

QUANG BINH PROVINCE PEOPLE'S COMMITTEE
QUANG BINH PROVINCE DEPARTMENT OF AGRICULTURE AND RURAL
DEVELOPMENT

ABBREVIATED RESETTLEMENT ACTION PLAN

**SUBPROJECT: REPAIR AND UPGRADE PHU VINH
RESERVOIR, DONG HOI CITY**

**PROJECT: VIETNAM - DAM REHABILITATION AND SAFETY
IMPROVEMENT PROJECT**



Quang Binh - 5/2015

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**INVESTMENT OWNER
REPRESENTATIVE**

**CONSULTANT UNIT
REPRESENTATIVE**

Currency Equivalent (12/03/2015)

US Dollar = Vietnam Dong (VND)

\$1 = 21,355 VND

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

NOTES

- (i) The fiscal year of Vietnam government ended on December 31st every year. The previous fiscal year represents the calendar year in which the fiscal year end, for example, fiscal year 2014 ended on December 31st, 2014.
- (ii) In this report, “\$” means United States Dollars (USD).

GLOSSARY 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</p>

	<p>into the construction site, plus the cost of any labor and contractors’ fees, plus the cost of any registration and transfer taxes. In determining the replacement cost, depreciation of the asset and the value of salvage materials are not taken into account, nor is the value of benefits to be derived from the project deducted from the valuation of an affected asset.</p>
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>

CONTENTS

GLOSSARY OF TERMS	ii
CONTENTS	iv
LIST OF TABLES AND FIGURES	vii
EXECUTIVE SUMMARY OF RESETTLEMENT ACTION PLAN	1
1. INTRODUCTION.....	4
1.1. Introduction on Dam Repair and Safety Improvement Project and the Subproject	4
1.1.1. Dam Rehabilitation and safety improvement project (DRASIP/WB8)....	4
1.1.2. Subproject introduction.....	5
1.2. Mitigation to reduce adverse impacts.....	7
1.3. Objectives of Resettlement Action Plan	8
2. SOCIOECONOMIC SURVEY RESULTS	8
2.1. General socioeconomic information of the affected area	8
2.2. Characteristics of affected households	10
3. SUBPROJECT IMPACTS.....	11
3.1. Estimation of Loss	11
3.2. Impacts of the subproject	12
3.1.1. Subproject impact summary.....	12
3.1.2. Impacts on households.....	14
3.1.3. Impacts on land	14
3.1.4. Plants, crops and fishpond affected.....	15
3.1.5. Impacts on accommodation and auxiliary structures.....	16
3.1.6. Impacts to relocation and resettlement.....	16
3.1.7. Severely affected households	16
3.1.8. Ethnic minority.....	17
3.1.9. Other impacts.....	17
4. LEGAL FRAMEWORK AND POLICY OF COMPENSATION.....	18
4.1. Legal framework of the Government of Vietnam	18
4.2. The World Bank’s Operation Policy on Involuntary Resettlement (OP 4.12) 19	
4.3. Comparison between Government of Vietnam and World Bank approaches.....	20

5. PRINCIPLES AND POLICIES FOR RESETTLEMENT, COMPENSATION AND REHABILITATION	25
5.1. General principles	25
5.2. Compensation Policies	26
5.3. Resettlement and Income Restoration Strategy	31
6. LIVELIHOOD RESTORATION MEASURES.....	31
7. ORGANIZATIONAL ARRANGEMENT.....	32
7.1. Central level	32
7.2. Provincial Level	32
7.3. City level.....	33
7.4. Precinct/Commune level	34
8. INFORMATION DISSEMINATION AND PUBLIC CONSULTATION.....	34
8.1. Information Dissemination.....	34
8.2. Public Consultation	35
<i>8.2.1. Consultation during RAP Preparation.....</i>	<i>35</i>
<i>8.2.2. Public consultation during the RAP implementation.....</i>	<i>37</i>
8.3. Information disclosure	38
9. GRIEVANCE REDRESS MECHANISM.....	38
9.1. World Bank’s Requirements on Involuntary Resettlement (OP/BP 4.12).....	38
9.2. Grievance Redress Mechanism	39
10. FINANCIAL SOURCE AND COST ESTIMATION	41
10.1. Replacement cost survey.....	41
<i>10.1.1. Purposes and Works</i>	<i>41</i>
<i>10.1.2. Replacement cost principles</i>	<i>42</i>
<i>10.1.3. Implementation and methodology.....</i>	<i>42</i>
<i>10.1.4. Result of RCS</i>	<i>43</i>
<i>10.1.5. Conclusion and recommendations.....</i>	<i>44</i>
10.2. Financial source.....	45
10.3. Cost estimation for compensation and assistance	45
<i>10.3.1. Compensation cost</i>	<i>45</i>
<i>10.3.2. Assurances and other costs.....</i>	<i>45</i>
11. MONITORING AND EVALUATION.....	47
11.1. Monitoring	47
11.2. Internal Monitoring	47

12. IMPLEMENTATION ARRANGEMENT	48
12.1. Implementation activities.....	48
12.2. Implementation schedule	52
REFERENCES	54
APPENDICES.....	55

LIST OF TABLES AND FIGURES

Figure 1.1 Location of Phu Vinh reservoir, Dong Hoi city, Quang Binh province	6
Table 2.1 Socioeconomic states of commune/precinct in subproject area year 2014.....	9
Table 3.1 Number of affected HH in each commune/precinct.....	14
Table 3.2 Permanently acquired areas.....	14
Table 3.3 Summary of affected vegetation / animal	15
Table 3.4 Percentage of land loss of AH.....	16
Figure 3.1 Proportion of land loss by number of AH.....	17
Table 4.1 - Comparison of Vietnam’s and World Bank’s Policies related to Involuntary Resettlement.....	21
Table 5.1 Matrix of entitlement.....	27
Table 10.1 RCS results	44
Table 10.2 Compensation cost of the subproject	45
Table 10.3 Assistance cost	46
Table 10.4 Management fee and contingencies	46
Table 10.5 Summary of cost estimation.....	46
Table 12.1 Implementation schedule.....	52

EXECUTIVE SUMMARY OF RESETTLEMENT ACTION PLAN

1. **Subproject objectives:** (i) ensure safety, stability of construction in operation; (ii) increase flood-prevention ability for Dong Hoi city; (iii) provide water source for economic – social development in Dong Hoi city particularly and Quang Binh province generally.

2. **Scope of impacts:**

(i) Affected by land acquisition, land clearance

- The subproject implication will require acquisition of land and assets on land of 24 households in Thuan Duc commune and Dong Son precinct – Dong Hoi city including:

(1) Dong Son precinct has 07 households having land acquired and 05 households only having plants and crops affected since these households cultivate on area within dam safety corridor;

(2) Thuan Duc commune has 12 households affected in term of vegetation only since these households cultivate on area within dam safety corridor.

Specific impacts include:

- Land acquisition:

- + Permanent land acquisition: 07 HH in Dong Son precinct have 12,179m² acquired, including: (i) 05 HH losing perennial agricultural land (6,840.7m²); (ii) 02 HH concurrently losing perennial agricultural land (4,620m²) and fresh-water aquaculture land (719m²).

- + Temporary land acquisition: this subproject does not require temporary land acquisition because material piling area, temporary wasteland and worker’s camps are planned within dam safety corridor area; besides, soil for dam filling are taken from the reserve soil mine of the construction.

- Assets on land:

- + Vegetation on land: there are 24 HH having vegetation affected, including rice field, gum trees, acacia plants, banana tree, jackfruit tree, soursop tree;

- + Farm-animal: 02 HH lose fishes in 719m² fish pond acquired;

- + Construction, infrastructure: no HH has house or infrastructures affected or has to relocate.

- + The implementation of this subproject does not affect any grave, construction, historical, cultural and religious monuments or public facility in the area.

(ii) Affected by limiting discharge activities/ prevention of water in the construction time

+ The construction phase will not affect supply of irrigation water as well as domestic water for downstream area, so there is not household is affected.

3. **Affected objects**

According to the survey result and the direct interviews show that:

+ Total number of affected people from the construction process of the subproject is 24 households (equivalent to 105 people);

+ No AH is vulnerable household;

+ No AH is severely affected (losing more than 20% of productive land or more than 10% of productive land in case of poor or vulnerable households);

+ No HH has house or infrastructures affected or has to relocate.

+ There is no ethnic minority people in the subproject area.

+ There is no policy household in the subproject area.

Therefore, in the subproject “Repair and upgrade Phu Vinh reservoir, Dong Hoi city”, it only need to write the abbreviated Resettlement Action Plan for affected households.

4. **Ethnic minority**

The survey results, collecting relevant documents show that the affected households as well as benefited households from Phu Vinh reservoir are Kinh people, there is no ethnic minority people. Thus, the Ethnic Minority Development Plan is not required.

5. **Main demographic characteristics of affected people:** according to socioeconomic survey results, average income of AH ranges between 2.5 and 5.0 million VND per month. Most AH has monthly income from 3.0 to 4.0 million VND, accounted for 83.33% (20/24 AH); AH with income from 2.5 to 3.0 million VND/month make up 4.17% (01/24 AH); and 03 AH have income over 4 million VND a month (12.54%). Most income of AH is from alternative temporary works such as construction garden work. In addition, some also have income from agricultural production, such as cultivating rice field, perennial trees (acacia plants, gum tree, etc.) and livestock.

6. **Legal framework:** The legal and policy framework for compensation, resettlement and rehabilitation under the Project is defined by the relevant laws and regulations of the Government of Vietnam and the WB policies. In case of discrepancies between the Borrower’s laws, regulations, and procedures and WB's policies and requirements, WB's policies and requirements will prevail, consistent with point 2, section 87 on compensation, assistance for resettlement in term of special circumstances, as regulated by Land Law 45/2013/QH12: “In case of projects using loans from foreign organisations that the Socialist Republic of Vietnam has agreed on compensation, assistance for resettlement policies, the agreed policy framework will be applied”.

7. **Rights of PAP:** Rights and entitlements of PAP are prepared and represented in the Resettlement Action Plan (details in Entitlement Matrix), according to impacts identified in Estimation of Loss process and socioeconomic surveys. These entitlements will be updates, if necessary, after conducting detailed statistics and consultation with AH, to ensure that all losses will be compensated adequately and provide appropriate assistance, aiming to at least restore or improve livelihood of PAP comparing to pre-project state.
8. **Information disclosure, public consultation and grievance redress:** in the preparation of the abbreviated RAP, Project Management Unit for investment and construction in Agriculture and Rural development of Quang Binh province (PPMU) has cooperated with local government (Thuan Duc commune and Dong Son precinct) and consultant unit to hold public meetings, disseminated project policies and options on income restoration for AH. Other relevant matters and proposals of AH were received and included in the abbreviated RAP. Grievance redress mechanism is designed to ensure that all questions, grievances of AH will be solved adequately and timely. After the RAP draft is completed, PPMU and consultant unit had consulted the affected community on the abbreviated RAP contents. AP is informed about their rights and entitlements via official notices and documents in the consultation process. Main contents of RAP is also sent to AP.
9. **Institutional arrangement:** Ministry of Agriculture and Rural Development (MARD) – central management unit and Central Project Officer (CPO) will coordinate the implementation of this abbreviated RAP. MARD will cooperate with Quang Binh province people’s committee and direct Quang Binh province Department of Agriculture and Rural Development to ensure that compensation and assistance processes are implemented according to terms in this RAP. Dong Hoi city Compensation Assistance and Resettlement Board (CARB) will be established with participation of representative of local government in Thuan Duc commune, Dong Son precinct, provincial officers and affected households to supervise the process of compensation and assistance for resettlement when acquiring land for works of repair and upgrade Phu Vinh reservoir.
10. **Compensation and resettlement strategy:** There is no affected household in subproject area that has to relocate to another location, hence, resettlement strategy is not required for this abbreviated RAP.
11. **Compensation, assistance and resettlement costs:** total costs for compensation, assistance and resettlement for this subproject is **1,360,704,000 VND**, equivalent to **\$US 63,718**.

