

HOA BINH PROVINCIAL PEOPLE COMMITTEE
DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT

PROJECT:

DAM REHABILITATION AND SAFETY IMPROVEMENT

RESETTLEMENT ACTION PLAN (RAP)

SUB-PROJECT:

REHABILITATION AND IMPROVEMENT OF SAFETY DAM FOR

DAI THANG RESERVOIR, AN BINH COMMUNE,

LAC THUY DISTRICT, HOA BINH PROVINCE

HANOI, MAY 2015

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(DRSIP/WB8)

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PROJECT OWNER

CONSULTING FIRM

HANOI, MAY 2015

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ABBREVIATION

AP	Affected person
CPO	Central Project Office
DARD	Department of Agriculture and Rural Development
DMS	Detailed Measurement Survey
DPC	District People's Committee
DRC	District Resettlement Committee
EMPF	Ethnic Minorities Policy Framework
EMDP	Ethnic Minorities Development Plan
ESMF	Environmental and Social Management Framework
GoV	Government of Vietnam
HH	Household
IOL	Inventory of Losses
IMC	Independent Monitoring Consultant
WB	World Bank
LAR	Land Acquisition and Resettlement
LURC	Land Use Right Certificate
MOF	Ministry of Finance
MOLISA	Ministry of Labor, Invalids, and Social Affairs
NGO	Non-governmental Organization
OP	Operating Policy
PAD	Project Appraisal Documents
PPC	Provincial People's Committee
PPMU	Provincial Project Management Unit
PRA	Participatory Rapid Assessment
REA	Rapid Environment Assessment
RAP	Resettlement Action Plan
RPF	Resettlement Policy Framework
TOR	Terms of Reference
USD	United States Dollar
VND	Vietnamese Dong
WB	World Bank

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DEFINITION OF TERMS

<i>Project impacts</i>	Any impacts relating directly to land acquisition or limit using legal areas or protected areas
<i>Affected persons</i>	Any person who, as a result of the implementation of a project, loses the right to own, use, or otherwise benefit from a built structure, land (residential, agricultural, or pasture), annual or perennial crops and trees, or any other fixed or moveable asset, either in full or in part, permanently or temporarily.
<i>Cut-off-date</i>	Is the date when the PPC issues the Notification of Land acquisition for the relevant project (Article 67.1 of Land Law 2013) before implementation of detailed measurement survey. A census survey to be done before the cut-off date is announced to establish a list of potential affected households.
<i>Eligibility</i>	Any person who used the land affected by the project and listed before the cut-off-date: (i) with formal legal right to land; (ii) without formal legal right to land but have a claim to such land or assets recognized under the laws of the country (iii) without recognizable legal right or claim to the land they are occupying.
<i>Replacement cost</i>	<p>For agricultural land, the replacement cost is the pre-project or pre-displacement, whichever is higher, market value of land of equal productive potential or use located in the vicinity of the affected land, plus the cost of preparing the land to levels similar to those of the affected land, plus the cost of any registration and transfer taxes.</p> <p>For land in urban areas, it is the pre-displacement market value of land of equal size and use, with similar or improved public infrastructure facilities and services and located in the vicinity of the affected land, plus the cost of any registration and transfer taxes.</p> <p>For houses and other structures, it is the market cost of the materials to build a replacement structure with an area and quality similar to or better than those of the affected structure, plus the cost of transporting building materials into the construction site, plus the cost of any labor and contractors' fees, plus the cost of any registration and transfer taxes. In determining the replacement cost, depreciation of the asset and the value of salvage materials are not taken into account, nor is the value of benefits to be derived from the project deducted from the valuation of an affected asset.</p>

<i>Resettlement</i>	Covers all direct economic and social losses resulting from land taking and restriction of access, together with the consequent compensatory and remedial measures. Resettlement is not restricted to its usual meaning-physical relocation. Resettlement can, depending on the case, include (i) acquisition of land and physical structures on the land, including businesses; (ii) physical relocation; and (iii) economic rehabilitation of affected persons (APs), to improve (or at least restore) incomes and living standards.
<i>Entitlements</i>	Include compensation and assistance for APs based on the type and extent of damage.
<i>Inventory of Losses (IOL)</i>	Is process of accounting for physical assets and income affected by project.
<i>Socio - Economic Baseline Survey (BLS)</i>	A socio-economic baseline survey of households, businesses, or other project-affected parties needed to: identify and accurately compensate or mitigate losses, assess impacts on household economy, and differentiate affected parties by level of impact.
<i>Vulnerable groups</i>	People who by virtue of gender, ethnicity, age, physical or mental disability, economic disadvantage, or social status may be more adversely affected by resettlement than others and who may be limited in their ability to claim or take advantage of resettlement assistance and related development benefits, include: (i) women headed household (single, widow, disabled husband) with dependents, (ii) disables (loss of working ability), the elderly alone, (iii) poor affected households, (iv) the landless, and (v) ethnic minority groups.
<i>Livelihood</i>	Economic activities and income streams, usually involving self-employment and or wage employment by using one's endowments (both human and material) to generate adequate resources for meeting the requirements of the self and household on a sustainable basis
<i>Income restoration</i>	Re-establishment of sources of income and livelihoods of the affected households.
<i>Stakeholders</i>	Any and all individuals, groups, organizations, and institutions interested in and potentially affected by a project or having the ability to influence a project.

EXECUTIVE SUMMARY

• Sub-project objective:

To supply irrigation water to 100 ha of double-crop paddy and 30 ha cash crops for three villages of Dai Thang, Dai Dong and Thang Loi, An Binh commune, Lac Thuy district.

To secure the safety for lives and properties for the local people at the downstream area of the reservoir in the rainy and flood season.

To integrate aquaculture on the reservoir.

To help save water, increase the efficiency and longevity of the work in contribution to improvement of socio-economic and political situation of the locality.

• Scale of impact:

There are total 12 households (45 persons) affected types of land, including:

- Total land area permanently acquired is 15,935m².

- Total land temporarily affected is 4,438m².

+ There are 7 DPs permanently affected on agricultural land with the area of 12,413m².

+ There are 2 DPs permanently affected on agricultural land and forestry land with the area of 1.718m² and 500m², respectively.

+ There is 1 DP permanently affected on residential land and agricultural land with the area of 500m² and 803.2m², respectively.

+ There are 3 DPs temporarily affected on agricultural land of which one DP permanently affected both agricultural and forestry lands, while the agricultural land temporarily affected is 834m². The remaining two DPs have the agricultural land area of 3.604m².

+ There is one DP affected on 4th grade house with the area of 60m².

+ Annual crops affected include 12,578m² of paddy, 3,840m² of maize, 920m² of peanut and 822 m furrowed sugarcane. Forestry trees affected include 130 acacia trees at 3-5 years old.

+ There are 244 households will be affected by the interruption of irrigation water during the construction of the dam with the wet rice area of 571,297m². The double crop area during a single cropping season without water will be affected from two to six months.

• Legal basis:

Policies on compensation, assistance and resettlement of the project are determined based on the current laws and regulations of the Government of Vietnam and WB's involuntary resettlement. It should be noted that in any case of discrepancies between the Government regulations, city/province level decisions and WB's policies and requirements, WB's policies and requirements will prevail, consistent with the Decree No.38/2013/ND-CP dated April 23rd, 2013. The Decree provides that in case of "discrepancy between any provision in an international treaty on Official Development Assistance, to which the Socialist

Republic of Viet Nam is a signatory, and the Vietnamese Law, the provision in the international treaty on ODA shall take precedence” (Article 6, Item 7).

• **Entitlements for the DPs:**

Entitlements for the DPs are developed and presented in the RP set in parallel with impacts identified during the inventory of loss (IOL) and socio-economic survey (SES). These entitlements will be updated, when necessary, after the completion of detail measurement survey (DMS) and consultation with the DPs, to ensure that all losses will be restored or improved.

• **Dissemination of information, public consultation and grievance redress mechanism:**

Various consultative meetings, village level discussions with DPs and local staff/officials were organizing during the preparation of RP. Project policies and options on relocation and income/livelihood restoration were consulted and discussed. Related issues and DPs’ suggestions were also proposed and mentioned in the RP. Grievance mechanism will be established to ensure that all grievances and concerns of the DPs are to be resolved in timely and transparently manner. The DPs will be informed about their entitlements through disclosure and documents during consultation process, survey and at the time of compensation payment. Main information in the draft RP will be informed to the DPs prior to WB appraisal mission.

• **Implementation Arrangements:**

Ministry of Agriculture and Rural Development (MARD), executing agency and Central Irrigation Project Office (CPO) will ensure the coordination for implementation of the RP. MARD will cooperate with Hoa Binh PPC and direct Hoa Binh Department of Agriculture and Rural Development (DARD) to ensure that the compensation and resettlement activities will be implemented in compliance with policies stated in this RP. Province and district’s Compensation, Resettlement and Land Clearance Committee and District Resettlement Committee together with DPs’s representatives will be established for supervising the compensation process. During the implementation, an independent monitoring organization will do monitoring to ensure the compensation and assistance conformed to the approved RP.

• **Cost for compensation, assistance and resettlement:**

Total amount of compensation, assistance and resettlement is VND **5,266,003,000** equal to USD **243.79**. In which compensation cost is VND1,273,114,000 equal to USD59.331, the remaining amount will be spent for living stabilization, income/livelihood restoration, relocation support and other expenses,... Total cost for compensation, assistance and resettlement will be determined and updated after the completion of DMS.

• **Implementation schedule:**

The RP will be implemented with the collaboration of agencies/sectors of province, district and commune levels. All DPs will be compensated and the land clearance will be completed in 2015

1. INTRODUCTION

1.1. Project description

1.1.1. General information

Vietnam is a country whose economy is based on agriculture and is one of the most vulnerable countries to natural disasters due to geography, topography, climate, economic structure and population distribution. With 14 major river basins, Vietnam has abundant water resources with total flow of the estimated 850 billion m³. More than 62 billion m³ of water stored in 7,000 reservoirs to regulate supply water for the goals of socio-economic development. It can be said that the reservoir plays a very important role in all activities of production and economic development of Vietnam. It was built as a multi-purpose structure such as water supply for agriculture, industry, domestic use, generators and other economic sectors, improvement of ecological environment landscape, flood control to reduce disaster. The reservoirs are distributed in 45 provinces of Vietnam, but focused mainly in the North, Central and Highland.

Vietnam has one of the largest networks of dams and hydraulic infrastructure in the world alongside China and the United States. This network comprises over 7,000 dams of different types and sizes. More than 675 can be classified as large dams (over 15m in height or between 5 and 15m with reservoir storage in excess of 3 MCM) and with the number of small dams (less than 15m and 3 MCM) estimated to be in excess of 6,000 largely earth embankment dams. Of the total four million hectares of agricultural land, more than three million hectares are irrigated via 6,648 dams. In addition, there are more than 1,100 dams are operated, constructed, researched or expected invested. 238 operating dams provide a total installed capacity of 13,066 MW, of which 86 large hydropower with installed capacity of more than 30 MW and dam height of more than 15m. Many of these are multi-purpose dams, flood control and support water supply in large quantities.

According to report of the Ministry of Industry and Trade, Vietnam has about 1,150 irrigation reservoir with damaged, degraded dams which are concentrated in the North, the Central and Highland areas which have steep terrain and severed weather conditions. The common problems are percolation, deformation of roof dam, incapable of discharging flood, taking water structures damaged in the dam body. Irrigation reservoirs with small dams account for 92% of the total irrigation reservoirs. The reservoirs with capacity of less than 0.2 million m³ have not enough material to assess the safety and necessary to restore technical parameters.

Table 1- Damage by disaster in three recent years (2011-2013)

Information/Damage	2011	2012	2013
Number of storms, depression	7 storms, 7 depressions	10 storms, 02 depressions	8 storms, 01 depressions
Number of dead people	295	258	264
Number of injured people	274	408	800

Number of destroyed houses	2.170	6.292	11.851
Number of damaged house	447.694	101.756	706.786
Damaged vegetable area (ha)	350.367	408.383	86.491
landslide (m ³)	9.689.559	3.240.069	17.379.000
Physical damage (million dong)	12.703	16.000	25.021

(Source: PDO of WB8 project)

The North, the Central and the Highlands are where focus poverty and severely affected by the disaster. 16/31 involved provinces have poor districts need support from the Support Program for Rapid and Sustainable Poverty reduction by Resolution No. 30a / 2008 / NQ-CP of the Government, dated 27 Dec. 2008. The majority of these district located in mountainous areas and border. The poverty rate of these districts is 3.5 times higher than the average of the country. 90% of the population of poor district is ethnic minorities with a per capita income of about 2.5 million / year; income is primarily from agriculture production. With average annual revenue of 3 billion dong, the district authorities are not enough financial resources to eliminate poverty for the people. Dam safety is priority in local economic development plans as well as irrigation and hydropower plans. Annually, the locality implements reviewing, checking and planning dam safety.

The “Dam Rehabilitation and Safety Improvement Project” is managed by the MARD with a loan from WB in 31 provinces in the North, Central and Central Highland areas with overall objective is to support the implementation of the Government dam safety program by improving the safety of prioritized dams and reservoirs as well as to protect people and assets of the downstream communities.

Specific objectives:

- To improve dam safety and performance by repairing, upgrading, equipping with monitoring equipment, operation planning and maintenance;
- To strengthen institution of dam safety management at national and system levels by completion of institutional framework on dam safety, including the construction and management of databases, addition of regulations, standards, guidelines, building capacity and coordination mechanism between stakeholders;
- Flood management capacity building in the basin level and coordination mechanism of reservoir operation by improving forecasting capacity, developing integrated flood management plan and training capacity building.

Beneficiaries of project include at central level, provincial level and sub-project level and depend on dam safety.

- At Central level: Government, MARD, MoIT, MoNRE and other relating agencies will achieve macro economic benefits by: (i) Completing legislation framework and strengthening institution to enhance management capacity on dam safety and risk

mitigation in downstream; (ii) Coordination mechanism between Ministries and branches; and (iii) Monitoring and technical assistance for organizations at provincial level or system level in charge of dam safety management, multi-reservoirs operation management in two provinces;

- At provincial level: including the PPC, beneficial Department by (i) strengthening regularly and periodically dam safety management; (ii) improving the coordination between the Departments of the province for the operation and management of dam safety; and (iii) improving data collection and information sharing;
- At sub-project level: Beneficiaries include the dam owners and direct beneficial communities by: (i) improving dam safety; (ii) improving early warning and reducing risk; (iii) strengthening the capacity for operation and long-term maintenance; iv) ensuring the water supply for the goals and v) reducing risk by dam failure.

1.1.2. Necessity of investment

1.1.2.1. Necessity for investment study to prepare implementation plan

Shortcomings related to dam safety are: i) not secure the function of water supply, flood regulation and drainage; ii) degraded and broken down; iii) lack of coping plan for downstream areas in case of flood miscontrol; iv) out-of-control water quality in the reservoir; v) weak operational management capacity; vi) lack of forecasting and warning capacity; vii) legal and institutional framework needs to be improved. These problems relate closely to each other happening in reservoirs in Vietnam especially small- and medium-scale reservoirs.

