lao town have graduated from high school, while most of the heads of ethnic minority people living in An Trung commune have only graduated from primary school.

**Table 8: Education level of household heads**

No	Commune/town	Education level of household heads					
		Total	Not yet finished primary school	Finished primary school	Finished junior secondary school	Finished high school	Graduated from vocational school/ college/ university
1	An Lao	32	1	2	8	18	3
2	An Trung	18	1	14	3	0	0
Total	No.	50	2	16	11	18	3
	%	100	4.0	32	22	36	6

Source: SES and IOL in June, 2019

57. Livelihood, occupation and production conditions indicate that affected households are primarily involved with agriculture activities and have income from agriculture, public sector and private enterprise sources – see table 8.

**Table 9: Main occupation of affected household heads**

No	Commune town	Main occupation				
		Agriculture	Employee unskilled labors	Private sector's employee	The State's officials	Business/service
1	An Lao	10	10	5	2	5
2	An Trung	17	0	0	1	0
Total	No.	27	10	5	3	5
	%	54	20	10	6	10

Source: SES and IOL in June, 2019

58. **Income:** Out of 50 AHs, 5 are classified as poor in An Lao town and 6 are in An Trung commune. According to the survey, the monthly average income of poor households is VND 2,681,000 (VND 670,000/person/month). Households not under the poverty line have average income VND 6,553,000/household/month an average of VND 1,680,000/person/month.

59. **Housing:** All of AHs own their private house - 64% of HHs owning houses with brick walls and tiling/roofs; 20% of HHs own house with flat roof and 10% of HHs own stable house with two floors or more and 6% of HHs own temporary house with bamboo and wood.

60. **Other Assets:** Surveyed HHs have at least 1 TV (100%), motorbikes (98%), electric fans (100%), mobile phone (92%), refrigerator (29%), air conditioner (24%), water heater (12%), computer (24%) and internet (10%), gas cooker (81%); and washing machine (20%).

61. **Domestic water supply and sanitation:** A total of 41% of surveyed HHs use water supply sources from dug wells and drilled wells; 52% use the clean water supply sources from water supply of An Lao town and 7% use water from other sources such as ponds, rivers or lakes for domestic use.

62. Regarding sanitation, around 38% of surveyed HHs have semi-septic compartment septic tanks using water by hand, 52% of HHs use modern separated septic tanks, 10% of surveyed households used 2-compartment. No HHs reported that they don't have toilets. .

63. **Energy:** All the surveyed households use grid electricity for lighting. For cooking, 74% still use firewood, reportedly because it is cheaper (and possibly free of charge). Use of firewood varies by commune and according to resource availability: in An Trung, 93% of surveyed households use firewood and in An Lao 76%.

64. **Ethnic minority groups:** Ethnic minority people living in the region are Hre people who mainly live in An Trung (21%) and An Lao town (9%). All ethnic minorities have their own languages and almost all of them can speak and understand the Vietnamese language, however elderly are the exception who have difficulties in listening and speaking Vietnamese language. There are 23 ethnic minority households (82 persons) affected by this subproject section, including 5 HHs live in An Lao town and 18 HHs live in An Trung commune. The table below summarizes some socio-economic indicators of 23 Hre ethnicity households.

**Table 10: Some socio-economic indicators of EMCs**

Indicator	Unit	Quantity
Average income per household/month	D	3,565,000
Average income per person/month	D	956,000
Main income from agriculture	%	95.7
Have grade-4 houses with roof tiles / corrugated iron		61
Have one-story house with concrete roof		26
Have wooden houses on stilts		8.7
Have temporary house		4.3
Have television		95.7
Use Internet		4.3
Have mobile phone		82.6
Have gas stove		95.7
Have motorbike		95.7
Refrigerator		4.3
Use the Nation electrical grid		100
Use water from ponds, lakes and streams for drinking and cooking		87
Use clean water system for drinking and cooking		4.3
Use well- water for drinking and cooking		8.7
Use modern separated septic tanks		26
Use semi-septic compartment tanks		61
Use 2 compartment toilet		8.7
Use toilet by digging hole		4.3

#### IV. SOCIAL IMPACT ASSESSMENT

65. **Potential negative subproject impacts.** A social impact assessment (SIA) of households has been conducted through socio-economic survey, and meaningful consultation to identify both positive and negative impacts caused by the subproject, and measures of negative impact mitigation and enhancing subproject benefits to local people.

66. Summary of results of SIA show that the planned An Lao water supply schemes will cause only minor negative effects on the local communities because the infrastructure will be placed within the right of way of public roads. Hence, they will not require the acquisition of private or institutional property. During the trenching and placement of the supply mains, adjacent homes will temporarily experience additional daytime noise, dust, vehicle fumes, disrupted access to their yards, and the presence on the street of construction workers who may be outsiders to the community. None of these effects is expected to be problematic unless there are localized construction difficulties or behavior issues.

67. As noted in section B.2, no relocation or land acquisition as required, although 32 households and 12 organizations in An Lao town will be marginally affected by the loss of or damage to fencing, concrete yards, and trees and shrubs. For the An Trung scheme 18 households and 2 institutions could be affected by minor damage to concreted yards and disruption to property access.

68. Some of households will be affected by the loss of trees and shrubs - typically those adjacent to the roadway. However, these are relatively insignificant during the construction of the water pipeline. The value of these losses, and procedure for compensating and managing them, are presented in the next sections of this document.

69. **Expected Positive impacts.**

70. It is anticipated that the subproject will provide positive effects to local people including ethnic minority households. The expected positive impacts are as follows:

- (i) Improved water security, which will reduce the worries and stresses of those who run out of home-supply water in the dry season and are forced to use other water resources, including streams, to purchase bottled water, and to ration their use of available resources;
- (ii) Reduced seasonal workloads for those who have to fetch water from wells or streams elsewhere. The benefits come in time-saving and by eliminating the physically demanding work of carrying water especially in the heat of the day;
- (iii) Savings from not having to purchase bottled or tanker water, and to purchase fuel for boiling water;
- (iv) Reduction in health risks and water related sicknesses by having treated clean water for drinking, food preparation, and bathing (especially of children), and the associated monetary savings on publicly and privately provided medical treatments, medicines, travel costs for attending clinics etc., and loss of income due to time off work;
- (v) Improvements in personal and household hygiene by having a reliable clean water supply close at hand, more sanitary toileting, and not having to travel to rivers and streams for bathing and doing laundry;
- (vi) Reduction in damage to clothing from washing in discolored water; and
- (vii) Potentially an increase in value of their homes and properties.

71. A dependable and good-quality water supply is essential infrastructure for achieving more balanced development and access to a better quality of life across the community.

##### A. Proposed Measures to Minimize Negative Impacts

72. Although the effects of project implementation are negligible, the following mitigation measures are still necessary:



- (i) Disclosure of information and full meaningful consultation with local authorities and affected people throughout the project implementation process;
- (ii) Compensate fully for the value of affected assets of the people affected by the project;
- (iii) Minimize and control dust and noise in the construction phase and ensure traffic maintenance for local people through construction methods;
- (iv) Disseminate information and propagate and put warning signs in the construction phase to raise awareness for people, avoid traffic accidents occurring during construction;
- (v) Maintain good consultation and coordination between PMU, construction contractors, local authorities and residential communities to promptly solve problems arising in the construction phase.
- (vi) After the construction process, the contractor should restore quality of road and public structures if construction vehicles cause damage to them.
- (vii) The contractor also needs to use measures of disseminating and preventing risks of sexually transmitted infection and discouraging or preventing social evils when mobilizing workers during construction.

## **V. INFORMATION DISSEMINATION, PUBLIC CONSULTATION AND PARTICIPATION**

### **A. Information dissemination and Consultation**

73. Information dissemination and consultation with APs and community and ensuring their active participation will reduce the possibility of arising conflicts and minimize the risks of delaying the project. It enables the project to design the water supply system and compensation program as a comprehensive development program in compliance with the needs and priorities of affected people, and therefore maximizes the socioeconomic efficiency and benefits of the investment.

74. Information dissemination of the project has been conducted through the local government's announcement of project implementation in the mass media. In addition, project information is also disseminated through community meetings and during surveys to prepare the REMDP. Information dissemination and community consultation activities will continue to be carried out during the next steps throughout the project implementation process, through the distribution of Information Disclosure Handbook and consultation meetings on compensation policy of the project. REMDF and REMDP, along with reports on REMDP implementation results, will also be required to be made public at the project area and on the ADB website.

### **B. Consultation and participation**

75. The objectives of the community consultation and local participation include: (i) to ensure the participation of local competent authorities and affected people's representatives into the process of planning and making decisions; (iv) to share all information about the project's planned items and activities with the affected people; (iii) to collect information about the needs and priority of the affected people as well as to receive their feedbacks on policies and predicted activities; (iii) to ensure that affected people are fully informed about the decisions which directly impact on their income and living standards, and have opportunities to participate in activities and decisions that directly affect them; and (v) to ensure the transparency in all activities concerning inventory of affected assets, compensation and assistance

76. Consultation and participation during the preparation of REMDP. 02 focus group discussions and consultation meetings were conducted with local authorities of An Trung commune and An Lao town, mass organizations and APs on June 2019. The objective of the consultation meetings was to provide information, as clear as possible, on the subproject to local authorities, mass organizations, APs and discuss and document their comments on subproject issues. Specifically, the following subjects were presented and discussed:

- (i) subproject description: location, size and scope of impacts;
- (ii) the subproject's implementation plan;

- (iii) the Sub-Project's policies in terms of land acquisition, compensation and resettlement assistance as well as eligibility criteria;
- (iv) the Sub-Project's grievance redress mechanism; and
- (v) issues related to EMCs, gender, restoration of incomes, livelihood and other support policies

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

- (i) Affected people support and agree with improvement and upgrading of the clean water supply system;
- (ii) During the meetings, the potential impacts of the subproject in terms of land acquisition were duly discussed with APs who have assets will be affected; All agreed that the impact of subproject is marginal however all impacts on the assets should be compensated and assisted;
- (iii) APs agreed with the subproject's principle on compensation and resettlement assistance;
- (iv) During the detailed design phase, it is necessary to consult with communal authority and local people to construction of water pipe lines along the road to ensure safety;
- (v) It was noted that the environmental impacts of the subproject during construction are inevitable, but these can be minimized with the proposed mitigation measures in the construction phase;
- (vi) It is necessary to have proper construction method especially for the road section running through residential area, structures of households near the road, structures of CPC, school, bridge and culvert in the territory of communes. During the construction period, the traffic should be controlled so that the disturbances to transportation, production and business of local people as well as enterprises will be avoided.
- (vii) It was proposed that meaningful consultation with and participation of women and vulnerable group in the process of REMDP implementation, management and monitoring will be continuously undertaken in next steps;
- (viii) APs proposed that the compensation payment should be paid at one time and before the start of construction. The APs also mentioned that the issues on the quality of the subproject should be considered and that they are willing to be representative in the Community Monitoring Board during subproject construction;

78. The project grievance mechanism and resolution procedure was consulted with APs. They proposed that their complaints should be resolved timely and successfully.

**Table 9: Participants of public consultation meetings**

No.	Commune/Town	Location	Participants	Number of participants	Number of participating women
1	An Lao	CPC	Representatives of CPC, union, affected HHs	21	7
2	An Trung	CPC	Representatives of CPC, union, affected HHs	11	4

Source: TRTA Records

### C. Future Consultation and participation

79. For the next steps, consultations with the APs and local communities and concerned agencies will be carried out during the detailed engineering design. After the detailed engineering design has been approved by the concerned agencies, the design will be posted in strategic public places and shared with the APs and communities. Attention will be called to these posters through the public broadcast systems.

80. Prior to the commencement of DMS, there will be a public announcement through the public broadcast system, radio, and postings in public places regarding the DMS.

