

**QUANG NINH PROVINCIAL PEOPLE’S COMMITTEE  
DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMEN**



**DAM REHABILITATION AND SAFETY IMPROVEMENT  
PROJECT- WB8**

**ABBREVIATED RESETTLEMENT  
ACTION PLAN (A-RAP)**

**SUBPROJECT: REPAIR AND UPGRADING KHE CHE  
RESERVOIR CLUSTER, QUANG NINH PROVINCE**

**THE REPRESENTATIVE OF                      THE REPRESENTATIVE OF  
PROJECT OWNER THE CONSULTANT**

*Quang Ninh, 05/2015*

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## **Abbreviations**

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
ICMB2	Irrigation and Drainage Construction Management 2
LAR	Land Acquisition and Resettlement
LURC	Land Use Right Certificate
MOF	Ministry of Finance
MOLISA	Ministry of Labors – Invalids and Social Affairs
NGO	Non-government Organization
OP	Operating Policy
PAD	Project Appraisal Documents
PPC	Provincial People's Committee
PRA	Participatory Rapid Assessment
RAP	Resettlement Action Plan
RPF	Resettlement Policy Framework
TOR	Terms of Reference
USD	United States Dollar
VND	Vietnamese Dong
WB	World Bank

## **Definition of terms**

Project impacts	Any impacts relating directly to land acquisition or limit using legal areas or protected areas
Affected persons	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.
Cut-off-date	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 will done before the cut-off date is announced to establish a list of potential affected households.
Eligibility	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.
Replacement cost	<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</p>

	<p>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>
Resettlement	<p>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.</p>
Entitlements	<p>Include compensation and assistance for APs based on the type and extent of damage.</p>
Inventory of Losses (IOL)	<p>Is process of accounting for physical assets and income affected by project.</p>
Socio - Economic Baseline Survey (BLS)	<p>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.</p>
Vulnerable groups	<p>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.</p>
Livelihood	<p>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</p>
Income restoration	<p>Re-establishment of sources of income and livelihoods of the affected households.</p>
Stakeholders	<p>Any and all individuals, groups, organizations, and institutions interested in and potentially affected by a project or having the ability to influence a project.</p>

## **Executive Summary**

This Abbreviated Resettlement Action Plan (A-RAP) is prepared for the “Dam Rehabilitation and Safety Project (DRaSIP)”- Repair and Upgrading Khe Che Reservoir Cluster, Quang Ninh province (herein after referred to as “the Subproject”) funded by the World Bank. The A-RAP is prepared based on the project RPF, the census and the inventory of project impacts and community consultation in March 2015. The A-RAP mainly presents the project impacts on land acquisition; the criteria, eligibility for compensation of land and assets affected by the subproject, organization arrangement, implementation plan, cost estimate, monitoring and assessment, consultation, participation and grievance redress mechanism.

The sub-project will directly affect An Sinh commune, Dong Trieu district, Quang Ninh province. The acquired areas are: (1) permanently acquires 4,000m<sup>2</sup> land of forest trees of Dong Trieu Plantation One Member Co., Ltd (2) temporary acquisition of 1,000m<sup>2</sup> public land managed by the Commune People’s Committee to serve the construction purpose. According to the level of land acquisition mentioned above, no households are affected by the construction of the Sub-project, either land or non-land assets. There is no ethnic minorities to be affected by Khe Che Reservoir Subproject, Quang Ninh province.

The mitigation measures and compensation to impacts of the project land acquisition are made to ensure that the Sub-project, including the upgraded items and the newly-built items, will be built on bare land (without land acquisition) or on less valuable agricultural land for the purpose of minimizing impacts on the local population.

The impacts, compensation and assistance plans mentioned above are calculated based on the resettlement policy framework of the project and the consultation meetings to the affected people to be able to gather all comments, feedback and suggestions from the affected people in the process of preparing the Abbreviated Resettlement Action Plan to submit the ICMB2 for review and thereby to incorporate them into the Abbreviated Resettlement Action Plan report. Accordingly, the estimated cost of compensation and assistance of the Subproject is VND 514,250,000 equivalent to US\$ 24,448.

The land acquisition activities are the responsibility of the PMU for Khe Che Reservoir Subproject, Quang Ninh province and the District Compensation and Support Committee. As planned, it will be started after the Abbreviated Resettlement Action Plan report to be updated is approved by the World Bank and the PPC, scheduled in Quarter 2/2016. In the first stage, the grievance redress mechanism will be prepared to resolve complaints of affected people, which will be solved based on the Resettlement Policy Framework and the Abbreviated Resettlement Action Plan. During the implementation, the Project will conduct internal/external monitoring to achieve all the objectives set out in the Abbreviated Resettlement Action Plan.

*Quang Ninh, May 2015*

## **I. OVERVIEW**

### ***1. The Dam Rehabilitation and Safety Project (DRaSIP)***

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 750 dams 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.

However, this infrastructure platform has resulted in a number of inherent challenges. Many of the medium and small-size reservoirs were built in the 1960s-1980s with limited technical investigations, inadequate design, and poor quality construction. These issues have been compounded by limited operations and deferred maintenance. As a result, many of these dams have deteriorated and the safety is below accepted international safety standards, presenting a substantial risk to human safety and economic security. The deterioration of these dams, coupled with the increased risk and uncertainty resulting from hydrological variability due to climate change and rapid upstream development, has placed many reservoirs at risk. The risks are wide spreading, resulting from inadequate cross section e.g. too thin to be stable, through subsidence of the main structure, seepage through main and/or auxiliary dam and around the intake structure, deformation of up/downstream slope, spillway malfunction, and inadequate and ineffective use of safety monitoring devices. Failure to secure the operational safety of the existing network and strengthen the capacity for further development has the potential to undermine Vietnam's economic gains.

