

**TUYEN QUANG PROVINCIAL PEOPLE'S COMMITTEE  
DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT**



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

**SUBPROJECT: REPAIR AND IMPROVEMENT FOR SAFETY  
OF NGOI LA 2 RESERVOIR , TUYEN QUANG PROVINCE**

**THE PROJECT: DAM REHABILITATION AND SAFETY  
IMPROVEMENT PROJECT (DRaSIP)- WB8**

**THE REPRESENTATIVE OF  
PROJECT OWNER**

**THE REPRESENTATIVE OF  
THE CONSULTANT**

*Tuyen Quang, May2015*

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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
IOL	Inventory of Losses
IMC	Independent Monitoring Consultant
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
PPMU	Provincial Project Management Unit
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 Improvement for Safety of Ngoi La 2 Reservoir Subproject, Tuyen Quang province (herein after referred to as “the Subproject”) funded by the World Bank. This RAP is prepared based on the project RPF, the census and the inventory of project impacts and community consultation, for the period from January 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.

### **Objectives of the Sub-project:**

(i) Ensure safety of the reservoirs, (ii) provide water for 354.13 hectares of two-season paddy fields, 6.11 hectares of crop land; and (iii) facilitate to farm aquaculture in the reservoir.

### **Scope of impacts**

The construction of sub-project will acquire a certain area of land and assets on land owned by 12 HHs of Village 1, Trung Mon Commune, Yen Son District, Tuyen Quang province, in which (i) 300 m<sup>2</sup> is residential land owned by 01 HH, (ii) 2,245 m<sup>2</sup> is garden land owned by 11 HHs, (iii) 19,555 m<sup>2</sup> is public land managed by the CPC. The subproject shall also temporarily acquire 2,000m<sup>2</sup> of land that is managed by the CPC for construction purpose.

#### **- Land acquired:**

+ Permanently acquired land: (i) 300 m<sup>2</sup> residential land owned by 01 HH who has to relocate the house to ensure safety for their livelihood, (ii) 2,245 m<sup>2</sup> land for planting fruits many kinds and (iii) 19,555 m<sup>2</sup> public land managed by the CPC.

+ Temporarily acquired land: 2,000 m<sup>2</sup> public land managed by Trung Mon CPC.

#### **- Loss of assets on land:**

+ Trees: blue dragon, grapefruit, mango with about 115 trees of owned by 11 HHs.

+ Building/ Structure: 01 HH is affected their house and has to relocate.

#### **- Other impacts:**

+ No adversely affected HHs (for poor and vulnerable HHs, more than 20% of productive land is acquired).

+ 01 HH in vulnerable group is affected (female-headed household).

- + The project implementation do not have any impacts on building, historical heritage, culture, and public buildings in the area.
- + The construction will not affect the water supply served for community living behind the dam.
- + In the project area: 100% of AHs are the Kinh people, no ethnic minority lives in the Sub-project. As a results, it is not required to prepare the *Ethnic Minority Development Plan* is not necessary.

**Main features of APs:**the results of socio-economic results show that main income of AHs is from agricultural activities. Other subsidiary incomes are from poultry and cattle breeding (chicken, ducks, buffalo, and cows) and trading. The average capita income is VND 825,000 (lowest) to VND 1,920,000. In addition, they earn living from other extra jobs.

**Legal policy:**The compensation, support and resettlement policy of the Sub-project is determined based on existing policy and laws of the GOV. If any discrepancy on regulations, policies, procedures between the Borrower and the World Bank (WB), WB's policies will prevail as in accordance with Point 2, Article 87 on compensation, support and resettlement applied to special cases. Law on Land No.45/2013/QH13 stated that: “for projects funded by international organizations; the compensation, support and resettlement policy,which Vietnam has committed, will be applied”.

**Rights of affected people:** The benefits of compensation and support for people affected by the sub-project is presented in the Action Plan Resettlement (see entitlement matrix table) corresponding to the impacts identified during the investigation, estimated damages and socio-economic survey. The benefits will be updated as needed, after the DMS and consultation with affected households, to ensure that the damage will at least be restored or improved.

**Dissemination of information, public consultation and complaint address:** During the A-RAP preparation, the Department of Agriculture and Rural Development, Tuyen Quang (PMU) in cooperation with local authorities (Trung Mon commune) and the Consultant organize public consultation meetings to disseminate the project's policies and the selected options to recover income for AHs. Related issues, the proposal of the AHs have been raised and brought to the A-RAP. The grievance redress mechanism will be designed to ensure that all inquiries or complaints from affected households will be addressed properly and promptly. After the Draft Resettlement Action Plan was completed, the PMU and the Consultant has conducted consultations to AHs regarding contents implemented in the A-RAP. Affected people will know their rights through notifications and documents in the course of consultations and surveys.

**Organization of implementation:** MARD -governing agency and CPO will ensure the coordination for the implementation of the A-RAP. MARD will work with Tuyen Quang province and Tuyen Quang DARD to ensure that the compensation and assistance are provided in accordance with this A-RAP.

**Strategic Compensation and Resettlement:** The subproject affects 01 household who has to relocate because HH's house is in the lake area. However, the interview and consultation with the householder, it indicates that the AH opted for the option of compensation in cash because they have other place to live in. Therefore, the resettlement strategy is not necessary in this A-RAP.

**Funding for compensation, support and resettlement:** Total cost of compensation, support and resettlement for the sub-project is VND 815,542,200, equivalent to \$ 38,835.

## **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 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.

The development of 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 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 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 project implementation. This will include support for the following: (i) 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. Tuyen Quang Subproject**

The Tuyen Quang province proposed a project namely "*Repair and Improvement for Safety of Ngoi La 2 Reservoir Subproject, Tuyen Quang Province*". This is one of the sub-projects selected for investment according to the criteria of the Dam Rehabilitation and Safety Improvement Project (DRaSIP).