81. The same process will be followed in the commencement of the RCS. RCS needs to be carried out together with the DMS. Once the Binh Dinh PPC approves the updated unit rates, these shall also be disclosed publicly through electronic and physical posting. Flyers and information material on how to compute the amount of compensation will be provided. The information materials will also explain the basis for these unit rates and the methodology used to generate them.

82. APs, representatives of villages/residential groups, and relevant agencies will be consulted during updating of the Resettlement Plan following the approved detailed engineering design. The opinions, suggestions and concerns of affected organizations will be incorporated in the updated REMDP.

#### **D. Disclosure Requirements**

83. This REMDP and the REMDF (in Vietnamese language) will be posted in the commune headquarters, cultural houses of the project communes and other accessible public places. The documents will also be sent to village leaders relevant agencies. The REMDF will be disclosed on ADB's website prior to project appraisal

84. The PPMU and An Lao DPC will officially announce the details of impacts on land and assets upon land; and schedule for DMS, compensation and assistance to the APs, communities and relevant agencies.

85. Before submitting to ADB and after getting acceptance of ADB on the Updated REMDP – the Updated REMDP will be posted in accessible public areas and sent to the village leaders and relevant agencies. The Updated REMDP will also be uploaded to ADB's website.

86. The resettlement monitoring reports will be posted in accessible places, sent to village leaders and relevant agencies and uploaded to ADB's website.

## **VI. GRIEVANCE REDRESS MECHANISM**

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

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

89. **Second Stage, District People's Committee:** If after 30 days or 45 days (in remote area) the aggrieved affected household does not hear from the CPC, or if the affected household is not satisfied with

the decision taken on his/her complaint, the affected household may bring the case, either in writing or verbal, to any member of the DPC. The DPC in turn will have 30 days or maximum of 70 days following the lodging of the complaint, depending on complicated case or remote area, to resolve the case. The DPC is responsible for documenting and keeping file of all complaints that it handles and will inform the DCARB of any determination made and the DCARB is responsible for supporting DPC to resolve AH's complaint. The DPC must ensure their decision is notified to the complainant.

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

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

92. If efforts to resolve complaints or disputes are still unresolved and unsatisfactory following the project's grievance redress mechanism, the households have the right to send their concerns or problems directly to ADB's Southeast Asia Department (SERD) or through ADB Viet Nam Resident Mission. If the households are still not satisfied with the responses of SERD, they can directly contact the ADB's Office of the Special Project Facilitator as outlined in the Information Guide to the Consultation Phase of the ADB Accountability Mechanism.

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

## VII. LEGAL AND POLICY FRAMEWORK

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

### A. ADB Policies

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

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

97. The subproject will insignificant affect 50 households with 23 EMCs household and no land acquisition required. The subproject also does not affect identity, culture and custom livelihood system of EMCs so Ethnic Minority Development Plan is incorporated with Resettlement Plan of the subproject in a combined document named REMDP with all elements of EMDP are included in the REMDP.

## B. National Laws on Involuntary Resettlement and Ethnic Minority Communities (EMCs)

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

**Table 10: Government Legal Framework**

Reference	Date	Title	Description
56/2020/ND-CD	25/05/2020	Decree: Management and utilization of Official Development Assistance (ODA) and concessional loans from donors	
No. 132/2018/ND-CP	1/10/2018	Decree: Amendment of Decree 16/2016/ND-CP for the Management and Use of ODA funds	Specification changes for Decree 16 roles with increased requirement for capital expenditure ceilings and the role of the Project owner
No. 16/2016/ND-CP	16/03/2016	Decree: on management and utilization of Official Development Assistance (ODA) and concessional loans from donors	
No. 12/2016/TT-BKHDT	08/08/2016	Circular: Guides Decree 16/2016/ND-CP.	Regulations on some article of Decree 16/2016/ND-CP.
No. 16/2016/ND-CP	16/03/2016	Decree: Management and Use of ODA Funds	Describes the systems and requirement for the eligibility and use of ODA, responsibilities for the management of ODA funds.
No. 45/2013/QH13	29/11/2013	Land Law	Comprehensive land administration law
No. 01/2017/ND-CP	06/01/2017	Decree: Amendment decree on the implementation Land Law	This decree amends some provision of Decree No. 43/2014/ND-CP ; Decree No. 44/2014/ND-CP and Decree No. 47/2014/ND-CP dated May 15, 2014

Reference	Date	Title	Description
56/2020/ND-CD	25/05/2020	Decree: Management and utilization of Official Development Assistance (ODA) and concessional loans from donors	
No.06/2020/ND-CP	03/01/2020	Decree: amendments to Article 17 of Decree No. 47/2014/ND-CP dated on May 15, 2014 of the Government providing for compensation, support and resettlement when the State recovers land.	
No. 33/2017/TT-BTNMT	29/09/2017	Circular on detailed regulations Decree No. 01/2017/NĐ-CP	Guides Decree No. 01/2017/NĐ-CP
No. 63/2015/QĐ-TTg	10/12/2015	Decision of the Prime Minister: Regulates policy on Assistance in vocational training and job seeking	This Decision regulates policy on Assistance in vocational training and job seeking for people who have land is recovered
No. 47/2014/NĐ-CP	15/5/2014	Decree: Regulations on Compensation, Support and Resettlement upon Land Expropriation by the State	Specifies provisions for compensation and resettlement assistance
No. 37/2014/TT-BTNMT	30/06/2014	Circular on detailed regulations on compensation, support, and resettlement upon land expropriation by the State	Guides Decree No. 47/2014/NĐ-CP
No. 44/2014/NĐ-CP	15/5/2014	Decree: Regulations on Land Prices	Specifies methods for land pricing and land price frameworks
No. 43/2014/NĐ-CP	15/5/2014	Decree Detailing a Number of Articles of the Land Law	Provides guidelines on the implementation of the Land Law
No. 23/2014/TT-BTNMT	19/05/2014	Circular regulating Land Use Right Certificate (LURC)	Clarifies ownership rights of land and assets
No. 36/2014/TT-BTNMT	30/06/2014	Circular on land pricing	Guides Decree No. 44/2014/NĐ-CP
No. 494/NQ-UBTVQH13	18/05/2012	Resolution	Resolution of the National Assembly Standing Committee implementation of policies and legislation on people with meritorious service records
No. 02/2011/QH13	11/11/2011	Complaints Law	Regulates handling of complaints against administrative decisions or acts of state administrative agencies

Reference	Date	Title	Description
56/2020/ND-CD	25/05/2020	Decree: Management and utilization of Official Development Assistance (ODA) and concessional loans from donors	
No. 75/2012/NĐ-CP	03/10/2012	Decree detailing a number of articles of the Law on complaints	Guides Complaint Law 02
No. 22/2013/QĐ-TTg	26/4/2013	Decision of the Prime Minister	Decision of the Prime Minister on supporting people with meritorious services records in housing
No. 21/2019/QĐ-UBND	28/5/2019	Decision of Binh Dinh People's Committee	Amendment and supplementation of some articles regulated accompanied with Decision No. 4/2019/QĐ-UBND. Binh Dinh Province
No. 4/2019/QĐ-UBND	14/2/2019	Decision of Binh Dinh People's Committee	Guides promulgating regulation on compensation, assistance and resettlement when land is acquired by the State in Binh Dinh province.
Decision No. 4/2019/QĐ-UBND	14/2/2019	Decision of Binh Dinh People's Committee	Regulations on compensation, support, resettlement upon land expropriation by the State in Binh Dinh Province
Decision No. 21/2019/QĐ-UBND	28/5/2019	Decision of Binh Dinh People's Committee	Amendment and supplementation of some articles regulated accompanied with Decision 4/2019/QĐ-UBND. Binh Dinh Province
Decision No. 61/2019/QĐ-UBND	16/12/2019	Decision of Binh Dinh People's Committee	Promulgating price for compensation of houses, structural works and affected assets when the State recovers land in Binh Dinh province
Decision No. 21/2017/QĐ-UBND	19/5/2017	Decision of Binh Dinh People's Committee	Promulgating the prices of trees, crops, animal, density of trees, assistance for compensation calculation when land is acquired by the State in Binh Dinh province
No. 02/2019/QĐ-UBND	14/1/2019	Decision of Binh Dinh People's Committee	This decree amends some provision of Decision No. 21/2017/QĐ-UBND on Promulgating the prices of trees, crops, animal, density of trees, assistance for compensation calculation

99. **Ethnic Minorities.** Article 5 of the Constitution 2013 clearly indicates that (i) the State of Vietnam includes the various ethnic communities co-habiting on the territory of Vietnam; (ii) All EMCs are equality, solidarity, respect and mutual assistance among all nationalities, and forbids all acts of national discrimination and division; (iii) National language is Vietnamese, every ethnic community has the right to use its own language and system of writing, to preserve its national identity, and to promote its fine customs, habits, traditions and culture; and (iv) the State applies a policy of comprehensive development and give good conditions for EMCs to promote their internal force for the country development.

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

101. The following lists important policies related to ethnic minorities in Viet Nam:

2018	Decision No. 12/2018/QĐ-TTg dated March 6, 2018 of PM about criteria to select and recognize reputational people and policy for the reputational people on EMCs
2018	Decision No. 474 / QĐ-UBND dated 2018 on the Ethnic Minority Policy Review Program for the period 2016-2020, policy orientations for the period 2021-2025 promulgated by the Minister-Chairman of the National Committee for Ethnic Minorities.
2017	Decree No.13/2017/ND-CP dated February 10, 2017 defining the functions, tasks, powers and organizational structure of the Committee for Ethnic Minority Affairs
2017	Decision No. 1163 / QĐ-TTg of August 8, 2017 approving the project "Promote law dissemination and education and advocacy for ethnic minority and mountainous areas in 2017-2021 period
2017	Circular No. 02/2017/TT-UBND by CEMA to instruct the implementation of Decision No. 2085/QĐ-TTg dated October 31, 2016 of PM
2016	Decision No.2086/QĐ-TTg of October 31, 2016 approving the project of economic-social development for EMCs with sparse population from 2016 to 2025
2016	Decision No.1722/QĐ-TTg approving the national target program on sustainable poverty reduction for the 2016-2020 period. Specifies targets for reduction in incidence of poverty, and refers to districts inhabited by national minorities
2016	Decision No. 2085 / QĐ-TTg of October 31, 2016 approving the specific policy on support for socio-economic development of ethnic minority and mountainous areas in the 2017-2020 period
2015	Resolution No. 52 / NQ-CP dated 15/6/2016 of the Government on accelerating the development of human resources for ethnic minorities in the period 2016-2020, with orientation to 2030;
2015	Decision No. 1557/QĐ-TTg approving certain criteria on implementation of MDGs for ethnic minorities in association with national post-2015 sustainable development goals
2015	Decision No. 59/2015/QĐ-TTg on the issuance of the criteria and the poverty line according to the multidimensional approach applies to the period from 2016 to 2020;
2014	Resolution No.76/2014/QH13 on the achievement of the sustainable poverty reduction goal by 2020.
2014	Decision 2324/2014/QĐ-TTg dated 19/12/2014 on approval of the action plan to implement Resolution 76/2014/QH13;
2014	Decision No. 311/QĐ-LDTBXH dated March 20, 2014 approving the transition plan from a one-way to multi-dimensional poverty level approach for the period 2016-2020;
2013	Decision No. 2356/QĐ-TTg dated 04/12/2013 of the Prime Minister on issuing the Action Plan in implementing the Strategy of Ethnic Minority works until 2020;
2013	Decision No. 449/QĐ-TTg dated 12/03/2013 of the Prime Minister on approving the Strategy of Ethnic Minority works until 2020.
2013	Decision No. 755/QĐ-TTg, dated 20/5/2013 about Policy on supporting land, production land and water for ethnic minority households in extremely poor communes and villages
2013	Decision No. 551 / QĐ-TTg, dated 04/04/2013 Program No. 135 about investment in infrastructure, supporting production development for extremely poor communes, border communes, extremely poor villages.
2013	Decision No. 1489/QĐ-TTg dated 08/10/2012: Approve the national target program for sustainable Poverty Reduction 2012-2015
2013	Decision No. 2214/QĐ-TTg, dated 18/11/2013: Approve Scheme To enhance international cooperation to support economic and social development in ethnic minority area.
2012	Decree No. 59/2012/QĐ-TTg, dated 24/12/2012 of Prime Minister about issuing legal support policy for the poor, poor ethnic minority groups in period 2013-2020
2012	Joint Circular No. 01/2012/TTLT-BTP-UBND of the Ministry of Justice and the Committee of Ethnic Minorities, on guiding implementation of legal assistance to the ethnic minority people.
2012	Decision No. 1776 / QĐ-TTg, dated 21/11/2012: Approve the residential distribution in the areas which are facing natural disasters, extremely poor difficulties, border, island and free migration, special use forest in the period 2013 - 2015 and vision to 2020