1.1.2.2. Plan for dam preparation and rehabilitation

According to statistical data from MARD, there are about 1,150 reservoirs/dams under the demand for rehabilitation or urgent improvement, of which 320 important reservoirs that need for safety improvement before the rainy and storm season of 2015.

Table 2. Urgent demand for rehabilitation/improvement

Volume	Number of dam/reservoir in danger
> 10 mil. m ³	17
From 3 - 10 mil. m ³	68
From 1 - 3 mill. m ³	125
From 0.5 - 1 mil. m ³	240
From 0.2 - 0.5 mil. m ³	315
< 0.2 mil. m ³	402

1.1.3. The need and role of the project

The problems of reservoirs and dams are very difficultly forecasted, the losses hence very heavy and hard to be overcome. With large number of dams and reservoirs Vietnam should have a master plan and appropriate roadmap to gradually resolve shortcomings in order to reduce risks for downstream area, stabilize the work and secure the technical tasks.

The project will assist to finalize legal framework on dam safety through the approach from the catchment point of view, safety monitoring, operation process, operation and

maintenance (O&M); readiness for urgent coping, and prepare design and safeguards documents for the list of future dam investment. Construction solutions will also be undertaken are rehabilitation and improvement of existing dam, including measurement equipments such as safety monitoring equipment.

1.2. Objectives and tasks of the project

1.2.1. Objectives

Development objective of the project is aimed at supporting the implementation of dam safety program of the Government by improvement the safety of the prioritized dams and reservoirs as well as protection of human and properties of downstream communities.

1.2.2. Tasks

- (i) Strengthening capacity and institutional at national level on dam safety management through supplement and amendment of guidances for dam safety.
- (ii) Enhancement of flood management capacity at catchment level and dam operation with the cooperation of MARD, MOIT, and MONRE.
- (iii) Guarantee dam stability safety and restoration of design functions through repairing, upgradation and equipment of forecasting and operation facilities.

Project components: In order to reach the above-mentioned objectives, project proposal was designed including 4 components:

1.3. Project components

Component 1: Dam Safety Rehabilitation (Expected cost of US\$385 million)

This component will improve dam safety through physical rehabilitation of existing infrastructure, including: (i) Detailed design, supervision and quality control of rehabilitation works for prioritized dams and associated infrastructure; (ii) rehabilitation works, including civil works, hydro-mechanical works and installation of hydrological and safety monitoring equipment; (iii) preparation of Operation and Maintenance Plans and Emergency Preparedness Plans.

On the basis of proposals from local, approximately 736 irrigation dams in 31 provinces have identified for participating in the project with investment cost of about 18,700 billion dong. Approximately 400 dams with the risk from high to very high level are supported safety improvement solutions of the project. List of locals and number of dams which are repaired with priority are presented in the Appendix. Approximately 90% of the dam has a height of less than 15m or design storage of less than 3 million m³, 10% of large dams, almost embankment dam. List of dams under this component can be changed by the review, the annual risk assessment. The dams have the lowest risk would be replaced by the emergency dams in Component 4. Approximately 12 dams in 11 provinces out of 31 provinces reviewed have unsafe and highly available for the investment in the first year of the project.

Table 3- List of 12 dams proposed for implementation on the first year

No.	Dam	District	Province	Year of construction	Command area (ha)	Storage (10 ⁶ m ³)	Crest height (m)
1	Ngoi La 2	Yen Son	Tuyen Quang	1973	360	3.24	15.0

2	Ho Ban	Cam Khe	Phu Tho	1970	150	1.68	11.0
3	Dai Thang	Lac Thuy	Hoa Binh	1960	90	0.84	14.5
4	Khe Che	Dong Trieu	Quang Ninh	1986	213	12.00	12.5
5	Dong Be	Nhu Thanh	Thanh Hoa	1991	255	2.29	11.4
6	Khe Gang	Quynh Luu	Nghe An	1991	175	2.15	12.5
7	Khe San	Quynh Luu	Nghe An	1980	120	1.42	14.5
8	Phu Vinh	Dong Hoi	Quang Binh	1992	1056	22.36	24,4
9	Dap Lang	Nghia Hanh	Quang Ngai	1978	100	0.38	13.1
10	Thach Ban	Phu Cat	Binh Dinh	1978	130	0.70	12.8
11	Song Quao	Ham Thuan Bac	Binh Thuan	1998	8120	73.00	40.0
12	Da Teh	Da Huoai	Lam Dong	1993	23000	30.25	27.5

Component 2: Dam Safety Management and Planning (Expected cost of US\$ 60 million)

This component will improve the planning and operational framework for dam management to safeguard the people and socio-economic infrastructure within downstream communities. This would include provision of support to: (i) hydrological observation network and information systems; (ii) integrated development planning and operational coordination mechanisms; (iii) regulatory and institutional support and strengthening on coordination mechanism; and (iv) capacity enhancement, basin-wide integrated dam reservoir operation plans, emergency preparedness plan. This component will support the Ministry of Agriculture and Rural Development, Ministry of Industry and Trade, Ministry of Natural Resources and Environment in the implementation of technical support for national programs, completion of coordination mechanisms between ministries, local authorities and stakeholders.

Component 3: Project Management Support (Expected cost of US\$ 15 million)

The project was implemented with the participation of three Ministries and 31 provinces. The majority of dams located in the remote mountainous areas with very difficult traffic conditions. Project duration is six years; the allocation of limited management cost is also a difficulty in implementing the project.

The component will provide finance for the project management, monitoring and evaluation, technical assistance, procurement, auditing, information, training, equipment support in project management and implementation.

Component 4: Disaster Contingency (US\$ 0 million - no fixed allocation)

This component will improve the response capacity of the Government in case of an emergency relating to dam failure during project implementation. In the event of an emergency, this contingency component would facilitate rapid utilization of loan proceeds by minimizing the number of processing steps and modifying fiduciary and safeguard requirements so as to support rapid implementation.

Therefore, this is a development project, which has integrated approach, multi-sectors and bottom-up approach towards to sustainability and serving for objectives of socio-economic development of economic zones, where play vital roles of the whole country.

1.4. Introduction of the sub-project

1.4.1. Project location map



1.4.2. Geographic location, topography, morphology

Geographic location: The work of rehabilitation and improvement of dam for Dai Thang reservoir will be implemented in Duc Binh village, An Binh commune, Lac Thuy district, Hoa Binh province.

An Binh commune locates 24km far from the centre of Lac Thuy district at the south-west:

- Border with An Lac commune, Lac Thuy district at the north
- Border with Thach Binh and Phu Son communes, Nho Quan district, Ninh Binh province at the south
- Border with Huu Loi commune, Yen Thuy district at the west
- Border with Gia Lam and Xich Tho communes, Nho Quan district, Ninh Binh province at the east

Topographic condition of the commune is mainly rocky hills and mountains, with Dap river running along commune's length. Provincial road 438B crosses the commune with the length of 7km.

Natural land area is 3,018.7ha, in which 1,854.34ha is agricultural land.

1.4.3. Overall objectives

- To ensure water demand for production and domestic use, improve plant productivity; boost up plant structure transfer to gradually improve people's living condition in the project area, lagging behind poverty and hunger.
- To develop aquaculture integrated with ecotourism, creation of jobs for local people for economic growth.
- To create more job opportunities for non-farming season employment during construction period to help increase income and develop other services to promote local economic development and ensure social stabilization.
- The project when entering into operation will contribute significant part to meet with economic and social targets, at the same time protect and improve surrounding environment, change planting structure, apply intensive cultivation, increase crops and advanced techniques and technologies into agricultural production that help accelerate the economy in the project area and surrounding areas to gradually increase people's living standards.

1.4.4. Specific objectives

- To supply irrigated water to 100ha of double-crop rice and 30ha of cash crops of three villages namely Dai Thang, Dai Dong, and Thang Loi of An Binh commune, Lac Thuy district
- To secure human and properties for the people living in the downstream of the dam in the rainy and flood season
- To integrate aquaculture
- To save water, increase work efficiency, and increase work longevity that contributes to economic and political stabilization of the locality.

1.4.5. Project tasks

- Improvement and rehabilitation of head dam
- Upgrade intake sluice in the dam body
- Improvement of overflow
- Building of new operational house
- Termite treatment in the dam body
- Establishment of observation equipment system: penetration observation, subsidence observation,...

2. SOCIO-ECONOMIC PROFILES

2.1. Socio-economic survey

A socio-economic survey (SES) was carried out to collect socio-economic information and data related to the project DPs. Consultant for RP preparation conducted the SES, and collected data from the survey are baseline serving for:

+ Designing the income restoration program and other living condition improvement programs.

+ Making comparison the life of the DPs whose land acquired before and after the compensation and resettlement (will be used for afterward monitoring and evaluation in the implementation phase of the RP).

2.2. Results of socio-economic survey

2.2.1. General information of the DPs

The “Rehabilitation and improvement of dam for Dai Thang reservoir” sub-project located in An Binh commune, Lac Thuy district, Hoa Binh province. The implementation of the sub-project will permanently impact on total area of 15,935 m² of residential land, agricultural land and forestry land of 10 households of Duc Binh village, of which some affected by residential land, houses and structures on land.

Table 4. General information of the DPs

No.	Item	Unit	Quantity	Percentage (%)
1	Total number of affected households by the dam construction	HH	12	
2	Total number of households by interruption of water supply during dam construction	HH	244	
	Of which: Ethnic minority households	HH	223	
3	Total number of affected households by overflow	HH	18	
4	Number of affected persons on land by dam construction	person	45	
	Male	Person	23	51.1
	Female	Person	22	48.9
5	Age of the DPs			
	<18 years old	Person	11	24.4
	From 18 to 60 years old	Person	29	64.4
	Over 60 years old	Person	5	11.1
6	Ethnicity			
	Kinh	Person	45	100.0
7	Marriage status			
	Single	Person	15	33.3
	Married	Person	26	57.8
	Divorced	Person	0	0.0
	Widowed	Person	3	6.7

No.	Item	Unit	Quantity	Percentage (%)
	Improper	Person	1	2.2

Source: Survey data

There are 244 households their agricultural land affected during the rehabilitation of the dam due to the lack of water for agricultural production residing in 3 villages. In which there are 223 ethnic households with 821 people. There is no ethnic minority household affected on their land and assets on land.

Of 12 affected households there are 45 persons with the rate of 51.1% male and 48.9% female. All DPs in 12 affected households are the Kinh, **no** ethnic minority people. Age groups of the DPs are:

- Less than 18 years old with 11 people, account for 24.4%;
- From 18 to 60 years old with 29 people, account for 64.4%. This is the group with largest number of DPs and are in the labour age;
- Over 60 year old with 5 people, account for 11.1%.

The majority of affected people are married ones with the number of 26 which takes account for 57.8%, followed by single people with 15 people making up for 33.3% and 3 wisdoms with the proportion of 6.7% due to their old age.

In terms of educational level, 6 out of 45 affected people are at primary school level which takes account for 13.3%. The largest proportion belongs to people with secondary level with 23 people, making up for 51.1% of affected people. There are 8 people at high school level with the proportion of 17.8%. The number of affected people at vocational school level is 1, college and university level is 2 and under school age is 4, occupying 2.2%, 4.4% and 8.9%, respectively.

In general, education level of the DPs is relatively high compared to common level of the locality. It is a good factor for the household economic development especially the application of advance techniques and technologies into production and conversion of households' careers in case the households affected on production land.

Table 5. Education level of the DPs

No	Education level	Unit	Quantity	Percentage (%)
1	Illiterate	Person	0	0.0
2	Primary school	Person	6	13.3
3	Secondary school	Person	23	51.1
4	High school	Person	8	17.8
5	Vocational school	Person	1	2.2
6	College/university	Person	2	4.4
7	Preschool	Person	4	8.9
8	N/A	Person	1	2.2

Source: Survey data

Regarding primary career of the DPs: there are 26 people involving in agriculture

(57.8%) of total 45 DPs, 9 are going to school/college (20.0%). The remaining people are involving in other jobs with small percentage. There is particularly no one doing home craft, business, governmental cadre, military servant and only one is a worker, while retired and rental worker account for 2.2%.

Table 6. Primary career of the DPs

No.	Primary career	Unit	Quantity	Percentage (%)
1	Loss of working ability	Person	3	6.7
2	Agriculture-forestry	Person	26	57.8
3	Small business, services	Person	0	0.0
4	Governmental cadre	Person	0	0.0
5	Pupil, student	Person	9	20.0
6	Home craft	Person	0	0.0
7	Worker	Person	1	2.2
8	Military servant	Person	0	0.0
9	Homework	Person	0	0.0
10	Retire	Person	1	2.2
11	Rental worker	Person	1	2.2
12	Jobless	Person	0	0.0
13	N/A	Person	4	8.9

Source: Survey data

2.2.2. Living standard of the DPs

In the sub-project area the average income level per capita is VND24 million per year. According to the data collected, living standard and income level of the DPs impacted by the sub-project are as following:

Household average income reached VND44,000 million/HH/year, a relatively low level in comparison with commune's average level.

At the income level less than VND10 million/HH/year there is one HH, account for 8.3%. The level from VND40-60 million/HH/year accounts the largest number with 4 households (33.3%) of total 12 DPs, follow up is the income level from VND40 to 60 million and from VND60 to 100 million/HH/year each has 3 HHs (25%), and the level from 10-20 million/HH/year accounts for 1 HH (8.3%).

Table 7. Income level and expenditure of the DPs

No.	Living standard	Quantity (HH)	Percentage (%)
1	Income level	12	100.0
	Less than VND10 million/year	1	8.3
	From VND10 to 20 million/year	1	8.3
	From VND20 to 40 million/year	4	33.3
	From VND40 to 60 million/year	3	25.0
	From VND60 to 100 million/year	3	2.50
	Over VND100 million/year	0	0.0
2	Expenditure level	12	100.0
	Less than VND10 million/year	0	0.0
	From VND10 to 20 million/year	6	50.0
	From VND20 to 40 million/year	5	41.7

No.	Living standard	Quantity (HH)	Percentage (%)
	From VND40 to 60 million/year	1	8.3
	From VND60 to 100 million/year	0	0.0
	Over VND100 million/year	0	0.0

Source: Survey data

Same as the income level, expenditure level of the households relatively varies. At the level of less than VND10 million/HH/yea there is no household. At the level of VND10-20 million/HH/year there are 6 HHs and also the expenditure level with highest percentage of 50.0%. The level of expenditure from VND20-40 million/HH/year has 5 HHs (41.7%), next is the level from VND40-60 million/HH/year has 1 HH (8.3%). At the level of VND60-100 million/HH/year and over VND100 million there is not any household.

2.2.3. Properties of the DPs

Regarding housing condition, of 12 households there are 7 living in semi-permanent house (4th grade with tile or phibro-cement roof, brick wall, tile floor or cemented), account for 58.3% and 5 living in permanent house (concreted roof or two storey house) account for 41.7%.