1. INTRODUCTION

1.1. Introduction on Dam Repair and Safety Improvement Project and the Subproject

1.1.1. Dam Rehabilitation and safety improvement project (DRASIP/WB8)

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

13. Specific objectives:

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

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

- At Central level: Government, MARD, MoIT, MoNRE and other relating agencies will achieve macro economic benefits by: (i) Completing legislation framework and strengthening institution to enhance management capacity on dam safety and risk mitigation in downstream; (ii) Coordination mechanism between Ministries and branches; and (iii) Monitoring and technical assistance for organizations at provincial level or system level in charge of dam safety management, multi-reservoirs operation management in two provinces;
- At provincial level: including the PPC, beneficial Department by (i) strengthening regularly and periodically dam safety management; (ii) improving the coordination between the Departments of the province for the operation and management of dam safety; and (iii) improving data collection and information sharing;
- At sub-project level: Beneficiaries include the dam owners and direct beneficial communities by: (i) improving dam safety; (ii) improving early warning and reducing risk; (iii) strengthening the capacity for operation and long-term maintenance; iv) ensuring the water supply for the goals and v) reducing risk by dam fairlure.

15. **Project components:** this project includes 04 main components:

- ***Component 1: Dam Safety Rehabilitation***
- This component will improve dam safety through physical rehabilitation of existing infrastructure, including: i) Detailed design, supervision and quality control of rehabilitation works for prioritized dams and associated infrastructure; (ii) rehabilitation works, including civil works, hydro-mechanical works and installation of hydrological and safety monitoring equipment; (iii) preparation of Operation and Maintenance Plans and Emergency Preparedness Plans.
- ***Component 2: Dam Safety Management and Planning***
- This component will improve the planning and operational framework for dam management to safeguard the people and socio-economic infrastructure within downstream communities. This would include provision of support to: (i) hydrological observation network and information systems; (ii) integrated development planning and operational coordination mechanisms; (iii) regulatory and institutional support and strengthening on coordination mechanism; and (iv) capacity enhancement, basin-wide integrated dam reservoir operation plans, emergency preparedness plan.
- This component will support the Ministry of Agriculture and Rural Development, Ministry of Industry and Trade, Ministry of Natural Resources and Environment in the implementation of technical support for national programs, completion of coordination mechanisms between ministries, local authorities and stakeholders.
- ***Component 3: Project Management Support***
- The project was implemented with the participation of three Ministries and 31 provinces. The majority of dams located in the remote mountainous areas with very difficult traffic conditions. Project duration is six years, the allocation of limited management cost is also a difficulty in implementing the project.
- The component will provide finance for the project management, monitoring and evaluation, technical assistance, procurement, auditing, information, training, equipment support in project management and implementation.
- ***Component 4: Disaster Contingency***
- 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.

1.1.2. Subproject introduction

16. The subproject “**Repair and upgrade Phu Vinh reservoir, Dong Hoi city**” is one of the prioritised subprojects to be piloted in the first year of Dam Repair and Safety Improvement Project.

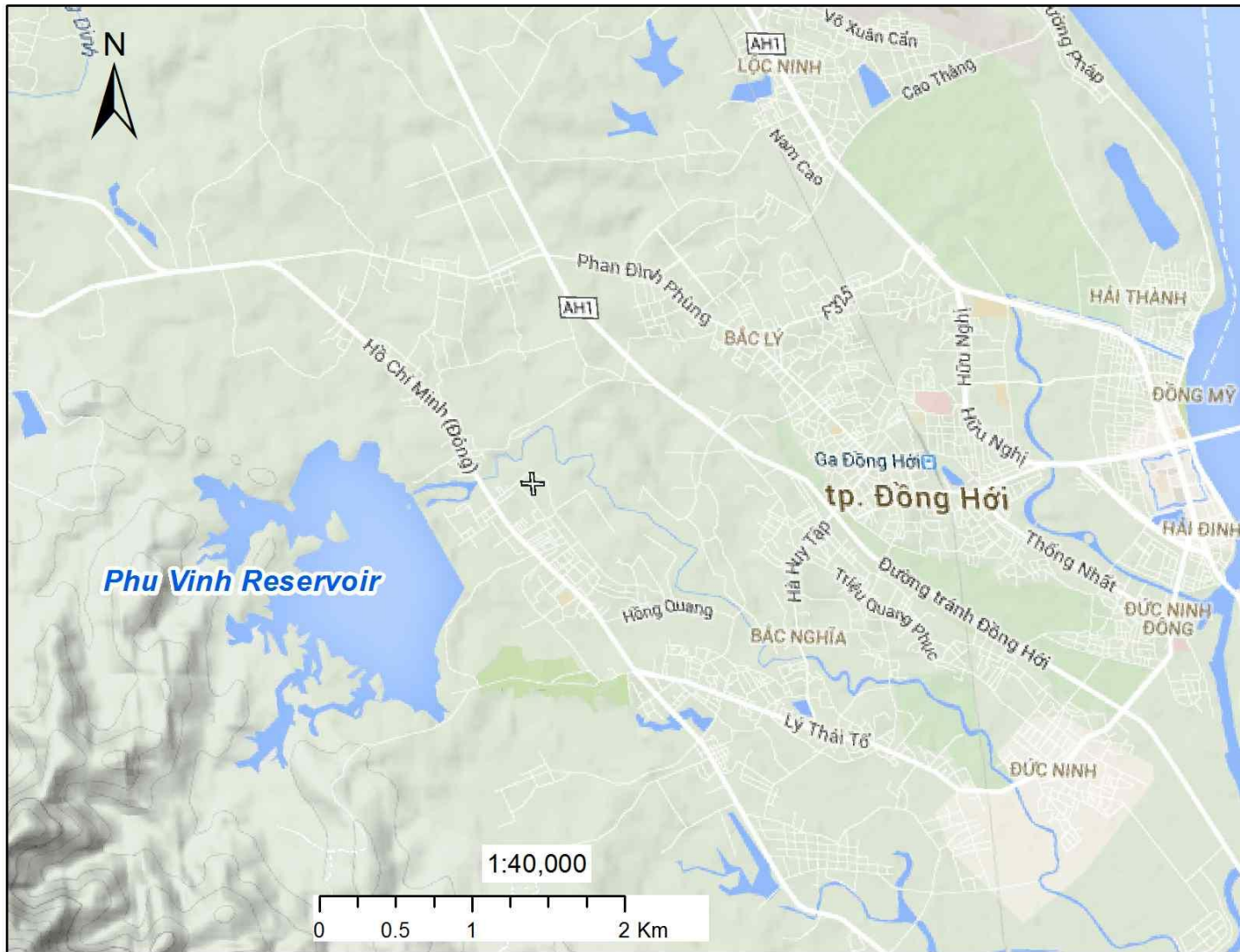


Figure 1.1 Location of Phu Vinh reservoir, Dong Hoi city, Quang Binh province

17. **General objectives of the subproject:** (i) contribute to ensure safety and stability of construction in operation; (ii) enhance flood-prevention ability for Dong Hoi city; (iii) provide water supply for economic and social development of Dong Hoi city particularly and Quang Binh province generally.

Specific duties of the subproject include:

- Safety and stability for construction
- Reduce flood for downstream area (Dong Hoi city)
- Rice field irrigation for winter-spring season: 510.0 ha
- Rice field irrigation for summer-autumn season: 836.1 ha
- Aquaculture: 80 ha
- Alternative plant irrigation for winter-spring season: 116 ha
- Alternative plant irrigation for summer-autumn season: 116 ha
- Supply water for industrial and domestic demands of the City (18,000m³/day)

18. Implementation extent of the subproject: Thuan Duc commune and Dong Son precinct – Dong Hoi city.

Works of repair and upgrade Phu Vinh reservoir include main structures:

- Main dam: increase height of dam top, expand dam top, increase height of water-break wall, stair-shaped digging and filling for downstream dam face to increase the safety of dam and reduce flooding in the downstream area. However, the normal water level and reservoir capacity are not affected by the subproject.
- Left saddle dam and saddle dam are consolidated using steel-reinforced concrete tiles.
- Main spillway: remain the same as the current situation, just substitute the overflow valve gasket and valve system.
- Inlet: construct new inlet at 50m away from existing inlet.

*Details on each construction items are represented in **Appendix 01** of this abbreviated RAP.*

1.2. Mitigation to reduce adverse impacts

19. With the purpose of reducing negative impacts from land acquisition and resettlement, several prevention and mitigation measures have been applied in designing and proposal phases of the subproject to minimise area of acquisition and impacts of land acquisition. Mitigation methods include:

20. **Technical design:** Designing consultant unit had conducted surveys in the construction areas of the subproject, cooperated with local government and

communities to choose the optimum design and construction method that minimise impacts of land acquisition.

21. **Information dissemination:** From March 2nd 2015 to March 3rd 2015, PPMU in cooperation with RAP consultant unit and local government had publicly disseminated subproject information, policies on compensation, assistance and resettlement of the Project, potential impacts and mitigations. All households living in the subproject area, whether affected by the subproject or not, are informed. Information has been disseminated since the preparation phase of the abbreviated RAP and will be continued throughout the implementation phase.

22. **Public consultation:** via several methods, such as questionnaire, public meetings and group discussions with affected household. Participants in public consultation are allowed to publicly express their comments and expectations on the subproject implementation, impacts of land acquisition, subproject’s resettlement policies and other expectations of affected people. Consultation program covers from preparation phase until the abbreviated RAP is completed and it will be updated in internal and independent monitoring reports.

1.3. Objectives of Resettlement Action Plan

23. The abbreviated RAP for this subproject is prepared based on Resettlement Plan Framework of the Project, aims to meet Involuntary Resettlement Policy and Indigenous People Policy of World Bank (WB), as well as regulations on compensation, assistance and resettlement of the Government of Vietnam and Quang Binh province. The abbreviated RAP identifies the amount of affected people of the subproject, nature and degree of impact, mitigation to reduce impacts and other policies on compensation and assistance.