2011	Decree No. 1270/2011/QĐ-TTg, dated 27/7/2011: On approval of the project "Conservation and development of ethnic culture in Vietnam until 2020"
2011	Decree No. 80/2011/NQ-CP on sustainable poverty reduction, period of 2011-2020
2011	Decree No. 05/2011/ND-CP dated 14/1/2011 on Ethnic Minorities works.
2011	Decision No. 1270 / QĐ-TTg dated July 27, 2011 of the Prime Minister approving the Scheme on "Conservation and Development of Vietnamese Ethnic Minorities up to 2020"
2010	Decision No. 52/2010/QĐ-TTg of the Government on the legal support policy for increasing awareness and knowledge on the law of EMCs in the poor districts for period 2011-2020.
2010	Decree No. 82/2010/ND-CP of government, dated 20 July 2010 on teaching and learning of ethnic minority languages in schools.
2008	Resolution No. 30a/2008/NQ-CP of government, dated 27 Dec. 2008 on support program for rapid and sustainable poverty reduction for 61 poorest districts
2008	Decision No. 289/QĐ-TTg dated 18/3/2008: The decision on the issuance of the policies to support ethnic minorities, social policies, poverty, nearly-poor households and fishermen.
2008	Decree No. 60/2008/NĐ-CP dated 9-May-2008 of the government on the functions, tasks, authorities and structure of the Committee for Ethnic Minorities and Mountainous Areas Affairs.
2007	Decision No. 112/2007/QĐ-TTg dated on 20/7/2007 on policies of supporting services, improving and increase people's living standards, legal assistance to improve legal awareness in the program 135, phase II.
2007	Decision no. 01/2007/QĐ-UBND dated 31-May-2007 of the Ethnic Minorities Committee on the recognition of communes, districts in the mountainous areas
2007	Decision no. 05/2007/QĐ-UBND dated 06-September-2007 of the Ethnic Minorities Committee on its acceptance for three regions of ethnic minorities and mountainous areas based on development status
2007	Circular no. 06 dated 20-September-2007 of the Ethnic Minorities Committee guidance on the assistance for services, improved livelihood of people, technical assistance for improving the knowledge on the laws according the Decision 112/2007/QĐ-TTg
2007	Decision No. 112/2007/QĐ-TTg dated on 20/7/2007 on policies of supporting services, improving and increase people's living standards, legal assistance to improve legal awareness in the program 135, phase II.
2007	Decision no. 06/2007/QĐ-UBND dated 12-January-2007 of the Ethnic Minorities Committee on the strategy of media for the program 135-phase 2
1998	Decree no. 59/1998/ND-CP dated 13-August-1998 of the government on the functions, tasks, authorities and structure of the committee for Ethnic Minorities and Mountainous Areas

### C. Reconciliation of Government and ADB Policies on IR and IP

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

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

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

**Table 11: Gap Analysis between Viet Nam Regulations and ADB SPS (2009) and Project Policy**

Issue	ADB SPS requirement	Provision in Viet Nam Land law 2013, Decree 47/2014/ND-CP, 44/2014/ND-CP	Project Policy
Identification of severely impacted APs who lose productive land	Involuntary resettlement impacts deemed significant if 200 or more persons will be physically displaced from home or lose 10% or more of their productive or income-generating assets ADB Safeguard category definitions: <a href="https://www.adb.org/site/safeguards/safeguard-categories">https://www.adb.org/site/safeguards/safeguard-categories</a>	APs losing at 30% or more of productive agriculture land are considered severely impacted and are entitled to livelihood restoration measures. Decree 47/2014/ND-CP, Article 19, Item 3:	HHs to be deemed severely affected if they are to experience loss of 10% or more of productive assets and/or physical displacement
Meaningful consultations in planning and implementing resettlement programs	Carry out meaningful consultations with affected persons, host communities, and concerned nongovernment organizations. Inform all DPs of their entitlements and resettlement options.  Ensure their participation in planning, implementation, and monitoring and evaluation of resettlement programs. Pay particular attention to the needs of vulnerable groups, especially those below the poverty line, the landless, the elderly, women and children, and Indigenous Peoples, and those without legal title to land, and ensure their participation in consultations.  Establish a grievance redress mechanism to receive and facilitate resolution of the affected persons' concerns.  Support the social and cultural institutions of DPs and their host population. Where involuntary resettlement impacts and risks are highly complex and sensitive, compensation and resettlement decisions should be preceded by a social preparation phase.  SPS Involuntary Resettlement Safeguards Policy Principle 2	Public consultation is required for the preparation of district land use plans (Land Law article 43).  Notification of between 90- 180 days to be given to affected land users (Land Law Article 67)  On approval of compensation arrangements, detailed information on arrangements to be provided to affected persons, and provision for involvement of the Fatherland Association to mediate in case of disagreements/grievances. (Land Law Article 69)	Conducting meaningful consultations with affected persons, mass organizations and civic organizations as part of REMDP preparation throughout the project cycle.
Compensation (general)	Improve, or at least restore, the livelihoods of all DPs through (i) land-based resettlement strategies when affected livelihoods are land based where possible or cash compensation at replacement value for land when the loss of land does not undermine livelihoods, (ii) prompt replacement of assets with access to assets of equal or higher value,	Provision for cash at or replacement land of the same land use purpose (Land Law Article 74).  Provision for valuation by licensed valuers (Land Law Articles 114 to 116 and Decree 44/2014/ND- CP).	Land and non-land assets will be compensated at replacement costs. APs are to be consulted in determining

	<p>(iii) prompt compensation at full replacement cost for assets that cannot be restored, and (iv) additional revenues and services through benefit sharing schemes where possible.</p> <p>SPS Involuntary Resettlement Safeguards Policy Principle 3</p>	<p>Provision with compensation for cost moving (Land Law Article 91)</p> <p>Provision of interest for compensation in case of late payment (Land Law Article 93).</p>	<p>arrangements whereby they receive relocation assistance, secured tenure to relocated land, with comparable access to production and employment opportunities, and civic infrastructure and community services as required, transitional support and development assistance such as land development, credit facilities, training or employment opportunities.</p>
<p>Determination of compensation rates for houses and structures</p>	<p>The rate of compensation for acquired housing, land and other assets will be calculated at full replacement costs with no deduction of salvageable materials. The calculation of full replacement cost will be based on the following elements: (i) fair market value; (ii) transaction costs; (iii) interest accrued, (iv) transitional and restoration costs; and (v) other applicable payments</p> <p>SPS Appendix 2: Safeguard Requirements for Involuntary Resettlement</p>	<p>Houses/structures used for living purpose will be compensated at replacement cost. (Land Law 2013, Article 89, item 1)</p> <p>Houses/structures used for other purposes will be compensated equal to the remaining value of the affected house plus some percentage of current value but total compensation amount not exceed value of the new house/structure (Decree 47, Article 9)</p>	<p>Full compensation at replacement cost to be paid for all structures. No deductions for salvageable materials or depreciation to be made.</p>
<p>Transparency, consistency and equitability in negotiated settlements</p>	<p>Develop procedures in a transparent, consistent, and equitable manner if land acquisition is through negotiated settlement to ensure that those people who enter into negotiated settlements will maintain the</p>	<p>No regulation</p>	<p>Rents and conditions for temporary use of land or assets will be negotiated</p>

	same or better income and livelihood status. SPS Involuntary Resettlement Safeguards Policy Principle 6		with land users. Restoration will be to equal or better condition.
Provisions for AP how are ineligible for compensation due to not holding LURCs but have the legal basis to be awarded an LURC	Ensure that DPs without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of nonland assets. SPS Involuntary Resettlement Safeguards Policy Principle 7	For displaced households who are not eligible for compensation with residential land, but have no other place to live in project commune, Provision is made for the State to sell, lease, provide rent-to-own houses or to allocate land with levy collection (Land Law Article 79) The Land Law (Article 92) permits recovery of land without compensation for lost assets in some cases	All affected persons to be entitled to compensation in line with ADB policy and government policy whichever is higher.
Provisions for ineligible/illegal structures	For those persons who have ineligible/illegal structures, the borrower/client will compensate them for the loss of assets other than land, such as dwellings, and also for other improvements to the land, at full replacement cost. The entitlements of those are given only if they occupied the land or structures in the project area prior to the cutoff date for eligibility for resettlement assistance.  SPS Appendix 2: Safeguard Requirements for Involuntary Resettlement, paragraph No.7&8.	Assets attached to land to be created in contravention of law provisions or created after the day of announcement of the land acquisition will not be entitled to compensation.  (The Land Law, Article 92)	Full compensation at replacement cost to be paid for all structures if they created before the cutoff date regardless of the legal status of the land.
Prepare Resettlement Plan	Prepare a resettlement plan elaborating on DP's entitlements, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time-bound implementation schedule. SPS Involuntary Resettlement Safeguards Policy Principle 8	Requirement for preparation of plans for compensation, support and resettlement. (Land Law Article 67) according to prescribed procedures (Article 69). Contents of plans provided in Decree No. 47/2014/NĐ-CP, Article 28.	REMDPs to be prepared for each subproject
Disclosure of draft resettlement plan	Disclose a draft resettlement plan, including documentation of the consultation process in a timely manner, before project appraisal, in an accessible place and a form and	Full disclosure of detailed arrangements and compensation plans	Disclose draft REMDPs for each subproject,

	language(s) understandable to affected persons and other stakeholders. Disclose the final resettlement plan and its updates to affected persons and other stakeholders. SPS Involuntary Resettlement Safeguards Policy Principle 9	to affected persons. (Land Law Article 69)	including documentation of the consultation process in a timely manner, before project appraisal, in an accessible place and a form and language(s) understandable to affected persons and other stakeholders. Disclose the final RP and its updates to affected persons, and other stakeholders.
Third-party validation of consultation related to land donations	The borrower is required to engage an independent third party to document the negotiation and settlement processes to openly address the risks of asymmetry of information and bargaining power of the parties involved in such transactions. EMCs households are not eligible for land donation	Not required.	Land donation is not allowed in CRIEM 1

**Ethnic Minorities**

**Meaningful consultation with EMCs**

Meaningful consultation with EMCs People	The borrower/client will undertake meaningful consultation with affected Indigenous Peoples to ensure their informed participation in (i) designing, implementing, and monitoring measures to avoid adverse impacts on them or, when avoidance is not possible, to minimize, mitigate, and compensate for such effects; and (ii) tailoring project benefits that accrue to them in a culturally appropriate manner.	Building a diversified information system and providing a number of essential means to ensure access to information of ethnic minorities. Improving the quality of ethnic language use on mass media. Ethnic minorities are entitled to free legal services in accordance with the law. (Article 17 and 18, Decree No. 05/2011/NCP dated 14/1/2011 on Ethnic Minority works.) Reputational people (in the EMCs) : provided information on the State guidelines, policies and laws; the situation and tasks of socio-economic development ensuring national defense and security and the results of implementation of ethnic programs, projects and policies be implemented in localities; (Article 5, Decision No. 12/2018 / QD-T dated March 6, 2018 )
Action planning	Prepare an EMCs Development Plan (EMDP) that is based on the social impact assessment and meaningful consultation with the assistance of	No provision of the government preparation of EMDP

	qualified and experienced experts and that draw on indigenous knowledge and participation by the affected EMCs.	
Recognition of customary rights	<p>Prepare an action plan for legal recognition of customary rights to lands and territories or ancestral domains when the project involves</p> <p>(i) activities that are contingent on establishing legally recognized rights to lands and territories that EMCs have traditionally owned or customarily used or occupied, or</p> <p>(ii) involuntary acquisition of such lands.</p>	The issues of customary rights or ancestral domains have not been fully recognized through LURC.
Monitoring	Monitoring indicators specified for internal and external monitoring and reporting. In case of significant or sensitive impacts, an external monitoring organization is required to conduct monitoring on RP and EMDP implementation	No monitoring indicators indicated

## **D. Project Policies**

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

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

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

### **A. Eligibility**

106. Legal rights to the land concerned determine eligibility for compensation with regard to land. There are three types of APs: i) persons with Land Use Rights Certificates (LURCs) to land lost in entirety or partially, ii) persons who lose land they occupy, do not currently possess a LURC but have a claim that



is recognized or recognizable under national laws, or, iii) persons who lose land they occupy in its entirety or partially who do not have any recognizable claim to that land. APs included under i) and ii) above shall be compensated for the affected land and assets upon land. APs included under iii) shall not be compensated for the affected land, but for the affected assets upon land and are entitled to assistance if they have to relocate.