### **Objectives of the Sub-project**

*Specific objectives of the Sub-project:* i) ensure the safety for the reservoir and adapt climate change. (ii) ensure stable irrigation for 1,054 hectares of productive land and crop land throughout the year (in which 1 season = 414 hectares of rice, 113 hectares of crops); for 354.13 hectares of 2 – season rice and 6.11 hectares of winter crop season in Trung Mon, Kim Phu communes of Yen Son district; Y La, Tan Ha wards in Hung Thanh district of Tuyen Quang city; (iii) provide water to 15 hectares of aquaculture and (iv) restrict negative impacts to the environment, landscape in the lake and lowlands.

**The Project Design:** the repair and improvement of Ngoi La 2 lake include the key items such as main dam (earth dam), Water intake, and Flood overflow

*Earth Dam:* The project will consolidate, and repair the main dam, including:

- Consolidating upstream slope of the earth dam;
- Planting grass, remake the downstream drainage system;
- Grouting and waterproofing in some areas within the main dam.

*Water intake:* Repair a flat valve in the upstream to ensure the watertight conditions;

*Flood overflow:* Expand the current flood overflow to the left shoulder.

### **The Subproject Location**

The structures under the subproject will be implemented in Village 1, Trung Mon commune, Yen Son district, Tuyen Quang province, which are illustrated in the map below.

**Figure 1: Location Map of the Tuyen Quang Subproject**



### **3. *Countermeasures to minimize negative impacts***

Efforts have been made in the research to reduce impacts caused by land acquisition and resettlement, and propose construction plan to minimize the impacts to land area and assets on land. The following countermeasures are taken in a number of ways:

Detailed Design: the Design Consultant has carried out survey in the sub-project area, in collaboration with local authorities and communities to select the optimal design alternative and minimize impacts of land acquisitions during the construction period.

Information disclosure: the PPMU worked with the Consultant and local authorities to disseminate information on the project, compensation policies and resettlement of the Sub-project, potential impacts and countermeasures applied to households in the sub-project implementation area, including those who are affected and those who are not affected. The information disclosure is taken in the A-RAP preparation stage and throughout the A-RAP implementation.

Community consultation: use questionnaire survey, consultation meetings, group focus discussion,... with affected households in general. People involved in the consultation will be encouraged to freely express their opinions publicly, impacts of land loss, resettlement policies applicable to the Sub-project and their expectations if their land are acquired. Opinions are recorded and used for the RAP construction. The consultation will be taken in the whole process from preparation to the completion of A-RAP and will be updated in the internal monitoring reports.

#### **4. *Objectives of the RAP***

The Abbreviated Resettlement Action Plan (A-RAP) for this Sub-project is constructed based on the Resettlement Policy Framework (RPF) of the Project to meet requirements of the Involuntary Resettlement Policy and Policy on Indigenous Peoples of the World Bank as well as compensation, resettlement and support policy of the GOV and of Tuyen Quang province. The A-RAP will define number of persons affected by the Sub-project, nature, level of impacts, mitigation measures and policy on compensation and other support.

## II. SOCIO-ECONOMIC CONDITIONS OF THE SUB-PROJECT

### 1. *Socio-economic features: Province and districts*

Tuyen Quang is a mountainous province in Northeastern Vietnam, about 160km far from Hanoi. It is bordered by Ha Giang province to the Northwest and the Northeast, Cao Bang, Bac Kan and Thai Nguyen provinces to the Northwest, and Vinh Phuc, Phu Tho provinces to the South. Tuyen Quang province is divided into 6 districts: Tuyen Quang city (the city's political and cultural center and 5 districts (namely: Chiem Hoa, Ham Yen, Na Hang, Son Duong and Yen Son)..

Yen Son district is in the South of Tuyen Quang province, surrounding Tuyen Quang City. It borders with Doan Hung district (Phu Tho province) to the Southwest, Yen Binh district (Yen Bai) to the West, Dinh Hoa district (Thai Nguyen province) and Cho Don district (Bac Kan province) to the East. The district has the largest number of population and also the largest area in the province, 167,000 people and 1,210 km<sup>2</sup> respectively. Na hang is divided into 31 administrative units, including 1 town and 30 communes.

**Land resources.** The area of cultivated land in the province is 5,870 km<sup>2</sup>, accounting for 1.8% of the total area. Forest land accounts for the majority (70%) and arable land accounts for 8%. Tuyen Quang is quite fertile land which is suitable for the development of agriculture and forestry. 70% of the province's natural land has been used.

**Population and labor.** According to the Statistical Yearbook 2012, the population of the province is 737,768. The population density is 93 persons/ km<sup>2</sup>. The population live mainly in rural areas, accounting for 87%. Tuyen Quang is home to 23 ethnic minorities such as Tay (25%), Dao (12%), San Chay 8%, Nung, Mong and San Diu, ... But they are mostly Kinh people.

The population in working age of Tuyen Quang is 391,298, accounting for 53% of the total population. Agriculture and forestry sector occupy 80%, 4% commercial, and construction 2.5%. Most of the labor force are young people. 51.8% graduated from junior secondary school and secondary school. The labour force with highly qualification and degree accounts for very low level by only 8%, they are graduated from college or university; skilled workers account for only 5%.

The main income of the people is from agriculture, forest and handicrafts. mainly rice, other agricultural products and livestock. The average income is about VND 4.2 million / person / year (VND 350,000/ person/ month).

**Poverty.** According to the classification criteria of the Ministry of Labour, Invalid and Social Affairs in 2010-2015, the poverty line for rural areas is 400,000 VND/ person/ month (less than 4,800,000 VND / person / year). By the end of 2014, the poverty rate was 13.09% in Tuyen Quang Province (reduce 4.84% compared with 2013). Poor households rely on a rice crop/ year or corn. They do not have capital to invest in breeding and mostly are lonely elderly or disabled. The soil is ineligible to cultivate high-value crops.

**Health and education.** Health conditions and health of Tuyen Quang province has been gradually improving. On average, there are 9.9 doctors per 10,000 people and 2 nurses for 1 communal infirmary. The province has 12 hospitals and 14 village health centers, with total number of beds of 2000. The number of doctors and nurses are respectively 400 and 1,500.