Table 8. House type of the DPs

No.	House type	Quantity (HH)	Percentage (%)
1	Permanent house	5	41.7
2	Semi-permanent house	7	58.3
3	Timber house with leaf roofing	0	0.0
4	Temporary house	0	0.0
5	Homeless	0	0.0
	Total	12	100.0

Source: Survey data

Regarding fresh water supply for household domestic usage and production water, the figures are as following:

- 100% of DPs are using drinking water from drilled wells and dug wells
- 100% of DPs are using water from drilled and dug wells for washing, bathing and other usages
- Water sources for production are all from commune's lakes and irrigation system. There are 2 households take water from the irrigation lake (16.7%) and remaining 10 take water from commune's irrigation system (83.3%). There is no household taking water from Dai Thang irrigation reservoir.

Table 9. Water resources for domestic and production usage of the DPs

No.	Water for domestic use	Quantity (HH)	Percentage (%)
1	Water for drinking	12	100.0
1.1	River/streams	0	0.0
1.2	Irrigation lake	0	0.0

No.	Water for domestic use	Quantity (HH)	Percentage (%)
1.3	Drilled/dug wells	12	100.0
1.4	State's fresh water supply	0	0.0
1.5	Irrigation system	0	0.0
1.6	Rain water	0	0.0
2	Water for washing	12	100.0
2.1	River/streams	0	0.0
2.2	Irrigation lake	0	0.0
2.3	Drilled/dug wells	12	100.0
2.4	State's fresh water supply	0	0.0
2.5	Irrigation system	0	0.0
2.6	Rain water	0	0.0
3	Water for production	12	100.0
3.1	River/streams	0	0.0
3.2	Irrigation lake	2	16.7
3.3	Drilled/dug wells	0	0.0
3.4	State's fresh water supply	0	0.0
3.5	Irrigation system	10	83.3
3.6	Rain water	0	0.0

Source: Survey data

According to the SES results, of 12 DPs there are 3 having semi-septic/septic tank latrine (25.0%), 5 having two-tank latrine (41.7%) and 2 having simple latrine and other (16.7%).

Table 10. Latrine of the DPs

No.	Type of latrine	Quantity (HH)	Percentage (%)
1	No latrine	0	0.0
2	Semi-septic/septic tank latrine	3	25.0
3	Two-tank latrine	5	41.7
4	Simple latrine	2	16.7
5	Other type	2	16.7
	Total	12	100.0

Source: Survey data

Regarding electricity, all 12 households are using grid power, account for 100.0%.

Table 11. Electricity usage of the DPs

No.	Power source	Quantity (HH)	Percentage (%)
1	Grid power	12	100.00
2	Gasoline	0	0.0
3	Gas	0	0.0
4	Chargeble battery, generator, small-scale hydropower	0	0.0
5	Other	0	0.0
	Total	12	100.0

Source: Survey data

The commune is in the mountainous area, the majority of the DPs are producing forest

so the main cooking source is fuel wood. Of 12 HHs, 11 accounting for 91.7% are usually cooking by using fuel wood, only 1 using gas (8.3%).

Table 12. Main source for cooking of the DPs

No.	Source for cooking	Quantity (HH)	Percentage (%)
1	Fuel wood	11	91.7
2	Coal	0	0.0
3	Gasoline	0	0.0
4	Gas	1	8.3
5	Straw, leaves	0	0.0
6	Biogas	0	0.0
7	Electricity	0	0.0
8	Other	0	0.0
	Total	12	100.0

Source: Survey data

2.3. Properties and essential belongings

100% of the DPs have TV. 8 HHs have refrigerator (66.7%). There are 12 HHs having motorbike (100.0%). There are 2 HHs having telephone (16.7%) and 11 having mobile phone (91.7%). Five HHs have gas cooker but 1 usually use gas for their daily cooking.

There is no DP having car, accessed to internet, air conditioner, computer, washing machine and heating machine.

Table 13. Essential properties of the DPs

TT	Type of assets	Yes		No	
		Quantity (HH)	Percentage (%)	Quantity (HH)	Percentage (%)
1	TV	12	100.00	0	0.0
2	Motor boat	0	0.0	12	100.0
3	Car	0	0.0	12	100.0
4	Refrigerator	8	66.7	4	33.3
5	Motorbike/ motor bicycle	12	100.0	0	0.0
6	Telephone	2	16.7	10	83.3
7	Mobile phone	11	91.7	1	8.3
8	Gas cooker	5	41.7	7	58.3
9	Internet	0	0.0	12	100.0
10	Air conditioner	0	0.0	12	100.0
11	Computer	0	0.0	12	100.0
12	Washing machine	0	0.0	12	100.0
13	Heating machine	0	0.0	12	100.0

Source: Survey data

2.4. Living conditions of the DPs

According to the SES results, the living condition of the DPs is as follow:

- 9 HHs (75.0%) are at average level;
- 1 HH (8.3%) is at fairly rich level compared to common level of the locality;
- There is an affected household recognized as poor household, accounted for 8.3% and 1 affected household living under poor conditions but has not yet been

classified as poor household, making up for 8.3%

Over the past 12 months, 2 affected households have been living in poor condition but have not been recognized as poor households, accounted for 8.3%

There are 4 HHs claimed that their living condition over 3 recent years become better (account for 33.3%) and 7 (account for 58.3%) believed that the recent 3 year living condition has not changed and 1 said the worse living condition (account for 8.3%).

Table 14. Living condition of the DPs

No.	Living condition	Quantity (HH)	Percentage (%)
1	Living condition of the family category	12	100.0
	Better-off family	1	8.3
	Mid-level family	9	75.0
	Needy family	1	8.3
	Poor family	1	8.3
2	Food insufficiency for last 12 months	12	100.0
	Insufficient, 1-2 months	2	16.7
	Insufficient, 3-4 months	0	0.0
	Insufficient, over 4 months	0	0.0
	Sufficient	10	83.3
3	Living condition for last 3 years	12	100.0
	Unchanged	7	58.3
	Better	4	33.3
	Worse	1	8.3

Source: Survey data

2.5. Vulnerable groups

Of total 12 DPs, there is 1 poor household, **no** female-headed household with dependent followers, **no** ethnic minority household. The vulnerable households will be entitled for receiving allowances according to GoV policy and WB as well.

One DP of the vulnerable group is belonged to the poor family but lost less than 10% of their production land area.

Table 15. Vulnerable group

Unit: household

Subject	Poor	Female-headed with dependent followers	Ethnic minority
Total	1	0	0

Source: Survey data

3. IMPACT OF THE SUB-PROJECT

3.1. Inventory of Loss (IOL)

The inventory of loss (IOL) was conducted based on basic technical design, scale of the work combined with actual field works in order to identify the permanent and temporary land acquisition boundary for the sub-project. Procedures for conducting IOL as follow:

- (i) Procedures related to IOL were kicked start since February, 2015. Representatives from Lac Thuy DPC, local authority of An Binh CPC and affected households by the sub-project together with technical design consultant base on scale of the work identified the boundary of sub-project components as well as determined the households affected by the sub-project due to the land acquisition.
- (ii) In February, 2015, the IOL team of resettlement specialists with local authority from CPC in the affected area by the sub-project consisted of one vice-chairperson, one cadastral officer, one judicial staff, one agriculture staff, heads of villages having construction work conducted the IOL on land, assets on land to be acquired.

3.2. Impact of the sub-project

3.2.1. Summary of losses

Results of the IOL showed that there are 12 households (45 persons) affected by the sub-project, as following:

- + Total land area permanently acquired is 15,935m².
- + Total land area temporarily acquired for construction is 4,438m².
- + There are 7 DPs permanently affected on agricultural land with the area of 12,413m².
- + There are 2 DPs permanently affected on agricultural land and forestry land with the area of 1.718m² and 500m², respectively.
- + There is 1 DP permanently affected on residential land and agricultural land with the area of 500m² and 803.2m², respectively.
- + There are 3 DPs temporarily affected on agricultural land of which one DP permanently affected both agricultural and forestry lands, while the agricultural land temporarily affected is 834m². The remaining two DPs have the agricultural land area of 3.604m².
- + There is one DP affected 60m² of 4th grade house and 40m² of kitchen equal to 4th grade house. In addition, sub-project will impact on 70m wall fence, 1 well, 100m² cemented floors (75#, no colour 3cm).
- + Annual crops affected include 12,578m² of paddy, 3,840m² of maize, 920m² of peanut and 822 m furrowed sugarcane. Forestry trees affected include 130 acacia trees at 3-5 years old.
- + There are 244 households will be affected by the interruption of irrigation water during the construction of the dam with the wet rice area of 571,297m². The double crop area during a single cropping season without water will be affected from two to six months.

Table 16. Summary of losses

No.	Type of assets	Unit	Permanent impact	Temporary impact	
				Dam rehabilitation	Interruption of water supply during construction
A	Total land area	m²	15.935	4.438	
1	Residential land	m ²	500	0	
		HH	1	0	
2	Paddy field and other annual crop land	m ²	14.935	4.438	
		HH	11	3	
3	Forestry land	m ²	500	0	
		HH	2	0	
B	House, structure				
1	One storey, compressed brick wall 150, timber beams, phibro-cement roof, timber door, simple decoration, tile floor	m ²	60		
		HH	1		
2	Kitchen equal to 4 th grade house	m ²	40		
3	Compressed brick wall fence, no mortar coating, 2.5m height, with foundation	m	70		
4	Cemented floor 75#, no colour 3cm	m ²	100		
5	Dug well, brick-built 100, 8m depth, diameter 1200	Unit	1		
6	Roof by phibro-cement	m ²	30		
C	Crops and trees				
1	Annual crops				
	Paddy	m ²	12,578		571.297
	Maize	m ²	3,840		
	Peanut	m ²	920		
	Sugarcane	m	822		
2	Bonsai				
	<i>Barringtonia acutangula</i>	tree	2		
3	Timber				
	Acacia	tree	130		

Source: Survey data

3.1.2. Impacts on land acquisition and loss of assets

3.1.2.1. Impact on land

The land acquisition for the construction of sub-project will impact on agricultural land and forestry land.

a. Permanent impact on land:

+ Total land area permanently acquired is 15,935m², of which:

- Agricultural land: 14,935m², in which:
 - Paddy land: 9,060m²
 - Other annual crop land: 5,875m²
 - Forestry land: 500m²
 - Residential land: 500m²
- + There are 7 DPs permanently affected on agricultural land with the area of 12,413m².
- + There are 2 DPs permanently affected on agricultural land and forestry land with the area of 1,718m² and 500m², respectively.
- + There is 1 DP permanently affected on residential land and agricultural land with the area of 500m² and 803.2m², respectively.

From the above data, it is showed that the affected land areas are agricultural land and forestry land (see in detail in Appendix 2).

Table 17. Number of household and permanent land acquisition by sub-project

	Total	Residential land		Production land		Forestry land	
	Area (m ²)	HH	Area (m ²)	HH	Area (m ²)	HH	Area (m ²)
An Binh commune	15,935	1	500	9	14,935	2	500

Source: Survey data

b. Temporary impact on land:

+ Total land area temporarily acquired is 4,438m², belonging to 3 DPs of which 100% is agricultural land used for construction site. As follow:

- Of 3 DPs temporarily affected on agricultural land, one DP permanently affected both agricultural and forestry lands, while the agricultural land temporarily affected is 834m².
- The remaining two DPs have the agricultural land area of 3,604m² (details in Appendix 2).

+ The temporarily acquired land is mainly used for building camp for workers, material storehouse, and machines for construction and equipments for construction. Some areas will be used for dumping site and temporary materials before filling or moving to the filling site.

+ The land acquired temporarily will not be compensated equal to prices of the permanently acquired land but supported an amount for:

- (i) Restoration same as previous condition (cost for refilling, cost for clearing materials such as wastes, gasoline and oil, concrete,...) and recovery of pre-construction condition for temporary land.
- (ii) Compensation for loss of production during the period of temporary acquisition, the land area will not be used for production or there area crops and trees on the

land, compensation value will be determined by authorized agencies and decide the quantity and compensation rates.

Table 18. Number of household and temporarily acquired land area

Project area	Total		Agricultural land	
	HH	Area (m ²)	HH	Area (m ²)
An Binh commune	3	4,438	3	4,438

Source: Survey data

The level of impact on land for the rehabilitation of the dam for Dai Thang reservoir, An Binh commune, Lac Thuy district compared with total land area of the households is indicated in the table below.

Table 19. Loss of production land by percentage

Item	Less than 10%	From 10 - 20%	More than 20%
Rate of land loss of the DPs	0	4	6
Vulnerable household	0	0	1

Source: Survey data

The survey results show that there are 10 households whose production lands were permanently affected; including 4 households having 10%-20% of their total land area affected; 6 households having more than 20% of their total land area affected; and no household having less than 10% of their total land area affected.

3.1.2.2. Land use right

Land types of the DPs affected by the sub-project are agricultural land, annual crop land, forestry land allocated since 1990, all have land use right certificate (LURC). The table below shows the status of LURCs for kinds of land of the DPs affected categorized per each land type.

Table 20. Legal status of land of the DPs

Unit: %

Type	With LURC	Without LURC but eligible for provided with LURC	Not eligible for provided with LURC	Under State planning	Long-term rent from the State	Rent from private
Agricultural land	100.0	0.0	0.0	0.0	0.0	0.0
Forestry land	100.0	0.0	0.0	0.0	0.0	0.0
Residential land	100.0	0.0	0.0	0.0	0.0	0.0

Source: Survey data

3.1.2.3. Impact on housing

The permanent and temporary land acquisition for the implementation of the sub-project will impact on structures on land of the DPs.

These structures are main built on residential land, the rehabilitation of the dam for Dai Thang reservoir by the use of land site for the construction, dam safety corridor, material assembling site,... According to the IOL results, **there is one DP** is impacted on house and structure of total 12 DPs impacted on land.

Affected house and auxiliary structures of this DP are in the boundary of dam safety corridor.

Table 21. Impact on land and auxiliaries

No.	Type of structure	Unit	Dam	Overflow
1	One storey, compressed brick wall 150, timber beams, phibro-cement roof, timber door, simple decoration, tile floor	m ²	60	0
		HH	1	0
2	Kitchen equal to 4 th grade house	m ²	40	0
3	Compressed brick wall fence, no mortar coasting, 2.5m height, with foundation	m	70	0
4	Cemented floor 75#, no colour 3cm	m ²	100	0
5	Dug well, brick-built 100, 8m depth, diameter 1200	unit	1	0
6	Roof by phibro-cement	m ²	30	0

Source: Survey data

3.1.2.4. Impact on crops and trees

The recovery of crops and trees on the permanently and temporarily acquired land will be done for components during the construction of work. The lost trees include forestry timber all are acacia with the number of 130 trees at 2-3 years old, and other crops like paddy, maize, peanut, sugarcane,...

The agricultural land area around the dam foundation area will be permanently acquired for the rehabilitation of the dam body and dam safety corridor as well. Besides, there is a partial area of agricultural land and annual crops land will be recovered for the construction Number of crops and trees impacted are summarized in the table below.