2. SOCIOECONOMIC SURVEY RESULTS

2.1. General socioeconomic information of the affected area

24. According to Socioeconomic Reports of Year 2014 by Thuan Duc commune people’s committee and Dong Son precinct people’s committee, representative traits of society and economy of these areas are summarised in the following table:

Table 2.1 Socioeconomic states of commune/precinct in subproject area year 2014

	Dong Son Precinct¹	Thuan Duc commune²
Economy	<p>- In comparison to 2013: total value of production reached 7.5 billion VND, attained 55.5% of the Plan; Total retail and financial services accounted to 13 billion VND; VAC-model agricultural production valued at 4.8 billion VND (attained 60% of the Plan).</p> <p>- Average income per capita: 16 million VND/year</p>	<p>- In comparison to 2013: total value of production reached 138.2 billion VND, increased by 20.1%; Total retails accounted to 40.6 billion VND, increased by 16%; Rice yield from Winter-Spring season was 128 tonnes, increased by 1.58%; Total number of livestock was 3,501 individuals, increased by 14.4%; Total number of poultry was 7,500 individuals, increased by 11.9%; Estimated aquaculture output was 5 tonnes, increased by 42.8%.</p>
Culture Society	<p>- Healthcare – Population: healthcare centre had provided services for 2,709 turns of patients; rate of vaccination for children under 1 year old and pregnant women was 95%; 100% children received vitamin A drops; 34 children were born in 2014, of which 6/34 is the third child; 91 children under 6 years old were registered for health insurance.</p>	<p>- Healthcare – Population: healthcare centre had provided services for 2,339 turns of patients. 791 children received vitamin A drops; 5 households had the third child in the year, accounted for 10.86%. Properly conducted birth registration and health insurance documents for children under 6 years old. Rate of malnutrition children dropped to 4.8%.</p>
	<p>- Education: educational quality is maintained. Rate of excellent students in school year 2013-2014 was over 78%; 100% students completed elementary school; 100% secondary school students</p>	<p>- Education: educational quality is renovated, especially in ethics and life-skills education. Made secondary school compulsory and implemented compulsory</p>

¹ Report number 60/BC-BND dated July 16th, 2014 by Dong Son precinct people’s committee on socio-economic state in the first 6 months of 2014 and focused duties in the last 6 months of 2014;

² Report number 77/BC-UBND dated December 19th, 2014 by Thuan Duc commune people’s committee on socioeconomic state in 2014 and development duties for 2015;

	Dong Son Precinct¹	Thuan Duc commune²
	met qualification to graduate.	education for 5-year-old children.
	- Culture: continued to promote learn and follow Ho Chi Minh’s model: there are 2,148/2,259 households, 11/13 residential groups attained cultural family, residential group; Held sport, cultural events to celebrate major national holidays.	- Culture: cultural, sport movements have been active to celebrate major holidays. In 2014, 88.5% households attained cultural household; sport movement was strongly developed, many competitions held, such as football, volley ball.
Social security –	- Establish national defence system; complete 100% soldier supply aim. Participated in military leading training; participated in national military sport festival 2014.	- National defence is consolidated and strengthened; strictly maintain readiness to fight. Commune military leading board has successfully completed 100% aim of recruit works.
National defence	- Social security in the area is secured; drug-use is controlled; eliminated social complicated areas.	- Increase routine checks; timely solve incidents related to social security in the area. Management of residents is updated regularly to manage the number of residents in the commune.

2.2. Characteristics of affected households

25. According to results of SES by the abbreviated RAP consultant unit in March 2015, 24 AH (105 people) in the subproject area have from 3 to 5 people per household; 95.8% households have male head of household (23 out of 24 households) and there is only 1 household having female head (without dependent person).

26. In term of age group, 20 out of 24 AH have head of household in working age (from 20 to 55 years old). This age group requires special attention since they are the main bread-earner and decision-maker in production works. As a result, they need to receive appropriate technical trainings and assistance on production method to restore income, as well as be assisted to change occupation (if required). There are 04 AH having head of household older than 55 years old (16.7%). These households will be assisted to increase income and restore living standard after acquisition.

27. Main sources of income of AH are from freelance works, temporary hire and agricultural production.

28. According to SES results, average income of AH is between 2.5 to 5.0 million VND/month. Among those, there are 83.33% AH having income from 3 to 4 million VND/month. 01 AH has income between 2.5 and 3 million VND (4.17%). Only 3 AH have average income over 4 million VND, accounts for 12.54%.

29. Education: most heads of household completed secondary school (20/24 AH – equivalent to 83.3%). 8.33% heads of household graduated high school (02/24 AH); 01/24 head of household has bachelor degree and there is 01 head of household only finished elementary school (4.17%). There is no illiterate head of household.

30. Public healthcare: the commune and precinct in subproject area all have healthcare centre with proper infrastructures, adequately providing healthcare services for local residents. At the same time, people’s committee of the commune and precinct often cooperates with higher-up healthcare units to establish health programs on public healthcare, environmental hygiene and family planning.

31. Water supply: everyday water supply for domestic and cooking demands of subproject area is from digging or drilling wells; there are 05/24 AH using pumped water as main source of water.

32. 100% of AH has access to electricity from national grid.

33. Among 24 AH, there are 07 HH in Dong Son precinct having Certificate for Land Use; all the remaining households are only affected in term of vegetation on land (rice field one season a year, acacia plants, gum trees,...) planted on safety corridor of dam, which is currently managed by Quang Binh province’s Irrigation construction exploitation limited liability one member company.

3. SUBPROJECT IMPACTS

3.1. Estimation of Loss

34. Estimation of loss (EOL) was conducted based on technical design, construction extent and field surveys to identify land acquisition boundaries of the subproject.

35. On March 2nd 2015, Quang Binh PPMU, representative of Dong Hoi city, local government and cadastral officers of Dong Son precinct and Thuan Duc commune, associated with designing units and the abbreviated RAP consultant unit, had conducted surveys on socioeconomic states and affected extent of households potentially affected by the subproject. Documents supporting the field surveys include: design drawings of construction, cadastral maps of commune/precinct and actual field measurements.

36. On March 24th and 25th 2015, PPMU coordinated with consultant unit had conducted information dissemination and second campaign of public consultation for

the abbreviated RAP draft. Concurrently, PPMU and consultant unit also surveyed and re-identified impacts on households to update to the abbreviated RAP.

3.2. Impacts of the subproject

3.1.1. Subproject impact summary

37. Primary impact assessment suggests that the subproject will have both positive and adverse impacts.

38. **Benefits (positive impacts):** After being repaired and upgraded, Phu Vinh reservoir in operation will bring numerous benefits to local residents, as well as residential communities in downstream area, such as:

- Contribute to improve reservoir storage capacity; Improve management capacity of dam and reservoir system; Reduce risks of natural hazards; As well as protect assets and lives of local residents (Thuan Duc commune and Dong Son precinct).
- Increase irrigation efficiency; Ensure irrigation demand for downstream area (including Dong Hoi city and neighbouring communes/precincts) with 1,056 ha rice fields in winter-spring season, 979 ha rice fields in summer-autumn season and 143 ha alternative plants.
- Raise underground water level of the area, contribute to mediate microclimate in the area, improve natural environmental quality.

39. **Adverse impacts:**

(i) Affected by land acquisition, land clearance

40. The survey results, primary EOL by PPMU and the abbreviated RAP consultant unit suggest that the implementation of the subproject will directly affect land and assets on land of 24 households (in Thuan Duc commune and Dong Son precinct), specifically:

- **Land acquisition:**

- Permanent land acquisition: total area of land acquisition is 67,805.5m², including 12,179.7m² belongs to 07 households in Dong Son precinct, consisted of (i) perennial agricultural land of 07 households; (ii) aquaculture area of 02 households. All other area (55,625.8m²) is managed by Quang Binh province’s Irrigation construction exploitation limited liability one member company *(there are 17 AH cultivating on this area)*.

Note: There are 02 AH concurrently losing freshwater aquaculture area and perennial agricultural land.

- Temporary land acquisition: in the construction phase of the subproject, there is no additional area to be temporarily acquired.

- **Assets on land:**

- Plants: 24 AH lose vegetation on land, including: (i) gum trees and acacia plants cluster (4.26ha); (ii) gum trees and acacia plants scatter (2,700 individuals); (iii) Jack fruit trees has been matured and can be harvested (10 individuals); (iv) Soursop trees to be harvested (10 individuals); (v) Banana trees that have not matured (50 individuals); (vi) Rice field 1 season per year (11,673m²);
- Fish pond: the subproject acquires 719m² of fish pond belong to 02 households.
- Accommodations: no HH is affected.
- Auxiliary structures (fences, toilets,...): no HH is affected;
- Cultural, historical or religious monuments: none affected;
- Public assets: no asset affected.
- Severely affected households: there is no severely affected household (losing from 20%, or 10% in term of poor or vulnerable HH, of total production land.

- **Other impacts:**

- Vulnerable household: there is no vulnerable AH.
- 100% AP are Kinh ethnic. In the subproject area, there is no ethnic minority people affected.
- The implementation of the subproject will not affect any business activity of AH in the area.
- The subproject does not affect any grave.

*Details on adverse impacts of the subproject are represented in **Appendix 03** of this abbreviated RAP report.*

(ii) Affected by limiting discharge activities/ prevention of water in the construction time

- To construct new inlet at 50m away from existing inlet toward the left side of dam; being constructed in the dry season. During the construction process, it still use the existing inlet to ensure irrigation water demand in the downstream area. After completion of the new inlet, it will be sealing the existing inlet.
- During the construction process, it does not change the current operating procedures of reservoir, so it does not affect the water level and the water supply for Dong Hoi water plan.
- Due to remaining height of the overflow level of spillway, it does not change the normal water level and the existing capacity of reservoir. Hence, it will not cause risk of flooding in the upstream and downstream area.

3.1.2. Impacts on households

41. According to EOL, there are 24 HH with 105 people directly affected by land acquisition activities of the subproject.

Table 3.1 Number of affected HH in each commune/precinct

No	Commune/precinct	Number of AH	Number of AP
1	Dong Son precinct	12	52
2	Thuan Duc commune	12	53
Total		24	105

3.1.3. Impacts on land

42. Acquired area to facilitate construction and ensure construction safety of the subproject includes: (i) perennial agricultural land; (ii) rice field one season a year; (iii) freshwater aquaculture land. Total area of acquisition is 6.78 ha, consisted of:

43. **Permanently acquired land:** to ensure construction safety and prevent incidents, within the distance of 50m from dam foot³, the subproject requires acquisition area owned by 07 households in Dong Son precinct and some area belonging to dam safety corridor (*managed by Quang Binh province’s Irrigation construction exploitation limited liability one member company*) but currently being cultivating by local residents. Statistics are summarised in the following table:

Table 3.2 Permanently acquired areas

Unit: m²

No	Land type	Dong Son precinct		Thuan Duc commune		Total area
		Privately owned	Owned by operation unit	Privately owned	Owned by operation unit	
1	Perennial agricultural land	11,460.7 (07 AH)	34,955.9	0	7,570	53,986.6
2	Rice field 1 season/year	0	1,426.9	0	11,673	13,099.9
3	Freshwater aquaculture area	719 (02 AH)	0	0	0	719
Total area		12,179.7	36,382.8	0	19,243	67,805.5

Note: there are 02 AH concurrently losing freshwater aquaculture land and perennial agricultural land

³ Ordinance number 32/2001/PL-UBTVQH10 dated April 4th, 2001 by Standing Committee of the National Assembly about exploitation and protection of irrigation construction

- Statistics show that most of affected land are perennial agricultural land (79,6%), followed by rice field area (19,3%) and the remaining is freshwater fishpond (1,1%).
- Majority of land to be acquired belongs to construction safety corridor, which is currently managed by Phu Vinh reservoir operational unit (82,03%), however, these areas are still cultivated by local residents. As a result, these areas have to be acquired to strengthen management of construction, prohibit local residents to utilise area within dam safety corridor to ensure safety and prevent incidents. In addition, a small part of land to be acquired belongs to 07 HH in Dong Son precinct (17,96%).