Recognizing the importance of securing the foundations for sustained and secure economic growth, the Government first launched a sectoral program focused on dam safety in 2003. The proposed Vietnam: Dam Rehabilitation and Safety Improvement Project with possible the World Bank financing will support the Government of Vietnam's Dam Safety Program. This will be achieved by supporting both the structural safety of the dams and reservoirs themselves, along with the operational safety required to safeguard the populations at risk and downstream socio-economic infrastructure. This is directly aligned with the Government definition of dam safety outlined in Decree 72. The project will also support Government to ensure a more holistic, basin level integrated development planning to improve institutional coordination, future development and operational safety.

The Government has requested the WB to support the Project called as Dam Rehabilitation and Safety Improvement Project (DRaSIP) in order to improve and strengthen the dams at 31 provinces.... The project aims at providing support for the implementation of National Safety Dam Program through improving and reinforcing safety dams and reservoirs as well as protecting assets of the communities living at the downstream of dams and reservoirs.

The Project has four components:

#### **Component 1: Dam Safety Rehabilitation (US\$400 million)**

This component will improve the dam safety through physical rehabilitation of existing infrastructure. This will include two different approaches required for the rehabilitation of large/medium and small, community-managed dams. The difference between the two



approaches relates not only to the types of works and the regulatory framework, but also the institutional and implementation arrangements required to undertake such works and ensure their sustainable operation and maintenance. This would include support to (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; and (iv) adoption of standardized checklist for community-managed dams.

**Component 2: Dam Safety Management and Planning (US\$90 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 between irrigation and hydropower reservoirs; (iii) regulatory and institutional support and strengthening on coordination mechanism including national dam policy on registration, regulation, inspection, safety compliance and penalties; (iv) technical specifications, safety standards and regulations to internationally-accepted levels; and (v) capacity enhancement, basin-wide integrated dam reservoir operation plans, emergency preparedness plan including dam break analysis, downstream flood mapping and benchmarking, awareness raising and evacuation drills for local communities living downstream.

**Component 3: Project Management Support (US\$10 million)**

This component will provide the necessary enabling environment to support the project implementation. This will include the followingsupports: (i) the Project Steering Committee composed of MARD, MOIT and MONRE to coordinate all project interventions; (ii) Project Management Unit (PMU) within MARD to provide the necessary support services for timely and effective project implementation, including monitoring & evaluation, procurement, financial management, safeguard monitoring, etc.; (iii) Technical Assistance for beneficiary departments within MoIT and MoNRE to provide the necessary support services for timely and effective project implementation; (iv) Establishment and operations of a National Dam Safety Review Panel; (v) Independent audits of prioritized dams before and after rehabilitation; and (vi) Incremental operating costs for project related activities.

**Component 4: Disaster Contingency (US\$ 0 million - no fixed allocation, but not to exceed 20% of the total project cost)**

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. This component would allow expenditures to be made in accordance with the rapid response procedures of OP/BP 10.00 subject to the list of positive goods and services to be defined during project development. Such a component is not a substitution for insurance, and does not remove the need for construction covering dams included under the project. A generic positive list may be combined with a list of excluded goods that could trigger safeguard



policies. This is intended to help ensure sufficient liquidity in the case of an emergency by financing the government's overall response to the emergency and providing some measure of protection to Government's fiscal accounts.

## **2. Khe Che Reservoir Subproject – Quang Ninh province**

Quang Ninh province proposed the project namely ***“Repair and Upgrading Khe Che Reservoir Cluster, Quang Ninh province”***. This is one of the sub-projects selected for investment according to the criteria of the Dam Rehabilitation and Safety Improvement Project (DRaSIP/WB8).

### **The objectives of the Sub-project**

*Specific objectives of the Sub-project:* i) ensure the safety for Khe Che reservoir; ii) ensure safety, production and people's lives at downstream of Khe Che reservoir, including the communes: An Sinh, Tan Viet, Viet Dan; iii) ensure safety for reservoir and the water storage capacity for production of more than 1,000 hectares of agricultural land and raw water to more than 3,000 households; iv) consolidation of the dam, the road to the dam, overflowing bridge through channel, renovation of tower house, management house, promotion of Khe Che reservoir; v) Improving the environmental landscape, creating the infrastructure to serve the socio-economic development in the project area.

