

**QUANG NGAI PROVINCIAL PEOPLE'S COMMITTEE
PROJECT MANAGEMENT BOARD FOR IRRIGATION INVESTMENT
AND CONSTRUCTION**

**PROJECT:
DAM REHABILITATION AND SAFETY IMPROVEMENT**

RESETTLEMENT ACTION PLAN

**SUBPROJECT:
DAM REHABILITATION AND SAFETY IMPROVEMENT FOR DAP LANG RESERVOIR IN
HANH TIN TAY COMMUNE,
NGHIA HANH DISTRICT, QUANG NGAI PROVINCE**

HA NOI, APRIL 2015

**QUANG NGAI DEPARTMENT OF AGRICULTURE AND RURAL
DEVELOPMENT
MANAGEMENT BOARD OF IRRIGATION INVESTMENT AND CONSTRUCTION

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**THE REPRESENTATIVE OF
PROJECT OWNER**

**REPRESENTATIVE OF
THE CONSULTANT**

HA NOI, APRIL 2015

TABLE OF CONTENT

	Page
TABLE OF CONTENT	i
LIST OF TABLES.....	iv
ABBREVIATION.....	vi
DEFINITION OF TERMS	vii
EXECUTIVE SUMMARY	1
1.1. Project description.....	3
1.1.1. General information	3
1.1.2. Specific objectives.....	4
1.2. Project components	5
1.3. Introduction of the sub-project.....	6
1.3.1. Project introduction.....	6
1.3.2 . Natural condition.....	7
1.3.2.1 Geographical location	7
1.3.3. Objective of the subproject	8
- Improving dam safety, recovering design capacity of dam by repairing	8
1.3.4. Project tasks.....	9
2. SOCIO-ECONOMIC SURVEY OF THE AFFECTED hhs.....	10
2.1. Socio-economic survey	10
2.2. Results of socio-economic survey.....	10
2.2.1. General information of the DPs.....	10
2.2.2. Living standard of affects HHs	12
2.2.3. Property/asset of affected HHs	13
2.3. Necessities of HHs	15
2.4. Living standard of affected HHs	16
2.5. Vulnerable group.....	17
3. IMPACT FROM SUBPROJECT	18
3.1. Inventory of losses (IOL)	18
3.2. Losses of project.....	18
3.2.1. Summary of loss	18
3.2.2. Affected by asset and land acquisition.....	19
3.2.3. Impact on relocation and resettlement	22
3.2.4. Impact on business and income	22
3.2.5. Impact from dam closure during construction period.....	23
4. LEGAL FRAME WORK, COMPENSATION POLICY AND ENTITLEMENTS	24
4.1. Legal Framework	24
4.1.1. Law and regulations of Vietnam.....	24
4.1.2. The World Bank's Operation Policy on Involuntary Resettlement (OP	
4.12)	25
4.1.3. Comparison between Government of Vietnam and World Bank	
approaches	26
4.2. Polycies on compensation, support and resettlement.....	29