In 2010, Tuyen Quang has 18,861 teachers who have been trained. 100% of preschool teachers, primary school teachers 100%, 97.4% teacher of junior secondary school, and 100% of secondary school teachers meet the state standards. Tuyen Quang province has one college, three vocational schools; 10 boarding schools and 11 districts with regional education centers. In 2010, the province has 400 schools and education centers attracting 98.2% of primary school age children to attend school; 85.3% of children graduates from primary and junior secondary school; and 84% graduated from junior secondary school and secondary school.

## 2. *Socio-economic conditions in the project area: Trung Mon commune*

Trung Mon commune, Yen Son district, Tuyen Quang province is far away from Yen Son district 7km to the South, 7km to Tuyen Quang city to the Northwest, borders with Tuyen Quang city and Chan Son, Kim Phu, Lang Quan, Thang Quan communes of Yen Son district. Total population of the commune is 7,914 with 2,198 HHs.

**TableError! Bookmark not defined.Basic data of the commune in 2013**

Items	Unit	Trung Mon district
Total natural area	ha	1,195.06
Agricultural land	ha	868.95
Forest land	ha	275
Unused land	km <sup>2</sup>	32.336
No. of HHs	HH	2,198
Population	People	7,914
<i>Male</i>		4,125
<i>Female</i>		3,789
Size of HH	People	3.6
Population density	People /km <sup>2</sup>	6.62
No. of Ethnic Minority HHs	HH	109
% Ethnic Minority	%	5
No. of Poor HHs	HH	44
% Poor HHs	%	2.5

Items	Unit	Trung Mon district
Average income	VND million/person/year	9.90
Working in agriculture	%	60.08
Economic structure		
- Agriculture	%	60.08
- Industry, handicrafts	%	34.2
- Service	%	5,00

As a commune located near the city, the income from agricultural activities account for 60.08% only, in addition to 34,2% income coming from industry, small scale industry.

### 3. Information on AHs

The Sub-project affects 12 HHs with 57 members in Village 1, Trung Mon commune. Interviews were taken to these HHs. Among these 12 AHs, there is one female-headed HH. Each household has 3 to 7 members.

**Table 1 Affected Households**

No.	Contents	Unit	Number of people
I	Head of HH	HH	
1	Male	HH	11
	Female	HH	01
II	HH size		
1	Average	People	4.75
2	Lowest	People	3
3	Highest	People	7

(Source: AH survey in January/ 2015)

All AHs are Kinh people.

**Education:** According to the survey, education level of heads of AHs is pretty high. 9 of them graduated from junior secondary school, 01 head graduated from secondary school. No HH heads are illiterate. The following table presents the education level of heads of HHs.

**Table 2 Education level of heads of AHs (2015)**

Education level	Total	Trung Mon commune
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Illiterate/without primary certificate	0	0
Primary school	2	2
Junior secondary school	9	9
Secondary school	1	1

(Source: AH survey in January/2015)

The main income of the affected households is from agricultural activities. Some other sources of income are from livestock and poultry (chickens, cattle) and trading. The income per capita per month is VND 825,000 (lowest) to 1,920,000 VND.

The allocation of labor in the household is as follows: both men and women engaged in agriculture; women in charge of the housework such as cooking, child care, house cleaning, and other household chores while men help housecleaning only. Both men and women have the right to make decisions and participate in the family and community meetings.

**Vulnerable HHs.** There is 01 vulnerable household affected by the subproject.

### III. SCOPE OF LAND ACQUISITION OF THE SUBPROJECT

#### 1. Measures to minimize land acquisition

For Tuyen Quang subproject, a total of 22,100 m<sup>2</sup> of acquired land, in which 300 m<sup>2</sup> residential land, 2,245 m<sup>2</sup> garden land owned by 11 HHs and 19,555 m<sup>2</sup> land managed by the commune shall be acquired permanently and 2,000 m<sup>2</sup> land managed by the commune shall be acquired temporarily for the construction. During the project preparation stage, measures to minimize land acquisition have been discussed among the Employer, the FS Consultant and RAP Consultant, which are described as follows:

- In order to minimize land acquisition, the dam will be mostly repaired on the existing one. The newly constructed items will be selected in the way that minimum land acquisition is required.
- Land used for construction is mainly exploited at site to minimize land acquisition, therefore, the subproject impacts can be minimized and there are not very much impacts on livelihoods of households in the project area.
- Some requirements on temporary land acquisition for construction material storage and requirements on construction measures during the implementation would be applied, therefore the contractor(s) will find vacant area or low-value agricultural area. As a result, the impact on local people can be minimized.

Despite of above-mentioned land acquisition mitigation measures, a land area of 22,100 m<sup>2</sup> is affected (of which 300 m<sup>2</sup> of residential land owned by 01 household, 2,245 m<sup>2</sup> of garden land owned by 11 households and 19,555 m<sup>2</sup> public land managed by the commune) for construction of the project. The main impacts on land acquisition of Tuyen

Quang Subproject are caused by expansion of flood overflow and concreting of routes managed under the rural traffic standards.

## 2. The Project Scope of Impacts

### 2.1. Summary of impacts of the subproject

As specified in the technical design, Tuyen Quang Subproject will be designed and constructed in Village 1, Trung Mon commune, Yen Son district.