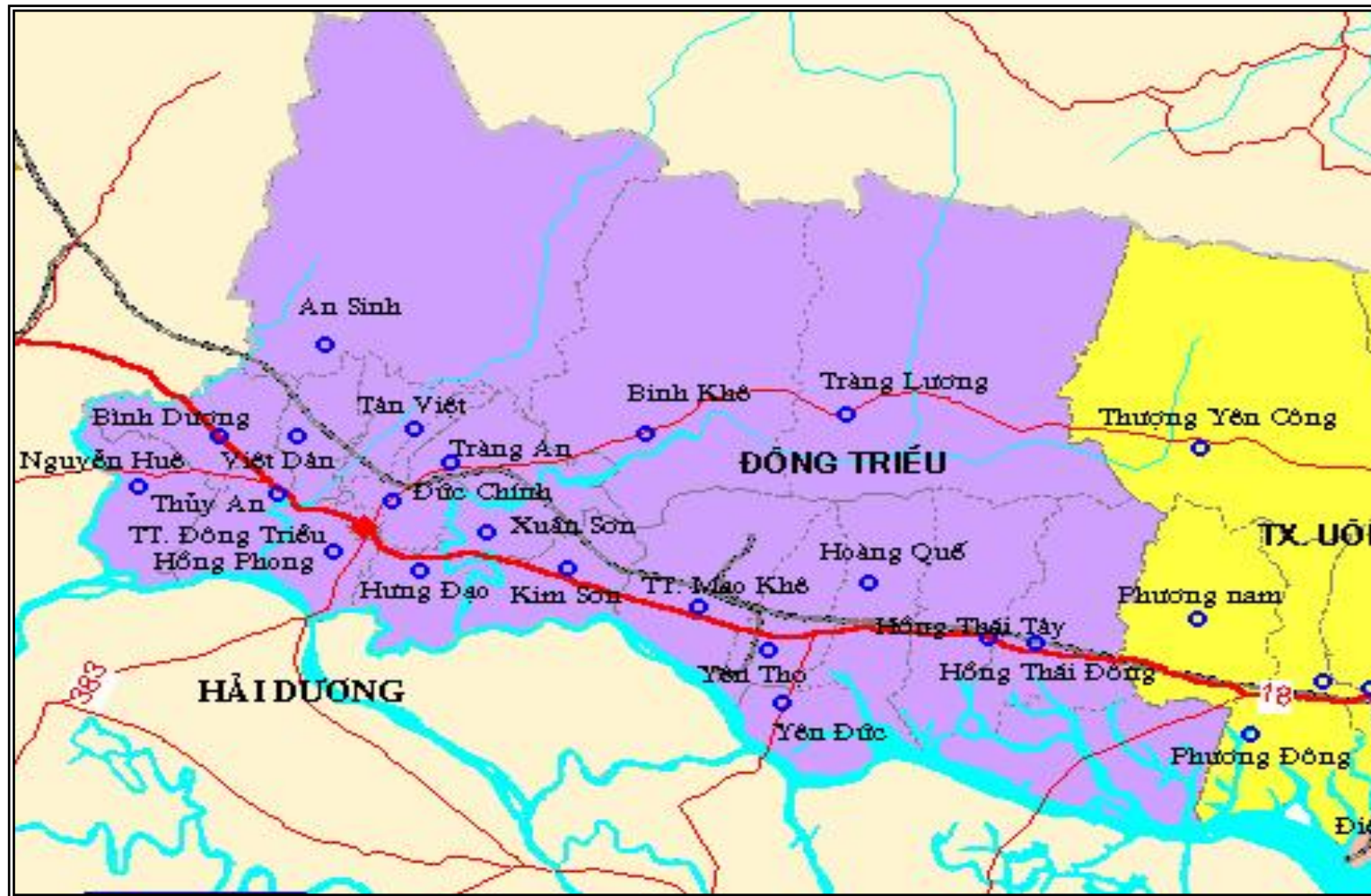
### **The Project Design**

- Upgrading and expanding the flood overflow and ensure the reservoir safety.
- Concrete, hardened road to the dam and the dam face.
- Adding, renewing overflowing bridge and bridges over the main channel.
- Adding, renewing the drainage system of the dam slope at downstream.

### **The Subproject location**

The works under the Sub-project in An Sinh commune, Dong Trieu district, Quang Ninh province are illustrated in the diagram below.

Figure 1: The Location Map of Khe Che Reservoir Subproject, Quang Ninh province



## **II. PROJECT IMPACTS ON LAND ACQUISITION**

### **1. Measures to minimize land acquisition**

The Repair and Upgrading Khe Che Reservoir Cluster Subproject, Quang Ninh province permanently acquires 4,000m<sup>2</sup> land of forest trees of Dong Trieu Plantation One Member Co., Ltd and temporarily acquires approximately 1,000 m<sup>2</sup> of land managed by the CPC for the construction. In the preparation phase of the project, the measures to minimize land acquisition by the Subproject owner with the support of the Consultant which makes investment report and the Consultant which makes RAP are taken. The discussions are conducted as follows:

- To minimize land acquisition, the dam must be repaired on old dam location. The new building items must be selected to ensure minimal land acquisition.
- Land used for construction activities is mainly exploited in place to minimize land acquisition, therefore, impacts of the Sub-project on the livelihoods of households are minimized and are not many.
- The storage of materials and construction in the implementation process require temporary land acquisition, therefore, the contractors will seek vacant land or less valuable agricultural land to minimize impact on local people.

Although there are measures to minimize land acquisition mentioned above, there are still 1000m<sup>2</sup> land which is temporarily occupied for building workers' camps and placing construction materials for the construction of the project and this land is under the management of the People's Committee.

### **2. The scope of the project impact**

As described in the technical design, the Sub-project will be designed and constructed in An Sinh commune, Dong Trieu district, Quang Ninh province.