107. Eligibility will be determined based on the cut-off date. The cut-off date for eligibility will coincide with the day of announcement of the land acquisition within subproject areas as declared and published broadly by the District People Committee. The acquisition date will be informed to all APs.

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

109. Non-eligible APs including those making claims based on subsequent occupation after the cut-off date. Anyone living or any assets created in the subproject area after the cutoff date will not be entitled to compensation and/or any other assistance.

## **B. Entitlements**

110. Affected lands and structures shall be compensated at replacement cost. Affected crops and trees shall be compensated by market rates. The following entitlement matrix summarizes entitlements that AHs in Binh Dinh province are entitled to and are based on both GOV policy and laws and ADB policy. Entitlement Matrix to be applied for this Sub-Project is presented in the Table 12 below.

## **C. Unforeseen impacts**

111. If during the DMS based on the final detailed design additional adverse social impacts are identified and/or additional APs they are also entitled to receive Project entitlements as the others on condition that it can be ascertained that they have actually been in the Project ROW or equivalent before the cut-off dates for eligibility. New APs that might emerge due to changes in Project design or alignment prior to or even during construction works are likewise entitled to the same entitlements as those of the other APs.

112. Unforeseen impacts will be addressed in accordance with this REMDP. The entitlements specified in the entitlement matrix of this REMDP that can be upgraded but cannot be downgraded.

**Table 12: Entitlement Matrix<sup>2</sup>**

Entitled Persons	Type & Level Of Impact	Compensation Policy
<b>A. COMPENSATION FOR AFFECTED HOUSE AND STRUCTURE</b>		
A.1. Other Structures, e.g., kitchens, toilets, animal sheds, fences, foundations, etc.		
Owners of structures (28 households and 13 organizations)	Partially or totally affected structures or other property. (677 m2 of concrete yard and 120 m2 of mesh fence B40)	Cash compensation at full replacement cost with no deduction for depreciation or salvageable materials; OR In-kind assistance to relocate affected structures or property; OR Cash assistance to repair of property to original or better condition.
<b>B. COMPENSATION FOR AFFECTED CROPS AND TREES</b>		
Owners of crops and/or trees (23 households and 1 organization)	Loss of perennial crops, fruit and timber trees and tree fences. (2,170 of various trees)	Cash compensation at current market prices given the type, age and productive value of the affected crops and/or trees.
<b>C. PACKAGE OF ECONOMIC REHABILITATION AND RELOCATION ASSISTANCE</b>		
C. 1. Special allowance for social and economically vulnerable households		
Vulnerable households: (i) headed by women with dependents, (ii) headed by persons with disability, (iii) falling under the national poverty standard, (iv) with children and elderly who have no other means of support, (v) landless, and (vi) ethnic minorities.	Assistance to poor and vulnerable households to improve their social and economic conditions. 24 HHs include: 11 poor HHs (including 10 ethnic minority HHs and 1 Kinh HH); 12 other ethnic minority HHs; 1 HH with headed by women (also identified as ethnic minority HH)	a/ Poor households: it is proposed minimum assistance of VND 2,000,000 for insignificantly affected household; b/ Other vulnerable households: assistance of minimum VND 2,000,000 per household to improve their social and economic conditions or based on regulation per province, whichever is higher c/ Households under two or more vulnerable criteria will only receive assistance with the highest value.

<sup>2</sup> In case there are categories of impacts and DPs that are identified during the preparation of the RP/REMDP that are not included in this matrix, appropriate entitlements/compensation will be included in the updated REMDPs and no provision in this matrix can be lowered in the preparation of RP/REMDP.

## **D. Income Restoration Program**

113. The subproject not affect on land acquisition. There is only a small number of cement yards and trees will be affected during construction. No household affected on income and livelihood. Therefore, no income restoration program required in this stage.

## **E. Ethnic Minority Action Plan**

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

115. Local contractors are encouraged to use local labor (both male and female), especially ethnic minority people, for construction/improvement the clean water supply system. Job opportunities should be prioritized for members of affected ethnic minority HHs (if any);

- (i) Local contractors may not under any circumstances use child labor;
- (ii) Ethnic minority communities are consulted about design of all work items of the project using both Vietnamese and local languages;
- (iii) Training on prevention of HIV/AIDS for ethnic minority communities as part of the gender action plan implementation;
- (iv) Training courses on policy of ADB on ethnic minority people for executing agencies at provincial level and local agencies (PPMU and the stakeholders);
- (v) At least, one member of communal supervision board, who is the representative of ethnic minority community, will participate in construction supervision missions of the subproject;
- (vi) The subproject does not negatively affect the livelihoods of ethnic minority people. Thus, it is not necessary to establish a livelihood restoration program. Affected ethnic minority households will benefit from resettlement activity in accordance with the resettlement policy and ethnic minority programs of the province. Thus, implementation and management costs for activities in the REMDP are included in the compensation implementation cost budget.

## **IX. RESETTLEMENT BUDGET AND FINANCING PLAN**

### **A. Replacement cost.**

116. A rapid replacement cost assessment has been undertaken via consultation with local authorities and local people to determine compensation unit price issued by the PPC and the results indicate that the current prices for houses and structures and crops/ trees issued by Binh Dinh provincial People's Committee for compensation are acceptable.

117. For this REMDP, the unit price for compensation used the unit price issued by Binh Dinh PPC and presented in table 13 below (see more detail in Annex III). The estimated market price of structure and trees are presented in tables below based on the latest declared values however these need to be updated prior to detailed design to reflect current market values. The unit prices will be updated during REMDP implementation process.

**Table 13: Replacement cost for structures**

Items	Unit	Unit price regulated by PPC 3(VND)	Proposed replacement cost (VND)
<b>An Lao district</b>			
Mesh fence b40	VND/m2	58,000	58,000
Concrete yard	VND/m2	138,000	138,000

**Table 14: Replacement cost for tree/crop**

No.	Type of trees	Unit	Unit price regulated by PPC4 (VND)	Proposed replacement cost (VND)
1	Grapefruit	VND/tree	100,000	100,000
2	Acacia	VND/tree	37,000	37,000
3	Terminalia catappa	VND/tree	270,000	270,000
4	Flamboyant	VND/tree	340,000	340,000
5	Areca catechu	VND/tree	380,000	380,000
6	Chukrasia tabularis	VND/tree	320,000	320,000

**B. Cost estimate for compensation and assistances.**

118. **Budget for resettlement:** The estimated cost in accordance with the unit prices above, including compensation for asset, allowance and contingency is VND 280,121,600 equivalent to USD 12,017 (see Table 15).

119. The resettlement budget is funded by Binh Dinh PPC, using the provincial budget and will be allocated sufficiently and on time based on the subproject resettlement implementation schedule.

**Table 15: Cost estimate for compensation**

No	Type of cost	Unit	Quantity	Rates (VND)	Amount (VND)
A.	Compensation and assistance cost =A1+A2				254,656,000
A1	Compensation cost (1-2)				206,656,000
1	Compensation for structure				100,386,000
1.1	Mesh fence b40	m2	120	58,000	6,960,000
1.2	Concrete yard	m2	677	138,000	93,426,000

3 Decision No: 54/2017/QD-UBND dated 21/9/2017

4 Decision No: 21/2017/QD-UBND dated 19/5/2017

2	Compensation for crops and trees				106,270,000
2.1	Grapefruit	Tree	20	100,000	2,000,000
2.2	Acacia	Tree	2,020	37,000	74,740,000
2.3	Terminalia catappa	Tree	25	270,000	6,750,000
2.4	Flamboyant	Tree	15	340,000	5,100,000
2.5	Areca catechu	Tree	44	380,000	16,720,000
2.6	Chukrasia tabularis	Tree	3	320,000	960,000
A2	Other Assistance cost				48,000,000
1	24 vulnerable HHs	HH	24	2,000,000	48,000,000
B	Provision cost (10%xA)				25,465,600
C	Total (A+B) in VND				280,121,600
	Total in USD (rate 23,310 per USD)				12,017

Source: IOL Survey and Rapid Replacement Cost Estimates

## **X. INSTITUTIONAL ARRANGEMENT**

### **A. Provincial level**

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

- (i) Endorse the REMDP and the updated REMDP prepared for the Project and submit to ADB for concurrence;
- (ii) Approve the unit rates which are detailed in the replacement cost survey report as proposed by the qualified appraiser to enable the Compensation, Assistance and Resettlement Board of An Lao district in finalizing the compensation plans;
- (iii) To timely provide the budget for compensation, support and resettlement;
- (iv) To directly supervise provincial relevant departments to implement effectively the REMDP.
- (v) To authorize the An Lao district People's Committees to approve compensation, assistance and resettlement plans;
- (vi) To direct the relevant agencies to settle APs' complaints, grievances related to compensation, assistance and resettlement according to their law-prescribed competence;
- (vii) To direct the relevant agencies to examine and handle the violations in the compensation, assistance and resettlement
- (viii) Supervising project implementation and settle complaints and concerns at the provincial level.

121. The Provincial Project Management Unit for this project (PPMU) has been established within the existing institutional structures in Project Management Unit of Construction Investment Works for Agriculture Rural Development of Binh Dinh province. The PPMU will also be responsible for:

- (i) Participate in preparation and implementation of the REMDP and the updated REMDP; and monitor REMDP implementation of subprojects;
- (ii) To guide CARB of An Lao district to implement all resettlement activities in compliance with the approved REMDP; and handle with any mistakes or shortcomings identified by internal monitoring to ensure that the objectives of the REMDP are met.
- (iii) To coordinate with CARB of An Lao district and its CPCs, conduct information campaigns and stakeholder consultation in accordance with established project guidelines;
- (iv) To coordinate with relevant agencies to ensure timely: providing compensation, support and rehabilitation measures, and handle with complaints or grievances of APs;
- (v) To conduct internal resettlement monitoring, establish and maintain resettlement and grievance databases in accordance with procedures and requirements in approved REMDP and providing regular reports to Binh Dinh PPC and ADB;
- (vi) Implementing prompt corrective actions in response to internal monitoring

### **B. District level**

122. The Peoples' Committees of the An Lao district undertakes comprehensive management on compensation, assistance and resettlement. The DPC is responsible to the Binh Dinh PPC to report on progress, and the result of land acquisition. They will direct its CPC on implementation tasks for the REMDP and will resolve complaints and grievances of affected persons if any. The An Lao DPC's primary task are:

- (i) To approve the schedule and monitoring the progress of land acquisition and resettlement implementation in compliance with REMDP;
- (ii) To establish a District Compensation, Assistance and Resettlement Board (CARB) and direct them and relevant district departments to appraise and implement the detailed compensation, assistance and resettlement;

- (iii) To approve and take responsibility on the legal basis, and accuracy of the detailed compensation, assistance and resettlement plans in the local area; To approve cost estimates on implementation of compensation, assistance and resettlement work;
- (iv) To direct Communal People's Committees and relevant organizations on implementation of various compensation activities;
- (v) To review and confirm the REMDP approved by PPC and ADB;
- (vi) To resolve complaints and grievances of APs in district level.
- (vii) Ethnic Minority Department of An Lao districts in combination with PMU and CARB of An Lao district and other agencies is responsible to carry out:
- (viii) All mitigation measures to reduce potential negative impacts of the subproject on ethnic minority people;
- (ix) Programs of information propagation and technical assistance to the ethnic minority community;
- (x) Information propagation of HIV/AIDS, women trafficking; Information dissemination on social evils and propaganda on indigenous cultural values and preservation of the values

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

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

- (i) To organize, plan and carry out compensation, assistance and resettlement activities;
- (ii) To conduct DMS, consultation and information dissemination activities, design and implement income restoration program, coordinate with various stakeholders;
- (iii) To prepare compensation detail plan and submit to DPC for approval.
- (iv) Implement compensation, assistance and resettlement alternative; to take responsibility for legal basis applied in compensation, assistance and resettlement policy following approved REMDP;
- (v) To lead and coordinate with the CPC in the timely delivery of compensation payment and other entitlements to AHs; and
- (vi) To assist in the resolution of grievances.