4.2.1. <i>General principles</i>	29
4.2.2. <i>Compensation Policies</i>	30
4.3. Entitlement matrix	31
4.4. Resettlement and Income Restoration Strategy	35
4.5. Vulnerable Group, Gender, and Ethnic Minorities	35
5. RELOCATION ACTION PLAN	37
6. SUPPORTS FOR AFFECTED HOUSEHOLDS	38
6.1. Displaced persons.....	38
6.2. Income restoration and support	38
6.3. Desire of the affected people.....	38
7. INFORMATION DISCLOSURE AND PUBLIC CONSULTATION	41
7.1. Information disclosure policies of World Bank (OP17.50)	41
7.2. Information disclosure.....	41
7.2.1. <i>Information disclosure in preparation phase of Resettlement Action Plan</i>	41
7.2.2. <i>Information disclosures in implementation phase of Resettlement Action Plan</i>	42
7.3. Public consultation	42
7.3.1. <i>Consultation in preparation process of Resettlement Action Plan</i>	42
7.3.2. <i>Consultation in implementation process of Resettlement Action Plan</i>	43
7.3.3. <i>Project's leaflet</i>	43
7.4. Disseminating information.....	44
8. GRIEVANCE REDRESS MECHANISM	45
8.1. First step - CPC	45
8.2. Second step - DPC.....	45
8.3. Third step - PPC	45
8.4. Final step - Court.....	45
9. ARRANGEMENT AND RESPONSIBILITY	47
9.1. At central level	47
9.2. Quang Ngai Province People's Committees (PPC)	47
9.3. Nghia Hanh District Level (District People's Committee):.....	48
9.4. Hanh Tin Tay Commune/Town Level (Commune People's Committee):	48
9.5. The implementation steps	48
10. FUND SOURCES AND COST ESTIMATION	53
10.1. Budget sources	53
10.2. Compensation at replacement cost survey	53
10.3. Compensation cost	54
10.4. Support cost and administrative cost.....	55
10.5. Contingency cost	55
10.6. Total cost estimation	55
11. IMPLEMENTATION SCHEDULE	57
11.1. Update RAP.....	57
11.2 Implementation schedule	57
12. MONITORING AND EVALUATION	59
12.1. Monitoring.....	59

12.2. International monitoring.....	59
12.3. <i>Independent Monitoring</i>	60
12.4. <i>Methodology for Independent Monitoring</i>	60

LIST OF TABLES

No.	Table name	Page
Table 1.	Damage by disaster in three recent years (2011-2013)	3
Table 2.	List of 12 dams proposed for implementation on the first year	5
Table 3.	General information of affected HHs	10
Table 4.	The educational background of affected person	11
Table 5.	Main occupation of affected person	12
Table 6.	Income and expenditure of affected HHs	13
Table 7.	Types of house of affected HHs	13
Table 8.	Water source in production and daily live water usage of affected HHs	14
Table 9.	Toilet of affected HHs	14
Table 10.	Power sources for lighting of affected HHs	15
Table 11.	Main fuel for cooking of affected HHs	15
Table 12.	Essential furnishings of affected HHs	15
Table 13.	Living standard of affected HHs	16
Table Table 14.	Households by vulnerable groups	17
Table 15.	Summary of losses	19
Table 16.	Number of HHs and permanent land acquisition from the project	19
Table 17.	Number of HHs and temporary land acquisition	20
Table 18.	Level of affected production land	20
Table 19.	Land legal status of affected HHs	21
Table 20.	Summary of crop and tree losses	22
Table 21.	Summary of affected area and aquaculture production	23
Table 22.	Comparison of Vietnam's and World Bank's Policies related to Involuntary Resettlement	26
Table 23.	Entitlement matrix	31
Table 24.	Desire from affected HHs on compensation of production land	39
Table 25.	Plan for spending compensation from affected HHs	39
Table 26.	Plan of affected HHs on changes of income sources	40
Table 27.	Compensation price for agricultural land and forestry land	54
Table 28.	Compensation price crop and timber tree	54
Table 29.	Summary of compensation , support of sub-project	54

Table 30. Support cost	55
Table 31. Total cost estimation for compensation, support and resettlement	56
Table 32. The preparation and implementation plan of RAP.....	57

ABBREVIATION

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

DEFINITION OF TERMS

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

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

EXECUTIVE SUMMARY

• Executive Summary

- Improving dam safety, recovering design capacity of dam by repairing
- Protect lives and asset for people in the down stream of dam
- Ensure safety in irrigation water supply for agricultural production, in combination to aquaculture production thus to ensure safety for people's lives, production, income for people in the benefited area .
- Improving the environment in the project area.