According to the survey and the inventory of loss under the DRaSIP Project -Khe Che Reservoir Subproject and the involuntary resettlement policies mentioned in the Resettlement Policy Framework of the Project, the main characteristics of the land acquisition impact in An Sinh commune is defined as follows:

**Table 2: The statistics of households affected by the project (PAHs)**

<b>Main impacts</b>	<b>Unit</b>		<b>Affected quantity</b>
1. Affected households:	HHs	:	0
Demographics	People	:	0
In which:		:	
+ Households with affected garden	HHs	:	0
+ Households with affected agricultural land	HHs	:	0
+ Other land (under the CPC's management)	CPC	:	1 (CPC)
+ Households with affected houses	HHs	:	0
2. Permanently affected area		:	4,000m <sup>2</sup>
In which:		:	

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+ Garden land	m2	:	0 m2
+ Perennial land	M2	:	4,000 m <sup>2</sup>
+ Agricultural land	m2	:	0
+ Other land (public land for agricultural production)	m2	:	0
3. Temporarily affected area		:	1,000 m <sup>2</sup>
In which:		:	
+ Residential land	m2	:	0
+ Agricultural land	m2	:	0
+ Other land (public land)	m2	:	1,000 m <sup>2</sup>
4. Number of households whose houses / property are affected by the project	HHs	:	0
5. Number of households to be resettled	HHs	:	0
6. Number of households whose shops / business are lost	HHs	:	0
7. Number of households whose more than 20% of total agricultural land is affected (10% for poor and vulnerable groups)	HHs	:	0
8. Vulnerable groups	HHs	:	0

Source: the IOL Survey in March 2015

According to the classification, the locations of Khe Che reservoir cluster are described as follows:

**Table 3: The Project's impact on land acquisition to be categorized by locations**

Project locations	Temporarily affected area (m2)	Permanently affected area (m2)	Permanently affected public area (m2)
Khe Che reservoir (An Sinh commune, Dong Trieu district)	1,000	4,000	0
Total	1,000	4,000	0

In addition, the minimal impacts<sup>1</sup> to the land / asset acquisition of Khe Che Reservoir Sub-project are presented below:

**Affected land:**

- Garden land:
  - Number of affected households : 0 HHs
  - Affected area : 0 m<sup>2</sup>
- Productive land / Perennial land:
  - Number of affected households : 1 organization

<sup>1</sup>Impacts are considered minimum because the households affected by the Subproject shall not resettle and less than 20% of productive land / property is lost (10% for vulnerable groups).

- Affected area : 4,000 m<sup>2</sup>

***Affected trees***

- Number of affected households : 01 organization
- Affected trees : 3,500 acacia and 1,575 eucalyptus trees

The construction will not affect the production water supply served for community living in downstream of the dam.

### **III. PROJECT COMPENSATION POLICY AND ENTITLEMENTS**

#### **1. Vietnamese Laws on Land Acquisition and Resettlement**

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; valuate 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.

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- Decision No. 1956/2009/QĐ-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/QĐ-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.

The guidelines of Quang Ninh People's Committee for implementing the next steps and completing the A-RAP according to the current regulations will be basis for implementing the project compensation and site clearance. The policies of Quang Ninh province for the preparation of the A-RAP follow the legal documents:

- Decision No.1766/2014/QD-UBND dated 13 August 2009, regulating the compensation, assistance and resettlement when the State acquires land in Quang Ninh province.
- Decision No.3566/2013/QD-UBND dated 26 December 2013 on the promulgation of regulations on different land prices in 2014 applied in Quang Ninh province.
- And a number of documents relating to the compensation, support and resettlement in Quang Ninh province.

## **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:

- (a) Involuntary resettlement should be avoided where feasible, or minimized after exploring all viable alternatives in project design;
- (b) 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.
- (c) 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.

## **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 4: Comparison of Vietnam’s and World Bank’s Policies related to Involuntary Resettlement**

<i>Subjects</i>	<b>Bank’s OP 4.12</b>	<b>Government of Vietnam</b>	<b>Project Measures</b>
<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</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</i>	Only agricultural land used before July 1, 2004 is eligible for compensation. Other cases may be considered for assistance by	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

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<b>Subjects</b>	<b>Bank's OP 4.12</b>	<b>Government of Vietnam</b>	<b>Project Measures</b>
<i>legal right or claim to the land they are occupying</i>	<i>terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher)</i>	PPC if needed.	least, to pre-displacement levels.
<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.
<b>Compensation</b>			
<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.

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<b>Subjects</b>	<b>Bank’s OP 4.12</b>	<b>Government of Vietnam</b>	<b>Project Measures</b>
<i>Compensation for loss of income sources or means of livelihood</i>	<i>Loss of income sources should be compensated (whether or not the affected persons must move to another location)</i>	Assistance in respect of income loss is given only for registered businesses. Assistance measures to restore income sources are provided.	All income losses are to be compensated and, where necessary to achieve the 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

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<b>Subjects</b>	<b>Bank's OP 4.12</b>	<b>Government of Vietnam</b>	<b>Project Measures</b>
<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.
<b><i>Grievance redress mechanism</i></b>			
	<i>Grievance redress mechanism should be independent</i>	The same governmental body makes decisions on compensation and resettlement, and also handles grievances at the first step.  However, complainants can go to court at any steps as PAP wishes.	More effective Grievance and Redress mechanisms are to be established, built on the existing governmental system, with monitoring by an independent monitor
<b><i>Monitoring &amp; Evaluation</i></b>			
	<i>Internal and independent monitoring are required</i>	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	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

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<i>Subjects</i>	<b>Bank's OP 4.12</b>	<b>Government of Vietnam</b>	<b>Project Measures</b>
		resettlement (Article 199, Land Law 2013).  There is no explicit requirements on monitoring of the resettlement works, including both internal and independent (external) monitoring	whether the objectives of OP 4.12 were achieved.