The compensation of crops and trees according to policies and regulations on compensation and resettlement of the PPC indicated in the Decision No.25/2014/QD-UB of Hoa Binh PPC dated September 25, 2014.

Table 22. Summary of lost crops and trees

No.	Type of crops and trees	Unit	Impact by rehabilitation of dam and overflow	Impact by interruption of water supply during construction period
1	Annual crops			
	Paddy	m ²	12,578	571,297
	Maize	m ²	3,840	
	Peanut	m ²	920	
	Sugarcane	m	822	
2	Bonsai			
	<i>Barringtonia acutangula</i>	Tree	2	
3	Timber			

No.	Type of crops and trees	Unit	Impact by rehabilitation of dam and overflow	Impact by interruption of water supply during construction period
	Acacia	Tree	130	

Source: Survey data

3.1.3. Relocation and resettlement

On-the-spot relocation on the remaining residential land: Residential land when acquired is sufficient enough for building house and auxiliary structures. In this case the DPs will be compensated at replacement cost enable them to rebuild whole house and equivalent structures on the remaining land and provided with allowances for moving and other costs for restoring house consisting with province's policies and WB's policies. **There is one DP** of this case.

On-the-spot relocation on the remaining farm land: Residential land and house and structures are all acquired but the farm land is sufficient enough to build house and auxiliary structures. In this case the farm land portion will be converted to residential land and the DP will relocate on the converted land. In addition to the compensation amount paid for residential land acquired, cost for building house and structure on the converted land, the household will not bear any conversion fee (or assisted for conversion fee). **No DP** of this case.

Relocation to other resettlement site: In case where residential land and house and structures acquired are unable for on-the-spot relocation, the relocation household will be compensated to be able to buy other land and build house and structures or move to resettlement area constructed by the project and will be assisted for income/livelihood restoration and living stabilization. **No DP** of this case.

3.1.4. Impacts on business and income sources

- The implementation of the project will impact on DP's livelihood activities such as shops will be dismantled or could not continue to do business as adjacent to construction works; construction activities will cause obstruction of the traffic, interruption of trading activities as well as the transportation of goods... These are potential impacts that cause losses for business activities and lead to the income generation of the local people in the project area.
- In case where shops will be cleared besides a compensation amount for dismantled shops (according to policy on compensation for house) there will have assistant amount provided for loss of business activities during the period the shop is moving to new place. The assistant level is equal to the turnover of the shop during the moving period or according to agreed regulation between GoV and the WB. **No DP** of this case.

3.1.5. Impact by interruption of water supply

The marginal impact will be happened during the period of dam construction and rehabilitation. Irrigation water supplying to agricultural land of three villages of Dai Dong,

Thang Loi, and Dai Thang will be interrupted by lacking of water during the construction period. Hence the area of 571,297m² of paddy field of 244 households will not be cultivated during two to six months of one single cropping season (equal to one crop season of wet rice).

Table 23. Number of households and areas affected by water loss

Type of impact	Affected household (HH)	Area of wet rice affected (m ²)
Interruption of water supply for dam construction	244	571,297

Source: Survey data

4. LEGAL FRAMEWORK FOR THE RESETTLEMENT POLICY FRAMEWORK

This Resettlement Policy Framework was prepared in compliance with the applicable and relevant law of the Government of Vietnam related to land acquisition, compensation, support, and resettlement, and in compliance with the World Bank's Operational Policy on Involuntary Resettlement.

4.1. Legal Framework

4.1.1. Law and regulations of Vietnam

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

- Constitution of Vietnam 2013;
- The Land Law 45/2013/QH13 which has been effective since July 1, 2014;
- Decree No.43/2014/ND-CP dated on May 15, 2014 guiding in detail some articles of Land Law 2013;
- Decree No.44/2014/ND-CP dated on May 15, 2014 provides on method to determine land price; make adjusted land price brackets, land price board; value specific land price and land price consultancy activities;
- Decree No. 47/2014/ND-CP dated on May 15, 2014 providing compensation, assistance, resettlement when land is recovered by the State;
- Decree No. 38/2013/ND-CP dated on April 23, 2013, on management and use of official development assistance (ODA) and concessional loans of WB;
- Decree No. 72/2007 / ND-CP dated on May 07, 2007 of the Government on management of dam safety;
- Decree No. 201/2013 / ND-CP dated on November, 27, 2013 of the Government detailing the implementation of some articles of the Law on Water Resources;
- Circular No. 36/2014 / TT-BTNMT dated on 30 June 2014, regulating method of valuation of land; construction, land price adjustment; specific land valuation and land valuation advisory
- Circular No. 37/2014/TT-BTNMT dated on 30 June 2014, regulating compensation, assistance and resettlement when the State acquires land.
- Decision No. 1956/2009/QD-TTg, dated on November 17, 2009, by the Prime Minister approving the Master Plan on vocational training for rural labors by 2020
- Decision No. 52/2012/QD-TTg, dated on November 16, 2012, on the assistance policies on employment and vocational training to farmers whose agricultural land has been recovered by the State;

- Others

Other laws, decrees and regulations relevant to land management, land acquisition and resettlement include the Construction Law 50/2014/QH13, dated on 18 Jun 2014, on construction activities, rights and obligations of organization and individual investing in civil works construction and construction activities; Decree 102/2014 / ND-CP on sanctioning of administrative violations in the field of land replaced by Decree No. 15/2013 / ND-CP dated on February, 06, 2013 on quality management of constructions; Decree No. 12/2009/NĐ-CP of the Government, dated 12 February 2009 on the management of construction investment projects and replacing the Decree 16/2005/ND-CP, the Decree 126/2014/ND-CP of the Government on the management and use of Official Development Assistance (ODA) fund, and Decree 70/2001/ND-CP of the Government on marriage and family Law implementation, stipulating that all documents registering family assets and land use rights must be in the names of both husband and wife; Decisions of project provinces relating to compensation, assistance and resettlement in provincial territory will be also applied for each relevant project province.

Laws, decrees and decisions relevant to public disclosure of information at the Article 39 Land Law No. 45/2013/QH13, requiring disclosure of information to affected people prior to acquisition of agricultural and non-agricultural lands within minimum 90 and 180 days respectively.

Decrees relevant to protection and preservation of cultural property include Decree No. 98/2010/ND-CP Detailed regulations for implementation of some articles of the Law on Cultural Heritage and the Law on editing and supplementing some articles of the Law on Cultural Heritage requiring that sites currently recognized as cultural and historical vestiges, should be kept intact according to current legal regulations.

Documents relating to complaints and resolve complaints mechanisms: complaints Law 02/2011/QH13 dated on November 11, 2011, Decree No. 75/2012/ND-CP of the Government dated on March 10, 2012: Specific provisions a number of articles of the Law on Complaints.

In addition to GoV policies, Hoa Binh province has also promulgated legal documents applying GoV's decrees and ministerial guiding circulars on land acquisition and site clearance. The following decisions regulated on compensation, assistance in case the State acquires land over Hoa Binh province:

- Decision No.24/2014/QD-UB of Hoa Binh PPC dated September 25, 2014 promulgating regulations on compensation, assistance and resettlement when the State recovers land in Hoa Binh province;
- Decision No.25/2014/QD-UBND of Hoa Binh PPC dated September 25, 2014 promulgating the “Set of compensation prices of assets when the State recovers land” in Hoa Binh province;
- Decision No.37/2014/QD-UBND of Hoa Binh PPC dated December 25, 2014

regulating the land prices table for the period of 2015-2019 in Hoa Binh province.

4.1.2. The World Bank's Operation Policy on Involuntary Resettlement (OP 4.12)

The World Bank recognizes that involuntary resettlement may cause severe long-term hardship, impoverishment, and environmental damage unless appropriate measures are carefully planned and carried out. The Bank's Resettlement Policy OP 4.12, includes safeguards to address and mitigate the economic, social, and environmental risks arising from involuntary resettlement.

The WB's involuntary resettlement policy objectives are the following:

- (i) Involuntary resettlement should be avoided where feasible, or minimized after exploring all viable alternatives in project design;
- (ii) Where resettlement cannot be avoided, resettlement activities should be conceived and executed as sustainable development programs, providing sufficient investment resources to enable the people affected by the Project to share in benefits. Affected Persons should be meaningful consulted and should have opportunities to participate in planning and implementing resettlement programs.
- (iii) Affected Persons should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-project levels or to levels prevailing prior to the beginning of project implementation, whichever is higher

4.1.3. Comparison between Government of Vietnam and World Bank approaches

There are differences between the Government of Vietnam's Laws, policies, regulations related to land acquisition/resettlement, and the World Bank's OP 4.12 on Involuntary Resettlement. The following table highlights the key differences in order to establish a basis for the design of the principles to be applied for compensation, assistance and livelihood restoration support for the affected households, which will be applied under this project.

Table 24. Comparison of Vietnam's and World Bank's Policies related to Involuntary Resettlement

<i>Subjects</i>	Bank's OP 4.12	Government of Vietnam	Project Measures
<i>Land Property</i>			
<i>Policy objectives</i>	<i>PAPs (Project Affected Persons) should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher</i>	<p>Not mentioned.</p> <p>However, there is a provision of support to be considered by PPC to ensure they have a place to live, to stabilize their living and production. (Article 25 of Decree 47).</p> <p>In case the amount of compensation/support is not enough for resettled people to buy a minimum resettlement plot/apartment, they will be financially supported to be able to buy a minimum resettlement plot/apartment (Article 86.4 of Land Law 2013 and Article 27 of Decree 47)</p>	Livelihoods and income sources will be restored in real terms, at least, to the pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.
<i>Support for affected households who have no recognizable legal right or claim to the land they are occupying</i>	<i>Financial assistance to all project affected persons to achieve the policy objective (to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-</i>	<p>Only agricultural land used before July 1, 2004 is eligible for compensation. Other cases may be considered for assistance by PPC if needed.</p>	Financial assistance of an agreed amount will be given to all PAPs, regardless of their legal status, until their livelihoods and standards of living restore in real terms, at least, to pre-displacement levels.

<i>Subjects</i>	Bank's OP 4.12	Government of Vietnam	Project Measures
	<i>displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher)</i>		
<i>Compensation for illegal structures</i>	<i>Compensation at full cost for all structures regardless of legal status of the PAP's land and structure.</i>	No compensation	Compensation at full replacement cost will be given for all structures affected, regardless of legal status of the land and structure.
<i>Compensation</i>			
<i>Methods for determining compensation rates</i>	<i>Compensation for lost land and other assets should be paid at full replacement costs,</i>	Compensation for lost assets is calculated at price close to transferring the assets in local markets or the cost of newly-built structures. Provincial People's Committees are granted to identify compensation prices for different categories of assets. Independent land valuator can be used to determine land prices, which will be appraised by land appraisal board before Provincial People's Committee approval.	Independent appraiser identifies replacement costs for all types of assets affected, which are appraised by land appraisal board and approved by Provincial People's Committees to ensure full replacement costs.
<i>Compensation for loss of income</i>	<i>Loss of income sources should be compensated</i>	Assistance in respect of income loss is given only for registered businesses.	All income losses are to be compensated and, where necessary to achieve the

Subjects	Bank's OP 4.12	Government of Vietnam	Project Measures
<i>sources or means of livelihood</i>	<i>(whether or not the affected persons must move to another location)</i>	Assistance measures to restore income sources are provided.	objectives of the policy, development assistance in addition to compensation will be provided.
<i>Compensation for indirect impact caused by land or structures taking</i>	<i>It is good practice for the borrower to undertake a social assessment and implement measures to minimize and mitigate adverse economic and social impacts, particularly upon poor and vulnerable groups.</i>	Not addressed.	Social assessment has been undertaken and measures identified and being implemented to minimize and mitigate adverse impacts, particularly upon poor and vulnerable groups.
<i>Livelihood restoration and assistance</i>	<i>Provision of livelihood restoration and assistance to achieve the policy objectives.</i>	Livelihood restoration and assistance measures are provided. No follow-up for full livelihood restoration after resettlement completion.	Provision of livelihood restoration and assistance measures to achieve the policy objectives. These will be monitored as detailed in the RAP
<i>Consultation and disclosure</i>	<i>Participation in planning and implementation, specially confirming the eligibility criteria for compensation and assistance, and access to Grievances Redress Mechanisms</i>	Focus mostly on consultation during planning (consultation on draft plan of compensation, support and resettlement and plan for training, career change and facilitating job searching); information sharing and disclosure.	Consultation and participation incorporated into RAP design, along with information sharing with PAPs and stakeholders.
<i>Grievance redress mechanism</i>			

<i>Subjects</i>	Bank's OP 4.12	Government of Vietnam	Project Measures
	<i>Grievance redress mechanism should be independent</i>	<p>The same governmental body makes decisions on compensation and resettlement, and also handles grievances at the first step.</p> <p>However, complainants can go to court at any steps as PAP wishes.</p>	<p>More effective Grievance and Redress mechanisms are to be established, built on the existing governmental system, with monitoring by an independent monitor</p>
<i>Monitoring & Evaluation</i>			
	<i>Internal and independent monitoring are required</i>	<p>Citizens are allowed to supervise and report on breaches in land use and management on their own (or through representative organizations), including land recovery, compensation, support and resettlement (Article 199, Land Law 2013).</p> <p>There is no explicit requirements on monitoring of the resettlement works, including both internal and independent (external) monitoring</p>	<p>Both internal and external (independent) monitoring is to be regularly maintained (on a monthly basis for internal and bi-annual basis for independent monitoring). An end-of-project report will be done to confirm whether the objectives of OP 4.12 were achieved.</p>

4.2. Policy on compensation, assistance and resettlement

4.2.1. General principles

- Land acquisition and resettlement and impacts on other assets shall be minimized as much as possible.

- All DPs are identified in the project impacted areas as the cut-off date will be entitled to be provided with restoration measures sufficient to assist them to improve or at least maintain their pre-project living standards, income generation capacity and production levels. The absence of legal documents on lost properties will not bar the DPs from receiving such rehabilitation measures.

- Land acquisition and clearance activities will be implemented for project construction unless already approved. Compensation rates will be approved by PPC without deduction of depreciation or salvageable materials.

- The livelihood restoration measures to be provided are: (i) cash compensation or in-kind for losses of houses and other structures at replacement cost approved by local authority; (ii) "land for land" for agricultural land having equal productive capacity or in cash if no land fund available; (iii) land compensation with the same size, location, infrastructure and social services accepted by DPs or in cash compensation; replacement of residential and commercial land of equal size with full title and acceptable to the PAP; (iv) cash compensation for renters; cash compensation for crops and trees and other production assets; (v) compensation of relocation of graves; (vi) remove or installation of equipments such as water meter, power meter, telephone line, sanitation facilities; and (vii) cash compensation or in-kind for the relocation of public facilities and other public properties.