• Legal basis

The policy on compensation, support and resettlement of the project is based on the current rules and regulations of the Government of Vietnam and the World Bank's policy. In case of differences between the borrower and the Bank of regulations, policies and procedures, the Bank's policy will be applied, in accordance with Decree No. 131/2006 / ND-CP, regulated "in case of international agreements on ODA to which the Socialist Republic of Vietnam is a member have different regulation of the law of Vietnam, shall comply with the provisions of international treaties "(Article 2, Section 5).

• Scope of land acquisition

Agricultural land, forestry land and aquacultural land of 23 households with 118 people are affected. 266 HHs that their agricultural land area where is planting paddy will be affected (one crop) when the dam is closed during construction period.

The permanent affected agricultural land area and forest land area of 18 households are 13,7,758 m², of which agricultural land area of 7,758 m² from 12 households and forestry land area of 6,020 m² from 4 households are affected permanently.

An area of 39,875m² from 5 HHs will be affected, of which one household that his agricultural land will be affected permanently and his forestry land will be affected temporarily. Total of 21,146 trees with 3-5 years old acacia are affected by land acquisition are affected, about 7,758 m² paddy land area is acquired permanently. About 431,920 m² paddy land area will be affected in one crop and 7 ha water surface area for aquaculture will be affected due to dam closure during construction .

• The entitlement of affected HHs

The entitlements of affected HHs from sub-projects formulation was developed and presented in the Resettlement Action Plan corresponding to the losses identified in the inventory of losses and socio-economic survey. The entitlements will be updated as needed, after the DMS and consultation with affected households, to ensure that the damage/losses will be restored or improved.

- **Institutional arrangement**

Ministry of Agriculture and Rural Development (MARD), the governing body and the Central Project Office (CPO) will ensure coordination for the implementation of the resettlement action plan. MARD will coordinate with the People's Committee of QuangNgai province and directing the Department of Agriculture and Rural Development of QuangNgai, to ensure that the compensation and support are made as of the provisions of this resettlement action plan. Steering Committee for site clearance and compensation of the province, district and district board for compensation, support and resettlement with representatives of affected households will be established to oversee the compensation process. During the implementation process, independent monitoring agency will monitor the implementation to ensure compensation and assistance with approved resettlement plan properly

- **Compensation, support, and resettlement cost**

The total cost of compensation, support and resettlement is estimated at 2,627,298,000 VND equivalent to 121,634 USD. The cost of compensation for land and property loss is 979,625,000 VND equivalent to 45,654 USD, the rest are costs for livelihood stabiliztion, income restoration, relocation support and other cost ... the total cost of compensation, support and resettlement will be determined exactly after DMS for each locality.

- **Implementation plan**

The implementation of the Resettlement Action Plan will be coordinated with the relevant parties. All affected HHs will be compensated and the site clearance will be completed in 2015 and first quarter of 2016.

1.INTRODUCTION

1.1. Project description

1.1.1. General information

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

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

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

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

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

Information/Damage	2011	2012	2013
Number of injured people	274	408	800
Number of destroyed houses	2.170	6.292	11.851
Number of damaged house	447.694	101.756	706.786
Damaged vegetable area (ha)	350.367	408.383	86.491
landslide (m ³)	9.689.559	3.240.069	17.379.000
Physical damage (million dong)	12.703	16.000	25.021

(Source: PDO of WB8 project)

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

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

1.1.2. Specific objectives

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

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

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

1.2. Project components

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

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

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

Table 2. List of 12 dams proposed for implementation on the first year

No.	Dam	District	Province	Year of construction	Command area (ha)	Storage (10 ⁶ m ³)	Crest height (m)
1	Ngoi La 2	Yen Son	Tuyen Quang	1973	360	3.24	15.0
2	Ho Ban	Cam Khe	Phu Tho	1970	150	1.68	11.0
3	Dai Thang	Lac Thuy	Hoa Binh	1960	90	0.84	14.5
4	Khe Che	Dong Trieu	Quang Ninh	1986	213	12.00	12.5
5	Dong Be	Nhu Thanh	Thanh Hoa	1991	255	2.29	11.4