According to the census and inventory of impacts carried out under DRaSIP Project – Tuyen QuangSubproject, and based on the project policies on involuntary resettlement set out in the Resettlement Policy Framework (RPF) of the Project, major features of the impacts on land acquisition in Village 1, Trung Mon commune are identified as follows:

**Table 3: Summary of Project Affected Households (PAPs)**

Main impacts	Unit		Affected Quantity
1. Affected Households:	Households	:	12
Household members	Persons	:	57
of which:		:	
+ Households whose garden land is affected	Households	:	11
+ Households whose agricultural land is affected	Households	:	0
+ Other land (under the management of People's Committees)	CPC	:	1 (CPC)
+ Households whose houses are affected	Households	:	1
2. Permanently affected area		:	22.100 m2
Of which:		:	
+ Residential land			300 m2
+ Garden land	m2	:	2.245m2
+ Agricultural land	m2	:	0
+ Other land (public land for agricultural production)	m2	:	19.555
3. Temporarily affected area		:	2.000 m2
Of which:		:	
+ Residential land	m2	:	0

+ Agricultural land	m2	:	0
+ Other land (public land)	m2	:	2.000
4. Number of households whose houses/assets are affected by the project	Households	:	1
5. Number of households who need to be relocated from their residential land	Households	:	1
6. Number of households whose businesses/shops are lost	Households	:	0
7. Number of households whose agricultural land is 20% or more of their total land holding affected (10% or more for vulnerable group and the poor),	Households	:	0
8. Vulnerable group	Households	:	1

Source: Household Survey, January 2015

**2.2. By classification, negative impacts relate to land acquisition, trees, crops are presented in the following tables:**

**2.2.1. Affected land**

Acquired land served for construction and ensuring safety for the work include: (i) residential land; (ii) land growing fruits trees; and (iii) public land managed by the CPCs. Total acquired land is 22,100 m2.

**Table 4: Project Impacts on Land Acquisition classified by Location**

Project Location	Total AH (HH)	Temporarily affected Area (m2)	Permanently affected Area (m2)	Permanently affected public land (m2)
Ngoi La 2 reservoir	12	2.000	2.545	19.555
Total	12	2.000	2.545	19.555

Besides that, minor impactson acquisition of land/assets caused by Tuyen Quang Subproject are presented below:

**Permanently acquired land:** to ensure safety of the work and prevent incidents, the Sub-project will acquire an amount of land owned by 12 HHs: relocate 01 HH located in the lake, acquire garden land of 11 HHs along the road resulting from expansion of the dam and concreting of roads. Total permanently acquired land is 22,100 m2.

**Affected Land:**

- **Residential land:**

- Number of affected households : 01 HH
- Affected area : 300 m<sup>2</sup>

- Garden Land:
  - Number of affected households : 11HHs
  - Affected area : 2.245 m<sup>2</sup>
- Productive/agricultural land:
  - Number of affected households : 0HH
  - Affected area : 0 m<sup>2</sup>
- Public land managed by the CPC : 19,551 m<sup>2</sup>

### 2.2.2. *Affected crops*

According to the Inventory of Loss (IOL), there are 11 HH being acquired land for planting fruits such as blue dragon, grapefruit, mango with total of 115 trees.

#### *Affected crops*

- Number of affected households : 0 HH
- Number of affected crops : 0 m<sup>2</sup>

#### *Affected trees*

- Number of affected households : 11 HHs
- Number of affected trees : 115 trees (fruits including dragon, grapefruit, mango)

### 2.2.3. *Impacts to housing and auxiliary works*

According to the Inventory of Loss (IOL), acquired land of one HH belongs to the dam safety corridor (in the lake). However, the HH is requested to relocate to other place to ensure the safety.

#### *Structures/ Assets affected*

- Permanently affected House/Structure/ assets:
  - Number of affected households : 1 HH
  - Affected area : 77 m<sup>2</sup>
- Temporarily affected House/Structure/ assets
  - Number of affected households : 0
  - Affected area : 0 m<sup>2</sup>

### 2.2.4. *Impacts to relocation and resettlement*

- As stated above, the HH, located in the lake, is requested to relocate to other place to ensure their safety.

### 2.2.5. *Adversely affected households*

- According to the result of socio-economic surveys and in-depth interviews with affected household who has to relocate, this household also has another house in the city so that the impacts are not serious. Moreover, the purchase of land to build a new house within the project area is not difficult, this RAP report does not mention the resettlement layout and arrangement.

### **2.2.6. Other impacts**

- Vulnerable group: There is 01 household in vulnerable group (single female-headed HH).
- Ethnic minority: According to the IOL results of the sub-project, 100% AHs are the Kinh, no Ethnic Minority people are affected.
- Public works: The implementation of the Sub-project does not cause any prejudice to any public works in the area;
- Cultural and historical monuments: The implementation of Sub-project does not affect any cultural and historical heritage.
- Trading and business: No households are affected their trading or business.
- Graves: According to the IOL, the construction of the Sub-project does not affect any other tombs.
- In addition, the repair and upgrading of Ngoi La 2 reservoir will not affect the upstream and downstream because the operation of the lake has stable for a long time.

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

### **1. Vietnamese Law 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.
- 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 Tuyen Quang Provincial People's Committee guidelines for implementing the next steps and completing the RAP according to the current regulations will be basis of implementing the project compensation and site clearance. The policy framework of Tuyen Quang province for preparation of the RAP is based on the following legal documents:

- Decision No. 19/2009/QD-UBND dated 29 October, 2009 of Tuyen Quang Provincial People's Committee on regulating compensation, assistance and resettlement when the State acquires the land in Tuyen Quang province;
- Decision No.14/2011/QD-UBND dated August 23, 2011 on amendment and supplementation a number articles of Decision 19/2009/QD-UBND dated October 29, 2009 on regulation of compensation price, assistance and resettlement when the State acquires the land in Tuyen Quang province.
- Decision No. 01/2015/QD-UBND of Tuyen Quang PPC dated January 01, 2015 on issuance of land unit price for 5 years ( 2015 - 2019) in Tuyen Quang Province.
- And some documents regulating the compensation, assistance and resettlement of Tuyen Quang 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.

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 6: 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>	<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.</p>
<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>	<p>Only agricultural land used before July 1, 2004 is eligible for compensation. Other cases may be considered for assistance by</p>	<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.</p>

<i>Subjects</i>	<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.	
<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><i>Compensation</i></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.