44. **Temporarily acquired land:** The construction works of this subproject does not require any temporary acquisition due to:

- In construction phase, material pilling areas, temporary waste land, worker’s camps, temporary houses,... are all within dam safety corridor area;
- Soil for dam filling are taken from the reserve soil mine of the construction.

3.1.4. Plants, crops and fishpond affected

45. According to EOL results, there are (i) 22 HH losing plants on land, such as gum trees, acacia plants, soursop trees, jack fruit trees and 59,564.5m² 1-season rice field; (ii) 02 HH concurrently losing 7,522m² perennial agricultural land and 719m² fishpond in-use .

Table 3.3 Summary of affected vegetation / animal

No	Affected vegetation / animal	Unit	Dong Son precinct	Thuan Duc commune
1	Gum trees and acacia plants clustered (diameter > 10cm)	ha	1.7	0.76
2	Gum trees and acacia plants clustered (diameter 5-10cm)	ha	1.8	0
3	Gum trees and acacia plants scattered (diameter 5-10cm)	Individual	1,500	0
4	Gum trees and acacia plants scattered (diameter 10-15cm)	Individual	1,200	0
5	Jackfruit trees ready to be harvested	Individual	10	0
6	Soursop trees about to be harvested	Individual	10	0
7	Banana trees not matured	Individual	50	0
8	1-season rice field	m ²	0	11,673
9	Fishes in fishpond	m ²	719	0

46. Most affected vegetation are property of Dong Son precinct residents. Nevertheless, the impact assessment of vegetation and water farm-animal suggests that the impacts are insignificant because the amount of affected assets is small (less than 20% of total production area (Table 3.4)). AH only lose small amount of incomes from these agricultural production. Besides, all AH will be compensated and assisted adequately for these affected assets.

3.1.5. Impacts on accommodation and auxiliary structures

47. According to EOL, majority of acquired areas is part of dam safety corridor (0-50m from dam foot) and is perennial agricultural land, 1-season rice field, located away from residential areas. As a result, this subproject does not affect any house or auxiliary structures.

3.1.6. Impacts to relocation and resettlement

48. This subproject does not acquire any residential land. Major works are considerably away from residential areas; acquired lands are mostly perennial agricultural land and rice field. Thus, there is no HH required to relocate and resettle.

3.1.7. Severely affected households

49. EOL results and statistics on total land owned by AH indicate that percentage of land loss in land acquisition process of this subproject are:

Table 3.4 Percentage of land loss of AH

Unit: number of AH

% land lose	Dong Son precinct	Thuan Duc commune
0 ÷ 5%	1	All land are managed by operational unit of Phu Vinh reservoir
≥5 ÷ 10%	2	
≥10 ÷ 15%	3	
≥15 ÷ <20%	1	
≥20%	0	

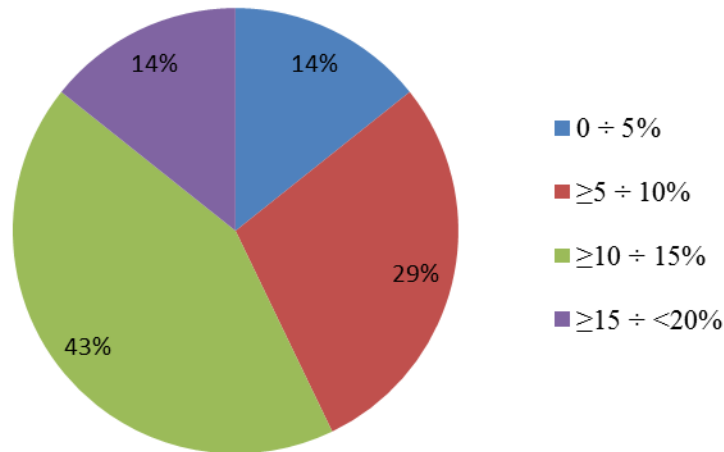


Figure 3.1 Proportion of land loss by number of AH

50. Calculations show that the AH losing the biggest portion of land is 16.8% of total land owned (in Con Chua area – Dong Son precinct). Other AH lose no more than 15% of total land owned. Furthermore, all HH having land affected are not vulnerable household. As a conclusion, this subproject does not have any severely affected household, therefore, this report does not include information on Resettlement arrangement.

3.1.8. Ethnic minority

The survey results, collecting relevant documents show that the affected households as well as benefited households from Phu Vinh reservoir are Kinh people, there is no ethnic minority people.

3.1.9. Other impacts

51. **Vulnerable households:** Among 24 HH being affected in term of land and vegetation/farm-animal, there is no vulnerable household.

52. **The policy household:** There is no policy household in the subproject area.

53. **Public assets:** The subproject does not affect any public asset.

54. **Cultural, historical monuments:** The implementation of this subproject does not affect any cultural, historical monument.

55. **Business activities:** All AH only have perennial agricultural land, rice field and freshwater aquaculture land. There is no HH being affected on business activities.

56. **Graves:** This subproject does not affect any grave.

57. The implementation of this subproject will bring several benefits to the works of prevention and mitigation of natural hazards, such as storms and floods. At the same time, lives and assets of local residents will be better protected. Furthermore, the repair and upgrade works of Phu Vinh reservoir will contribute to meet the water demand for production and everyday water uses for downstream area. Overall, this subproject will

bring many important benefits to communities living nearby and in the downstream areas.

58. In addition, the implementation of this subproject will not affect up- and downstream areas since the system of Phu Vinh reservoir has been constructed and operated stably over a long time.

4. LEGAL FRAMEWORK AND POLICY OF COMPENSATION

4.1. Legal framework of the Government of Vietnam

59. The Constitution of the Socialist Republic of Viet Nam (2013) affirms the right of citizens to own and protect the ownership of a house. In addition, the Government has enacted a number of laws, decrees and regulations that constitute the legal framework for land acquisition, compensation and resettlement. The principal documents include:

- Land law number 45/2013/QH13 approved by the National Assembly XIII on November 29th, 2013, effective from July 1st, 2014;
- Ordinance number 34/2007/PL-UBTVQH11 by the National Assembly dated April 20th, 2007 about democratic acts at communal, precinct and town level;
- Decree number 43/2014/ND-CP dated May 15th, 2014 about detailed regulation of Land Law 2013 implementation;
- Decree No. 44/2014/NĐ-CP dated on May 15, 2014 of the Government on land prices
- Decree number 47/2014/ND-CP dated May 15th, 2014 by the Government about regulation on compensation, assistance and resettlement when the Government acquires land;
- 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 number 37/2014/TT-BTNMT dated June 30th, 2014 about detailed regulation on compensation, assistance and resettlement when the Government acquires land;
- Decree No. 38/2013/ND-CP dated on April 23, 2013 of the Government of Viet Nam on management and use of official development assistance (ODA) and concessional loans of donors;
- Decree No. 112/2008/ND-CP dated on October 20, 2008 of the Government on management, protection and integrated exploitation of resources and environment of hydro-power and irrigation reservoirs;

- Decree No.72/2007/ND-CP dated May 07, 2007 of the Government on Dam safety management;

60. Other laws, decrees and regulations relevant to land management, land acquisition and resettlement include the Construction Law number 50/2014/QH13; Decree number 12/2009/ND-CP dated February 12th, 2009 on the management of construction investment projects, Decree number 83/2009/ND-CP about updates of some items in Decree number 12/2009/ND-CP, Decree number 38/2013/ND-CP about management and use of official development aids (ODA fund) and incentive loans of sponsors, Decree 71/2010/ND-CP,...

61. Laws and decisions relevant to public disclosure of information, there is Land Law 45/2013/QH11, Item 67, requires information disclosure to AP before acquiring agricultural and non-agricultural land a minimum period of 90 and 180 days respectively.

62. Legal documents regarding to grievance redress mechanism: Law on Complaints No. 02/2011/QH13 dated November 11, 2011, Decree No. 75/2015/ND-CP dated October 03, 2012 of the Government detailing a number of articles of the Law on complaints.

63. Beside common policies of the Government of Vietnam, Quang Binh Province People’s Committee (PPC) also have official regulations applicable for Quang Binh province:

- Decision number 22/2014/QD-UBND dated September 9th, 2014 by Quang Binh PPC about the issue of Regulation on compensation, assistance and resettlement policies when the Government acquires land in Quang Binh province;
- Decision number 36/2014/QD-UBND dated 22/12/2014 by Quang Binh PPC about regulation on prices of lands and classification of city area, commune, area, land position in Quang Binh province, period 2015-2019;
- Decision number 37/2014/QD-UBND dated 31/12/2014 by Quang Binh PPC about issue of Prices for houses, construction works on land to compensate when the Government acquires land in Quang Binh province;
- Decision number 08/2015/QD-UBND dated 10/02/2015 by Quang Binh PPC about the issue of Prices for vegetation, assistance on aquaculture, grave relocation to compensate when the Government acquires land in Quang Binh province.

4.2. The World Bank’s Operation Policy on Involuntary Resettlement (OP 4.12)

64. 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.

65. The WB’s involuntary resettlement policy objectives are the following:

- Involuntary resettlement should be avoided where feasible, or minimized, exploring all viable alternative project designs.
- 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.

4.3. Comparison between Government of Vietnam and World Bank approaches

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

Table 4.1 - Comparison of Vietnam’s and World Bank’s Policies related to Involuntary Resettlement

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

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

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

Subjects	Bank’s OP 4.12	Government of Vietnam	Project Measures
	<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
Monitoring & Evaluation			
	<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 resettlement (Article 199, Land Law 2013). There is no explicit requirements on monitoring of the resettlement works, including both internal and independent (external) monitoring	Both internal and external (independent) monitoring is to be regularly maintained (on a monthly basis for internal and bi-annual basis for independent monitoring). An end-of-project report will be done to confirm whether the objectives of OP 4.12 were achieved.

5. PRINCIPLES AND POLICIES FOR RESETTLEMENT, COMPENSATION AND REHABILITATION

5.1. General principles

67. All projects affected people (PAP) who have assets within or reside within the area of project land-take before the cut-off date are entitled to compensation for their losses. Those who have lost their income and/or subsistence will be eligible for livelihood rehabilitation assistance based on the criteria of eligibility defined by the project in consultation with the PAPs. If, by the end of the project, livelihoods have been shown not to be restored to pre-project levels, additional measures will be provided.