No.	Dam	District	Province	Year of construction	Command area (ha)	Storage (10 ⁶ m ³)	Crest height (m)
6	Khe Gang	Quynh Luu	Nghe An	1991	175	2.15	12.5
7	Khe San	Quynh Luu	Nghe An	1980	120	1.42	14.5
8	Phu Vinh	Dong Hoi	Quang Binh	1992	1056	22.36	24,4
9	Dap Lang	Nghia Hanh	Quang Ngai	1978	100	0.38	13.1
10	Thach Ban	Phu Cat	Binh Dinh	1978	130	0.70	12.8
11	Song Quao	Ham Thuan Bac	Binh Thuan	1998	8120	73.00	40.0
12	Da Teh	Da Huoi	Lam Dong	1993	23000	30.25	27.5

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

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

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

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

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

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

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

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

1.3. Introduction of the sub-project

1.3.1. Project introduction

Dap Lang Reservoir is located in the village of Tan Phu 2, Hanh Tin Tay Commune, NghiaHanh district, QuangNgai province; head work clusters is located about 21 km south - southwest of QuangNgai province, and about 13 km from the south of NghiaHanh district. Dap Lang Reservoir was constructed in 1978, it has been seriously degraded due to long time

operation

Dap Lang Reservoir have been repaired several times with minor damages. The spillway was repaired in 2003, concreted the right bank and left bank of irrigation canal. At present, the spillways are out of order at some locations, in particular the front of the dissipating basin. In addition, the intake is leaked out at the two sides of the intake causing water loss and risk of undermining that threatens the structure. The rock covered upstream side slope is peeled off posing risk of erosion and overtopping in case of big floods.

After nearly 37 years of operation and use, works have contributed to the alleviation of poverty for people in the local area. Currently, in the middle of the dry season is rapidly shallow lake. According to preliminary assessment, the potential of water loss is very high, which is not ensure to irrigate to control area of the reservoir

Through investigating the current status, at present the reservoir irrigated for 60 hectares of double rice , watershed is pretty good but not guaranteed to supply water for this area . Moreover, no water source to irrigate for an area of more than 23 hectares of arable at the downstream, the people are cultivating secondary crops , sugarcane, one low productivity rice, depends entirely on rainfed.

So along with repairing to ensure safety for headwork as well as to ensure irrigation safety, the demand for improvement and upgrading reservoir to provide irrigation water for 83 ha of cultivation land area is very needed and urgently; meet the needs and aspirations of the people long project area as well as contribute to social stability, enhance economic development in rural areas , follow the guidelines of the Party and the Government that is pursuing now on agriculture, rural and farmers issues.

1.3.2 . Natural condition

1.3.2.1 Geographical location

Dam rehabilitation and safety improvement for Dap Lang Reservoir subproject is located on Rauriver, a small tributary in the left bank of Veriver, the basin of the work originates from high mountain at Western downstream , the flow direction of the stream is West-East; the main direction of the topography is high at the West and lower at the East; the central of basin is about 13km south of Nghia Hanh district center and about 2.4km north – northwest of Hanh Tin Tay Commune People's Committee

Basin is located in the geographical coordinates:

14°56'19" ÷ 14° 57'11" north latitude

108° 44'36" ÷ 108° 45'55" East Longitude

The headworks is located geographical coordinates:

14° 56'42" north latitude

108° 45'55" East Longitude

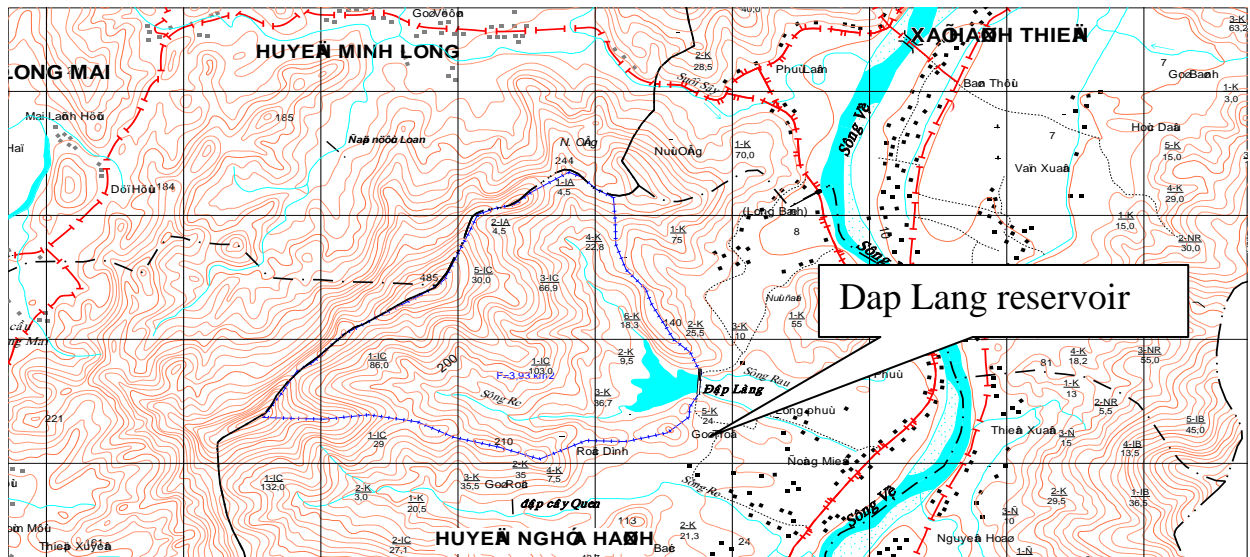


Figure 1. Location of work

1.3.2.2. Topographical and geomorphological characteristics

The basin of Rauriver is surrounded by mountain range with the elevation of 500÷100m. Vegetation covering the basin is mainly regenerated forests such as acacia, eucalyptus and a part of primary forest

Irrigation area: Start at behind earth dam with boundary as:

- + North is bordered with Hoc Cai irrigation area in with boundary of Cay stream in Phu Lam village, Hanh Thien commune.
- + West is bordered with downstream of earth dam, in Tan Phu on the West.
- + East is bordered with Ve river .
- + South is bordered with Cay Quen lake in Tan Phu 2 village.

Irrigated area is located downstream of the dam, along the Rau river banks and right bank of river, stretching up towards North close to Say stream; irrigation area stretches from the foothills to the Ve river banks, with an area of up to hundreds of hectares.

The Northeast irrigation area lies on the left banks of Rau river, which is irrigated by main canal of right bank. Irrigation area of this area is distributed well and fragmented by mountains, topography lower from west to east. End of the irrigation area shared border with irrigation area of Coc Cai lake Irrigation area at the South East is located on the right site of Rau river. Irrigation area is small area, located along the shores of ownership concentration; end of south irrigation area is close to irrigation area of Quen.

1.3.3. Objective of the subproject

- Improving dam safety, recovering design capacity of dam by repairing
- Protect lives and asset for people in the down stream of dam
- Ensure safety in irrigation water supply for agricultural production, in combination to aquaculture production thus to ensure safety for people's lives, production, income for people in the benefited area .

- Improving the environment in the project area.

1.3.4. Project tasks

- To ensure the lives and asset for 300 households and infrastructure, social ... in the downstream of reservoir which is in the danger of dam unsafety.
- Stable water supply for about 83.0 ha of agricultural land; of which the double rice land is 60 ha and the secondary crop land is 23 ha.