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

124. The CPC of An Lao town and An Trung commune will assist the CRAB in their compensation and resettlement tasks. Specifically, the CPC will be responsible for the following:

- (i) In cooperation with district level and with commune level local mass organizations, mobilize people who will be acquired to implement the compensation, assistance and settlement policy according to approved REMDP;
- (ii) Cooperate with CARB and working groups to disclose project information and resettlement policy; notify and publicize all resettlement options on compensation, assistance and resettlement which are approved by DPC;
- (iii) Assign commune officials to assist the CARB in implementation of compensation and resettlement activities;
- (iv) Sign the Agreement Compensation Forms along with the affected households;
- (v) Assist in the resolution of grievances and comments. All sheets of compensation price application must be checked and signed by the DPs to prove their consensus.

## E. Implementation Schedule

125. The implementation schedule for resettlement activities for the subproject is presented in Table 16 including (i) activities that have been completed to prepare the REMDP; (ii) resettlement implementation activities and, (iii) internal monitoring activities.

**Table 16: Indicative Schedule of Resettlement and compensation activities**

<b>Activities</b>	<b>Time</b>
<b>Approval and disclosure of final draft REMDP</b>	
Endorse final draft REMDP by PPC and ADB	12/2019
Disclose the endorsed REMDP in ADB website and disclose locally to APs and communes	02/2019
<b>Implementation of the approved REMDP</b>	
Detailed engineering and demarcation of land to be acquired	Quarter III/2021
Conduct public consultation meeting with APs	Quarter III/2021
Conduct DMS and prepare the draft compensation plans (replacement cost survey if required)	Quarter III/2021
Consult APs on the draft compensation plan	Quarter IV/2021
Update the REMDP based on results of DMS	Quarter IV/2021
Submit compensation plan to DPC for review and approval	Quarter I/2022
Disclose approved compensation plan to APs	Quarter I/2022
Conduct all payments of compensation and allowances	Quarter II/2022
Conduct site clearance	Quarter II/2022
Carry out construction	Quarter II/2022 to QIII 2023
<b>Monitoring</b>	
Conducting monthly monitoring on the implementation of REMDP	Quarter I/2022
Preparation of semi-annual monitoring report to submit CPMU and ADB	From having the DMS results to the completion of all social safeguard implementation



## **XI. MONITORING AND EVALUATION**

126. The implementation of the REMDP will be monitored regularly to ensure that it is implemented as planned and that mitigating measures designed to address the subproject's adverse impacts are adequate and effective. Resettlement monitoring will be done through community monitoring and internal monitoring. External monitoring is not required as the subproject is category B in IR and IP.

### **A. Community monitoring**

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

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

### **B. Internal monitoring**

129. Binh Dinh PMU will establish systems for internal monitoring and evaluation. The main purpose of the monitoring and evaluation program is to ensure that matters related to compensation and resettlement has been implemented in accordance with the policies and procedures set forth in the REMDP following this REMDF.

130. The PMU have assigned staff to manage the oversight of the REMDF and REMDP implementation who will be responsible for establishing an internal monitoring system, implementation of the monitoring program, and for preparing progress reports on all aspects of compensation and resettlement activities for the subproject under its jurisdiction.

131. The objectives of internal monitoring is to assess:

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

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

133. PMU will establish an internal monitoring schedule, indicators, sequence and requirement for report of all subprojects. Semi-annual internal monitoring reports are submitted to ADB for review and upload on ADB website. The internal monitoring indicators include but not limited to the following issues:

- (i) Compensation, assistance and resettlement amount paid to affected households in accordance with agreement in resettlement policy framework and REMDP;
- (ii) Completion of coordination of land acquisition and compensation, and the time of conducting construction as requirement of resettlement;
- (iii) The consent between sequence and procedure of information dissemination to community in comparison with contents in report; and
- (iv) The consent between procedure of grievance redress and the content of grievance redress in report.

134. Indicative internal monitoring and evaluation indicators will include but not limited to the following issues, as shown in Table 17.

**Table 17: Monitoring and Evaluation indicators**

Type	Indicator	Examples of Variables
INPUTS INDICATORS	Staffing and Equipment	<ul style="list-style-type: none"> <li>• Number of project dedicated PPMU staff</li> <li>• Formation of District Resettlement Committee (DRC) and Village Resettlement Committee (VRC)</li> <li>• Number of DRC members and job function</li> <li>• Adequate equipment for performing functions (including grievance recording)</li> <li>• Training undertaken for all implementing agencies</li> <li>• Construction Contractor meeting local employment targets for unskilled labor</li> </ul>
	Finance	Resettlement budgets disbursed to DRC and displaced persons (DPs) in timely manner
PROCESS INDICATORS	Consultation, Participation, and Grievance Resolution	<ul style="list-style-type: none"> <li>• Distribution of PIB to all DPs</li> <li>• Resettlement and Ethnic Minority Development (REMDP) available in all districts</li> <li>• Translation at ethnic minority villages and for individual minority DPs in villages of other ethnicity</li> <li>• Consultations and participation undertaken as scheduled in the REMDP</li> <li>• Number of local-based organizations participating in subproject</li> <li>• Number of grievances received by local authorities and provincial project management unit (PPMU) (at commune level/district level/provincial level or PPMU) up to monitoring period</li> <li>• Number of grievances solved by local authorities and PPMU (at commune level/district level/provincial level or PPMU) up to monitoring period</li> <li>• Number of complainants satisfied with the grievance redress of local authorities</li> <li>• The main natures of complaints and solutions</li> <li>• Number of commune/district/province in project area with grievance redress mechanism established</li> </ul>
Type	Indicator	Examples of Variables
OUTPUT INDICATORS	Acquisition of Land	<ul style="list-style-type: none"> <li>• Area of cultivated land acquired</li> <li>• Area of residential land acquired</li> <li>• Fishponds acquired</li> </ul>
	Buildings	<ul style="list-style-type: none"> <li>• Number, type and size of private houses/structures acquired</li> <li>• Number, type and size of community buildings acquired</li> <li>• Number, type and size of government assets affected</li> </ul>

	Trees and Crops	<ul style="list-style-type: none"> <li>• Number and type of private trees acquired</li> <li>• Number and type of government/community trees acquired</li> <li>• Number and type of crops acquired</li> <li>• Crops destroyed by area, type and number of owners</li> </ul>
	Compensation and Rehabilitation	<ul style="list-style-type: none"> <li>• Number of households affected (land, buildings, trees, crops)</li> <li>• Number of owners compensated by type of loss</li> <li>• Amount compensated by type and owner</li> <li>• Number and amount of payment paid</li> <li>• Compensation payments made on time</li> <li>• Compensation payments according to agreed rates</li> <li>• Number of houses demolished</li> <li>• Number of porches/kitchens dismantled</li> <li>• Number of replacement houses built by DPs on the same plot</li> <li>• Number of replacement houses built by DPs on other plots they own</li> <li>• Number of replacement houses built by DPs on allocated plots</li> <li>• Number of replacement businesses constructed by DPs</li> <li>• Number of owners requesting assistance for additional replacement land</li> <li>• Number of replacement land purchases effected</li> <li>• Number of land titles issued</li> <li>• Number of vulnerable groups provided additional assistance</li> <li>• Number of DPs who received support under livelihood restoration program</li> </ul>
	Reestablishment of Community Resources	<ul style="list-style-type: none"> <li>• Number of community buildings repaired or replaced</li> <li>• Number of seedlings supplied by type</li> </ul>

## ANNEXES

## ANNEX I: COMMUNITY CONSULTATION MINUTES AND LIST OF PARTICIPANTS

SOCIALIST REPUBLIC OF VIETNAM  
Independence – Freedom – Happiness

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An Lao, June 6, 2019

TRTA-8957-VIE: CLIMATE RESILIENT INCLUSIVE INFRASTRUCTURE FOR  
ETHNIC MINORITIES PROJECT IN THE SOUTH CENTRAL  
COASTAL PROVINCES (CRIEM)

### MINUTES OF PUBLIC CONSULTATIONS

*(About issues of resettlement and compensations)*

Consultation meeting with CPC staff, representatives of mass organizations, and the local people

Items: Water supply sub-project (site clearance and resettlement)

Commune/ward: An Lao town; District: An Lao; Province: Binh Dinh

#### I. Participants:

- Mr. Mrs.	Tran Minh My	Position:	CPC vice chairperson
- Mr. Mrs.	Dinh Thi Chinh	Position:	Women's Union chairwoman
- Mr. Mrs.	Huynh Van Thong	Position:	Hung Nhon village head
- Mr. Mrs.	Dinh Thi Luu	Position:	Go Bui village head

*(see attached the list of participants)*

#### II. Contents of Public Consultations

- Disclose general information about the CRIEM Project and on the subproject implementation in the area such as the objectives, scope and location of implementation...
- Collecting information from local authorities, communities about socio-economic profile, gender, poverty, positive and negative social impacts and potential risks of the subproject.
- Disseminate information on ADB's Social safeguards policy;
- Present and discuss issues related to resettlement and social safeguards in the subproject; consult with representatives of affected households, vulnerable households and ethnic minority communities;
- Collect opinions of representatives of local authorities, mass organizations and communities related to the subproject.

#### III. Summary of the discussion comments

The resettlement specialist gave a briefing on the proposed water supply sub-project, i.e. scope of works, investment items, locations, the Investor, the Donor (ADB), names of town leaders.

It was learnt from the town leaders that the local people take water from rivers, lakes, with low quality. The water is used for domestic purposes, some households use that water for drinking. Some households take water from dug/drilled wells, but those wells are muddy in rainy seasons, and dried in dry seasons. Thus the need for clean water is urgent.

The sub-project will not cause land acquisition, it will only has temporary impacts on land because the water pipeline follows the alignment of the road's ROW. There might be some impacts on trees and structures of the local houses.

The local people and local authorities are in support of the sub-project's investment. We expect it to be invested soon so that we can soon have clean and safe water.