<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

<i>Subjects</i>	<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

<i>Subjects</i>	<b>Bank's OP 4.12</b>	<b>Government of Vietnam</b>	<b>Project Measures</b>
		<p>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>whether the objectives of OP 4.12 were achieved.</p>

#### 4. General Principles of the Project Compensation Policy

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 relocation of AHs must be minimized. In case that the minimization of land acquisition is infeasible, the compensation and assistance for restoration will be provided for people adequately.
- The compensation rates will be determined on the basis of results of independent land/assets appraisal 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 the necessary house and land use right certificate 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.
- APs that prefer "cash for land" will be compensated in cash at the full replacement cost. These APs will be assisted in rehabilitating their livelihoods and making their own arrangements for relocation.
- Compensation for all residential, commercial, or other structures will be offered at the replacement cost, without any depreciation of the structure and without deduction for salvageable materials. Structures shall be evaluated individually. Any rates set by category of structure must use the highest value structure in that group (not the lowest).
- The APs will be provided full assistance (including a transportation allowance) for transportation of personal belongings and assets, in addition to the compensation at replacement cost of their houses, lands, and other properties.
- Compensation and rehabilitation assistance must be provided to each AP at least 30 days prior to the taking of assets of those who are not to be relocated; and at least 60 days for the case of those APs requiring land compensation and to be relocated. Exceptions should be made in the case of vulnerable groups who may need more time prior to economic or physical displacement.
- If, by the end of the project, livelihoods have been shown not to be restored to pre-project levels, additional measures will be considered to achieve the objectives of the policy. The project resettlement cannot be considered complete until the objectives of the resettlement plan are met.
- Financial services (such as loans or credits) will be provided to APs, if necessary to help achieve livelihood restoration. The installment amounts and the schedule of payments will be within the repayment capacity of APs, including any vulnerable groups.
- 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 previous level of community services and resources, encountered prior to displacement, will be maintained or improved for resettlement areas.

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

Affected persons (AP) 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;
  - (c) 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 RPs. Persons who occupy land after the cut-off date determined in the RP 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. Project 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 of the Subproject, and that anyone moving into the project area after that date were not entitled to compensation and assistance under the SubProject.

According to project census, the cut-off date of Tuyen Quang Subproject was 31/12/2014. Accordingly, all households living in the project area, who have land and properties after this date were not eligible for compensation and assistance from 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 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 approved RPF. For details about entitlement matrix, please refer to the table of entitlement matrix below:

**Table 7 : Matrix of entitlements**

Type of loss	Eligible persons	Entitlements	Implementation issues
<b>I. LAND</b>			
<b>Productive land</b> <sup>1</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>01HHs in this case</b></p>
Permanently acquired residential land	<b>Relocated PAPs</b>	<p><i>(i) Legal or legalizable land users:</i></p> <p>A land plot in a resettlement site or apartment will be provided to the PAP, in consultation with them. They will have full land title or apartment ownership title without any cost to them.</p> <p>Or, on request of the PAPs through informed choice, cash compensation at full replacement cost plus the amount equivalent to the value of the infrastructure</p>	<ul style="list-style-type: none"> <li>- Affected household to be notified at least 180 days before land recovery by the Project.</li> <li>- The process of compensation for a plot/apartment for legal and legalizable PAPs at the resettlement site will be as follows:</li> </ul>

<sup>1</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.

		<p>investments calculated averagely for each household in a resettlement site. In this case, they will be expected to relocate themselves.</p> <p>If the compensation amounts is less than the cost of a minimum land plot/apartment in the project's resettlement site, PAPs will be provided additional supported to enable them to acquire the land plot/apartment (or cash assistance will be provided equivalent to this difference for self-relocated PAPs).</p> <p><i>(ii) PAPs who do not have formal, or customary rights to the affected land:</i></p> <p>An identified financial assistance of agreed amount will be provided. If the PAP has no place to move, an apartment in the resettlement site will be provided and the PAP can either pay in installment to buy or rent it for living.</p> <p>In case the relocated PAP belong to poor or vulnerable groups or HHs, the project will provide assistance to ensure that the PAP is able to relocate and re-establish themselves to a new site.</p>	<ul style="list-style-type: none"> <li>- If the selling cost of minimum plot(s)/apartment at the new site is more than the value of the affected residential land, PAPs receive new plot/apartment at no additional cost.</li> <li>- If the plot(s)/apartment at the new site is equal the value of affected residential land, PAPs receive new plot/apartment at the new site without any balance.</li> <li>- If the plot(s)/apartment at the new site is less than the value of affected residential land, PAPs will receive plot/apartment and the difference in cash.</li> </ul> <p>The planning and detailed design for the relocation sites will be done by consultant of DCB in consultation with stakeholders and then approved by the PPC.</p> <p>Detailed regulation on plot/apartment allocation will be developed by DCB through</p>
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			<p>consultation with commune and PAPs, followed by approval of PPC.</p> <p>For relocating households, assistance is in form of land-for-land of similar characteristics with title at no cost. The replacement land is no less than 40m<sup>2</sup>, or compensation in cash with equal value if PAPs for self-relocation.</p> <p>Area and number of land plot/apartment in resettlement sites will be decided in consultation with PAPs.</p> <p><b>01HHs in this case</b></p>
<b>II. STRUCTURE</b>			
Houses	<b>Full impact</b> (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	<p>The calculation of rates will be based on the actual affected area and not the useable area</p> <p><b>01 HH of this case</b></p>

		<p>materials.</p> <p>- Compensation for other structures/fixed 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>	
<b>III. 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>11 HHs of this case</b></p>
<b>IV. OTHER ASSISTANCE</b>			

Relocated HHs	HHs, in the project areas, who have to relocated	For HHs who have to relocated within the province will be entitled to an support of 4,000,000 VND/ 1HH	<b>01 HH in this case</b>
Resettlement support	HHs, in the project areas, who have to relocated	For HHs who have to relocate, one time support will be paid as equal as 20% of land value.	AHs are paid once at the time of payment of compensation <b>01 HH in this case</b>
Rental support	All HHs who have to relocated	For HHs who have to relocate, and construct new house: will be given a rental support of 300,000 VND/HH/month x 6 months	<b>01 HH in this case</b>
Support to vulnerable HH (poor, EM, female-headed HHs)	AHs are in vulnerable groups under the project policy.	One time Payment: 2,000,000 VND/ HH	AHs are paid once at the time of payment of compensation <b>01 HH in this case</b>
Other assistances (public land)	Land managed by the CPC but for short-term food crops	No compensation for land, only assistance	AHs are paid once to the CPC at the time of payment of compensation

## **V. COMMUNITY CONSULTATION AND PARTICIPATION**

### **1. Objectives**

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.