2. SOCIO-ECONOMIC SURVEY OF THE AFFECTED hhs

2.1. Socio-economic survey

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

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

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

2.2. Results of socio-economic survey

2.2.1. General information of the DPs

The subproject of Dam rehabilitation and safety improvement for Dap Lang reservoir is carried out in Hanh Tin Taycommune, Nghia Hanh district, Quang Ngai Province. The construction of the project will acquire permanently an area of 13, 778 m² of agricultural land and forest land of 22 households in the Tan Phu 2 village of the commune; aquaculture and area of 1 household is affected and 266 household affected agricultural land during the time of construction and upgrade the dam due to no water for agriculture production during that time. None of these households are ethnic minorities.

Table 3. General information of affected HHs

No.	Content	Unit	Quantity	Percentage (%)
1	Total affected HHs when constructing dam	HHs	23	
2	Total affected HHs when cut off water for dam construction	HHs	266	
3	Total number of affected HHs when constructing dam	Person	118	
	Male	Person	65	55.1
	Female	Person	53	44.9
3	Age of affected person	Person		
	Below 18 years old	Person	24	20.3
	From 18 to 60 years old	Person	78	66.1
	Above 60 years old	Person	16	13.6
4	People	Person		
	Kinh	Person	115	100.0
5	Marital status			

No.	Content	Unit	Quantity	Percentage (%)
	Single	Person	50	42.4
	With wife/husband	Person	63	53.4
	Divorced	Person	0	0.0
	Seperated	Person	0	0.0
	Widow	Person	5	4.2

Source: Survey Data

- Total of 23 HHs will be affected with total affected population of 118, with the propotion of male is 55.1% and female is 44.9%. All of the 23 affected HHs are Kinh people, none of them are ethnic minorities. The age groups of affected persons as described as the following :
- Below 18 years old: 24 persons accounted for 20.3%;
- From 18 to 60 years old: 78 persons accounted for 66.1% , this age is affected highest and they are in working age;
- Above 60 years old: 16 persons, accountedfor 13.6%.

Most of the affected persons are married, the rate of affected people who are married 63 persons accounted for 53.4% , then the single are 50 persons accounted for 42.4.% and 5 widow s with percentage of 4.2% due to they are old age, none of 118 affected persons are divoced.

On the educational background of affected 118 people:1 illiterate person proportion of 0.8%; 22 elementary students accounted for 18.6% ; 34 junior high school students accounted for 28.8% , this is the highest rate in all levels of education of the people affected. There are 32 high school students accounted for 27.1% rate. Number of college / university graduted are 11 persons, accounted for 9.3% and the number of children are under school age is 13, accounted for 11.0%. Overall, the level of education of the affected households is relatively high compared to the average of Quang Ngaiprovince, this will be more favorable in the economic development of most households applying for progress science and technology in production and job changing of the HHs whose production land is affected permanently.

Table 4. The educational background of affected person

No.	Educational background	Unit	Quantity	Percentage (%)
	Illiterate	Person	1	0.8
	Primary school	Person	22	18.6
	Secondary school	Person	34	28.8
	High school	Person	32	27.1

No.	Educational background	Unit	Quantity	Percentage (%)
	Intermediate/vocational	Person	5	4.2
	Collage/University	Person	11	9.3
	Below the school age	Person	13	11.0

Source: Survey data

Main occupation of affected people: 52 people out of 118 affected people are involved in agricultural production accounted for 44.1 % ; 18 persons are pupil and students accounted for 15.3 % . The remaining people are involving in other occupations. Especially, none of them are engaging in small-industry, and only one is dealing with providing service accounted for 0,8%.

Table 5. Main occupation of affected person

No.	Main occupation	Unit	Quantity	Percentage (%)
	Loss labour capability	Person	6	5.1
	Ago-forestry	Person	52	44.1
	Trade and service	Person	1	0.8
	Government staff	Person	6	5.1
	Pupil and student	Person	18	15.3
	Small- scale industry	Person	0	0.0
	Worker	Person	9	7.6
	Armed forces	Person	2	1.7
	Housework	Person	2	1.7
	Retired	Person	4	3.4
	Hired labour	Person	4	3.4
	Unemployment	Person	2	1.7
	Not relevant	Person	12	10.2

Source: Survey data

2.2.2. Living standard of affects HHs

The average per capita income of the project area reached 13 million VND / year. According to the survey data, the standard of living and income of the affected households of the sub-project as follows:

The average income of affected households reached 94,460.87 million VND/ household / year, this is a relatively high level of revenue compared to the average income of the commune.