**Representative of the  
Consultants**

*(signed)*  
**Nguyen Tien Dung**

**Representative of  
Communities**

*(signed)*  
**Dinh Thi Luu**

**Representative of Commune/Ward  
People's Committees**

*(signed and sealed)*  
**Nguyen Thanh Long**

**LIST OF PARTICIPANTS IN PUBLIC CONSULTATIONS**  
(Attached to the Minutes of Public Consultations)

Commune/ward: An Lao town. District: An Lao; Province Binh Dinh

No.	Full Name	Gender	Ethnicity	Position/address	Signature
1	Tran Minh My	Male	Kinh	CPC vice chairperson	(signed)
2	Dao Duy Thanh	Male	Kinh	Hung Nhon Bac village vice head	(signed)
3	Dinh Thi Chinh	Female	Hre	Women's Union chairwoman	(signed)
4	Huynh Van Thong	Male	Kinh	Hung Nhon village head	(signed)
5	Pham Ngoc A	Male	Kinh	Office staff	(signed)
6	Dinh Van Rac	Male	Hre	Head of Village 2	(signed)
7	Dinh Van Lang	Male	Hre	Farmer's Union's chairperson	(signed)
8	Huynh Van Dang	Male	Kinh	Cadastral staff	(signed)
9	Dinh Thi Luu	Female	Hre	Go Bui village head	(signed)
10	Nguyen Thi Lan	Female	Kinh	Go Bui village	(signed)
11	Dinh Thi Tuyet	Female	Hre	Village No.9	(signed)
12	Dinh Van Co	Male	Hre	Village No.4 - An Hung	(signed)
13	Dinh Thi Nguyet	Female	Hre	An Hung	(signed)
14	Dinh Van Che	Male	Hre	CPC chairperson	(signed)
15	Nguyen Le Thuan	Male	Kinh	Cadastral staff	(signed)
16	Dinh Van Tam	Male	Hre	Farmer's Union's chairperson	(signed)
17	Dinh Thi Nhuan	Female	Hre	Women's Union chairwoman	(signed)
18	Dinh Xuan Doi	Male	Hre	Youth Union	(signed)
19	Dinh Thi Hoa	Female	Hre	Statistic Department	(signed)
20	Dinh Van Thanh	Male	Hre	Deputy head of village 4	(signed)
21	Dinh Van Co	Male	Hre	Head of Village 4	(signed)





CỘNG HÒA XÃ HỘI CHỦ NGHĨA VIỆT NAM

Độc lập – Tự do – Hạnh phúc

An Lão, ngày 16 tháng 6 năm 2019

TRTA-8957-VIE: DỰ ÁN XÂY DỰNG CƠ SỞ HẠ TẦNG THÍCH ỨNG VỚI BIẾN ĐỔI KHÍ HẬU  
CHO ĐỒNG BẢO DÂN TỘC THIỂU SỐ TẠI NĂM TỈNH NAM TRUNG BỘ VIỆT NAM

(CRIEM)

**BIÊN BẢN HỌP THAM VẤN**

(Các vấn đề về Chính sách an toàn Tái định cư)

Họp tham vấn có sự có mặt của UBND, các cán bộ Đoàn thể, người dân  
 Hạng mục: Dự án cấp nước sạch (Giải phóng mặt bằng và tái định cư)  
 Xã/phường: Thị trấn An Lão, Huyện: An Lão, Tỉnh: Bình Định

**I. Thành phần tham dự:**

- |                          |                                 |
|--------------------------|---------------------------------|
| - Ông/Bà Trần Minh Mỹ    | Chức vụ Phó Chủ tịch UBND xã    |
| - Ông/Bà Đinh Thị Chuẩn  | Chức vụ Chủ tịch Hội phụ nữ     |
| - Ông/Bà Huỳnh Văn Khổng | Chức vụ Trưởng thôn thóc 1 thôn |
| - Ông/Bà Đinh Thị Loan   | Chức vụ Trưởng thôn Gõ Bùn      |
| - Ông/Bà                 | Chức vụ                         |
| - Ông/Bà                 | Chức vụ                         |
| - Ông/Bà Nguyễn Văn Hùng | Chức vụ Chuyên gia tái định cư  |

(Xem danh sách đại biểu tham dự đính kèm)

**II. Nội dung tham vấn**

- Công bố thông tin chung về Dự án CRIEM và về thực hiện Tiểu dự án trên địa bàn như như mục tiêu, phạm vi và địa điểm thực hiện....
- Thu thập thông tin từ chính quyền địa phương, cộng đồng về KTXH, giới, nghèo đói, những tác động xã hội tích cực tiêu cực và những rủi ro tiềm tàng của TDA.
- Phổ biến thông tin về chính sách an toàn đền bù tái định cư của ADB;
- Trình bày và thảo luận các vấn đề liên quan đến tái định cư và an toàn xã hội trong Dự án; tham vấn với đại diện những hộ bị ảnh hưởng, những hộ dễ bị tổn thương và cộng đồng dân tộc thiểu số;
- Thu thập các ý kiến của đại diện chính quyền địa phương, các tổ chức đoàn thể và cộng dân cư liên quan đến tiểu dự án.

III. Tóm tắt các ý kiến thảo luận

Đại diện từ các tổ chức cơ sở địa phương, thông tin về các tiêu chí của các cấp nước sạch được đưa ra để làm tư liệu cho công tác triển khai.

- Thông tin về các loại máy bơm nước, máy lọc, phạm vi, địa bàn triển khai. Việc xác định của thị trường, đồng thời thông tin đến kinh doanh với người dân về chi phí, chất lượng nước sạch là nguyên nhân phát triển (ABB).

- Ý kiến của đại diện kinh doanh thị trường địa phương.

7. Triển khai sử dụng nước sạch người dân từ các nguồn nước hiện có đến từ khu vực. Việc triển khai chưa được đảm bảo về người dân đang có nhu cầu, một số ít đang tìm kiếm nguồn nước sạch khác, việc này cần được quan tâm, giúp đỡ, không hạn chế chi phí của người dân, việc này cần được quan tâm, giúp đỡ, không hạn chế chi phí của người dân.

Mức độ ảnh hưởng của việc triển khai sẽ không ảnh hưởng đến chất lượng nước sạch, đây là một bước tiến bộ, việc này cần được quan tâm, giúp đỡ, không hạn chế chi phí của người dân.

Việc triển khai cần được quan tâm, giúp đỡ, không hạn chế chi phí của người dân.

Đại diện Tư vấn

Đại diện cộng đồng

Đại diện UBND xã/phường



Nguyễn Tài Dũng

Đinh Thị Liên

Nguyễn Thanh Long

## DANH SÁCH ĐẠI BIỂU THAM DỰ CUỘC HỌP THAM VẤN

(Đính kèm Biên bản tham vấn)

Xã/phường... Thị trấn An Lão..... Huyện... An Lão..... Tỉnh... Bình Định.....

No.	Họ và tên	Giới tính	Dân tộc	Chức vụ/Địa chỉ	Ký tên
1	Trần Minh Mỹ	Nam	Kinh	1. Chi đội UBND	<i>[Signature]</i>
2	Đức Duy Thành	Nam	Kinh	Phó thôn trưởng thôn Bắc	<i>[Signature]</i>
3	Đinh Thị Chiểu	Nữ	Thơ	Chi đội thôn phụ nữ	<i>[Signature]</i>
4	Huyệch Văn Thịnh	Nam	Kinh	Trưởng thôn Hưng Minh	<i>[Signature]</i>
5	Phan Ngọc A	Nam	Kinh	Cán bộ Văn phòng	<i>[Signature]</i>
6	Đinh Văn Rào	Nam	Thơ	Trưởng thôn 2	<i>[Signature]</i>
7	Đinh Văn Lang	Nam	Thơ	Chủ tịch Hội nông dân	<i>[Signature]</i>
8	Huyệch Văn Thịnh	Nam	Kinh	Cán bộ Văn phòng	<i>[Signature]</i>
9	Đinh Thị Liên	Nữ	Thơ	Trưởng thôn Gó Bùn	<i>[Signature]</i>
10	Vương Thị Loan	Nữ	Kinh	Thôn Gó Bùn	<i>[Signature]</i>
11	Đinh Thị Nguyệt	Nữ	Thơ	Thôn 1	<i>[Signature]</i>
12	Đinh Văn Cơ	Nam	Thơ	Thôn 4 - An Lão	<i>[Signature]</i>
13	Đinh Thị Nguyệt	Nữ	Thơ	An Lão	<i>[Signature]</i>
14					
15					
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No.	Họ và tên	Giới tính	Dân tộc	Chức vụ/Địa chỉ	Ký tên
1	Đinh Văn Chí	Nam	thơ	Chủ tịch UBND	
2	Nguyễn Lê Thuận	Nam	Kinh	Cán bộ địa chính	
3	Đinh Văn Tâm	Nam	thơ	Chủ tịch Hội đồng dân	
4	Đinh Thị Nhuận	Nữ	thơ	Chủ tịch Hội phụ nữ	
5	Đinh Xuân Đức	Nam	thơ	Đoàn thanh niên	
6	Đinh Thị Hơ	Nữ	thơ	Liên phòng thông tin	
7	Đinh Văn Thành	Nam	thơ	Phó thôn 4	
8	Đinh Văn Cơ	Nam	thơ	Trưởng thôn 4	Cơ
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**SOCIALIST REPUBLIC OF VIETNAM**  
**Independence – Freedom – Happiness**

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*An Lao, June 14, 2019*

TRTA-8957-VIE: CLIMATE RESILIENT INCLUSIVE INFRASTRUCTURE FOR  
 ETHNIC MINORITIES PROJECT IN THE SOUTH CENTRAL  
 COASTAL PROVINCES (CRIEM)

**MINUTES OF PUBLIC CONSULTATIONS**

***(About issues of resettlement and compensations)***

Consultation meeting with CPC staff, representatives of mass organizations, and the local people

Items: Water supply sub-project (site clearance and resettlement)

Commune/ward: An Trung; District: An Lao; Province: Binh Dinh

**II. Participants:**

- Mr. Mrs.	Dinh Van Lanh	Position:	CPC vice chairperson
- Mr. Mrs.	Dinh Thi Ly	Position:	Women's Union chairwoman
- Mr. Mrs.	Dinh Van Dui	Position:	Chairperson of Farmer's Union
- Mr. Mrs.	Dinh Van Hiep	Position:	Vice head of the commune Health Station
- Mr. Mrs.	Dinh Van Lam	Position:	Head of village No.6
- Mr. Mrs.	Nguyen Thi Kim Loan	Position:	Resident of Go Bui village
- Mr. Mrs.	Nguyen Tien Dung	Position:	Resettlement specialist

*(see attached the list of participants)*

**II. Contents of Public Consultations**

- Disclose general information about the CRIEM Project and on the subproject implementation in the area such as the objectives, scope and location of implementation...
- Collecting information from local authorities, communities about socio-economic profile, gender, poverty, positive and negative social impacts and potential risks of the subproject.
- Disseminate information on ADB's Social safeguards policy;

- Present and discuss issues related to resettlement and social safeguards in the subproject; consult with representatives of affected households, vulnerable households and ethnic minority communities;
- Collect opinions of representatives of local authorities, mass organizations and communities related to the subproject.

### III. Summary of the discussion comments

The local water source is from dug wells and streamlines. In dry seasons, the area is often in lack of water, the wells are dry, the streamline water have many fallen leaves inside.

1 dug well (12m deep) costs VND 20 million dong, 1 pump = VND 1.5 to VND 1.8 million

Installing the water pipes costs approximately 20 - 30 million dong for remote households, and 4-5 million dong for households living near the water source.

The resettlement specialist gave a briefing on the proposed water supply sub-project, i.e. scope of works, investment items, locations, the Investor, the Donor (ADB), sub-project components to be invested in the area.

The heads of An Trung commune and other staff gave a briefing on the local socio-economic situation, living standard, main occupations, the use and demand of water in the area, especially village No.5 and 6, which are the locations of the sub-project.

The local leaders said that the pipelines will follow the alignment of the local roads, and will not cause much impact on land of the local people.

Both the local leaders and community expect that the sub-project is soon invested so that the villagers of village 5 and 6 can have clean water for better sanitation.