Restoration measures to be provided include:

- Assurances for stabilization and moving for all the DPs who have to be relocated temporarily or permanently;

- Other resources or income/livelihood rehabilitation programs (land fund development, access to credit, training for agricultural and non-agricultural activities,...) in order to support for full restoration of DP's income generation capacity. The livelihood restoration programs will be developed to assist DPs restore their living conditions in the soonest period as possible.

- Special supports for vulnerable groups including the poor, lone elders, disable people, female-headed with dependent followers,...

Resettlement site should be as near as possible to the old one with available infrastructures and other social services maintained or better.

DPs will be consulted and given opportunities to participate in all stages of the RP, from preparation to implementation as well as benefit sharing from the project.

Financial and material resources serving for resettlement and living improvement should be readily prepared when requested. The well implementation arrangement will ensure the preparation and implementation of RP effectively and efficiently.

Monitoring and evaluation activities of RP implementation will be taken place to ensure the RP implemented effectively. A transparent grievance redress mechanism will be established to ensure all grievances are settled in timely and satisfaction manner.

4.2.2. Compensation and entitlements

4.2.2.1. Compensation

All DPs who are identified in the project-impacted areas on the cut-off date of the subproject will be entitled to compensation for their affected assets, and rehabilitation measures sufficient to assist them to improve or at least maintain their pre-project living standards, income-earning capacity and production levels. The cut-off date will be the date when the PPC issues the Notification of Land acquisition for the relevant project (Article 67.1 of Land Law 2013) before implementation of DMS. A census survey will be done before the cut-off date is announced to establish a list of potential affected households. Those who encroach into the investment area after the cut-off date will not be entitled to compensation or any other assistance.

4.2.2.2. Entitlements

a. Rights

All DPs who are identified in the project-impacted areas on the cut-off date of the subproject will be entitled to compensation for their affected assets, and rehabilitation measures sufficient to assist them to improve or at least maintain their pre-project living standards, income-earning capacity and production levels. The cut-off date will be the date when the PPC issues the Notification of Land acquisition for the relevant project (Article 67.1 of Land Law 2013) before implementation of DMS. A census survey will be done before the cut-off date is announced to establish a list of potential affected households. Those who encroach into the investment area or create new properties (improvement, newly built houses/structures, newly planted trees) after the cut-off date will not be entitled to compensation or any other assistance.

b. Entitlements

Based on the types of impacts, category of DPs, and their entitlements the subproject will prepare specific entitlements to each category of DPs following the entitlement matrix below as appropriate. The entitlement matrix is applied for the sub-project of rehabilitation and improvement of dam and all subject affected by the project, including people whose land acquired for development of resettlement sites. DMS and social assessments will be the basis for determining actual impacts, and replacement cost surveys will be carried out to determine actual replacement rates as the basis for formulating compensation options.

4.3. Measures for mitigating negative impacts on vulnerable groups

The sub-project recognizes that there are certain social groups that may have little possibility to restore their living condition, livelihood, and better income levels and the sub-project has integrated these issues of concerns into project preparation and implementation activities through the application of participatory planning and decision-making process. Women in the rural villages have great contribution to family economy and community

livelihood. They will be given power to become more active participant in various community and project activities and to have their efforts in supporting the project implementation.

The vulnerable affected households in socio-economic aspect including ones receiving Government's subsidies; female-headed, ethnic minority, policy-supported families, war invalids, war martyr, elders, disability... will be assisted for improvement of their economic condition and incomes depending on specific cases. These assistances include living stabilization, health insurance, food subsidy, and vocational training and job creation related to the project.

Contractors will be requested in a term that requires them to recruit local employment and prioritize to employment in vulnerable groups for simple jobs.

4.4. Entitlement Matrix

Table 25. Entitlement Matrix

Type of Loss/ Impacts	Application	Entitlements	Implementation Arrangements
<p>1. Productive land¹(Agricultural, garden, pond land, etc.) either in or out of the residential area.</p>	<p><u>Legal land users</u> 1.1. Marginal loss (<20% of land holding or <10% for vulnerable group) The remaining area of affected plot is still economically viable for use or meets the expected personal yield.</p>	<p>Cash compensation at replacement cost (free from taxes and transaction costs) for the affected area of the land.</p>	<ul style="list-style-type: none"> - Affected households to be notified at least ninety days before land recovery by the Project. - The owner of land will hand over the land within 20 days from the date District Compensation Board fully pays compensation for land.
	<p>1.2. Loss of no less than 20% or no less than 10% for vulnerable groups</p>	<p>Land for land compensation should be as the preferred option. If land is not available, or at the PAP's choice, cash compensation can be provided for the lost area at 100% of land replacement cost. The PAP will be provided with the additional rehabilitation measures to restore the lost income sources.</p>	<ul style="list-style-type: none"> - Other assistance options which city could decide based on the locality conditions. - Affected households to be notified at least ninety days before land recovery by the Project. - The owner of land will hand over the land within 20 days from the date District Compensation Board/ has paid compensation and other allowances in full. - For poor, vulnerable and severely affected farmers, including landless, allocation of arable land equal to per capita arable land in commune, or if

¹The sub-categories of productive land such as agricultural, forestry, garden, aquaculture and pond will be compensated at different rates. These will be specified and detailed in the Resettlement Action Plans to ensure the compensation is reflective of current rates and takes into account geographic variation. Land on which businesses are located will be compensated as detailed in the section on relocation of business.

Type of Loss/ Impacts	Application	Entitlements	Implementation Arrangements
			there no land available for allocation or, on the PAPs request through informed choice, training/ rehabilitation programs will be provided to at least restore, if not improve, their income and living standards.
2. Residential land	2.1. Marginal loss (i.e., land is still viable for use and not requiring relocation).	Compensation for loss of land in cash at (i) replacement cost to the legal and legalizable land users; (ii) An financial assistance of an agreed amount to the land users not having recognizable land use right. If PAPs have to rebuild their houses, they will receive a house rental allowance for 3 months in recognition of the time needed to rebuild their houses.	- Affected household to be notified at least 180 days before land recovery by the Project. - The owner of land will hand over the land within 20 days from the date District Compensation Board/ has paid compensation in full.
3. Houses	3.1. Full impact (i.e., house is partially acquired by the project but no longer viable for continued use or the entire structure is acquired).	- Compensation in cash for entire affected structures will be provided at 100% of the full replacement cost for materials and labor, regardless of whether or not they have title to the affected land or permit to build the affected structure. The amount will be sufficient to rebuild a structure the same as the former one at current market prices. No deductions will be made for depreciation or salvageable materials. - Compensation for other structures/ fixed	The calculation of rates will be based on the actual affected area and not the useable area.

Type of Loss/ Impacts	Application	Entitlements	Implementation Arrangements
		<p>assets will be at full replacement cost and will be in cash. Tenants of state or organization's houses will be: (i) entitled to rent or buy a new apartment of the area at least equal to their affected ones; or (ii) provided an assistance equal 60% of replacement cost of the affected land and houses. Any investments such as structures, trees, crops etc. made on the land by the PAPs will be compensated at their full replacement cost.</p> <p>The tenants who are leasing a private house for living purposes will be provided with transportation allowance for moving their assets. They will also be assisted in identifying alternative accommodation.</p>	
4. Crops and Trees, aquaculture products	Owners regardless of tenure status	For annual and perennial standing crops or trees, aquaculture products regardless of the legal status of the land, compensation in cash will be paid to the affected persons, who cultivate the land, at full replacement cost in local markets to ensure the compensation is sufficient to replace the lost standing crops, trees or aquaculture products.	PAPs will be given notice several months in advance regarding evacuation. Crops grown after issuance of the deadline will not be compensated.
5. Loss of Income/ Livelihood due to loss of productive land	Impacts due to permanent loss of 20% or more of their total productive land or where <20% land affected but the remaining land is rendered unviable. (Legal, legalizable land users and PAPs with lease	- <i>Allowance for Loss of Livelihood</i> : Affected person will be compensated with 30kg of rice/person/month, including: (a) : Affected households losing 20% to 70% of their agricultural land will be assisted for 6 months if the remaining land is viable for continued use, and for 12 months in case the remaining land is rendered unviable and	

Type of Loss/ Impacts	Application	Entitlements	Implementation Arrangements
	agreement over the affected land)	<p>entire land is acquired by the project. In some special cases, in extremely difficult areas, the assistance may be given up to a maximum of 24 months;</p> <p>(b) Affected households losing more than 70% of their agricultural land acquired will be assisted for 12 months if the remaining land is viable for continued use, and for 24 months in case the remaining land is rendered unviable and entire land is acquired by the project. In some special cases, in extremely difficult areas, the assistance may extend to a maximum of 36 months; In addition, these PAPs will be targeted for livelihood restoration program;</p> <p>(c) households affected by loss of <20% of land and the remaining land is rendered unviable for continued use, the PAPs will be provided assistance for 12 months;</p> <p><i>Assistance for agricultural, garden and pond land in the residential area adjacent to residential land, but not recognized as residential land: Additional assistance (40% of the cost of compensation for the adjacent residential plot) for garden land and pond land; and (at 50% of the cost of compensation for the adjacent residential plot) for agricultural land.</i></p> <p>In case of land-for-land compensation, PAP will be assisted with seedlings, agricultural-forestry extension programs, husbandry etc.</p> <p><i>Vocational conversion assistance: Every</i></p>	

Type of Loss/ Impacts	Application	Entitlements	Implementation Arrangements
		<p>PAP affected by loss of productive land, irrespective of the degree of impact, will be provided with additional assistance equivalent to at most 5 times the agricultural land price established by PPC.</p> <p><i>Support for vocational training and job creation:</i> At least one member of households affected by loss of productive land will be entitled to vocational training and assistance in getting employment in the province. The PAPs participating in such training programs will be exempted from payment of tuition fees course will be paid directly to the vocational training centers. After finishing training courses, they will be given priority to be recruited in local manufacturing industries.</p>	
<p>6. Allowances /Assistance Targeted to Vulnerable Households</p>	<p>Loss of land and non-land assets</p> <p><i>Affected vulnerable groups regardless of severity of impacts. The vulnerable groups were defined as in Terms of Terminology</i></p>	<p>Specific assistance to vulnerable groups would be as follows:</p> <ul style="list-style-type: none"> - For landless households, assistance through provision of an apartment that PAP can either pay in installment to buy or rent it for living. -<i>Social Policy:</i> (i) Relocated Households that include heroic mothers, heroic armed force, heroic labor, war veterans, wounded or dead soldiers families will be provided with support as regulated by the PPCs; (ii) Poor Relocated Households or Poor Households where 20% or more of their productive land is affected or where <20% land is affected but the remaining land is rendered unviable 	<p>- Allowance for households as per Government regulation (social policy households, heroic mothers, wounded, dead soldiers). If the household eligible to more than one additional support allowance for the vulnerable people, only one package with the highest value will be applied</p>

Type of Loss/ Impacts	Application	Entitlements	Implementation Arrangements
		<p>and to be certified by local authority).</p> <ul style="list-style-type: none"> - <i>Other vulnerable groups</i> affected by the Project, whether they have to relocate or not, (female headed households with dependents, households with disabled persons, elderly without any source of support, ethnic minority households) will get the same support given to poor households in accordance with the provincial policy. - These households are entitled to take part in Income Restoration Program 	
7. Other Allowances/ Assistances	Loss of land and non-land assets	<p><i>Incentive Bonus:</i> All PAPs who vacate the affected land immediately after receiving compensation and allowances will be given an incentive allowance in accordance with the provincial policy.</p> <p><i>Repair Allowance:</i> If house/structure is partially affected and the remaining structure is viable for continued use, the project will provide a repair allowance equivalent of 20% of compensation for the affected part of the structure to enable PAPs to restore it to former or better conditions.</p> <p>The relocating households with children who are going to schools will be supported with 1-year tuition as regulated by the Ministry of Education</p> <p>Based on the actual situation of the locality, the PPC Chairman issues other allowances to ensure accommodation and livelihood restoration for PAPs.</p>	
8. Temporary impacts	Temporary loss of land	Compensation for all damaged or lost	If the quality of land is radically

Type of Loss/ Impacts	Application	Entitlements	Implementation Arrangements
	and assets.	assets, including trees, crops at full replacement cost Rental in cash for the land acquired at a rate which will be no less than the net income that would have been derived from the affected property during disruption; Restoration of the land within 3 months after use: The contractor is expected to return the land in its original condition within 3 months of the termination of the civil works.	changed when returned to PAPs, requiring PAPs to change in the types of land use; then PAPs should be compensated for all envisaged cost of losses.
	Agricultural HH lost income due to stopping water supply when construction	Compensation in cash with monthly average income equivalent to the affected area for at least 3 months; Priority of participation in agricultural extension, and other assistance of local.	People to be assisted must be specified and consulted fully.

4.5. Resettlement and Income Restoration Strategy

For households with affected residential land and have to resettle. Households that have to resettle, relocate will identify and select options of relocation on their existing plots or to move to plots provided by the district or to receive cash compensation to make their own arrangements for relocation. In the case that any businesses have to relocate, they will be assisted to find viable new sites.

For households with acquired agricultural land. Apart from the compensation and assistance foresaid, they are entitled to assistance policy for job creation and vocational training for the persons at the working age (Decree 52/2012, Decree 47/2014). They will be provided with assistances:

- Assistance for vocational training including: short-term vocational training courses (primary level and vocational training of less than 3 months) or vocational training at mid-level and college levels and the local authority pays tuition for one training course. The expenditure for vocational training is taken from total expenditure of the investment project or the approved plan on compensation, assistance and resettlement;
- Assistance for job creation in the country: providing consultation on vocational training, free introduction of jobs at the job introduction centre under DOLISA. The businesses receive many labours whose agricultural land is acquired will be entitled to preferential policy on land, credit and taxes as regulated by the laws.

Besides, the AHs who are compensated by agricultural land will be assisted stable production, including: Assistance for plant varieties and animal breeds for agricultural production, agriculture and forestry services, plant protection services, veterinary medicine, cultivation techniques, breeding techniques and professional techniques for production and business. Appropriate livelihood restoration programmers will be designed and implemented in consultation with the APs in the project implementation stage.

4.6. Vulnerable Group, Gender, and Ethnic Minorities

The Project realizes that there are certain social groups that have fewer possibilities to restore their living conditions, livelihoods, and income levels and the Project has integrated these issues in project preparation and implementation activities through application of APs-participated planning and decision making. Women in villages contribute to economic development of the family and community livelihood. They will be empowered to become active members in community activities as well as in supporting project implementation and monitoring.