#### **4. *The general principles of the project compensation policy***

The general principles set out in the approved RPF are applied in the abbreviated resettlement plan, including:

- The impacts on land acquisition and assets as well as the relocation of AHs must be minimized. When the minimization of land acquisition is infeasible, the compensation and assistance for living restoration will be provided for people adequately.
- The compensation rates will be determined on the basis of independent appraisal results of land/assets in a timely and consultative fashion. All fees and taxes on land and/or house transfers will be waived or otherwise included in a compensation package for land and structures/houses or business activities. The local authorities will ensure that APs who choose resettlement site on their own obtainment, without additional cost, will be provided with necessary houses and land use right certificates or official certificates corresponding to similar compensation packages provided to those who choose to move to the project's resettlement sites. This includes compensation for agricultural land, residential land, structures and other assets.
- The APs will be provided with full assistance (including transportation allowance) for transportation of personal belongings and assets in addition to the compensation at replacement cost of their houses, lands and other properties.
- Additional efforts, such as economic rehabilitation assistance, training and other forms of assistance should be provided to APs losing income sources in order to enhance their future prospects toward livelihood restoration and improvement. Vulnerable groups may need additional assistance in this regard.
- The public services and resources that PAPs are provided before their relocation should be maintained or improved for the resettlement sites.

#### **5. *Project Affected Persons (PAPs)***

Project affected persons (PAPs) are those who are affected by:

- (i) Involuntary land acquisition resulting in:
  - (a) relocation or loss of shelter;
  - (b) loss of assets or access to assets;
  - (a) loss of income sources or means of livelihood, whether they must move to a new residence or not; or
- (ii) Involuntary restriction of access to prohibited or protected forests, resulting in adverse impacts to their means of support of the affected persons.

#### **6. *Eligibility for compensation***

APs who must relocate or are affected by the project are entitled to the compensation and/or assistance for their losses, including:

- (a) Those who have legal (formal) rights to land or other assets;

- (b) Those who do not have legal (no formal) rights to land or other assets at present but have submitted a claim to such land or assets in accordance with the regulations in the laws of Vietnam based on such records as bills of land tax, certificates of residence status or local authorities' permission on occupation and use of project affected land; and
- (c) Those who have not recognizable legal right or no claim to the land they are occupying.

The APs who are under category of (a) and (b) above are provided compensation for land and other assistance. Persons belonging (c) are provided resettlement assistance in lieu of compensation for their land they occupy, and other assistance, if necessary, to achieve the objectives of this policy, if they own the project land prior to a cut-off date determined in the RP, they are not entitled to any compensation or any other resettlement assistances. (if possible, only consider to provide support in accordance with the current policy).

#### ***7. The Project's cut-off date for compensation***

The project cut-off date for compensation 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 will be done before the cut-off date is announced to establish a list of potential affected households. Affected persons and local communities were informed of the cut-off date for subproject, and that anyone moving into the project area after that date was not entitled to compensation and assistance under the sub-project.

According to the project census, the cut-off date of the Repair and Upgrading of Khe Che Reservoir Cluster Subproject, Quang Ninh province is 31/12/2014. Accordingly, all households living in the project area, who have land and properties after this date are not eligible for compensation and assistance by the Project.

#### ***8. Project entitlements***

All APs who are identified in the project-impacted areas on the above mentioned cut-off date of the Project will be entitled to the compensation for their affected assets, and rehabilitation measures sufficient to enhance or at least restore their livelihoods in real terms relative to pre-project levels; and to improve the standards of living of the affected poor and other vulnerable groups.

Based on the types of impacts, category of APs and their benefits, the Project prepared specific entitlements to each category of APs which is mentioned in the entitlement matrix. For details about entitlements, please refer to the table of entitlement matrix below:



**Table5 : Matrix of entitlements**

Type of loss	Eligible persons	Entitlements	Implementation issues
<b>I. LAND</b>			
<b>Productive land</b> <sup>2</sup> (Agricultural, garden, pond land, etc.) either in or out of the residential area	<b>Marginal loss (&lt; 20% of land holding or &lt; 10% for vulnerable group)</b> The remaining area of affected plot is still economically viable for use or meets the expected personal yield.	Cash compensation at replacement cost (free from taxes and transaction costs) for the affected area of the land.	<ul style="list-style-type: none"> <li>- Affected households to be notified at least ninety days before land recovery by the Project.</li> <li>- The owner of land will hand over the land within 20 days from the date District Compensation Board fully pays compensation for land.</li> </ul> <p><b>01 organization in this case</b></p>
<b>II. CROPS AND OTHER ASSETS ON LAND</b>			
Trees and crops	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	<p>PAPs will be given notice several months in advance regarding evacuation. Crops grown after issuance of the deadline will not be compensated</p> <p><b>01 organization in this case</b></p>

<sup>2</sup>The 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.

#### **IV. COMMUNITY CONSULTATION AND PARTICIPATION IN THE PROJECT**

##### ***1. Objectives***

The information dissemination to the 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 their active participation will reduce potential conflicts and risks of slowing the project progress. The consultation and participation 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. The 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 ICMB2 will work closely with the district/commune PCs during the sub-project implementation. The participation of affected persons in the implementation stage will be continued by requesting each district/commune to invite representatives of affected persons 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 the land acquisition, compensation, resettlement and restoration.

##### ***2. Community consultation during the sub-project preparation***

During the preparatory stage of Repair and Upgrading Khe Che Reservoir Cluster Subproject, Quang Ninh province, the information dissemination and community consultation were carried out to gather information for assessing resettlement impacts of the subproject and giving recommendations on the options. This aims to reduce and/or mitigate potential negative impacts on local population and to proactively address issues or problems that may rise during the implementation. The methods of the information dissemination and community consultation may include the participatory rapid assessment (PRA) and the stakeholder's consultation, using techniques of visit to site and affected households, public meetings, group meetings and focus group discussions and the socio-economic survey.