### **2. Community Consultation during Tuyen Quang Sub-project Preparation**

During the preparatory stage of Tuyen Quang sub-project, information dissemination and community consultation were carried out to gather information for assessing resettlement impacts of the subproject and giving recommendations on options. This aims to reduce and/or mitigate potential negative impacts on local population and to proactively address issues or problems that may raise during the implementation. The methods of the information dissemination and community consultation may include participatory rapid assessment (PRA) and 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.

At the early stage of the project preparation, local authorities and leaders of different administrative levels in Trung Mon commune, Yen Son district, Tuyen Quang 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. HHs 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. The local authority was 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 Tuyen Quang Subproject is shown in table 8 below:

**Table 8: Summary of consultation activities implemented already**

<b>Tuyen Quang province</b>	<b>Communes</b>	<b>No. of participants</b>	<b>Date of consultation</b>	<b>Main issues in consultation meetings</b>
<b>Yen Son district</b>	Trung Mon	17	23 January 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>17</b>		

*Source: Community Consultation, January 2015*

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

- Land area affected by the project is mainly garden land.
- The Tuyen Quang Subproject occupies a small area of land since the dam is repaired on the existing route, therefore it is agreed that 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 stabilization to local people.
- The APs expect to have in hand with information about the implementation progress.
- The APs expect to be provided with full and transparent compensation at replacement cost for their affected assets and market price for temporarily affected crops.

- Both men and women were entitled to participate in local organizations, unions and give their opinions related to the Project, therefore, gender issues are ensured.
- 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 APs understand all positive impacts and benefits that project brings to local people, therefore they absolutely agree with the project and hope that the project will be early implemented.

The project entitlements mentioned in the approved RPF and the subproject potential scope of impact were informed in community meeting and also disclosed in the communal 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 and updated in the draft report to submit the PPMU for reviewing, as a basis for solving those recommendations and feedback.

In each community consultation meeting, representatives of CPC and PPMU as well as households agreed with meeting's contents and signed in the minutes. The minutes of consultation meetings are attached in the Annex 1.

### **3. Community consultation during the implementation of Tuyen Quang Sub-project**

During the next stage of the project implementation, the Tuyen Quang PPMU/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 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 affected persons, develop and complete the updated RAP/ the property compensation plan for each affected household.
- The updated RAP/Compensation plan should clearly indicate affected assets and households' entitlements to compensation and signed by affected persons to demonstrate their concurrence with the evaluated results. Any questions of affected persons 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 Tuyen Quang PPMU/DRC will organize community meetings at each affected commune 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 affected persons 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 affected people to discuss the concerned issues and clarify information. In addition to notification letters addressed to affected people, other measures of information dissemination to them and the public in general like posters in prominent places in the headquarter of communes/districts where the affected people are living by means of local radio and newspapers. Both men and women of affected households as well as community members who are interested in the Project are encouraged to participate. 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. Similar meetings will be organized periodically throughout the project cycle.

## **VI. INFORMATION DISCLOSURE**

In addition to public notification to affected persons and their local community, the Final Abbreviated Resettlement Plan will be available in the public information centers of Tuyen Quang province, Yen Son district, Tuyen Quang PPMU, the Info Shop in Washington DC and Vietnam Development Information Center (VDIC) in Hanoi and on the Website of the CPO.

The objective of information disclosure aims to provide fully information on the project components and impacts such as entitlement of affected person and compensation rates; complaints mechanism and procedures of complaint; rights to participate and the right to be consulted; resettlement activities; resettlements responsibility organization, working progress.

## **VII. 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, Trung Mon 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, Yen Son 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, Tuyen Quang 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.

## **VIII. 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. Compensation, Assistance and Resettlement Committees shall be established at district/province level according to the provisions of Decree 197/2004/CP, Decree 84/2007/CP and Decree 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 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 (PPMUs) and the District Resettlement Committees (DRCs) on RPF and RAP implementation procedures.
- Co-operating with the PPMUs 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: Tuyen Quang Province People's Committees (PPC):**

Tuyen Quang PPC takes overall responsibility for compensation, site clearance, and resettlement within the province. The PPC is responsible for:

- Informing or giving DPC a mandate to inform about land acquisition after sub-project location selected.
- Issuing decisions on land acquisition of organizations.
- Conducting replacement cost surveys in province
- Approving A-RAPs of the sub-project
- Approving overall plan on land acquisition

- Directing DPCs to implement compensation, resettlement, and site clearance.
- Providing adequate funds for compensation in a timely manner

*The Tuyen Quang Provincial Project Management Unit (PPMU)*

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:

- 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.

**3. At the District Level: Yen Son District**

Yen Son District People's Committee (DPC) is responsible for:

- DPC directly guides DRC, District Land Development Center and Trung Mon CPC to implement the compensation, resettlement and resettlement.
- Approving compensation plans submitted by DRC
- Settling complaints and grievances of the APs within jurisdiction.
- Issuing decision on land acquisition from individuals and households

The Yen Son 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 Trung Mon CPC to disseminate information and consult project affected households (PAHs).
- Carrying out inventory of affected assets of HHs, preparing compensation plans to submit to the authorized PC for approval.
- Co-operating with PPMU and Trung Mon CPC of affected communes to implement compensation and site clearance.
- Responding to APs' queries and advising DPC in redressing grievances raised by affected persons.