During the implementation process, the Project will pay special attention to the women and female-headed HHs as the project beneficiaries. Women will participate equally in the whole process of project implementation to enhance the project sustainability. Active participation of women and the ethnic minority group will ensure that design of restoration

measures suits their specific needs or concerns, e.g. groups of people without land, the poor and female householder, disables, the elders and children who have no assistance sources. In case of having a full resettlement action plan that is suitable and agreed by all relevant parties, a strategy of gender and specific actions for the ethnic minority groups, will be incorporated

5. COMPENSATION, ASSISTANCE AND LIVELIHOOD RESTORATION

5.1. Displaced persons

Displaced persons (DPs) include following individuals and organizations:

Persons who have house and/or properties that are affected partially or fully by the project;

Persons who have agricultural land and/or residential land that are affected partially or fully (permanent or temporary) by the project;

Persons who have crops and trees (annual or perennial) and production forest timber that are affected partially or fully by the project;

Persons who are affected by land acquisition for development of resettlement sites for relocation of the project DPs;

Non-eligible persons are the ones who moved from other area into this project area after the cut-off date. The cut-off date is the date that before this date the ownership or use of any part of project area that enable residents, owners or users to be eligible as DPs;

Severely affected people and vulnerable groups will need special supports to ensure the objectives of the RP are met.

5.2. Assistance and income restoration

By experience it is recognized that involuntary resettlement in development projects, if could not be mitigated, will usually cause the increase of economic, social and environmental problems such as: production system is broken down, local people have to face with impoverish once their productive assets or sources of income could not be replaced.

The Decree No.43/2014/ND-CP was born has helped improve the compensation and assistance provision to the DPs, especially households heavily depend on agricultural production as their major source of income. Results from the consultations with relevant stakeholders mentioned in the chapter Consultation and Participation showed that almost of the DPs desired to receive money for restore livelihood themselves.

For 244 DPs affected one single crop by the close of dam gate during the construction shall be assisted by net incomes per affected paddy land area during one single crop.

In addition, vulnerable groups, when affected but as their social status or economic situation will have little chances to recover their life and so face with poorer situation. The compensation for severely affected households and vulnerable groups hence will not be enough that needs other ways of assistance to ensure they restore their living conditions not lower than pre-project conditions or more improved in the new residing area.

5.3. Desire of the DPs

All DPs affected on residential land, agricultural land and forestry land have desire to:

- Compensated in cash: 4 DPs (33.3%)
- Land for land compensation: 4 DPs (33.3%)

- Not yet decided: 3 DPs (25.0%) and one has no opinion (8.3%)

Table 26. Desire of the DPs on compensation for production land

Content	Number (HH)	Percentage (%)	Note
Total	12	100.0	
Land for land	4	33.3	
In cash compensation	4	33.3	
Not yet decided	3	25.0	
No answer	1	8.3	

Source: Survey data

Of total 12 DPs, there is one affected on residential land, house and structures on land but the remaining land is sufficient enough for them to build house and structure. However, the household has not decided yet for the type of relocation.

Household's desires in case affected by the close of dam gate for construction were that they will be receiving compensation and assisted at net income per affected land area.

However, there are many plans of the DPs for using compensation money, most of them have other intentions focusing on cattle and poultry rearing because it is available pasture and feeds with 6 DPs chose (50.0%).

- One DP (8.3%) has plan for building or repairing their house
- Three DPs (25.0%) will use compensation money for buying new land
- One 1 DP (8.3%) will use compensation money to spend for children learning
- **No DP** will use money for buying other properties, investing in small trading and saving
- One DP (8.3%) has no response.

Table 27. Plan for using compensation money of the DPs

Content	Number (HH)	Percentage (%)	Note
Total	12	100.0	
Build or repair houses	1	8.3	
Buy new land	3	25.0	
Buy other properties	0	0.0	
Invest in small business	0	0.0	
Saving	0	0.0	
Spend for children learning	1	8.3	
Other intentions	6	50.0	
No answer	1	8.3	

Source: Survey data

Of 12 DPs, 7 have plan for replacing sources of income (account for 58.3%), other 5 have no plan (account for 41.7%).

Of 7 DPs having plan for replacing their sources of income concentrate on husbandry (cattle rearing, poultry raising,...) as at the locality there is pasture area for cattle rearing on

forest land of 4 DPs (account for 33.3%).

There is one DP chose the purchase of new agricultural land for production, accounting for 8.3%; two decided to reestablish new business, accounting for 16.7%. **No DP** has plan for trading, opening small shop, handicraft and finding new job.

Table 28. Plan for income conversion of DPs

Content	Number (HH)	Percentage (%)	Note
Total	7	58.3	
Buy new agricultural land for production	1	8.3	
Reset new business	2	16.7	
Small business	0	0.0	
Open small shops	0	0.0	
Handicraft	0	0.0	
Find new job	0	0.0	
Other	4	33.3	

Source: Survey data

6. INFORMATION DISCLOSURE AND PUBLIC CONSULTATION

6.1. Information disclosure policies of World Bank (OP17.50)

Information dissemination to people affected by the project and the involved agencies is an important part in preparation and implementation of the project. The consultation with affected persons and ensuring of their active participation will reduce the potential conflicts and risks of slowing the project progress. This allows the project to design a resettlement and rehabilitation program as a general development program, in accordance with the needs and priorities of affected people and therefore, this maximizes economic and social benefits of investments. Objectives of the information and community consultation program include:

- Ensuring that local competent authorities as well as representatives of affected persons will be involved in the planning and making decision. The PPMUs will work closely with the district/commune PCs during the sub-project implementation. The participation of affected persons in implementation stage will be continued by requesting each district/commune to invite representatives of affected persons to play as members of the Council/Board of Compensation and Resettlement of the district and participate in resettlement activities (property evaluation, compensation, resettlement and monitoring).
- Sharing all information about planned work items and activities of the sub-project with the affected people.
- Collecting information about needs and priorities of affected persons as well as receive information about their reactions to the planned policies and activities.
- Ensuring that affected persons can be informed fully the decisions which directly affect their income and living standards and they have the opportunity to participate in the activities and make decisions on issues directly affecting them.
- Gaining the cooperation and participation of affected persons and communities in the activities necessary for planning and implementing the resettlement.
- Ensuring the transparency in all activities related to land acquisition, compensation, resettlement and restoration.

6.2. Information disclosure

The objective of information disclosure is to provide information of compensation, impacts and support to the affected people and community. Actually, due to limitation of farmer's social relationship with local authority, the problems related to policies is policies are rarely exchanged between the local government and the affected people. Affected people feel comfortable when they are asked about compensation policy and received documents related to the project at any time, they do not have to wait to hear the dissemination of information

6.2.1. Information disclosure in preparation phase of Resettlement Action Plan

Information disclosure and community consultation are carried out in preparation and implementation time to ensure timely informing of land acquisition, compensation and resettlement to the affected households and relevant parties; this is an opportunity of the affected people to participate and express their desire to resettlement implementation program. Resettlement consultant coordinated with People's Committee of districts/ communes in project area, leaders of organization to hold meeting and community consultation, information provision and guiding next steps in order to ensure timely information provision to the affected households.

On February 6th - 7th, 2015, a consultation meeting was held in the communal areas of the sub-project area with participation of 12 households who are impacted by land acquisition

and representative of 244 households who are impacted by water cut during construction and representatives of social organization such as: Farmers' Association, Women's Union, the Vietnam Fatherland Front of An Binh commune also participate in meetings to disseminate information and consultation on land acquisition, compensation and resettlement of the subproject. The consultation meeting was carried out in a process of free, prior, and informed consultation. The meeting indicated that the community, including the ethnic people living in the subproject area, broadly support the Subproject and expect the project to be implemented at the soonest.

The main contents of consultation:

- General information disclosure of Vietnam and World Bank's policies, Dam rehabilitation and safety improvement project .
- Informing the information of project and World Bank's policies of resettlement, environment and minority policies via brochures and speaker;
- Collecting information and local residents' opinions regarding on project implementation
- Introducing and providing the information related to project and safety policies of World Bank; asking local residents about their information, feedback of design, resettlement, desire and aspiration;
- Answering the questions of local residents relating to project and safety policies;
- Request the CPC, the project manager to answer specific questions about the local people project details or local policies;
- Record the opinion of the people, representatives of the CPC and the stakeholders in the minutes of the meeting.

6.2.2. Information disclosures in implementation phase of Resettlement Action Plan

The objective of information disclosure is to inform the impacts, compensation, and support to the affected households and community. There is an undeniable fact, because of the limitations of social relations and exchanges with the local government of the farmers, so the issues related to policies are not discussed frequently and directly with the people

As mentioned above, Resettlement consultant coordinated with local authority to consult with the affected households, to share information and discuss the potential positive and negative impacts during implementation process, construction progress, resettlement, compensation, support, compensation procedures and specific policies which are included in RPF. The relevant document will be passed on the affected household at the meeting .

6.3. Public consultation

6.3.1. Consultation in preparation process of Resettlement Action Plan

Community consultation was carried out in February 2015 at An Binh with the following contents:

- Inform fully information to authority and the affected people by project .
- Sent the aconstruction schedule of devepment RAP report to district/ city authority and commune/ town authority.
- Investigate information by providing questionnaires to the affected households, including:
 - The construction's impact on local people's life, the advantages and disadvantages of resettlement. Comments of compensation, resettlement plan.
 - The construction's impact on local people's life, infrastructure, the advantages and disadvantages of project's implementation.

- Comments of resettlement and proposed resettlement action plan.

In the consultation meeting, there are participation of: the affected households owner; representative of People's Committee of commune, social organizations (Farmers' Association, Women's Union). The contents are discussed about proposal subproject, collecting community opinions, and the different design alternatives

The main information is informed in the meeting including: (i) subproject's scope and objectives; (ii) order, process and procedures related to compensation, support and resettlement; (iii) the impacts of resettlement.

The comments of participants: the impacts of project are insignificant because rehabilitation of current construction is to ensure irrigation effectiveness, contribute to bring benefit to local people. The affected households desire to be provided project's information and construction progress and project is implemented early

Consultation after the final draft is available. The objective of Resettlement action plan is to provide information and consult the affected people, relevant organizations and individual regarding: (i) Estimation results of damage, the expectation unit price of compensation, and the entitlement; (iii) the procedures of compensation payment and resettlement's activities ; collecting fully and exactly opinions of local people, creating opportunities for the affected people to take part in development of resettlement plan in order to ensure democracy in development.

The participants agree to implement project; with the policy of the project and they want the project to be done soon so that people have a better chance in the development of production and life

6.3.2. Consultation in implementation process of Resettlement Action Plan

Before starting to update resettlement plan in accordance with the detailed design, PMU/ Compensation Committee, support and resettlement provincial/ district will hold public consultation meetings in each of the affected communes provides additional information for people affected and provide opportunities for them to participate in public discussions on policies and procedures for resettlement. Sending an invitation to all those affected people before the meeting at the same place. The purpose of this meeting is to clarify the information which is available on date of the meeting and provide opportunities for affected people to discuss their concerns and clarify information. Along with written notice to the affected people, the information measures should be considered to inform the affected people and community, such as posters in the visible region at headquarters CPC/districts where affected people are living, announced through radio and local newspapers. Both men and women of the affected households as well as members of the community who are interested are encouraged to participate. During the meeting, it need to explain the project, and the rights and entitlements of households, and the meeting will be an opportunity to raise relevant questions. Similar meetings will be held periodically throughout the project.

6.3.3. Project's leaflet

A leaflet provides information about the project which will be developed and provided to people affected by the project during the project preparation phase and implementation phase of the project to ensure that people grasp and aware of the benefits that the project brings. Leaflets project provides compensation policies, supporting details presented in the

Resettlement Policy Framework aims to develop measures to mitigate the social impact, when the sub-project acquires land and site clearance

6.4. Disseminating information

As per Bank's requirement, RAP will be disclosed in Vietnamese at local level, particularly at the office of PMU, District PCs, Ward/Commune PCs and the World Bank's Vietnam Development Information Center (VDIC) in Hanoi before and after it is approved by the Government of Vietnam. The English version of this RAP will be also disclosed at the World Bank Info Shop in Washington D.C. prior to project appraisal.

7. GRIEVANCE REDRESS MECHANISM

Complaints regarding any aspects of the project will be settled through negotiations to achieve agreement. Grievance mechanism must go through 3 steps before handing over law court as the last choice. CPO will bear all administrative and legal costs incurred in grievance settlement and complaining.

7.1. First step - CPC

An unsatisfactory DP will lodge their complaint to any member of CPC, through village head or directly to CPC, in writing or verbal manner. Members of CPC or village head shall notify to CPC about the complaints. CPC will work individually with the complainant and they will have 30 days to settle after receiving complaint. The CPC's Secretariat is responsible for recording and archiving all complaints they are handling.

Once the CPC issues the grievance settlement decision, complainant may appeal within 30 days. In case the second decision issued but the DP is still unsatisfied, they may lodge complaint to DPC.

7.2. Second step - DPC

Once receiving complaints from the DPs, the DPC will have 30 days since the receipt of complaint for settlement. CARB is responsible for recording and archiving all complaints they are handling.

Once the DPC issues the grievance settlement decision, complainant may appeal within 30 days. In case the second decision issued but the DP is still unsatisfied, they may lodge complaint to PPC.

7.3. Third step - PPC

Once receiving complaints from the DPs, the PPC will have 30 days since the receipt of complaint for settlement. PPC takes responsibility for recording and archiving all complaints submitted.

Once PPC issues decision, complainant may appeal within 30 days. In case the second decision issued but DP is still unsatisfied, they may appeal to the court within 45 days. PPC should pay compensation for a kept account.

7.4. Final step - Court

If after 45 days following the lodging of the complaint with the PPC, the aggrieved PAP does not hear from the PPC, or if he/she is not satisfied with the decision taken on his/her complaint, the case may be brought to a court of law for adjudication. Decision by the court will be the final decision.

In order to ensure the above-described grievance redress mechanism is practical and acceptable to DPs, there are consultations with local authorities and communities taking into account the distinct cultural characteristics as well as traditional culture in the grievance and grievance settlement and settling disputes. These subjects and efforts of ethnic minorities are also determined and they decide acceptable methods culturally to find an acceptable solution.

The grievance redress mechanism for the DPs is described in the public information

booklet (PIB) of the sub-project “Rehabilitation and improvement of dam safety for Dai Thang reservoir” and distributed to the DPs. In order to avoid the situation that the DPs do not know who to meet at commune, district or provincial levels for lodging their complaints, the PIB provided name, address and telephone numbers of the responsible persons involving in the grievance redress mechanism for effective settlement.

The DPs will not have to pay any fees related to administrative and legislative procedures. The complaints to the court are also free of charge. All records of complaints and settlement measures shall be archived at CPC, communal community consultation advisory board and investors of the sub-project “Rehabilitation and improvement of dam for Dai Thang reservoir”.