- The compensation rates will be determined based on the results of independent appraisal of the land/crops/assets (associated with the land) in a timely and consultative manner. All fees and taxes on land and/or house transfers will be waived or otherwise included in a compensation package for land and structures/or houses or businesses. The local authorities will ensure that PAP choosing relocation on their own, obtain, without additional costs, the necessary property titles and official certificates commensurate with similar packages provided to those who choose to move to the project resettlement sites.
- Land will be compensated “land for land”, or in cash, according to PAP’s choice whenever possible. The choice of land for land must be offered to those losing 20% or more of their productive land. If land is not available, Project Management Unit (PMU) must assure itself, that this is indeed the case. Those losing 20% or more of their land will have to be assisted to restore their livelihood. The same principles apply for the poor and vulnerable people losing 10% or more of their productive landholding.
- PAPs who prefer “land for land” will be provided with land plots with the equivalent productive capacity for lost lands or a combination of land (a standard land plot) in a new residential area nearby for residential land, and cash adjustment for difference between their lost land and the land plots provided. The resettlement area will be planned properly and implemented in consultation with the PAPs. All basic infrastructures, such as paved roads, sidewalks, drainage, water supply, and electricity and telephone lines, will be provided.
- PAPs who prefers “cash for land” will be compensated in cash at the full replacement cost. These PAPs 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).

- Households whose income generation activities, or livelihoods are affected as a result of water cut during dam/reservoir rehabilitation (temporary impact) will be compensated for at replacement costs principle.
- The PAPs will be provided with 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 PAP at least 30 days prior to the taking of the assets for those who are not to be relocated and 60 days for those who will have to be relocated. Exceptions should be made in the case of vulnerable groups who may need more time.
- If, by the end of the project, livelihoods have been shown not to be restored to pre-project levels, additional measures will be provided.
- Additional efforts, such as economic rehabilitation assistance, training and other forms of assistance, should be provided to PAPs losing income sources, especially to vulnerable groups, in order to enhance their future prospects toward livelihood restoration and improvement.

5.2. Compensation Policies

68. All APs who are identified in the project-impacted areas on the cut-off date of the Project baseline survey (BLS) 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. The cut-off date will be the date when the PPC issues the Notification of Land acquisition for the relevant project (Article 67.1 of Land Law 2013) before implementation of DMS Those who encroach into the investment area or building their new assets (rehabilitation, construction of houses/structures, new tree planting) after the cut-off date will not be entitled to compensation or any other assistance.

69. Based on the feasibility study report, the baseline social survey (BLS), social impact assessment initially, the impact of resettlement: the group of people affected, download the affected land and other impacts through IOL. Based on the objectives of the policy and policy harmonization land acquisition, resettlement is proposed for the project, the interests of the affected people are required by law. The specific benefits for each group of affected people mentioned in the entitlement matrix below:

Table 5.1 Matrix of entitlement

Type of Loss/ Impacts	Application	Entitlements	Implementation Arrangements
Productive land ⁴ (Agricultural, garden, pond land, etc.) either in or out of the residential area.	Legal land users: Marginal loss (< 20% of land holding or < 10% for vulnerable group). The remaining area of affected plot is still economically viable for use or meets the expected personal yield.	Cash compensation at replacement cost (free from taxes and transaction costs) for the affected area of the land. Compensation policy is applied in compliance with compensation pricing by Quang Binh PPC at compensation approval (Decision number 36/2014/QD-UBND dated December 22nd, 2014).	- Affected households to be notified at least ninety days before land recovery by the Project. - The owner of land will hand over the land within 20 days from the date District Compensation Board fully pays compensation for land. There are 07 HHs under this circumstance.
	Land Users who do not have formal or customary rights to the affected land	In case the PAP uses public land where there was previous agreement to return the land to the Government when so requested, they will not be compensated for the acquired public land but will be compensated for structures, crops, trees	There are 17 HHs under this circumstance

⁴The sub-categories of productive land such as agricultural, forestry, garden, aquaculture and pond will be compensated at different rates. These will be specified and detailed in the Resettlement Action Plans to ensure the compensation is reflective of current rates and takes into account geographic variation. Land on which businesses are located will be compensated as detailed in the section on relocation of business.

Type of Loss/ Impacts	Application	Entitlements	Implementation Arrangements
		and other assets on the land at 100% of the replacement cost	
Crops and Trees, aquaculture products	Owners regardless of tenure status	<p>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> <p><i>Compensation policy is applied according to regulation in Item 90 Land Law 2013; Item 20, Decree 47/2014/ND-CP and regulation of Quang Binh PPC at compensation option approval (Decision 08/2015/QD-UBND)</i></p>	<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>There are 24 HHs under this circumstance</p>
Allowance for affected pond area	PAP having their garden/pond acquired in the same land plot where there are houses, yet garden/ponds are not considered as residential land	<p>Apart from compensation at replacement costs for the acquired land, cash allowance will be provided, equal to 50% of the average residential land price in the area as stated in <i>Section 8 Item 22 Decition 22/2014/QD-UBND dated September 9th, 2014 by Quang Binh PPC.</i></p> <p><i>Gardens, ponds assisted under this circumstance will not be supported for</i></p>	<p>Once time payment for PAPs at the compensation payment time.</p> <p>There are 02 HH under this circumstance</p>

Type of Loss/ Impacts	Application	Entitlements	Implementation Arrangements
		<p><i>vocational trainings and job seeking, as stated in Section 1 Item 27 Decision 22/2014/QD-UBND by Quang Binh PPC. If the value of this allowance for gardens/ponds is lower, the allowance for vocational training and job seeking will be applied instead.</i></p>	
<p>Allowance for vocational training and job seeking</p>	<p>Legal PAP with direct production activities on acquired land areas</p>	<p>Apart from compensation for acquired agricultural land at replacement costs, AH will also be provided with an allowance for vocational training and job seeking in cash, equivalent to from 5 times of compensation prices for all areas of acquired land.</p> <p>Supported area does not exceed the quota allocation of agricultural land in the local.</p> <p>If people in the working age of affected households is in need of vocational training, they will be provided vocational training courses in the local.</p> <p>Specific level of support is regulated by the provincial People's Committee based on the actual conditions of local (<i>Section 1 Item 17</i>)</p>	<p>Once time payment for PAPs at the compensation payment time.</p> <p>There are 07 HH under this circumstance.</p>

Abbreviated Resettlement Action Plan for the subproject “Repair and Upgrade Phu Vinh Reservoir, Dong Hoi city”

Type of Loss/ Impacts	Application	Entitlements	Implementation Arrangements
		<i>Decision number Decision 22/2014/QD-UBND dated September 9th, 2014 by Quang Binh PPC)</i>	

5.3. Resettlement and Income Restoration Strategy

70. For *households with affected residential land and have to resettle*. Households that have to resettle, relocate will identify and select options of relocation on their existing plots or to move to plots provided by the district or to receive cash compensation to make their own arrangements for relocation. In the case that any businesses have to relocate, they will be assisted to find viable new sites. However, in the subproject area, there are not any households are impacted on land, business and trade activities or must relocated.

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

- **Support for Skill/Job Change:** The project will offer a range of training options in consultation with the affected PAPs and relevant to the market demand and needs of the area. The financial compensation will at most 5 times the agricultural land prices established by PPC of the acquired agricultural land, but subject to the local land allocation limit as per Government’s regulations.
- **Support for training, apprenticeships on vocational training establishments:** At least one member of each affected household will be entitled to vocational training and assistance in getting employment in the PPC. The PAPs participating in such training programs will be exempted from payment of tuition fees. After finishing training courses, they will be given priorities to be recruited in local manufacturing industries.

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

6. LIVELIHOOD RESTORATION MEASURES

73. Livelihood restoration program aims to ensure that AP can maintain or improve their living standards and incomes from utilising compensation and allowances for lands and structures lose.

74. Livelihood and income restoration program is constructed for 02 groups of AP:

- Relocating households;

- Severely affected households: lose more than 20% of productive land.

75. However, according to EOL in **Section 3** and results of Information dissemination and Public consultation (including both affected and non-affected people) – **Section 8**, within subproject area, there is no severely affected HH or any HH losing infrastructures and have to relocate (*there are 07 AH having perennial agricultural land and freshwater aqua cultural land acquired since these areas belong to construction safety corridor*). As a result, preparation of livelihood restoration program for AH in this subproject is not necessary.

7. ORGANIZATIONAL ARRANGEMENT

7.1. Central level

76. **The Ministry of Agriculture and Rural Development (MARD)**, on behalf of the Government, is the project owner, has overall responsibility for the whole project. The Ministry of Natural Resources and Environment (MONRE) and the PPCs of the project provinces are the Employers of the sub-projects, has responsibility for investment decisions under sub-projects managed by the Ministry and the provinces. A Project Steering Committee (PSC) will be established, including representatives of the MARD, the MONRE, relevant Ministries and sectors, the PPCs of the project provinces, to be responsible for frequent monitoring and managing the Project during its implementation process.

77. **The Central Project Office (CPO) in the MARD** will take the overall responsibility to supervise and monitor the resettlement activities in order to assure the compliance with RPF:

- Cooperate with PPCs to conduct compensation and resettlement to assure compliance with RPF and suit with construction progress.
- Organize training and building capacity for project implementing agencies (PPMU and Resettlement Committee) on implementation procedure of RPF and RAP.
- Cooperate with PPMU to monitor internally compensation and resettlement of overall project.
- Select and coordinate the independent monitoring consultants for overall project.
- Report periodically on resettlement to MARD and WB.

7.2. Provincial Level

78. **Quang Binh PPC** holds overall responsible for compensation and land clearance within the province. The PPC is responsible for:

- Inform or authorize DPCs to announce about land acquisition when the sub-project location is selected.
- Issue decision on land acquisition to land-owners.
- Approve RAPs of their respective sub-projects.
- Approve overall plan on land acquisition.
- Instruct DPCs to implement compensation, resettlement, and site clearance.
- Provide adequate funds for compensation in a timely manner.

79. **PPMU:** responsible for implementation of construction phase of the project. PPMU will manage compensation and land acquisition process of the subproject, including:

- Sign contracts with provincial compensation institution to compensate and acquire lands.
- Closely cooperate with related departments, institutions and people’s committees in Phan Rang –Thap Cham city to arrange resettlement and land acquisition, ensure implementation of compensation and resettlement comply with construction plan.
- Internal supervise implementation of compensation and resettlement of the subproject, report quarterly on implementation progress to CPO.

7.3. City level

80. **Dong Hoi city People’s Committee (DPC)** is responsible for:

- Establishing DRC and nominating one vice-chairman of the DPC to be the head of the DRC. Members of the DRC consist of representatives of specialized departments such as Department of Agriculture, Department of Economy and Planning, Department of Industry and Commerce, Department of Finance, and Department of Natural Resources and Environment.
- DPC directly guides DRC and CPCs of affected communes to implement compensation, and land clearance.
- Approving compensation plans submitted by DRC as per assignment by the PPC.
- Settling complaints and grievances of the AP

81. **District Resettlement Committee (DRC)** bears responsibility for implementation of compensation and land clearance for works located in their respective districts, including:

- Conducting replacement cost surveys in their districts.

- Co-operating with the CPCs to disseminate information and consult affected communities.
- Inventorying affected assets, preparing compensation plans to submit to DPC/PPC for approval.
- Co-operating with PPMU and CPCs of affected communes to implement compensation and land clearance.
- Responding to AP’s queries and advise DPC in settling AP’ grievances.