**4. At the Commune Level: Trung Mon commune**

Trung Mon Commune People's Committees (CPC) is responsible for:

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

- Co-operating with DRC in delivering information and organizing community consultations
- Settling APs' queries relating to inventory of their assets.
- Facilitating and assisting APs in restoring their livelihoods, income, and stabilizing their lives.

## **IX. 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 Tuyen Quangprovincial local budget).

### **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 Repair and Improvement for Safety of Ngoi La 2 Reservoir Subprojectare calculated as bellowed:

**Table 5 : Cost Estimate for the Subproject Compensation and Assistances**

Unit: VND

<b>N o.</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>198,575,000</b>
	Affected residential land	400,0000 VND/ m2	120,000,000
	Affected garden land	35,000 VND/ m2	78,575,000
	Affected public land		-
<b>2</b>	<b>Structures and architectural facilities</b>		<b>204,402,000</b>
	Grade 3 House	308,3000 VND/ m2	200,395,000
	Toilet	426,000 VND/ m2	2,982,000
	Kitchen	205,000 VND/ m2	1,025,000
<b>3</b>	<b>Trees/ Crops</b>		<b>13,300,000</b>
1	Tree		
	Dragon	150,000 VND/ tree	7,500,000
	Mango	100,000 VND/ tree	3,000,000
	Grapefruit	80,000 VND/ tree	2,800,000
	<b>Sub-total 1</b>		<b>416,277,000</b>
<b>4</b>	<b>Assistances</b>		<b>325,125,000</b>
	Assistances for relocation	4,000,000 VND/ HH	4,000,000
	Assistances for resettlement	20% value of compensated slot	24,000,000
	Assistances for house rental	300,000 VND/HH/ month x 6 months	1,800,000
	Assistances for vulnerable HH (poor, ethics minority, single female-led HHs women)	2,000,000 VND/ HH	2,000,000
	Others (public affected	15,000 VND/m2	293,325,000

	land)		
	<b>Sub-total 2</b>	Sub-Total 1 + (4)	<b>741,402,000</b>
<b>B</b>	<b>Management</b>		<b>74,140,200</b>
	<b>Management cost</b>	10% x Sub-Total (2)	74,140,200
	<b>GRAND TOTAL</b>		<b>816,000,000</b>
	<b>USD conversion</b>		<b>38.835</b>

*Source:* Cost Estimate by the Resettlement Consultant, February 2015.

Accordingly, a total of fund provided for the compensation, assistance and resettlement for the Dam Rehabilitation and Safety Project-Tuyen Quang Provincial Subproject is **VND 816,000,000 equivalent to US\$ 38.835**.

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

## **X. IMPLEMENTATION SCHEDULE**

Procedures of compensation and resettlement implementation will comply with regulations and procedures stipulated in Decree 69/2009/ND-CP of the Government and regulations in the RPF. Specific steps and procedures are implemented as follows:

- Basing on detailed technical design of the Subproject, the design consultants and PPMUs hand over benchmarks of site clearance to DRCs to determine affected HHs and carry out 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 PCs 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 10 below:

**Table 6 : The Schedule of A-RAP Implementation**

<b>No.</b>	<b>Activities</b>	<b>Starting</b>	<b>Ending</b>	<b>Implementation Issues</b>
1	Identification of Project location	1 <sup>st</sup> Quarter/2014	1 <sup>st</sup> Quarter/ 2014	Tuyen Quang PPC
2	Notification of land acquisition	31/12/2014	31/12/2014	Project District PC
3	Preparation, appraisal and approval of general compensation, assistance and resettlement Plan	4 <sup>th</sup> Quarter/2015	4 <sup>th</sup> Quarter/ 2015	Project Owner to prepare and Tuyen Quang PPC to approve
4	Preparation of Cadastral Dossier and Landmark for land acquisition.	1 <sup>st</sup> Quarter/2016	1 <sup>st</sup> Quarter/ 2016	Project Owner, PPMU
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	PPMU and Agencies in charge of compensation and land acquisition
6	Updating of RAP	3 <sup>rd</sup> Quarter/ 2016	3 <sup>rd</sup> Quarter/ 2016	PPMU 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	PPMU 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, PPMU and Agencies in charge of compensation and land acquisition

No.	Activities	Starting	Ending	Implementation Issues
9	Issuance of Decision on land acquisition	3 <sup>rd</sup> Quarter/ 2016	3 <sup>rd</sup> Quarter/ 2016	WB, Tuyen Quang PPC
10	Appraisal and approval of detail Notification of land acquisition	4 <sup>th</sup> Quarter/ 2016	4 <sup>th</sup> Quarter/ 2016	TUYEN QUANG PPC
11	Disclosure and compensation payment	4 <sup>th</sup> Quarter/ 2016	4 <sup>th</sup> Quarter/ 2016	PPMU 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	PPMU and Agencies in charge of compensation and land acquisition

## XI. MONITORING AND EVALUATION

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

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

- 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 A-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.
  - A-RAP Schedule is actually updated.

**ANNEXES:**

Annex 1: Minutes of Community Consultation Meeting

CỘNG HOÀ XÃ HỘI CHỦ NGHĨA VIỆT NAM  
Độc lập - Tự do - Hạnh phúc

Đang Môn..., Ngày 23 tháng 1 năm 2015

**BIÊN BẢN HỌP THAM VẤN CỘNG ĐỒNG**  
Về các vấn đề môi trường

Công trình: Máy cấp nước bề mặt Hố chứa Ngõ 2, Tỉnh Tuyên Quang  
Xã Đang Môn huyện Yên Sơn, tỉnh Tuyên Quang

Hôm nay, ngày 23 tháng 1 năm 2015, tại Xã Đang Môn  
chúng tôi gồm:

**I. Thành phần tham dự**

- |   |                               |
|---|-------------------------------|
| - Ông/Bà Nguyễn Việt Dũng   | Chức vụ Phó Chủ tịch xã       |
| - Ông/Bà Lê Hải Hùng  | Chức vụ Trưởng ban AT         |
| - Ông/Bà Nguyễn Văn Ngọc  | Chức vụ Chủ tịch MTTC xã      |
| - Ông/Bà Phí Thị Hùng   | Chức vụ Cán bộ Nhà nước       |
| - Ông/Bà Nguyễn Huy Hoàng   | Chức vụ Chuyên gia Môi trường |
| - Đại diện những người bị ảnh hưởng: 20 người (chi tiết xem Danh sách tham dự cuộc họp) |                               |

**II. Nội dung tham vấn**

- Cán bộ giới thiệu về địa điểm, quy mô, các thông số kỹ thuật cơ bản và những tác động Dự án được xây dựng tại địa phương mang lại.
- Cán bộ tư vấn trình bày những chính sách môi trường của chính phủ Việt Nam, chính sách môi trường của Dự án và đánh giá tác động môi trường tiềm năng của dự án bao gồm các tác động đến môi trường tự nhiên và xã hội của khu vực dự án; biện pháp phòng ngừa, giảm thiểu các tác động tiêu cực và phòng ngừa, ứng phó sự cố môi trường. Qua đó đề xuất chương trình quản lý và giám sát môi trường.

**III. Ý kiến thảo luận**

1. Các tác động:

Dự án sẽ đưa máy cấp nước đến các hộ dân ở đây  
tăng các giá trị

giải toán giải phóng mặt bằng, giải toán thi công và giải toán vận hành của dự án

2. Những đối tượng bị ảnh hưởng

- Các quyết định xây dựng, công nhận xây dựng
- Các quan niệm triết lý nhân sinh
- Kinh tế xã hội
- Dân tộc thiểu số

3. Đề xuất biện pháp giảm thiểu:

- Hòa giải chuyên chế vật hiện tại giữa các bên, giải pháp công việc chi phí
- Khi công nhận đầu tư xây dựng bị bỏ quên hoàn thiện thủ tục
- Sử dụng máy móc công nhận hiện tại, phục vụ giải pháp chi phí

IV. Kết luận

Mặc dù thi công xây dựng dự án sẽ có 1 số tác động xây dựng xây dựng là dự án này cấp sửa chữa và xây dựng hiện tại cả công việc hiện tại xây dựng này mức độ ảnh hưởng cấp sửa chữa để cho đáp ứng trước hiện tại công việc hiện tại hiện tại và nhất là hiện tại mức độ xây dựng hiện tại hiện tại

Cuộc họp các bên thống nhất và kết thúc vào lúc: 18h giờ.....ngày.....tháng.....năm 2015

Đại diện Chủ đầu tư



*Le Van Hung*

Đại diện cộng đồng

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Vũ Văn Hạnh

Đại diện UBND xã



*Handwritten signature*  
Nguyễn Việt Dũng

Đại diện Mặt trận Tổ quốc xã



*Handwritten signature*  
Nguyễn Văn Ngọn

Cán bộ tham vấn

*Handwritten signature*  
Phú Thị Hằng

Đại diện đơn vị tư vấn

*Handwritten signature*

ĐIỀU THỊ KIM THÚY

Annex2: List of households affected by the Project

No.	Name of head of HH	No. of people in household	Affected residential land			Affected productive land			Affected livelihoods (Changes in income, jobs)			Affected other properties	Affected assets		
			Total current residential land (m2)	Total temporarily acquired land (m2)	Total permanently acquired land (m2)	Total current productive land (m2)	Total temporarily acquired land (m2)	Total permanently acquired land (m2)	Trading	Crop	Breeding	Example: tombs, wells ... (type and quantity)	Permanent buildings (m2)	Temporarily buildings (m2)	Others (m2)

No.	Name of head of HH	No. of people in house hold	Affected residential land			Affected productive land			Affected livelihoods (Changes in income, jobs)			Affected other properties	Affected assets		
			Total current residential land (m2)	Total temporarily acquired land (m2)	Total permanently acquired land (m2)	Total current productive land (m2)	Total temporarily acquired land (m2)	Total permanently acquired land (m2)	Trading	Crop	Breeding	Example: tombs, wells ... (type and quantity)	Permanent buildings (m2)	Temporarily buildings (m2)	Others (m2)
1	Ha Thi hoa	2	3000	None	300		None	None	None	None	None	None	60	15	None
2	Pham Van Hanh	3	2000	None	195 – Garden land	27000	None	1200 – alluvial land rented by CPC's	None	None	None	None	None	None	None
3	Nguyen Huu Thuy	4		None		2000	None	100	None	None	None	None	None	None	None
4	Vu Van Hanh	5		None	None	17000	None	900	None	None	None	None	None	None	None
5	Nguyen Duc Dung	4		None	None	3000	None	160	None	None	None	None	None	None	None
6	Ha Thi Tam	3		None	None	4000	None	90	None	None	None	None	None	None	None
7	Ha Van Bo	5		None	None	2000	None	78	None	None	None	None	None	None	None
8	Nguyen Thi Huong	6		None	None	2500	None	100	None	None	None	None	None	None	None
9	Ha Van Hieu	4		None	None	2100	None	102	None	None	None	None	None	None	None
10	Nguyen Thi Dung	4		None	None	3500	None	100	None	None	None	None	None	None	None
11	Pham Van Hung	5		None	None	2500	None	200	None	None	None	None	None	None	None
12	Pham Xuan Binh	6		None	None	1000	None	80	None	None	None	None	None	None	None

No.	Name of head of HH	No. of people in household	Affected residential land			Affected productive land			Affected livelihoods (Changes in income, jobs)			Affected other properties	Affected assets		
			Total current residential land (m2)	Total temporarily acquired land (m2)	Total permanently acquired land (m2)	Total current productive land (m2)	Total temporarily acquired land (m2)	Total permanently acquired land (m2)	Trading	Crop	Breeding	Example: tombs, wells ... (type and quantity)	Permanent buildings (m2)	Temporarily buildings (m2)	Others (m2)
13	Communal People's Committee			0	None	None	2.000 – alluvial land	17.390- alluvial land	None	None	None	None	None	None	None