8. ARRANGEMENT AND RESPONSIBILITY

The implementation of resettlement activities requires the involvement of agencies and organizations at the national, provincial, district and commune level. People's committee will take general responsible for the implementation of the general policy framework and specific resettlement plan of the sub-project of that province. Compensation, Assistance and Resettlement Committees shall be established at district/province level according to the provisions of Decree 47/2014/CP, Decree no. 43/2014/NĐ-CP and Decision No.24/2014/QĐ-UBND of Hoa Binh province. The provisions and policies of the RPF and the RAPs will form the legal basis for the implementation of compensation and resettlement activities in the Dam Rehabilitation and Safety Improvement Project (DRASIP/WB8) in Viet Nam

8.1. Provincial level: Hoa Binh provincial People's Committees:

PPC takes responsibility for compensation, site clearance, resettlement within province. PPC is responsible for:

- Informing or giving DPCs a mandate to inform about land acquisition after sub-project location selected.
- Giving decision on land acquisition of organizations.
- Approving the RAPs of the subproject.
- Approving overall plan of compensation.
- Directing DPCs to implement compensation, resettlement, and site clearance.
- Providing adequate funds for compensation in a timely manner.
- In special case that the compensation plan has to be approved by the provincial authority, the competent agencies establish provincial Appraisal board for assessment of compensation submitted by the Resettlement, support and resettlement Board of the district to advise the provincial authority approval in accordance with the provisions of the Government on compensation, support and resettlement and relocation policies which are applied for project

Provincial compensation board: Because of insignificant impacts' scope and level, it is not necessary to establish Provincial compensation board .

8.2. Provincial Project Management Unit (PMU Hoa Binh)

Provincial Project Management Unit (PPMU) is responsible for implementing civil works components of the project: PPMUs will manage compensation and site clearance of their respective sub-projects, encompassing

- Prepare and update RAP.
- Submitting updated sub-project RAP prepared in the project implementation period to the authorized PC before making compensation payment.
- Co-operating closely with Departments, agencies, sectors, and the project DPCs in implementing resettlement and site clearance to ensure that the implementation of compensation and resettlement is in line with the construction schedules.
- Monitoring internally implementation of compensation and resettlement of the sub-projects, preparing quarterly reports on implementation progress of compensation and resettlement of the sub-projects to CPO.

8.3. District Level (Lac Thuy District People's Committee):

District People's Committees (DPCs) are responsible for:

- DPCs directly guide DRCs, District Land Development Centers and PCs of affected communes to implement the compensation, resettlement and resettlement.
- Approving compensation, support and resettlement plans submitted by DRCs (District Resettlement Committee).
- Issuing decision on land acquisition from individuals and households.
- Settling complaints and grievances of the APs within jurisdiction.

The implementation units of compensation, support and resettlement at district level bear responsibility for compensation, site clearance for works located in their respective district, encompassing:

- Conducting replacement cost surveys in their districts to establish the basis for calculation of compensation rates for affected assets.
- Co-operating with the CPCs to disseminate information and consult project affected households.
- Carrying out inventory of affected assets of HHs, preparing compensation plans to submit to the authorized PC for approval.
- Co-operating with PPMUs and CPCs of affected communes to implement compensation and site clearance.
- Responding to APs' queries and advising DPCs in redressing grievances raised by affected persons.

-

8.4. Commune and the affected community

An Binh Commune People's Committees (CPCs) are responsible for:

- Providing cadastral maps for Resettlement Committees and mobilizing their staff to be members of DMS teams.
- Co-ordinating with DRCs in delivering information and organizing community consultations.
- Redressing APs' queries relating to inventory of their assets.
- Facilitating and assisting APs in restoring their livelihoods, income, and stabilizing their lives.

8.5. Community Level

Affected communes appoint their representatives participating in DMS teams to monitor the implementation process and sign in DMS (detailed measurement survey) minutes of affected households.

8.6. The implementation steps

Compensation and resettlement orders and procedures are based on Decree no.47/2014/NĐ-CP dated May 15, 2014, Circular no. 14/2009/TT-BTNMT dated October 01, 2009 of Ministry of Natural Resources and Environment.

Decision No.24/2014/QĐ-UB of Hoa Binh PPC dated September 25, 2014 promulgating regulations on compensation, assistance and resettlement when the State recovers land in Hoa

Binh province;

Based on above-mentioned legal bases, organization structures and coordination among concerning agencies, basic compensation and resettlement activities will be implemented following below steps:

Step 1: Location introduction and announcement of land acquisition

Determination and announcement of land acquisition policy are based on appraisal document of land use demand of Department of Natural Resources and Environment submitting to Hoa Binh PPC for approval and issuing announcement of land acquisition (including the reason of land acquisition, area and location of acquired land based on available cadastral dossier or in the detailed construction plan which was approved; assign responsibility to People's Committee of district and commune to announce land acquisition, steering compensation, support and resettlement; district People's Committee is responsible for inventory, developing compensation plan). City PC is responsible for steering and widely spreading land acquisition policy, regulations on land acquisition, compensation, allowance and resettlement when the land is acquired by the State for purposes of national defense, national interests, public utilities and economic development.

Commune PCs are responsible for openly posting land acquisition policy at headquarter of commune PCs and at residential activities zone where there is acquired land, and announcing publicly on commune radio stations (at place speaker system is available).

Step 2: Preparation of cadastral documents for acquired land

According to documents on land acquisition policy of PPC, Department of Natural Resources and Environment instruct Land use right registration offices of same level to prepare cadastral documents.

Adjust cadastral map suitably to the current status and abstract of cadastral map for places with official cadastral maps or abstract of cadastral map for places without official cadastral maps;

Correct and make copy of cadastral documents (cadastral books) to submit to DRC;

Make a list of acquire land lots with following contents: map identification mark, lot identification mark, name of land user, area of lot with the same use purpose, land use purpose

Step 3: Prepare, appraise and approve general plan on compensation, assistance and resettlement

Project owner steers consultant units to make overall plan of compensation, support and resettlement (here in called general plan) based on current data and documents supplied by Department of National Resources and Environment, which is appraised and approved with approval of project investor. The general plan has the following main contents:

- a. Basis for plan preparation;
- b. Synthetic statistics on area of all land types, agricultural land levels, number of map pages, number of plots; estimated value of assets on land ;

- c. Synthetic statistics on number of households, people, labourers in acquired land area, in which clearly specify number of job-changed labourers, number of DPs;
- d. Estimation of compensation, assistance rate; estimated location, area of resettlement site or resettlement house and modes of resettlement;
- e. Estimation of supporting measures to resolve employment and training plan for job changes;
- f. List of works, scope of governmental works, organizations of religious bases, DPs community and estimation of location to displace;
- g. Number of displaced graves and estimation of location to displace;
- h. Cost estimation to realize the plan;
- i. Financial source to realize the plan;
- j. Plan implementation progress.

Step 4: Making landmarks for site clearance.

After general plan is approved, The project owner based on the basic design for conducting boundary markers of site clearance, handed over to the organizations that are responsible for compensation, management to implement the next stages of site clearance. During the establishment, approved engineering design (or design of construction drawings) if there is an adjustment of the scope of land acquisition, project owner collaborates with organizations to compensate promptly and notify accurately immediately the local contents of the adjustment

Step 5: Develop compensation, support and resettlement plan.

1. Site inspection, inventory.

Based on land acquisition announcement, site clearance boundary of project, the organization who is responsible for compensation will make a minutes of specific inventory for each case of land acquisition(called inventory minutes of the compensation); the minutes has to perform clearly the following contents : name, place of permanent accommodation, temporary accommodation, number of family's member, number of employees, the people in case of social policies (if any); area and location of acquired land; number of trees, livestock , characteristics of assets, building and construction attached land.

2. Determine origion of acquired land.

Compensation organization collaborates with Division of Land use register, People's Committee of district and ward , cadastral dossier, cadastral map and other documents related to land use right, determination of legal land users.

3. Develop compensation, support plan.

Pursuant to inventory minutes of compensation volume, origion of acquired land, unit prive and compensation policies. The compensation organization develops compensation, support and resettlement with the following contents:

- Name and address of the households who are acquired with land ;
- Area, type of land, location, origion of acquired land ;
- The basis for calculating the amount of compensation, support such as the land value for compensation, the price of houses and property for compensation, number of

household's members, number of employees, number of people are entitled to social assistance

- Amount of compensation, support ;
- Arrangement of resettlement ;
- Replacement construction of state, organizations, religion and residential community;
- Displacement of graves.

4. Collect comments of compensation, support and resettlement plan:

- Post publicly compensation, support and resettlement plan at headquarter of Commune People's Committee and residential area where land is acquired and the relevant people can provide their opinions;
- Posting compensation, support and resettlement plan must be confirmed by People's Committee of commune, representative of Commune Fatherland front committee, representatives of households who are acquired with land;
- Time of posting plan and receiving comments is at least twenty days,.

5. Complete compensation, support and resettlement plan:

- When time of posting plan and receiving comments is over, the compensation, site clearance organization is responsible for summarizing the comments in writing, performing clearly number of agree or disagree opinions, number of other opinions on compensation, support and resettlement plan; the plan should be completed and sent the completed plan attached with summary of comments to Natural Resources and Environment Agency for approval.
- In case that there are a lot of disagree opinions on compensation, support and resettlement plan, the compensation organization need to explain clearly or consider, adjust before appraising by Natural Resources and Environment agency.

Step 6: Submit and appraise compensation, support plan

Division of Natural Resources and Environment is responsible for chairing, coordinating with the relevant district divisions in appraising compensation, support plan; the plan should be submitted to district People's Committee for approval as regulation.

Step 7: Handle complaints for land acquisition decision

- Based on the land acquisition announcement and compensation, support and resettlement plan developed and approved by competent agencies. District People's Committee make a decision of land acquisition for affected households, individual, community.
- During acquiring land, if there are complaints of local people, People's Committee of commune is responsible for collecting complaints and grievances and then submitting to competent agencies for considering.

When there is no decision on claim settlement, land acquisition will be still in progress. In case competent agencies settling complaints conclude that the land acquisition is illegal, the implementation of land acquisition shall be obligatory to stop; governmental agencies that issued the land acquisition decision shall make decision on cancellation of that land acquisition decision and compensate for losses (if any) caused by land acquisition decision. In

case competent agencies settling complaints conclude that the land acquisition is legal, the owners of acquired land have to comply with the land acquisition decision.

Step 8: Publish compensation, assistance and resettlement plan.

- District People's Committee approves compensation, support and resettlement plan as regulations.
- in time of three (03) days, from the day of receiving the approved compensation, support and resettlement plan, the compensation, site clearance organization is responsible for collaborating with People's Committee of commune to disseminate and post publicly approved decision of compensation, support and resettlement plan at headquarter of People's Committee of commune and at the residential area where land is acquired; The decision of compensation, support and resettlement should be sent to the people who are acquired with land, performing clearly the level of compensation, support and resettlement (if any), time and location of compensation, support payment and handover time of acquired land to the compensation, site clearance organization.

Step 9: Implement payment of compensation, assistance and resettlement

Compensation, support and resettlement board carries out payment after the approved decision of compensation, support and resettlement plan is available.

Step 10: Site handover and land acquisition

In time of twenty (20) days, from the day the compensation, site clearance organization pays completely compensation, support money for the people who are acquired with land according to the approved plan, then they have to handover land to the compensation, site clearance organization.

9. COST AND BUDGET

9.1. Source of Budget

All expenses of land acquisition, compensation and resettlement for affected land and assets on land of the sub-project “Rehabilitation and Improvement of Dam for Dai Thang Reservoir” are allocated from Hoa Binh Province’s corresponding budget and Government of Vietnam.

9.2. Compensation at replacement cost

Resettlement consultant will conduct a survey for market rates in order to establish replacement cost in An Binh commune belonged to sub-project area during February 2015. The replacement cost study shall be performed as following principles: (i) Production land (including agricultural land, forestry land, other annual crops land); (ii) Subsidiaries and other crops on agricultural land, annual crops land and will be determined equal to market rates at the time survey; and (iii) Timber and fruit trees shall be compensated equal to current market price depending on type, diameter, age, m²/canopy or one-cropping season productivity at the time of compensation.

Resettlement consultant carries out survey on prices by: (i) studying levels of average revenue of agricultural sector (incomes generated from land) at the locality; (ii) interviewing and investigating DPs as well as unaffected people; and (iii) observing and surveying in residential areas, etc. therefore proposes replacement rates for the sub-project.

Compensation unit price will be determined according to province’s unit price, and replacement rates determined based on market rates at the time of preparation of the RP. Compensation prices are based on results of survey on market values for the establishment of replacement rates and methods of updating unit price at the time of price variation. The unit price will be approved by PPC for the sub-project.

Currently, policies on prices for compensation, assistance for land, trees, crops as well as structures and houses... of Hoa Binh PPC promulgating for certain period are updated continuously by functional bodies in the province such as Department of Finance, Department of Natural Resources and Environment, Department of Construction and all levels of local authorities. Consultant has made comparison of surveyed market rates with compensation unit specified in province’s decisions, documents and guidance over recent years.

Cost calculated before relocation of affected properties, no tax reduction, and implementation cost following types:

- (i) For production land: based on market values equal to most recent selling value, and if no selling value is in existence, and if no recent selling value, it shall base on production values;
- (ii) Annual crops equal to the highest yield over the recent three year multiplies with current market rate at the time of compensation;
- (iii) Timbers, based on diameter, height, age are equal to present market rates.

Prices promulgated by Hoa Binh PPC for valuation of compensation, structures, trees

and crops according to the Decision No. 37/2014/QD-UBND dated December 25, 2014 on the promulgation of price table of land types in the period of 2015-2019 over Hoa Binh province and the Decision No. 25/2014/QDUB on the promulgation of “set of compensation prices for assets in case of land acquisition by the State” over Hoa Binh province. The assessment of replacement cost was done to compare the unit prices of these decisions with market rates.

According to the replacement cost survey, the prices issued by Hoa Binh PPC are not much significantly different with market prices for affected assets. Prices applied for land types by Hoa Binh PPC are also little different with market rates.

Table 29. Compensation prices for residential land, agricultural and forestry land

Unit: VND/m²

No.	Land type	Decision No.37/2014/QD-UBND	Surveyed prices	Proposed prices
1	Residential land	200,000	500,000	500,000
2	Agricultural land	55,000	N/A	55,000
3	Forestry land	8,000	6,000-7,000	8,000

In general, prices of Hoa Binh PPC determining structures constructed on residential land; trees and crops are reflected equally to market values. For cropping plants and crops, actually prices are higher than the prices collected from selling households. In several cases, price of timber collected during the survey in the sub-project area is lower than prices promulgated by Hoa Binh PPC which are proposed in the following table:

Table 30. Compensation prices for structures

No.	Grade/Type	Unit	Decision No.25/2014/QD-UBND	Surveyed prices	Proposed prices
1	One-storey house with compressed brick 150, wood beam, phibro-cement roof, timber door, enameled tile floor	VND/m ²	1.462.000	2.000.000	2.000.000
2	Fence by compressed brick, no mortar coating, 2.5m height, with foundation	VND/m ²	1.142.000	800.000	1.142.000
3	Cemented floor 75#, no coloring 3cm	VND/m ²	40.100	40.000	40.100
4	Drilled well, brick 100 depth of 8m, diameter 1200	unit	4.969.200	7.000.000	7.000.000
5	Phibro-cement roof	VND/m ²	103.803	N/A	103.803

Table 31. Compensation prices of crops and trees

No.	Type	Unit	Decision No.25/2014/ QD-UBND	Surveyed prices	Proposed prices
1	Annual crops				
	Wet rice	VND/m ²	4,400	N/A	Applying PPC prices
	Maize	VND/m ²	4,000		
	Peanut	VND/m ²	4,000		
	Sugarcane	VND/m ²	39,000		

No.	Type	Unit	Decision No.25/2014/ QD-UBND	Surveyed prices	Proposed prices
2	Bonsai				
	<i>Barringtonia acutangula</i>	Tree	326,500	500,000	500,000
3	Timber				
	Acacia	Tree	35,000	35,000	38,000

9.3. Resettlement cost

Table below summaries resettlement costs of the sub-project, including: (i) compensation cost for land acquired, (ii) compensation cost for structures, houses, crops and trees.