7.4. Precinct/Commune level

82. Dong Son Precinct People’s Committee and Thuan Duc Commune People’s Committee (CPC) are 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 consultation.
- Verifying origins of affected land and assets of APs
- Settling AP queries relating to inventory of their assets.
- Assisting AP in restoring their livelihoods, incomes, and stabilizing their lives.

83. Community level: the representatives of affected households in Thuan Duc commune and Dong Son precinct participate in the Asset Statistic Unit to supervise implementation process and sign in the Affected Asset Statistic Records of AH.

8. INFORMATION DISSEMINATION AND PUBLIC CONSULTATION

8.1. Information Dissemination

84. Information disclosure for subproject’s AP and related organisations is one of important works in the process of preparation and implementation. Consultation with AP and ensure that they will actively involve will also reduce risk of conflicts and risk of implementation delay. This also allows the subproject to design resettlement and restoration programs as an inclusive development program, adapt to demand and priorities of AP, hence, increase economic and social efficiency of investment. Aims of information disclosure and public consultation include:

- i. Ensure that the competent authorities as well as local representatives of those affected, were involved in planning and decision making. Project Management Unit worked closely with the Province People's Committee, district and communes/town in the project implementation process. The participation of the affected people during implementation were continued by requesting the district to invite representatives of the affected people to be themembers of district

- Compensation and resettlement Council/Board and to participate in resettlement activities (property evaluation, compensation, resettlement, and monitoring).
- ii. Share information on all items and activities expected of the project affected persons.
 - iii. Collect information on needs and priority of those affected, as well as receive information about their reaction on policies and activities planned.
 - iv. Ensure that those affected can be fully informed decisions directly affect the incomes and living standards, and they had the opportunity to participate in the activities and decisions about issues directly affecting them.
 - v. Achieve coordination and participation of affected people and communities in activities necessary for planning and implementing resettlement.
 - vi. Ensure transparency in all activities related to land acquisition, compensation, resettlement and restoration.

8.2. Public Consultation

8.2.1. Consultation during RAP Preparation

85. In the preparation phase, information disclosure and public consultation aim to collect information to assess the impact of subproject’ resettlement and propose recommendations on resettlement options. This is to reduce or eliminate potential adverse impacts of the subproject to local residents, and to prepare in advance to cope with potential problems arise in implementation process. Methods of information disclosure and public consultation include rural rapid assessment with participation of related parties, public meeting, group discussion, focus group and social economic surveys.

86. Consultation during the abbreviated RAP preparation was conducted by PPMU in the period from *March 2nd to 3rd, 2015* with the following contents:

- Inform sufficiently, freely and democratically local authorities and AP of the subproject “Repair and upgrade Phu Vinh reservoir, Dong Hoi city”
- Notify schedule of RAP preparation to each AH
- Survey using questionnaire to each AH about:
 - o Opinions on implementation schedule of the subproject “Upgrade dyke at the North of Dinh river”
 - o Impacts of construction to residents’ life and local infrastructures; advantages and difficulties in resettlement; opinions and expectations of compensation and resettlement plan.
 - o General information on local authorities and representatives of the area

- Opinions on compensation, assistance and resettlement policy of the subproject.

Number of participants:

(i) Thuan Duc commune

- Total number of participants: 15 people
- Of which: Male: - 10 people - accounted for 66.7%
Female: - 5 people - accounted for 33.3%.

(ii) Dong Son Precinct

- Total number of participants: 12 people
- Of which: Male: - 10 people - accounted for 83.3%
Female: - 2 persons - accounted for 16.7%

87. Based on information collected in this phase, consultant unit had prepared the abbreviated RAP draft and disclosed to subproject areas. On March 24th and 25th, 2015, PPMU held the 2nd community consultations in the affected area to take comments on the abbreviated RAP draft. Comments were received and considered to include in the final report.

Number of participants:

(i) Thuan Duc commune

- Total number of participants: 23 people
- Of which: Male: 16 people - accounted for 69.6%
Female: 7 people - accounted for 33.4%.

(ii) Dong Son Precinct

- Total number of participants: 22 people
- Of which: Male: 14 people - accounted for 63.6%
Female: 8 people - accounted for 36.4%

88. Consultation results

- Local government and residents wholeheartedly support the implementation of this subproject. They acknowledge the necessity of upgrade and repair works in natural hazard prevention and mitigation, in protecting their lives and properties, as well as in supplying water for downstream area. As a result, all participants in consultation support the subproject implementation.
- Impacts related to land acquisition: identified all areas to be acquired are in Thuan Duc commune and some in Dong Son precinct. These areas are in dam safety corridor but have been cultivated without authority by local residents. Hence, the subproject will only compensate for trees and crops on land of AH.

In case of perennial agricultural land and aqua cultural land having LURC (in Dong Son precinct) along the main dam, these lands are within dam safety corridor, therefore, required acquisition of both land and assets on land. However, local government and residents participated in consultation meetings identified that the impacts of this acquisition will not be significant to their production and living activities. Furthermore, these impacts are considerably insignificant, comparing to the benefits the subproject will bring.

- Compensation and assistance policies of the subproject received consensus from all participants in meeting and from survey using questionnaire. Common expectation of local government and residents is that the authority conducts land acquisition publicly, transparently and fully in compliance with policy of the Government of Vietnam and the sponsor, thereby, ensure rights and entitlements of AP.

In addition, some interviewees also expected the subproject to be conducted in near future to ensure reservoir safety, as well as create favourable condition for production and transportation, enhance living quality of the area.

(These comments were fully recorded in the minutes of consultation time 1, 2 - Appendix 04, 05 of this report).

8.2.2. Public consultation during the RAP implementation

89. The purpose of the consultation meeting during RAP implementation was to provide information and consult the AH and other concerned organizations and individuals about: (i) The results of EOL, expected cost of compensation and allowance for every HH; pricing for compensation, assistance and resettlement; (ii) The procedures for compensation payment and resettlement activities.

90. Consultation will collect comments of local AH adequately and precisely and create opportunities for PAP to fully participate in the abbreviated RAP preparation, hence ensure the democracy in the execution of subproject. Information collected from consultation during the abbreviated RAP implementation will help implementation units to timely detect problems or wrong-doing to adjust and resolve.

91. In the preparation phase of the abbreviated RAP, PPMU will cooperate with People’s Committees of Dong Hoi city, Dong Son precinct, Thuan Duc commune and community-based monitoring group to regularly consult affected communities (to be updated).

92. *Project Leaflet.* A Project Leaflet providing project information will be prepared and handed out to the APs in the project preparation and implementation stages to ensure that the people are well aware of the project benefits. The project leaflet will provide detail of the compensation and assistance policies mentioned in

this RPF so as to propose social impact mitigation measures in case of land acquisition and site clearance by the sub-project. A sample of the leaflet is presented in Annex 2.

8.3. Information disclosure

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

9. GRIEVANCE REDRESS MECHANISM

9.1. World Bank’s Requirements on Involuntary Resettlement (OP/BP 4.12)

93. The WB’s involuntary resettlement policy requires each project to establish a mechanism for grievance settlement and determines responsibilities of the stakeholders for handling grievances raised by AP about compensation, allowances, and resettlement. This mechanism aims to ensure APs’ satisfaction with implementation of the RAP, and provide the APs with a legal platform for monitoring and reporting on the RAP implementation. Specifically, the purposes of the grievance mechanism are to allow APs to seek satisfactory resolution to grievances they may have in relation to possible land acquisition or other project interventions. The key principles of the grievance mechanism are to ensure that:

- i. The basic rights and interests of APs are protected
- ii. The concerns of APs arising from the project implementation process are adequately addressed
- iii. Entitlements or livelihood assistance for APs are provided on time and accordance with the above safeguard policies of the Government and the WB.
- iv. APs are aware of their rights to access and shall have access to grievance procedures free of charge for the above purposes; and
- v. The grievance procedures will be an important part of the conflict resolution mechanism that is community-based, involving ethnic minorities and representatives of other vulnerable groups, and therefore, collectively managed

94. At the beginning of the project implementation, Grievance Redress Committees will be established from communal to provincial levels based on the existing structures consisting of concerned departments, mass organizations, women and ethnic representatives. At the communal level the community-based organization will incorporate the existing grievance mechanisms that will be chaired by leader of

Communal People’s Committee (CPC). The grievance mechanism and procedures will resolve complaints, and with the availability of local resources resolve conflicts not only on safeguard issues but also others during project implementation. Based on this structure, the community-based organization would assist during the project preparation, design, implementation, and future developments. The grievance mechanism will be applied to persons or groups that are directly or indirectly affected by a project, as well as those that may have interests in a project and/or have the ability to influence its outcome either positively or negatively.

95. APs, if not satisfied or unclear about the RAP implementation and compensation may raise their complaints to the CPC. The claim may be made orally or in writing with assistance from the CPC who shall provide response to the claimant within 5 days after receipt of the grievance. If the claimant is not satisfied with the decision made at the commune level, she/he may submit the claim to the district PC with support from the PPMU. Within 15 days after receipt of the claim, the district committees shall make decision and provide response to the claimant. The claim may be lodged with Provincial Court of Law whose judgment would be final.

96. All complaints and grievances will be properly documented and filed by the commune and district PCs as well addressed by PPMUs through consultations in a transparent and proactive manner. These grievance documents and report will be made public accessible. All costs associated with grievance handling process incurred by the claimant and/or her/his representatives are to be covered by the project developer. The grievance handling process is described below.

9.2. Grievance Redress Mechanism

97. In order to ensure that all APs’ grievances and complaints on any aspect of land acquisition, compensation and resettlement are addressed in a timely and satisfactory manner, and that all possible avenues are available to APs to air their grievances, a well-defined grievance redress mechanism needs to be established. All APs can send any questions to implementation agencies about their rights in relation with entitlement of compensation, compensation policy, rates, land acquisition and grievance redress. APs are not required to pay any fee during any of the procedures associated with seeking grievance redress including if resolution requires legal action to be undertaken in a court of law. This cost is included in the budget for implementation of RAPs.

98. The steps of Grievance Redress Mechanism are as follows:

99. **First Stage - Commune/Ward 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 – At Dong Hoi City 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.

100. **Third Stage - At Quang Binh Province 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 - Quang Binh Court of Law Decides: 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.

- 1) Decision on solving the complaints must be sent to the aggrieved APs and concerned parties and must be posted at the office of the People’s Committee where the complaint is solved. After three days, the decision/result on solution is available at commune/ward level and after seven days at district level.
- 2) In order to minimize complaints to the provincial level, PMU will cooperate with the District Resettlement Committee to participate in and consult on settling complaints.
- 3) Personnel: The Environmental and Resettlement staff assigned by PMU will formulate and maintain a database of the APs’ grievances related to the Project including information such as nature of the grievances, sources and dates of receipt of grievances, names and addresses of the aggrieved PAPs, actions to be taken and current status.