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At the early stage of the project preparation, local authorities and leaders of different administrative levels in An Sinh commune, Dong Trieu district, Quang Ninh province were informed of the Project, its objectives and proposed activities. They were intensively consulted and actively participated in discussions on their development needs and priorities of their localities. The representatives of Dong Trieu Plantation One Member Co., Ltd and An Sinh CPC were also consulted on assessment of the potential impacts by the sub-project and possible mitigation measures as well as measures to improve project benefits for themselves. They were consulted on their consensus and commitments to follow the resettlement policy described in the RPF, reflecting objectives of the Government and WB's policies.

The consultation and information dissemination schedule for Repair and Upgrading Khe Che Reservoir Cluster Subproject, Quang Ninh province is shown in table 6 below:

**Table 6: The summary of the implemented consultation activities**

Quang Ninh province	Commune	No. of participants	Date of consultation	Main issues in consultation meetings
Dong Trieu district	An Sinh	14	21/3/2015	<ul style="list-style-type: none"> <li>- Project impacts</li> <li>- Entitlement policy of PAPs</li> <li>- Grievance and Redress Mechanism</li> <li>- Compensation policy for each kind of land, structures, architectural facilities, trees and crops</li> <li>- Assistance policies</li> <li>- Implementation plan</li> <li>- Issues arising in the project implementation stage.</li> </ul>
<b>Total</b>		<b>14</b>		

*Source: Community Consultation, March 2015*

During the consultation, many comments raised by participants were broadly and freely discussed, which are summarized below:

- The land area affected temporarily by the project is the public land that is managed by the CPC.
- The Repair and Upgrading Khe Che Reservoir Cluster Subproject, Quang Ninh province acquires the land of Dong Trieu Plantation One Member Co., Ltd only because the repair and upgrading is on the existing route, negative impacts can be minimized and scope of land acquisition is minor.
- The construction and upgrading of the works to improve the safety of dams and life and production of the local people and also of Dong Trieu Co. Ltd.

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- No ethnic minority living in the project area, therefore impacts on ethnic minorities is zero.
- The trafficking of women and children does not occur in the project area.

The project entitlements mentioned in the RPF and the subproject potential scope of impact were informed in the meeting and also disclosed in the public area. As a result, the APs were fully aware of the implementation of land acquisition and resettlement. All comments, feedback and recommendations from APs gathered during the consultation meetings are reflected in the A-RAP. The representatives of AHs, CPC and ICMB2 agreed with meeting's contents and signed in the minutes. The minutes of consultation meeting is attached in the Annex 1.

**3. *The community consultation during the implementation of Repair and Upgrading Khe Che Reservoir Cluster Subproject, Quang Ninh province***

During the next stage of the project implementation, ICMB2/CPC, with the support of the project consultants, will undertake the following tasks:

- Providing information to relevant agencies at all levels throughout training workshops and details on the project policies and implementation procedures.
- Organizing information dissemination and consultation for all affected persons during the project implementation.
- The DRC carries out the DMS, updates the unit prices based on the results of replacement cost survey, and reconfirm the scale of land acquisition and impacts on properties based on the results, consultation to AHs, develop and complete the updated RAP/the property compensation plan.
- The updated RAP/Compensation plan should clearly indicate affected assets and compensation entitlements and signed by AHs to demonstrate their concurrence with the evaluated results. Any questions of AHs on the contents of the compensation plan must be recorded at that time.

*Community consultation:* Before updating the RAP according to the detail design, the ICMB2/DRC will organize meetings to provide the APs with additional information and give them an opportunity to participate in the open discussions on resettlement policy and procedures. Invitations will be conveyed to all AHs before the meeting is held in such place. The purpose of this meeting is to clarify the information updated at the meeting time and create opportunities for AH to discuss the concerned issues and clarify information. In the meeting, there will be explanations about the Project, rights and entitlements of households, and the meeting will be an opportunity to raise related questions.

## **V. INFORMATION DISCLOSURE**

In addition to the public notification to affected persons and their local community, the Final Abbreviated Resettlement Action Plan will be available in the public information centers of Quang Ninh provinces, Dong Trieu district, ICMB2s, the Info Shop in

Washington DC and Vietnam Development Information Center (VDIC) in Hanoi and on the Website of the CPO prior to project appraisal.

## **VI. GRIEVANCES AND REDRESS MECHANISM**

Grievances related to any aspects of the Project will be handled through negotiation aimed at achieving consensus. Complaints will pass through 3 stages before they could be elevated to a court of law as a last resort. Project management units will bear all administrative and legal fees that might be incurred in the resolution of grievances and complaints.

*First Stage, An Sinh Commune People's Committee.* An aggrieved APs may bring his/her complaint to the One Door Department of the Commune/Ward People's Committee, in writing or verbally. The member of CPC/WPC at the One Door Department will be responsible to notify the CPC/WPC leaders about the complaint for solving. The Chairman of the CPC/WPC will meet personally with the aggrieved APs and will have 30 days following the receiving date of the complaint to resolve it. The CPC/WPC secretariat is responsible for documenting and keeping file of all complaints handled by the CPC/WPC.

*Second Stage, Dong Trieu District People's Committee.* If after 30 days the aggrieved affected household does not hear from the CPC, or if the APs is not satisfied with the decision taken on his/her complaint, the APs may bring the case, either in writing or verbally, to any member of the DPC or the DRC of the district. The DPC in turn will have 30 days following the receiving date of the complaint to resolve the case. The DPC is responsible for documenting and keeping file of all complaints that it handles and will inform the DRC of district of any decision made. Affected households can also bring their case to Court if they wish.