Representative of the Consultants	Representative of Communities	Representative of Commune/Ward People's Committees
<i>(signed)</i> <b>Nguyen Tien Dung</b>	<i>(signed)</i> <b>Dinh Van Nam</b>	<i>(signed and sealed)</i> <b>Dinh Van Lanh</b>

## LIST OF PARTICIPANTS IN PUBLIC CONSULTATIONS

*(Attached to the Minutes of Public Consultations)*

Commune/ward: An Trung; District; An Lao; Province: Binh Dinh

No.	Full Name	Gender	Ethnicity	Position/address	Signature
1	Dinh Van Lanh	Male	Hre	An Trung CPC vice chairperson	<i>(signed)</i>
2	Dinh Van Hoi	Male	Hre	Vice head of the commune Health Station	<i>(signed)</i>
3	Dinh Van Dui	Male	Hre	Chairperson of Farmer's Union	<i>(signed)</i>
4	Dinh Thi Ly	Female	Hre	Chair women of Women's Union	<i>(signed)</i>
5	Dinh Van Xung	Male	Hre	Village head of village No. 5	<i>(signed)</i>
6	Dinh Van Nam	Male	Hre	Village head of village No. 6	<i>(signed)</i>
7	Nguyen Thi Kim Loan	Female	Kinh	Go Bui village	<i>(signed)</i>
8	Thai Dang Hiep	Male	Kinh	Village No.9	<i>(signed)</i>
9	Dinh Thi Hoang	Female	Hre	Go Bui village	<i>(signed)</i>
10	Dinh Van Xuan	Male	Hre	Village No.9	<i>(signed)</i>
11	Dinh Thi Vop	Female	Hre	Village No.9	<i>(signed)</i>
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CỘNG HÒA XÃ HỘI CHỦ NGHĨA VIỆT NAM

Độc lập – Tự do – Hạnh phúc

An Lão, ngày 17 tháng 6 năm 2019

TRTA-8957-VIE: DỰ ÁN XÂY DỰNG CƠ SỞ HẠ TẦNG THÍCH ỨNG VỚI BIẾN ĐỔI KHÍ HẬU  
CHỖ ĐỒNG BẢO DẪN TỘC THIẾU SỐ TẠI NĂM TỈNH NAM TRUNG BỘ VIỆT NAM

(CRIEM)

**BIÊN BẢN HỌP THAM VẤN****(Các vấn đề về Chính sách an toàn Tái định cư)**

Hạng mục: Tiểu dự án cấp nước sạch  
 Xã/phường: An Trung Huyện: An Lão Tỉnh: Bình Định

**I. Thành phần tham dự:**

- |                               |                              |
|-------------------------------|------------------------------|
| - Ông/Bà: Đinh Văn Loan       | Chức vụ: P.CT UBND xã        |
| - Ông/Bà: Đinh Thị Lý         | Chức vụ: Chủ Trì Hộ LCPV xã  |
| - Ông/Bà: Đinh Văn Dui        | Chức vụ: Chủ Trì Hộ Nông Dân |
| - Ông/Bà: Đinh Văn Tập        | Chức vụ: Phó Trạm y tế xã    |
| - Ông/Bà: Đinh Văn Nôm        | Chức vụ: Trưởng thôn 6       |
| - Ông/Bà: Nguyễn Thị Kim Liên | Chức vụ: Nữ: ban hòa giải    |
| - Ông/Bà: Nguyễn Tiến Dũng    | Chức vụ: Đại diện Tư vấn TCC |

(Xem danh sách đại biểu tham dự đính kèm)

**II. Nội dung tham vấn**

- Công bố thông tin chung về Dự án CRIEM và về thực hiện Tiểu dự án trên địa bàn như như mục tiêu, phạm vi và địa điểm thực hiện....
- Thu thập thông tin từ chính quyền địa phương, cộng đồng về KTXH, giới, nghèo đói, những tác động xã hội tích cực tiêu cực và những rủi ro tiềm tàng của TDA.
- Phổ biến thông tin về chính sách an toàn đền bù tái định cư của ADB;
- Trình bày và thảo luận các vấn đề liên quan đến tái định cư và an toàn xã hội trong Dự án; tham vấn với đại diện những hộ bị ảnh hưởng, những hộ dễ bị tổn thương và cộng đồng dân tộc thiểu số;
- Thu thập các ý kiến của đại diện chính quyền địa phương, các tổ chức đoàn thể và cộng dân cư liên quan đến tiểu dự án.

### III. Tóm tắt các ý kiến thảo luận

Nguồn nước giếng đào x. nước tự chảy khe suối. Mực nước thường thụt xuống, giếng cạn nước suối tự chảy có 5 lỗ xung, nước đục

giếng đào (12m) = 20 tuần, máy bơm = 1,5 - 2,1 tuần

Bãi đường tự chảy: 20-30 tuần và hồ k xa, 9-25 t hồ gần

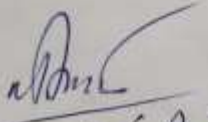
Đời dân từ vấn giới thiệu sẽ bị vỡ phần vì thiếu đất ăn, thiếu nhà vệ chỉ địa từ, nhà dân các loại mục tiêu chỉ địa chỉ kiến trúc khai cấp nước từ địa phương

Lãnh đạo xã An Trung và cán bộ thôn đi xuống tham vấn kiến nghị khai quát vấn tình từ xã địa, mức sống nông nghiệp và thực trạng cũng như nhu cầu kết hợp nước tình hoạt của người dân ở các thôn, địa biệt là thôn 5 và 6 chỉ kiến triển khai cấp nước cho người dân

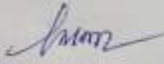
Theo lãnh đạo xã thì địa chỉ triển khai thời sẽ triển khai đồng giới thông, thông báo hướng dẫn đất của người dân. Triển khai các chỉ hướng không phải là

Lãnh đạo xã và cán bộ thôn đi đến thăm vấn địa chỉ triển khai địa phương cấp nước cho người dân thôn 5, 6 nước đục chưa đủ lý từ

Đại diện Tư vấn

  
Nguyễn Văn Dũng

Đại diện cộng đồng

  
Đinh Văn Nương

Đại diện UBND xã phường



Đinh Văn Lanh

(Đính kèm Biên bản tham vấn)

Xã/phường... An Trung ..... Huyện... An Lão ..... Tỉnh... Bình Định

No.	Họ và tên	Giới tính	Dân tộc	Chức vụ/Địa chỉ	Ký tên
1	Đinh Văn Lành	Nam	H're	PCCT UBND Xã An Trung	Đinh
2	Đinh Văn Hải	Nam	H're	phó trưởng Trạm y tế xã	Lành
3	Đinh Văn Lành	Nam	H're	CT HTN nông dân	Đinh
4	Đinh Thị Quý	Nữ	H're	CT. Hội LHPN xã An Trung	Quý
5	Đinh Văn Xương	Nam	H're	Trưởng thôn 5	Sương
6	Đinh Văn Văn	Nam	H're	Trưởng thôn 6	Văn
7	Nguyễn Thị Kiên Lương	Nữ	K'ho	Thôn Gò Bui	Lương
8	Thư Hằng Huệ	Nam	K'ho	Thôn 1	Huệ
9	Đinh Thị Hoàng	Nữ	H're	Cổ Bui	Hoàng
10	Đinh Văn Xuân	Nam	H're	Thôn 7	Xuân
11	Đinh Thị Vọng	Nữ	H're	Thôn 7	Vọng
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**ANNEX II: LIST OF SUBPROJECT AFFECTED HOUSEHOLDS**

No	Full name	Village/Commune	Ethnicity	Gender	Vulnerable groups
1	Dinh Hoang Vu	Village 2, An Lao town	Hre	Male	Poor household
2	Dinh Van Nuong	Village 2, An Lao town	Hre	Male	
3	Dinh Thi Hro	Village 2, An Lao town	Hre	Female	Poor household
4	Dinh Van Quang	Village 2, An Lao town	Hre	Male	Poor household
5	Nguyen Van Hiep	Village 2, An Lao town	Kinh	Male	Poor household
6	Dinh Van Rac	Village 2, An Lao town	Hre	Male	Poor household
7	Dinh Thi Ru	Village 2, An Lao town	Kinh	Female	
8	Dinh Van Quan	Hung Nhon Village, An Lao town	Kinh	Male	
9	Dinh Van Dong	Hung Nhon Village, An Lao town	Kinh	Male	
10	Trinh Thi Dur	Hung Nhon Village, An Lao town	Kinh	Female	
11	Truong Van Hong	Hung Nhon Village, An Lao town	Kinh	Male	
12	Le Van Hong	Hung Nhon Village, An Lao town	Kinh	Male	
13	Nguyen Thi Hien	Hung Nhon Village, An Lao town	Kinh	Female	
14	Nguyen Khac Vu	Hung Nhon Village, An Lao town	Kinh	Male	
15	Hoang Du	Hung Nhon Village, An Lao town	Kinh	Male	
16	Thai Van Tai	Hung Nhon Bac Village, An Lao town	Kinh	Male	
17	Tran Van Loi	Hung Nhon Bac Village, An Lao town	Kinh	Male	
18	Nguyen Van Xin	Hung Nhon Bac Village, An Lao town	Kinh	Male	
19	Nguyen Thi Cut	Hung Nhon Bac Village, An Lao town	Kinh	Female	
20	Tran Xi	Hung Nhon Bac Village, An Lao town	Kinh	Male	
21	Nguyen Thanh Long	Hung Nhon Bac Village, An Lao town	Kinh	Male	
22	Huynh Nhat	Hung Nhon Bac Village, An Lao town	Kinh	Male	
23	Nguyen Van Hoa	Hung Nhon Bac Village, An Lao town	Kinh	Male	
24	Bui Ngoc Anh	Hung Nhon Village, An Lao town	Kinh	Male	
25	Truong Thi Nuc	Hung Nhon Village, An Lao town	Kinh	Female	
26	Su Nhu Nguyet	Hung Nhon Bac Village, An Lao town	Kinh	Female	

No	Full name	Village/Commune	Ethnicity	Gender	Vulnerable groups
27	Dao Duy Khanh	Hung Nhon Bac Village, An Lao town	Kinh	Male	
28	Nguyen Xuan Muoi	Hung Nhon Bac Village, An Lao town	Kinh	Male	
29	Dinh Thi Nhan	Village 7, An Lao town	Kinh	Female	
30	Dinh Van Hieu	Village 7, An Lao town	Kinh	Male	
31	Dinh Van Tu	Village 7, An Lao town	Kinh	Male	
32	Dinh Van Dang	Village 7, An Lao town	Kinh	Male	
33	Dinh Thi Tinh	Village 6, An Trung commune	Hre	Female	
34	Dinh Van Xiec	Village 6, An Trung commune	Hre	Male	
35	Dinh Van Luong	Village 5, An Trung commune	Hre	Male	Poor household
36	Dinh Van Duong	Village 5, An Trung commune	Hre	Male	
37	Dinh Van Luc	Village 5, An Trung commune	Hre	Male	
38	Dinh Van Nu	Village 5, An Trung commune	Hre	Male	
39	Dinh Van Du	Village 5, An Trung commune	Hre	Male	
40	Dinh Van Lo	Village 5, An Trung commune	Hre	Male	
41	Dinh Van Cu	Village 6, An Trung commune	Hre	Male	Poor household
42	Dinh Van De	Village 6, An Trung commune	Hre	Male	
43	Dinh Van Man	Village 5, An Trung commune	Hre	Male	Poor household
44	Dinh Van Loi	Village 6, An Trung commune	Hre	Male	
45	Dinh Van Trung	Village 5, An Trung commune	Hre	Male	
46	Dinh Van Ro	Village 5, An Trung commune	Hre	Male	Poor household
47	Dinh Van Xuan	Village 5, An Trung commune	Hre	Male	Poor household
48	Dinh Van Me	Village 5, An Trung commune	Hre	Male	Poor household
49	Dinh Van Din	Village 5, An Trung commune	Hre	Male	
50	Dinh Thi Lam	Village 6, An Trung commune	Hre	Female	Single-female headed household with dependents

### ANNEX III: SURVEY QUESTIONNAIRE FOR AFFECTED HOUSEHOLDS

**SURVEY AND INVENTORY OF LOSSES (IOL)**

Climate change infrastructure for ethnic minorities in South Central Coast Provinces

Questionnaire code (Interviewer does not record): \_\_\_/\_\_\_/\_\_\_; Survey date: \_\_\_/\_\_\_/2019

Province:	Commune/Ward:	Hamlet/Village:
-----------	---------------	-----------------

Subproject/project:.....