- 4) In case of verbal claims, the reception board will record these inquiries in the grievance form at the first meeting with affected people.
- 5) The independent monitoring Consultant will be responsible for checking the procedures for and resolutions of grievances and complaints. The independent monitoring Consultant may recommend further measures to be taken to redress unresolved grievances. During monitoring the grievance redress procedures and reviewing the decisions, the independent monitoring agency should closely cooperate with the Vietnam Fatherland Front as well as its members responsible for supervising law enforcement related to appeals in the area.
- 6) The grievance resolution process for the Project, including the names and contact details of Grievance Focal Points and the Grievance Facilitation Unit (GFU), will be disseminated through information brochures and posted in the offices of the People’s Committees at the communes and districts and PMU.
- 7) At the same time, an escrow account for resettlement payments should be used when grievance is resolving to avoid excessive delay of the project while ensuring compensation payment after the grievance has been resolved.
- 8) To ensure that the grievance mechanism described above are practical and acceptable by APs, it were consulted with local authorities and communities taking into account of specific cultural attributes as well as traditional-cultural mechanisms for raising and resolving complaints and conflicting issues. The ethnic minority objects and efforts were also identified and determined which are culturally acceptable ways to find the solution.

10. FINANCIAL SOURCE AND COST ESTIMATION

10.1. Replacement cost survey

101. In the preparation of RAP for this subproject, PPMU and consultant unit had conducted replacement cost survey (RCS) in March 2015. The surveys were carried out at Thuan Duc commune, Dong Son precinct and Dong Hoi city in Quang Binh province.

10.1.1.Purposes and Works

102. ***Purposes of RCS:*** RCS aims to identify compensation prices for all types of land, assets and vegetation of HH that are affected by the subproject. Based on the market price at survey time, PPMU chooses the appropriate prices for affected assets.

103. ***Survey targets:*** Replacement costs were surveyed directly at commune/precinct where the subproject is constructed. Assets needed to be surveyed include:

- Prices of lands (perennial agricultural land, annual agricultural land, forest land, rice field,...)

- Prices of plants (rice plants, perennial trees, fruit trees...)

104. **Survey participants:** AH are prioritised to participate in the survey. Thereby, their expectations on compensation prices are reflected. However, in order to achieve an objective result, some officers at affected commune/precinct and non-affected households with similar characteristics of land location and assets owned... are also selected to survey.

10.1.2.Replacement cost principles

105. Replacement cost is the appropriate amount of money to replace affected assets and required transactions, specifically for each type of asset as following:

- *In term of agricultural land:* is the market price at the point before the project or at compensation costs, depends on which is higher, of the land with the same production potential in the area close to the affected land, add by the costs to prepare the land to achieve the same value of land as the affected land, add by any registration fee or transferring taxes.
- *In term of annual crops and vegetation:* determined according to value of the highest yield of a season in the past 3 years.
- *In term of perennial trees:* determined based on species, age and productivity.
- *In term of wood-tree:* determined based on species, diameter, height and value at the acquisition time.

10.1.3.Implementation and methodology

106. PPMU in cooperation with consultant unit had conducted 02 survey campaigns and collected information in Quang Binh province, Dong Hoi city and at 02 commune and precinct affected. Each campaign was carried out with participation of resettlement experts (including 02 level 2 experts and supporting specialists with sufficient qualification and experiences from similar projects).

107. **The procedure of replacement cost survey:**

- (i) Collect the official papers regulating compensation and assistance prices when acquire land and assets on land as stated by the GoV and Quang Binh PPC;
- (ii) Discuss with representatives of Department of Finance, Department of Natural Resources and the Environment, Quang Binh PPC on legal basis, principles and methodology the Province used to estimate compensation price for land and assets on land;
- (iii) Investigate the projects that had had have implemented in Quang Binh province, applicable compensation and assistance regulations and responses of the residents;
- (iv) Statistics the affected assets when the subproject acquires land acquisition;

- (v) Prepare questionnaire with contents including compensation prices for lands, infrastructures and trees, crops affected that the residents expect in case having land and asset acquired;
- (vi) Conducted RCS campaign 1 on March 2nd and 3rd, 2015:
 - Consulted local officers (at provincial, city and commune/precinct level) and residents at affected communes (including both affected and non-affected people);
 - Consulted suppliers of construction materials and contractors to identify market price of construction materials and services;
 - Consulted whole-sellers and dealers of agricultural products in the area for prices of trees and crops;
- (vii) Summarise the collected data; Calculate range of surveyed prices; Compare the surveyed prices to the Province's price;
- (viii) Propose replacement price for lands and assets on land affected by the subproject;
- (ix) Prepare draft version of the abbreviated Resettlement Action Plan and disseminate to all levels of authorities and local communities;
- (x) Conduct RCS campaign 2 on March 24th and 25th, 2015, consulted local government and residents on replacement costs proposed in the abbreviated RAP draft.
- (xi) Summarise comments and opinions in the consultation, update to the report, if require.

108. After the report is approved and the subproject begins to be implemented, replacement cost survey will be conducted another time by DRC and consultant unit with similar procedure as described above. Thereby, compensation prices will be reassessed and adjusted, if necessary, to ensure that replacement prices are close to market price at compensation time and affected people will receive compensation amount equivalent to the acquired assets or sufficient to recover the affected assets.

109. Results of updated RCS, public consultation and total cost estimation will be presented to and discussed with PPC to arrange financial source. The final replacement cost will only be set with approval of local community, provincial officers and WB.

10.1.4. Result of RCS

110. In the process of RCS, PPMU and consultant unit also consulted local government and residents on the replacement and prices of Quang Binh province. The result of the survey shows that compensation price of PPC is equal to the surveyed price in the affected area.

111. However the subproject area is a rural area, main income is from free works, temporary works and a part from agricultural production and there has been no transaction of productive land. Thus, local communities support the compensation price following the price of Quang Binh province.

(RCS is summarised in **Appendix 06** of the report).

Table 10.1 RCS results

Unit: VND/unit asset

No	Affected asset	Asset unit	Province's price	Averaged surveyed price	Percentage (%)
A	LAND				
1	Perennial agricultural land	m ²	14,000	13,400	96
2	Aquaculture land	m ²	10,000	8,250	83
B	TREES AND CROPS				
1	Gum trees, acacia plants scattered, diameter 5÷10 cm	Individual	12,500	11,375	91
2	Gum trees, acacia plants clustered, diameter > 10 cm	Ha	38,176,000	31,250,000	82
3	1-season rice field	m ²	2,530	2,000	80
4	Jackfruit trees in harvest	Individual	299,000	237,500	79
5	Banana trees matured	Individual	22,000	18,750	85

112. Results of RCS in Table 10.1. above suggest that all affected assets have lower market prices than compensation price by Quang Binh province. In most case, the differences between province's and survey's prices are less than 20%.

113. In consultation meetings, compensation prices by Quang Binh province have been represented to local government and residents to acknowledge and reference. According to results from questionnaire, most participants satisfy with compensation price of the PPC.

10.1.5. Conclusion and recommendations

114. Based on results of RCS and opinions of local government and residents in public consultation, compensation prices as regulated by Quang Binh province are identified as appropriate to use as replacement cost for this subproject.

115. After the subproject is approved and officially commenced, replacement costs will be surveyed again at acquisition time. Results of updated RCS, public consultation and total cost estimation will be presented to and discussed with PPC to arrange

financial source. The final replacement cost will only be set with approval of local community, provincial officers and WB.

10.2. Financial source

116. All costs of compensation, assistance and resettlement of the subproject “Repair and upgrade Phu Vinh reservoir, Dong Hoi city” are covered by Quang Binh province’s budget.

10.3. Cost estimation for compensation and assistance

10.3.1. Compensation cost

117. Based on result of EOL and RCS and the latest regulations of Quang Binh PPC on compensation prices for lands and assets on land (*Documents are listed in section 4.1 of this report*), compensation price following to prices of Quang Binh province province’s official compensation prices are considered appropriate to use as replacement cost of this subproject.

118. Costs estimated for the abbreviated RAP of this subproject include: (i) compensation for permanent land acquisition; (ii) compensation for trees and crops (*details in Appendix 08 of this report*).

Table 10.2 Compensation cost of the subproject

No	Type of asset	Total compensation cost (VND)
1	Permanent acquisition of perennial agricultural	160,449,800
2	Permanent acquisition of aquaculture land	7,190,000
3	Trees, crops and farm animals	241,430,454
Total		409,070,254

10.3.2. Assurances and other costs

119. *Allowances for vocational changing:*

- Decision number 22/2014/WD-UBND dated September 9th, 2014 by Quang Binh PPC about Regulation on compensation, assistance and resettlement when the Government acquires land in Quang Binh province;
 - HH, individuals directly cultivate when the Government acquires agricultural land that receives compensation, in addition to cash compensation for acquired land, are entitled to allowance for vocational training, job changing and job seeking. The allowance is equivalent to 05 times of price of agricultural land at local land price for all agricultural land acquired.
 - HH, individuals have gardens/ponds in the same accommodation land lot with sufficient requirements for compensation, in addition to compensation amount at perennial agricultural land at price regulated by the

PPC, are entitled to receive an allowance equivalent to 50% of residential price for that land lot; assisted areas are actual acquired areas.

Table 10.3 Assistance cost

No	Type of allowance	Number of HH	Cost (VND)
1	Allowance for HH, individual directly cultivate on agricultural land acquired by the Government	07	802,249,000
2	HH, individual having gardens/ponds acquired	02	3,595,000
Total			805,844,000

120. *Management fee*: for the implementation of RAP of the subproject, is calculated at 2% of the sum of compensation and assistance costs (*regulated in section 1, item 3, circular number 57/2010/TT-BTC*);

121. *Contingencies for price and price arising*: equals to 10% of sum of compensation and other costs, to reserve for insufficient statistics or arising prices (*regulated at point 1.1.7 Circular number 05/2007/TT-BXD*);

Table 10.4 Management fee and contingencies

No	Type of fee	Cost (VND)
1	Management fee	24,298,285
2	Contingencies	121,491,425

122. Total cost estimated for compensation and assistance for resettlement of this subproject is **1,363,661,000 VND** (*In words: One billion three hundred sixty-three million six hundred sixty-one thousand Vietnam Dong*), including (i) compensation cost, (ii) assistance cost, (iii) implementation cost, (iv) contingencies (*details in Appendix 08*)

Table 10.5 Summary of cost estimation

No	Type of cost	Cost (VND)
1	Compensation	409,070,254
2	Assistance	805,844,00
3	Implementation cost	24,298,285
4	Contingencies	121,491,425
Total		1,360,703,964
Rounded-up		1,360,704,000

11. MONITORING AND EVALUATION

11.1. Monitoring

123. Monitoring is a continuous evaluation process of the project implementation which is related to the unified implementation schedule on the use of the project inputs, infrastructures and services. Monitoring provides concerned agencies with continuous reflections on the implementation status. Monitoring determines the reality, successful possibility and arising difficulties as soon as possible to facilitate the due adjustment in the project implementation.

124. Monitoring includes 2 following purposes:

- Monitor whether the project activities complete efficiently or not, including quantity, quality and time.
- Assess whether these activities reach the objectives and purpose of the Project or not, and how much do they reach.