*Third Stage, Quang Ninh Provincial People's Committee.* If after 30 days the aggrieved PAP does not hear from the DPC, or if the PAP is not satisfied with the decision taken on his/her complaint, the PAP may bring the case, either in writing or verbally, to any member of the PPC or lodge an administrative case to the District People's Court for solution. The PPC has 45 days within which to resolve the complaint to the satisfaction of all concerned. The PPC secretariat is also responsible for documenting and keeping file of all complaints that it handles. Affected households can also bring their case to Court if they want.

*Final Stage, the Court of Law.* 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.

To ensure that the grievance redress mechanism described above is practical and acceptable to APs, it were consulted with local authorities and communities in consideration of specific cultural attributes as well as traditional-cultural mechanisms for raising and resolving complaints and conflicts. Objects and efforts of ethnic minorities were also identified and determined in culturally acceptable ways to find the solution acceptable.

## **VII. IMPLEMENTATION ARRANGEMENTS**

The implementation of resettlement activities requires the participation of agencies and organizations at the national, provincial, district and commune level. Each provincial people's committee will take general responsibility for the implementation of the general policy framework and specific resettlement plan of the sub-project of that province. The Compensation, Assistance and Resettlement Committees shall be established at district/province level according to the provisions of Decree No.47/2014/CP and Decree No.69/2009/CP. The provisions and policies of the RPF and the RPs will form the legal basis of compensation and resettlement in the Dam Rehabilitation and Safety Project (DRaSIP) in Vietnam.

### **1. At Central Level**

The Ministry of Agriculture and Rural Development (MARD), the line agency of the project, shall be responsible for the whole project. They are the Vietnamese representative agency who works with the Donor in the project development process. The Ministry establishes a Project Steering Committee with a Vice Minister acting as the Head of the Committee. The Committee includes leaders of the project PPCs, leaders of Departments, General Departments under the relevant ministries. These Departments and General Departments with their State management functions and duties advise the Ministries in guiding, management, monitoring and inspecting the project implementation.

The Central Project Office (CPO) is the project owner, responsible for implementation organization, general management and coordination of the project activities. The CPO takes overall responsibility for resettlement and land acquisition within the project, including:

- Coordinating with the PPCs to direct implementation of compensation and resettlement in compliance with the RPF requirements and in line with the construction progress.
- Training and strengthening capacity of the project executing agencies (the Provincial Project Management Units (ICMB2s) and the District Resettlement Committees (DRCs) on RPF and RAP implementation procedures.
- Co-operating with the ICMB2s to carry out internal monitoring of compensation and resettlement within the whole project.
- Reporting periodically on resettlement issues to the MARD and the WB.

### **2. At Provincial Level: Quang Ninh Province People's Committee (PPC):**

The Quang Ninh PPC takes overall responsibility for compensation, site clearance, and resettlement within the province. The 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.
- Conducting replacement cost surveys in province.
- Approving RAP of the Sub-project

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- Approving overall plan on land acquisition
- Directing DPC to implement compensation, resettlement, and site clearance.
- Providing adequate funds for compensation in a timely manner

*The Irrigation and Drainage Construction Management Board #2 (ICMB2)*

The ICMB2 is responsible for implementing civil works components of the project: the ICMB2s will manage compensation and site clearance of their respective sub-project, encompassing:

- Submitting the updated sub-project A-RAP prepared in the project implementation period to the Quang Ninh PPC before making compensation payment.
- Co-operating closely with the Departments, agencies, sectors, and the DPC 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-project, preparing quarterly reports on implementation progress of compensation and resettlement of the sub-project to the CPO.

**3. At the district level: Dong Trieu District**

The Dong Trieu District People's Committee (DPC) is responsible for:

- The DPC directly guide the DRC, District Land Development Center and An Sinh CPC to implement the compensation, resettlement and resettlement.
- Approving compensation plans submitted by DRC
- Settling complaints and grievances of the APs within jurisdiction.

District Resettlement Committee (briefly referred to as DRC) bears responsibility for implementing compensation and site clearance for works located in their respective districts, including:

- Conducting replacement cost surveys in district.
- Co-operating with the CPCs to disseminate information and consult project AHs.
- Carrying out inventory of affected assets of HHs, preparing compensation plans to submit to the PPC for approval.
- Co-operating with ICMB2s and An Sinh CPC to implement compensation and site clearance.
- Responding to APs' queries and advising DPC in redressing grievances raised.

**4. At the Commune Level: An Sinh commune**

Commune People's Committee (CPC) is responsible for:

- Providing cadastral maps for Resettlement Committee and mobilizing their staff to be members of DMS teams.



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- Co-operating with the DRC in delivering information and organizing community consultations.
- Settling APs' queries relating to inventory of their assets.

## **VIII. IMPLEMENTATION SCHEDULE**

The procedures of compensation and resettlement implementation will comply with regulations and procedures stipulated in Decree No.69/2009/ND-CP of the Government and regulations in the RPF. Specific steps and procedures are implemented as follows:

- Basing on the detailed technical design of the Subproject, the design consultants and the ICMB2 hand over benchmarks of site clearance to the DRCs to determine affected HHs and carry out the DMS of affected assets.
- Holding meetings with affected HHs to disseminate information and compensation policies, including the project objectives and benefits, positive and negative impacts of the project, mitigation measures, methods used to evaluate prices of affected assets, amounts for compensation, allowances and restoration, and grievance redress mechanism.
- Conducting surveys of affected HHs and inventory of their affected assets to collect information on APs, identifying quantities of affected assets, entitlements to compensation, resettlement and restoration allowances for APs. Consulting APs about mitigation measures for the project impacts and assistance measures for livelihood restoration.
- Carrying out replacement cost survey and preparing report to submit the authorized PC for approval.
- Preparing compensation plans, disclosing compensation plans to obtain comments from APs, finalizing compensation plans and submitting to the authorized PC for approval.
- Paying compensation and restoration allowances
- Implementing resettlement (if any) and handing over sites for construction
- Internal monitoring activities will be implemented during the whole process of compensation and resettlement to ensure that the compensation and resettlement comply with the RPF of the Project.