Table 32. Summary of resettlement cost

No.	Type of impact	Unit	Quantity	Unit price (VND)	Total cost (VND)
I	Land				866,669,000
1	Residential land	m ²	500	200,000	100,000,000
2	Rice field land	m ²	9,060	55,000	498,316,500
3	Other annual crops land	m ²	5,875	45,000	264,352,500
4	Forestry land	m ²	500	8,000	4,000,000
II	Structures				294,064,090
1	One-storey house with compressed brick 150, wood beam, phibro-cement roof, timber door, enameled tile floor	VND/m ²	100	2,000,000	200,000,000
2	Fence by compressed brick, no mortar coating, 2.5m height, with foundation	VND/m ²	70	1,142,000	79,940,000
3	Cemented floor 75#, no coloring 3cm	VND/m ²	100	40,100	4,010,000
4	Drilled well, brick 100 depth of 8m, diameter 1200	unit	1	7,000,000	7,000,000
5	Phibro-cement roof	VND/m ²	30	103,803	3,114,090
III	Crops and trees				112,381,200
1	Annual crops				106,441,200
	Wet rice	m ²	12,578	4,400	55,343,200
	Maize	m ²	3,840	4,000	15,360,000
	Peanut	m ²	920	4,000	3,680,000
	Sugarcane	m	822	39,000	32,058,000
2	Bonsai				1,000,000
	<i>Barringtonia acutangula</i>	Tree	2	500,000	1,000,000
2	Timber				4,940,000
	Acacia	Tree	130	38,000	4,940,000

No.	Type of impact	Unit	Quantity	Unit price (VND)	Total cost (VND)
	Total				1,273,114,290

9.4. Support cost and administrative cost

The cost for support is based on Decisions of the Government of Vietnam, the Decision No.24/2014/QĐ-UBND of Hoa Binh PPC and WB policy.

Cost for compensation and assistance for affected paddy area during the close of dam gate, without water period will be determined by net income per affected land area during one single cropping season.

Supporting amount will cover expenses for job transition and job creation for households whose agricultural and forest land are acquired; expense for life stabilization for household who lost more than 20% of their production land area.

Support cost includes support for career conversion and job creation for DPs whose agricultural land and forestry land are acquired, cost for life stabilization for DPs who lose 20% or more of production land and partial support for the land area without water when constructing the rehabilitation of dam with the rate of VND500/m².

Table 33. Summary of support cost and administrative cost

No.	Support cost and admin cost	Unit	Quantity	Price unit (VND)	Total (VND)
I	Support cost				2,399,273,250
1	Career conversion and job creation				2,357,693,250
-	Agricultural land	time	3	498,316,500	1,494,949,500
-	Other annual crops	Time	2.5	323,097,500	807,743,750
-	Forestry land	Time	2	27,500,000	55,000,000
2	Support for life stabilization for DPs who lose 20% or more production land				41,580,000
-	Cost for support	Per.	21	1,980,000	41,580,000
II	Support for the agricultural land affected by interruption of water during dam rehabilitation	ha	57.13	14,300,000	816,959,000
III	Admin cost	%	2	4,489,346,540	89,786,931
IV	Contingency	%	15	4,579,133,471	686,870,021
	Total				3,992,889,201

9.5. Total cost and budget estimation

Total cost includes (1) Resettlement cost; (2) Support cost for career conversion and job creation, cost for implementation of compensation, resettlement and assistance, support cost for without-water land during dam rehabilitation; and (3) Contingency which is summarized

in the below table:

Table 34. Total estimated cost for compensation, resettlement and assistance

No.	Type	Amount (VND)
1	Compensation cost	1,273,114,290
2	Support cost for career conversion and job creation, life stabilization, cost for implementation arrangement	3,306,019,181
3	Contingency	686,870,021
	Grand total	5,266,003,491

Total amount estimated is **VND 5,266,003,000** (*Five billion two hundred and sixty six million and three thousand Vietnamese dong*) equal to **USD243,796**. In which compensation cost is **VND1,273,114,000** equal to **USD58,940**.

10. IMPLEMENTATION SCHEDULE

10.1. Update RAP

There is no data of DMS at this time. After carrying out DMS, the detailed inventory data in line with detailed technical design will be updated in RAP. Compensation plan will be developed by the local based on RAP in order to update price of compensation for land, assets and other supports.

This RAP will be updated (prior to implementation) to a) reflect the results of the census survey/consultations with affected households on temporary impact on local households due to water cut, and b) propose detailed compensation package for households with affected crops/business, or with other types of social impact – as identified during the census survey/consultation when the rehabilitation measures are worked out in more details, and the temporary impact on people’s agricultural activities/livelihoods becomes clearer.

This report will be submit to CPO and World Bank and approved before paying compensation. Publish the draft RAP and final RAP in line with OP 17.50 of WB on publishment of document of project to the affected community and at the Infoshop of WB. The draft of RAP will be disclosed to the affected people before approving by WB. The final RAP will be disclosed after approving.

10.2. Implementation schedule

The preparation and implementation schedule of the RP is presented in the table below.

Table 35. Preparation and Implementation Schedule of the RP

<i>Activities</i>	<i>Agencies take responsibility</i>	<i>Implementaion schedule</i>
Preparation		
Approving the document of social safety policies of project and subproject’s RAP	World Band and Government	2 nd Quarter/ 2015
Uploading on website of MARD, CPO, Province People’s Committee and Vietnam Development Information Center (VDIC) the social safety policies of project and subproject’s RAP	CPO	3 rd Quarter/ 2015
Training to enhance capacity for project’s staffs and district compensation boards	CPO and resettlement consultant	2 nd Quarter/ 2015
Selecting independent monitoring unit	CPO	3 rd Quarter/ 2015
Updating RAP	Resettlement consultant	4 th Quarter/ 2015
Implementation of RAP		
Disaminiting project’s information to the affected people	District compensation board and People’s Committee of communes	3 rd Quarter/ 2015
Measuring affected asset and developing compensation plan	District compensation board and People’s Committee of communes	3 rd Quarter/ 2015
Compensation payment and site clearance	Province Project Management Unit, District	4 th Quarter/ 2015

	compensation board and People's Committee of communes	
Monthly internal resettlement monitoring and making quarterly report	Province Project Management Unit	3 rd Quarter/ 2015
6 month independent resettlement monitoring and making monitoring report	Independent monitoring unit	4 th Quarter/ 2015

11. MONITORING AND EVALUATION

11.1. Monitoring

Monitoring is a continuous process of evaluating the implementation of the project, related to the implementation schedule which has been agreed, on the use of inputs, infrastructure and projects service. Monitoring provides all stakeholders the constant reflection on the implementation. It identified the actual and potential success and difficulties arising as soon as possible, to facilitate timely correction in operation phase of project. Monitoring has two purposes:

- i) Monitor the activities of project whether it complete effectively or not, including quality, quantity and time.
- ii) Asset these activities whether they achieve the project's purposes and objectives or not, and how achievement level is.

The implementation agencies (Province/ local Project Management Unit) as well as the independent monitoring organizations hired by CPO to monitor, supervise regularly the implementation of RAP .

11.2. International monitoring

Internal monitoring of this RAP implementation is undertaken by the implementation agency with the assistance of the project consultants. The implementation unit will monitor preparation progress and implementation of resettlement via periodical progress report. The main contents of internal monitoring include the process monitoring:

- Compensation payment for affected households for the different types of damage pursuant to the compensation policies described in the resettlement plans
- Implementation of technical assistance, allowance payment and relocation support.
- Implementation of income recovery and entitlement to recovery support .
- Dissemination of information and consultation procedures.
- Monitoring of complaint procedures, existing problems that require the manageable attention.
- Prioritizing affected persons on the proposed selections.
- In coordination to complete RAP activities and award construction contract.

The executive agencies will collect information every month from the different resettlement committees. A database tracking the resettlement implementation of the Project will be maintained and updated monthly.

The executive agencies will submit internal monitoring reports on the RAP implementation as a part of the quarterly report. The reports should contain the following information:

- Number of affected persons according to types of effects and project components and the status of compensation, relocation and income recovery for each item.
- The distributed costs for the activities or for compensation payment and disbursed cost for each activity.
- List of outstanding complaints
- Final results on solving complaints and any outstanding issues that demand management agencies at all levels to solve.

- Arisen issues in the implementation process.
- RAP Schedule is actually updated.

11.3. Independent Monitoring

Objective. The general objectives of independent monitoring are to periodically supply independent monitoring and assessing results on the implementation of the resettlement objectives, on the changes of living standard and jobs, APs income and social foundation restoration, effectiveness, impacts and sustainability of APs' entitlements, and on the necessity of mitigation measures (if any) in an attempt to bring about strategic lessons for making policy and planning in the future.

Responsible agencies. Based on the project scope of impact, the CPO will decide to hire a firm or individual consultant for the independent monitoring and evaluation of RAPs implementation. This is called the Independent Monitoring Consultant (IMC) specializing in social science and has experiences in independent monitoring of RAP. The IMC should start their work as soon as the project implementation commences.

Objectives of monitoring and evaluation. The following indicators will be monitored and evaluated by the IMC, including but not limited to activities below:

Payment of compensation will be as follows: a) full payment to be made to all affected persons sufficiently before land acquisition; (b) adequacy of payment to replace affected assets.

Provision of assistance for APs who have to rebuild their houses on their remaining land, or building their houses in new places as arranged by the project, or on newly assigned plots.

Support for recovering income source.

Community consultation and public dissemination of compensation policy: (a) APs should be fully informed and consulted about land acquisition, leasing and relocation activities; (b) the IMC should attend at least one community consultation meeting to monitor community consultation procedures, problems and issues that arise during the meetings, and propose solutions; (c) public awareness of the compensation policy and entitlements will be assessed among the APs; and (d) assessment of awareness of various options available to APs as provided for in the RAPs.

Affected persons should be monitored regarding restoration of productive activities.

APs' satisfaction on various aspects of the RAP will be monitored and recorded. Operation of the complaint mechanism and speed of complaint settlement will be monitored.

Through the implementation, trends on living standards will be observed and surveyed. Any potential issues arising in the restoration of living standards are reported and suitable measures will be proposed to ensure the project objectives.

11.4. Independent monitoring method

A. Data storage

The Independent Monitoring Consultant (IMC) will maintain data base of resettlement monitoring information. This data base contains monitoring results, including monitored households and is updated in the next data collecting times. The implementation agencies could contact with data base which are compiled by PMU and Project owner.

B. Report

The IMC has to submit periodical report 6 months/ times and state the findings which are appeared during un monitoring process. These monitoring reports will be submitted toCPO, and then CPO will submit reports to Project owner in form of annexes of progress reports. The report includes (i) implementation progress report of RAP, (ii) the differences, if any, with regulations and principles of RAP, (iii) identification of the pending issues and proposal measures; the implementation agencies are informed about current situation and dealing with the difficlites timely and (iv) a report of difficulties' situation and the issues are identified in the previous report

C.The next monitoring report

The monitoring reports will be discussed in the meeting between the IMC and PMUs. The PMUs will these meetings after receiving these report. The next activities will be conducted based on the difficulties and problems which are indentified in report and discussion results of relevant parties.

D. The final assessment report

Actually, this is an assessment at the time of regulating resettlement activities and achievement of objectives. The independent monitoring will carry out an assessment of resettlement process and impacst 6 – 12 months after completion of resettlement activities. The used assessment questions system is based on data base of project data base system and the sample questions which were used in monitoring activities.

Finally, the summary table of resettlement assessment in the Project Completion Report (PCR) is developed before finishing project. The assessment issue contains the evaluation of project's impacts (number of the affected households, the problems which have not been reso;ved due to land acquisition and information provision in case that livelihood recovery of the affected people are equal to the pre – project level .

The RAP will be considered to not finish ubtil the final assessment and audit claim that the affected households receive fully compensation, support and recovery process of livelihood will be implemented on schedule.

Monitoring is a continuous process of evaluating the implementation of the project, related to the implementation schedule which has been agreed on the use of inputs, infrastructure and service projects. Monitoring provides all stakeholders with feedback on the implementation. It identifies the actual and potential suces and difficulties which are likely arised, to facilitate timely correction in project activities phase

There are two objectives of project:

- i) Assessing the activities of project whether they are completed effectively or not, including quality, quantily and time.
- ii) Assessing these activities whether they would achieve the proposed objectives and goals of project or not, and how level of achievement is .

The implementation unit (Provincial Project Management Unit) and the IMC hired by CPO will monitor, supervise periodically the implementation of RAP.

13. APPENDIX

Appendix 1 Forms of SES - IOL

Appendix 2 LIST OF DPs

No.	Name	Sex		Note
		Male	Female	
1	Tran Van Hoc	1		
2	Dinh Quang Khanh	1		
3	Dinh Ngoc Lom	1		Affected more than 20% of total agricultural land
4	Dinh Duc Duong	1		Affected more than 20% of total agricultural land
5	Tran Van Luong	1		
6	Dinh Ngoc Kien	1		Poor household and affected more than 20% of total agricultural land
7	Tran Van Khuyen	1		Affected more than 20% of total agricultural land
8	Dinh Ngoc Hanh	1		
9	Dinh Van Thuyet	1		Affected more than 20% of total agricultural land
10	Tran Van Sinh	1		Affected more than 20% of total agricultural land
11	Tran Duc Van	1		
12	Dinh Van Thuy	1		

Appendix 2

AFFECTED LAND AREA OF HHS

No	Name of HHS	No. of people in HH	Residential land		Rice land		Annual crops		Forestry land	
			Permanent affected	Temporary affected	Permanent affected	Temporary affected	Permanent affected	Temporary affected	Permanent affected	Temporary affected
1	Tran Van Sinh	3			350		933	834	300	
2	Tran Duc Van	4				254				
3	Dinh Van Thuy	4				1.190		2.160		
4	Tran Van Hoc	4			174		767,1			
5	Dinh Quang Khanh	2					435,4		200	
6	Dinh Ngoc Lom	3			730,5		920,2			
7	Dinh Duc Duong	2	500		803,2					
8	Tran Van Luong	5			716		185,6			
9	Dinh Ngoc Kien	5			2.211,7		1.751,5			
10	Tran Van Khuyen	6			1.687,2		443,9			
11	Dinh Ngoc Hanh	3			855,6		437,8			
12	Dinh Van Thuyet	4			1.532,1					
	Total	45	500	0	9.060,3	1.444	5.874,5	2.994	500	0

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