11.2. Internal Monitoring

125. Internal monitoring of the RAP implementation of the Sub-projects is the main responsibility of the implementation agency with the assistance of the project consultants. The implementation agency will monitor the progress of RAP preparation and implementation throughout the regular progress reports.

126. The criteria of internal monitoring includes but not limit to:

- 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, relocation, allowance payment and relocation assistance.
- Implementation of income recovery and entitlement to recovery assistance.
- 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.

127. 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.

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

- Number of affected persons according to types of effect and project component 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.
- RP Schedule is actually updated.

12. IMPLEMENTATION ARRANGEMENT

12.1. Implementation activities

129. Implementation steps, procedures and regulations on compensation and assistance for resettlement are conducted in compliance with regulations, policies of WB and the Government of Vietnam. Based on the regulations, institutional arrangement and collaboration with the related parties as represented above, the basic operation of the compensation and resettlement is carried out in the following steps:

- **Step 1: Introduce Location and Notify Land Acquisition**

130. The identification and land acquisition notice is based on the written evaluation letters of land use needs of the Department of Natural Resources and Environment submitted to Quang Binh People's Committee for approving and issuing land acquisition notices (including reasons land acquisition, area and location of land recovery on the basis of the existing cadastral or detailed approved construction planning; to assign the district's people committees for land acquisition notification to the public, to guide compensation and assistance in the district level to perform inventory tasks, establish compensation plans). District's people Committees is responsible for directing the widespread policy of land confiscation, the regulations on land acquisition, compensation assistance when recover of used land for national defence purposes, security, national interests, public interests and economic development.

131. Commune's People's Committee responsible to post up a public notice about land acquisition policies in the commune's People's Committee headquarters and in the points of living and residential areas where land is recovered, widely reported on radio system level (in places having radio system).

- **Step 2: Prepare Cadastral for Land Acquisition Sites**

132. Based on documents on land acquisition of the municipal People's Committee, Department of Natural Resources and Environment shall direct the registration office for land use rights in same level to make the preparation of cadastral files.

133. Revision of the cadastral map to suit the current situation and make extracts of the cadastral map for places which have formal cadastral maps or conduct cadastral measurements for places with no formal cadastral maps;

134. Complete and make extract from cadastral (land register) to send to the DRC;

135. Make a list of parcels of land to be recovered with the following contents: number of maps, land parcel numbers, names, land use area of the parcel of land has the same purpose, the purpose of land use.

- **Step 3: Planning, Evaluating and Approving the General Plan on Compensation, Assistance and Resettlement**

136. The Owner guide the consultant unit to create overall compensation and resettlement assistance plans (hereinafter called the general plan) based on survey data, field surveys, existing document issued by the Natural Resources and Environment, which had been assessed and approved along with approved investment projects. Comprehensive plan shall contain the following:

- a. The basis for the plan creation;
- b. General data on the types of land area and grade land for agriculture, the number of maps, parcel number, estimated value of existing assets on the land;
- c. General data on the number of households, number of household members, number of employees in the area of land recovery, clearly stating the number of employees in switched careers, resettlement of households;
- d. Expected level of compensation and support ;
- e. Plan measures to help jobs creation and training plan of job conversion;
- f. Cost estimate to implement the plan;
- g. Funding sources to implement the plan;
- h. Progress of implementation plans.

- **Step 4: Making Landmarks for Clearance**

137. After projects are approved by competent authorities, the project owner base on the basic design to conduct the clearance boundary markers, handed over to the organization in charge of compensation management and implementation the next steps of site clearance work. In stage of formulation, approval of technical design (or design of construction drawings) if any adjustment on the scope of site clearance, project investors coordinate with organizations in charge of compensation promptly, accurately and immediately notify the local authority the content adjusted.

- **Step 5: Prepare Compensation, Assistance and Resettlement Plans**

138. Based on the land acquisition policy and the site clearance landmarks of the project, the Organization in charge of compensation prepares the detailed enumeration

report for each land acquisition case (called the compensation quantity enumerating report, for short). The report has to present specific contents, including names, places of permanent address registration, places of temporary address registration, current addresses of acquired land owners, the number of household members, the number of labourers and social policy beneficiaries (if any); the area and the location of the acquired land lot; the quantity of crop plants and domestic animals; the shape, the dimension, the quantity, the structure and basic features of assets currently on that land; emerging and underground works associated to the acquired land.

139. The organization in charge of compensation co-operates with the Land Use Rights Registration Office and Ward People’s Committees to identify the origin of each acquired land lot and the legal owner of the land lot based on documents related to the land use, cadastral documents, cadastral maps, inventory documents, cadastral books, statistics registration books, monitoring books of land use right certificates granting and tax registers of the acquired land.

140. Pursuant to the compensation quantity enumerating report, the origin of each acquired land lot, unit prices and compensation policies as stipulated, the Organization in charge of compensation implements the preparation of the compensation and assistance plan with following contents:

- Name and address of the owner of the acquired land;
- Area, type, location and origin of the acquired land;
- Calculation bases for the money amount of compensation and assistance such as the compensated land price, the house price, the compensated works, the number of household members, the number of labourers in the working age, and the number of social benefits beneficiaries;
- Amount of compensation and assistance money;

Collection of comments on the compensation and assistance:

- The compensation and assistance is openly posted at ward PC headquarters and at residential activities places where land is acquired so that the land users and relevant people can give comments;
- The posting must be made in written form confirmed by representatives of ward PCs, Ward Committees of Fatherland Front and acquired land owners;
- The period of posting and receiving comments lasts at least twenty (20) days as from the date of posting.

Finalization of the compensation and assistance:

- At the end of the plan posting and comments receiving period, the DRC in charge of compensation and site clearance will be responsible for written synthesis of comments, including a clear statement of agreement, disagreement

and other opinions towards the compensation and assistance. DRC is also responsible for finalizing the plan and sending the finalized plan and the collection of contributed comments to the Natural Resources and Environment agency for appraisal.

- In case there are many disagreement opinions towards the compensation, assistance and resettlement plan, the DRC in charge of compensation and site clearance will need to clarify or review and adjust the plan before it is sent to the Natural Resources and Environment agency for appraisal.

- **Step 6: Evaluation and Approval of the Compensation and Assistance Plan**

141. Division of Natural Resources and Environment shall assume the prime responsibility and coordinate with related departments at district level for evaluation of compensation, assistance plan, in accordance with regulation; submission to DPC for approval of the compensation, supporting plan by regulations.

- **Step 7: Decision on Land Acquisition and Redress Grievances against Decision on Land Acquisition**

142. Based on report of land acquisition, compensation and support prepared and approved by competent agencies, the extracts or the cadastral measurements of land plots. District People's Committee makes decisions of land acquisition for affected households, individuals and communities.

143. During the implementation of land acquisition, if there is any question or complaint from citizens, the CPC will gather comments and complaints and send to the competent authorities' to consider.

144. While a decision of grievance redress is pending, decisions on land recovery must be continued. Where State agencies have jurisdiction over complaints concluded the land acquisition is contrary to law, must stop land acquisition, state agencies have issued decision to withdraw the land must make new decision on cancelling the decision issued on land acquisition and must compensate damages from recovery decisions (if any). Where State agencies have jurisdiction over complaints concluded the land acquisition is lawful, the person whose land is recovered to abide by the decision of land recovery.

- **Step 8: Compensation, Assistance and Resettlement Plan Approval and Disclosure**

145. District People's Committees approve the compensation, assistance and resettlement plan according to regulations.

146. Within a period not exceeding three (03) days from the date of receipt of the approved compensation and assistance, DRC coordinates with CPCs disseminate publicly approval of the compensation, assistance and resettlement plan in CPC headquarters and at communal activities places in residential areas where land is

recovered; send the decision on compensation and assistance to people whose land is recovered, which clearly states the level of compensation, assistance, on land allocation and resettlement (if any), time and place of payment of compensation, assistance time and hand over the land recovered to DRC.

- **Step 9: Payment of Compensation and Assistance**

147. Compensation and assistance will be paid upon approvals of compensation and assistance plans.

- **Step 10: Site Handover and Enforcement of Land Acquisition**

148. Within twenty (20) days from the date of organization in charge of compensation and site clearance complete payment for compensation and support for land acquisition under the approved plan, the person whose land is recovered, is responsible to hand over land to the organization in charge of compensation and site clearance.

149. In cases where the people, who land is recovered, is not implement the decision of land acquisition, the competent level people's committee will issue coercive decision for land acquisition. The forcible land acquisition shall comply with the provisions of Decree number 43/2014/ND-CP.

12.2. Implementation schedule

Table 122.1 Implementation schedule

Activities	Responsible unit	Implementation schedule
Preparation		
Guidance for preparation of safeguard document for the project	WB and the GoV	1 st quarter 2015
Prepare RAP for the subproject	PPMU and consultant unit	1 st quarter 2015
Submit for approval of RAP	PPMU and consultant unit	2 nd quarter 2015
Approve RAP; publish on the GoV, WB's and provincial websites	WB and PPMU	3 rd quarter 2015
Training and capacity building for project staffs and DRC	PPMU	3 rd quarter 2015
PPMU signs contract with DRC for RAP implementation	PPMU and DRC	3 rd quarter 2015
Implementation of RAP for the subproject		
Inventory affected assets of PAP and	PPMU, DRC, People's committee of Thuan	4 th quarter 2015

Abbreviated Resettlement Action Plan for the subproject “Repair and Upgrade Phu Vinh Reservoir, Dong Hoi city”

Activities	Responsible unit	Implementation schedule
prepare compensation plan	Duc commune and Dong Son precinct	
Compensation and assistance payment	PPMU, DRC, People’s committee of Thuan Duc commune and Dong Son precinct	1 st quarter 2016
Internal monitoring RAP implementation monthly and report quarterly	PPMU	1 st quarter 2016

REFERENCES

1. Term of References for Social Assessment Report, Resettlement Action Plan and Ethnic Minority Development Plan for subprojects in the first year.
2. Quang Binh Province People’s Committee, 2015, *Quang Binh province official website* [Online], retrieved on March 28th, 2015 from <http://www.quangbinh.gov.vn>.
3. Report number 60/BC-BND dated July 16th, 2014 by Dong Son precinct people’s committee on socio-economic state in the first 6 months of 2014 and focused duties in the last 6 months of 2014.
4. Report number 77/BC-UBND dated December 19th, 2014 by Thuan Duc commune people’s committee on socioeconomic state in 2014 and development duties for 2015.

APPENDICES

- 1) Appendix 01: Construction works and technical designs of reservoir
- 2) Appendix 02: Example results of Social – Economic Survey and Estimation of Loss Survey questionnaires
- 3) Appendix 03: Summary of subproject’s adverse impact
- 4) Appendix 04: Minutes of consultation meetings in communes/precincts in the subproject – Campaign 1 (about the implementation of the subproject and potential impacts from land acquisition and resettlement)
- 5) Appendix 05: Minutes of consultation meetings in communes/precincts in the subproject – Campaign 2 (about the RAP draft)
- 6) Appendix 06: Results of Replacement Cost Survey
- 7) Appendix 07: RCS questionnaires
- 8) Appendix 08: Cost estimation for RAP of the subproject
- 9) Appendix 09: Information brochure
- 10) Appendix 10: Photographs of consultation and field surveys