The A-RAP implementation schedule is presented in the Table 7 below:

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**Table 7: The Schedule of the A-RAP Implementation**

<b>NO.</b>	<b>Activities</b>	<b>Starting</b>	<b>Ending</b>	<b>Implementation Issues</b>
1	Identification of Project location	Q 1/2014	Q 1/ 2014	Quang Ninh PPC
2	Notification of land acquisition	31/12/2014	31/12/2014	Project DPC
3	Preparation, appraisal and approval of general compensation, assistance and resettlement plan	4 <sup>th</sup> Quarter/2015	4 <sup>th</sup> Quarter/ 2015	The investor prepared the project and the PPC of Quang Ninh approved
4	Preparation of cadastral dossier and landmark for land acquisition.	1 <sup>st</sup> Quarter/2016	1 <sup>st</sup> Quarter/ 2016	Project owner, ICMB2
5	Preparation of Detail Compensation, Support and Resettlement Plan, including Community Consultation and Dissemination; DMS, RCS and documentation of detailed compensation plan(s)	2 <sup>st</sup> Quarter/2016	3 <sup>rd</sup> Quarter/ 2016	ICMB2 and Agencies in charge of compensation and land acquisition
6	Updating of the A-RAP	3 <sup>rd</sup> Quarter/ 2016	3 <sup>rd</sup> Quarter/ 2016	ICMB2 and Agencies in charge of compensation and land acquisition
7	Submission to CPO and WB for endorsement	3 <sup>rd</sup> Quarter/ 2016	3 <sup>rd</sup> Quarter/ 2016	ICMB2 and Agencies in charge of compensation and land acquisition
8	Information dissemination to the people, disclosing RAP on the website of CPO/DARD	3 <sup>rd</sup> Quarter/ 2016	3 <sup>rd</sup> Quarter/ 2016	CPO, ICMB2 and Agencies in charge of compensation and land acquisition
9	Issuance of decision on land acquisition	3 <sup>rd</sup> Quarter/ 2016	3 <sup>rd</sup> Quarter/ 2016	WB, Quang Ninh PPC

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<b>NO.</b>	<b>Activities</b>	<b>Starting</b>	<b>Ending</b>	<b>Implementation Issues</b>
10	Appraisal and approval of detail notification of land acquisition	4 <sup>th</sup> Quarter/ 2016	4 <sup>th</sup> Quarter/ 2016	Quang Ninh PPC
11	Disclosure and compensation payment	4 <sup>th</sup> Quarter/ 2016	4 <sup>th</sup> Quarter/ 2016	ICMB2 and Agencies in charge of compensation and land acquisition
12	Transfer of cleared land	4 <sup>th</sup> Quarter/ 2016	4 <sup>th</sup> Quarter/ 2016	ICMB2 and Agencies in charge of compensation and land acquisition.

## **IX. MONITORING AND EVALUATION**

The internal monitoring of this A-RAP implementation is undertaken by ICMB2 the support of the project consultants. ICMB2 will monitor the resettlement activities fully during the A-RAP implementation, on the quarterly basis. The ICMB2 will periodically submit quarterly progress reports to the CPO and the WB.

The criteria of internal monitoring include but not limit to the following activities:

- 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 (if any).
- 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.

## **X. BUDGETS**

### **1. Funding sources**

The fund for the preparation and implementation of compensation, assistance and resettlement of the project will come from the counterpart fund (government budget and local budget of Quang Ninh province).

### **2. Cost estimate**

The estimated costs for compensation, assistance and other management costs for affected land/assets (land, houses, structures, architectural facilities and trees) for Quang Ninh Subproject are calculated as follows:

**Table 8: The Cost Estimate for the Subproject Compensation and Assistances**

Unit: VND

<b>No.</b>	<b>Items</b>	<b>Unit price</b>	<b>Amount</b>
<b>A</b>	<b>Compensation and Assistances</b>		
<b>1</b>	<b>Land</b>		<b>156,000,000</b>
	Perennial land	39,000 VNĐ/m <sup>2</sup>	156,000,000
<b>2</b>	<b>Trees/Crops</b>		<b>311,500,000</b>
	Acacia	80,000 VNĐ/ tree	280,000,000
	Eucalyptus	20,000 VNĐ/ tree	31,500,000
	<b>Total 1</b>		<b>467,500,000</b>
<b>B</b>	<b>Management</b>		<b>46,750,000</b>
	Management cost	10% x total(1)	46,750,000
	<b>TOTAL</b>		<b>514,250,000</b>

*Source:* The Cost Estimate by the Resettlement Consultant, May2015

Accordingly, the total of fund provided for the compensation, assistance and resettlement for the Repair and Upgrading Khe Che Reservoir Cluster Subproject, Quang Ninh province is **VND 514,250,000 equivalent to US\$ 24.448**

The compensation payment is expected to be completely implemented in mid-2016.

**ANNEXES:**

Annex 1: The sample of public consultation meeting.