**A. GENERAL INFORMATION OF HH**

Full name of households: .....

Full name of interviewee: ..... Age \_\_\_\_\_ Gender: [ ] (Male=1; Female=2)

Is interviewee head of HH?                      1 - Yes    2 – No

**B. SOCIAL-ECONOMIC INFORMATION**

Pls provide us the following information of your HH members:

No	1. Name of your HH member	2. Age	3. Gender	4. Relation with HH head	5. EMCs	6. Main job	7. Education
		1 = < 16 2 = 16-24 3 = 24-44 4 = 45-60 5 = > 60	1=Male 2=Female	1=HH head 2=Husband.wife 3=Father/mother 4=Children 5=Grandchildren 6= Other (Specified)	1=Kin h 2=Ba Na 3= Chăm 4= H're 5= Tày 6= Thái 7= Mường 8= Gia Rai 9= Ê Đê 10= Other	1= Agriculture/forestry 2= Aquaculture/fishery 3 = Freelance labour 4= Private sector staff 5= State sector staff 6= Private entrepreneur owner 7= Small business/shop 8= Retired/housewife 9= Going to school 10 =Uot of work/looking for job	1=Illiterate 2= Not finish primary school 3= Graduated from primary school 4= Graduated from secondary school 5= Graduated from high school 6= Graduated from Vocational school/college/university
1	HH head						
2							
3							
4							
5							

6							
7							
8							
9							

Which of the following does Your family belong to?

- |                                     |   |
|-------------------------------------|---|
| Female head of HH with independents | Social policy HH/HH of invalids and martyrs |
| HH head is disabled                 | HH head is single elderly                   |
| Poor HH (certified by commune)      | HH without land                             |
| Near poor HH (certified by commune) | Not belong to any above                     |

Which is the language used in family? 1. Vietnamese 2. Other (specified):.....

Pls estimate your family's monthly MAIN and EXTRA income?

1	Main Income source of your HH?	Husbandry Farming Aquaculture Forestry Trading/service	Wages earned from private individual/company Salary of cadre Freelance self- employed worker Craftsman	Pension Beneficiary money received from the relatives Others
2	Extra Income source of your HH)?	Husbandry Farming Aquaculture Forestry Trading/service	Wages earned from private individual/company Salary of cadre Freelance self- employed worker Craftsman	Pension Beneficiary money received from the relatives Others
3	Which members in HH are responsible for contributing on the main income?	Only head of HH Head of HH and spouse	Only grown-up children Head of HH, spouse and grown-up children	Other members
4	Average monthly income from the MAIN income?			.....VND/month
5	Average monthly income of HH from the income sources			.....VND/ month
6	Contribution percentage of members to total income of HH ?			
6.1	Head of HH	Spouse	Others	
6.2	.....%	.....%	.....%	

Pls provide information on how much is your family average total expenditure?

No.	Expenditure	Amount (VND/month)
	Total monthly estimated expenditure	
1	Meals, drinks and living activities	
2	Health care	
3	Education	
4	Tours, festivals	
5	Funeral/wedding	
6	Others (specified):	

Has the household living condition changed in the recent 3 years?

1. No change                      2. Better                      3. Worse

Compared to other local households, which living standard does your household belong to?  
 1. Better-off    2. Average    3. Poor    4. No idea

Number of livestock that HH now has?

No.	Livestock	Number
1	Cattle (Buffalo, Cow, Horse...)	
2	Livestock (Pig, dog, goat, sheep.....)	
3	Poultry (chicken, duck, goose,.....)	
4	Other ( specified):	

Can you provide information on what kind of your house?

House category 4, brick, tile roof/steel roof    Stilt house made of wood  
 One-floor house with flat roof    Solid house from 3 floors  
 House with from 2 floors and flat roof    Temporary house

Household possessions (select many options)

- |                  |                               |                                   |
|------------------|-------------------------------|-----------------------------------|
| 1. Television    | 6. desk telephone             | 11. Air conditioner               |
| 2. Computer      | 7. Gas stove                  | 12. Water dispenser               |
| 3. Internet/wifi | 8. Motorbike/electric bicycle | 13. Water purification equipment. |
| 4. Motorboat     | 9. Cars, truck, coach         | 14. Washing machine               |
| 5. Mobile phone  | 10. Cars, truck, coach        | 15. Other ( specified)            |

Which of the MAIN energy sources is the household using for lighting?

- |                     |   |
|---------------------|---|
| 1. Kerosene         | 4. Battery, generator, small hydropower ð |
| 2. Gas, burning gas | 3. Grid electricity                       |
|                     | 5. Other energy sources (specify).....    |

Which of the following energy sources does the household use to cook (choose multi-options)

- |          |                           |
|----------|---------------------------|
| Firewood | 5. Straw and leaves       |
| Charcoal | 6. Biogas                 |
| Kerosene | 7. Electricity            |
| Gas      | 8. Other (specify): ..... |

Which water source does your HH use for meals and drink?

- |              |                                  |
|--------------|----------------------------------|
| Tap water    | 5. River/stream/pond             |
| Dug well     | 6. Bottled water/bottle of water |
| Drilled well | 7. Public tank/well              |
| Rain water   | 8. Others(specified): .....      |

Which water source is for washing and bathing?

- |              |                                  |
|--------------|----------------------------------|
| 1. Tap water | 5. River/stream/pond             |
| Dug well     | 6. Bottled water/bottle of water |
| Drilled well | 7. Public tank/well              |
| Rain water   | 8. Others(specified): .....      |

Which of the following toilets (toilet/latrine) the household is using?



Modern septic toilet  
 Septic toilet with manually flushing  
 Two-compartment toilet

Dug toilet  
 Defecation directly into rivers/streams  
 No toilet

Where does your household's domestic waste water (eating, drinking, bathing, washing) discharge?  
 (choose multi-options)

- |   |                  |
|---|------------------|
| 1. Public waste water collection system | 2. Road/Sidewalk |
| 3. Pond/lake/ natural river             | 4. Yard/garden   |
| 5. Canal/lake/river                     | 6. Yard/garden   |

How do you collect trash? (choose multi-options)

- |   |                     |
|---|---------------------|
| 1. Collected and moved to regulated place | 2. Burnt or buried  |
| 3. Dispose to canal/lake/river            | 4. Dispose to drain |
| 5. Dispose to vacant land                 | 6. Other (specify): |

### C. GENDER ISSUES AND LABOUR ASSIGNMENT

Do you know information on how labour is assigned in family?

No.	Activities	Person of main decision/work (1 = Husband ; 2= Wife ; 3=both; 4=others)
1	Housework	
2	Agriculture/forestry/fishery activities	
3	Production activities	
4	Attendance in meeting, community work	
5	Attendance in making decision	

d. IOL of affected HHs

Area of acquired land and legal base of acquired land parcel

Land category	Total land area HH is using (m2)	Affected land area		Status of land use	Legal status of land parcel
		Total area that is affected permanently (m2)	Total area that is affected temporarily (m2)		
1=residential land 2=garden land 3=annual crop land 4=perennial tree land 5=aquaculture land 6=non-agricultural business land 7=production forest land 8=protection forest land 9=others				1=owner of land parcel 2= rented land	1=With LURC 2=Without LURC 3=Renting state land 4=Renting private land
Total					

Houses affected by project

House type	Total area of existing floor (m2)	Level of effect		Legal status
		Area of affected floor (m2)	(partly affected=1; Totally affected=2)	
1. Villa 2. One-floor house made of brick, tile, steel roof , ... 3. One-floor house made of RC frame, flat roof 4. House with from 2 floors 5. Frame stilt house, partition, wooden floor 6. Temporary house 7. House in combination with shop 8. Independent shop outside of house				1. With LURC 2. Without LURC 3. Constructed on agricultural land 4. Rental house

Total				

Notes: Some HHs can be affected many houses, it is necessary to fill all information of all affected houses

HH has residential land or house in commune/ward in the project?

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

Structures, architectural objects and graves on the affected land

Structures/architectural objects	Construction category	Unit	Quantities	Remarks
Independent kitchen outside of main house	1. Temporary 2. Solid	m <sup>2</sup>		
Independent warehouse outside of main house	1. Temporary 2. Solid	m <sup>2</sup>		
Independent toilet outside of main house	1. Temporary 2. Solid	m <sup>2</sup>		
Independent bathroom outside of main house	1. Temporary 2. Solid	m <sup>2</sup>		
Roof, scaly roof covering		m <sup>2</sup>		
Cattle shed (buffalo, cow, pig, goat)/poultry (chicken, duck, goose...)	1. Temporary 2. Solid	m <sup>2</sup>		
Power meter, water meter and estimated cable from meter to house	Power meter Cable	each m		
Water meter and estimated length of pipe from meter to house	Water meter Pipe	each m		
Desk phone		each		
Fence	1. Brick, stone wall, 2. Deformed bar or wood 3. Bush	m		
Gate	1. Masonry wall 2. Steel 2. Wood/Bamboo	m <sup>2</sup>		
Soil grave		each		
Constructed grave, tiled grave		each		
Well	1. Drilled 2. Dug	each		
Water tank	1. Masonry brick/concrete 2. Stainless steel 3. Plastic	each		
Yard (only calculated cement yard or tiled yard)		m <sup>2</sup>		
Fish pond		m <sup>2</sup>		
Other structures (name of affected structures and area)				

Affected business

No.	Form of business	Status of tax declaration		Number of staff			Monthly average income (VND)
		No tax declaration	No tax declaration	Full time	Part time	Not employ staff (Self-employed)	
15.1							
15.2							
15.3							

Type of affected trees and crops

Type of crops and agricultural product groups	Unit	Number	Remarks
Fruit tree (main tree)	Tree		
Tree for timber products (main tree)	Tree		
Industrial tree (main tree)	Tree		
Crops (main)	m2		

Type of crops and agricultural product groups	Unit	Number	Remarks
e ) Aquaculture (in each main type)	m2		
Others (specified).....			

#### E. Compensation and Resettlement Options

For HH with affected agricultural land

Land-for-land method (if there is replaced land in commune) the same category of land and area/soil properties

equivalent  [ ]

In cash  [ ]

Not decided yet  [ ]

For HH with affected residential land needs relocation

In cash and move to new place by themselves  [ ]

Move to project's resettlement or arranged by localities  [ ]

Reconstruct house on remaining land (if remaining land appropriate to residential land planning)

[ ]

Not decided yet  [ ]

Method for recover of livelihood and income (for HH who loses from 10% of total existing agricultural land or affected business, services)

Continue current jobs  [ ]

Continue current jobs combined with new job  [ ]

Change to new job:  [ ]

( Is it necessary for more needs and wishes of residents about connection, propose to project ...?)

In charge of survey by

HH

**ANNEX IV: INVENTORY FORM OF PUBLIC STRUCTURES**

INVENTORY FORM FOR AFFECTED PUBLIC LAND, STRUCTURES AND ASSETS  
 Climate Resilient Infrastructure for Ethnic Minorities Sector Project  
 South Central Coast Provinces

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

Works:.....

Land:

No.	Name of commune	Type of acquired land	Area (m2)
		Agricultural land	
		Traffic and irrigation land	
		Religious land	
		Pond, river and stream land	
		Land for doing business and service	
		Forest land	
		Other land (specify)	

2. Affected public asset and works

No.	Name of commune	Type of acquired land	Area (m2)
		Electric station	
		Electric tower	
		Electrical cable	
		Gate	
		Irrigation ditch	
		Drainage system	
		Communication cable	
		Market	
		Office	
		School	
		Health care center	
		Business/service shop	
		Other (specify).....	

Surveyor

Representative of Agency/organization