None household reached level of income below 10 million VND/ year /. Income from 60-100 million VND/year/household has the most number of households accounted for 43.5% with 10 households out of 23 affected households, followed by an income of 100 million VND /year/household with 6 households accounted for 21.6% and 5 households had of income from 40 -60 million / year / household accounted for 21.7% .

Table 6. Income and expenditure of affected HHs

No.	Living standard	Quantity(HHs)	Percentage (%)
1	Income	23	
	Below 10 Million VND/year	0	0.0
	From 10 to 20 million VND/year	1	4.3
	<i>From 20 to 40 million VND/year</i>	<i>1</i>	<i>4.3</i>
	<i>From 40 to 60 million VND/year</i>	<i>5</i>	<i>21.7</i>
	From 60 to 100 million VND/year	10	43.5
	Above 100 million VND/year	6	21.6
2	Expenditure	23	100.0
	Blow 10 million VND/year	0	0.0
	From 10 to 20 million VND/year	4	17.4
	<i>From 20 to 40 million VND/year</i>	<i>6</i>	<i>26.1</i>
	<i>From 40 to 60 million VND/year</i>	<i>7</i>	<i>30.4</i>
	From 60 to 100 million VND/year	6	26.1
	Above 100 million VND/year	0	0

Source: Survey data

Along with the income; the expenditure of households also have a relatively differences. None of household spending less than 10 million VND /year /household. 7 households spent at 40-60 million VND/year/household and this is highest level accounted for 30.4%. Then 6 households spent expenditure of 20-40 and 60-100 million VND / year / household accounted for 26.1%. 4 households spent at 10-20 million VND/ year / household accounted for 17.4% .

2.2.3. Property/asset of affected HHs

For the houses of affected HHs: 22 affected HHs out of 23 having semi-permanent houses (house class 4 with tiled roof or tine roof, bricklayer wall, enamelled tile floor or cemented floor) accounted for 95.7% and only one house has wooden house accounted for 4.3%.

Table 7. Types of house of affected HHs

No.	Types of house	Quantity (hh)	Percentage (%)
1	Permanent house	0	0.0
2	Semi-permanent house	22	95.7
3	Wooden house with leaves roof	1	4.3
4	Temporary house	0	0.0
5	No house	0	0.0

Source: Survey data

The water resources for daily use , bathing and for production as following:

- 100% of HHs use dug well and and drilled well for daily use
- 100% of HHs use dug well and and drilled well for bathing and other daily use
- The water source for production of affected HHs is taken from irrigation reservoir of Dap Lang, thus when the reservoir is upgraded , not only 23 HHs directly affected but the agricultural land with double rice crops of 266 HHs in 2 villages of Tan Phu 1 and Tan Phu 2 will be affected as well

Table 8. Water source in production and daily live water usage of affected HHs

No.	Water source of Affected HHs	Quantity (hh)	Percentage (%)
1	Source of drinking water	23	100.0
1.1	Natural River/canal	0	0.0
1.2	Water from irrigation reservoir	0	0.0
1.3	Drilled well/dug well	23	100.0
1.4	Government funded water supply system	0	0.0
1.5	Irrigation system	0	0.0
1.6	Rainny water	0	0.0
2	Water source for bathing and washing	23	100.0
2.1	Natural River/canal	0	0.0
2.2	Water from irrigation reservoir	0	0.0
2.3	Drilled well/dug well	23	100.0
2.4	Government funded water supply system	0	0.0
2.5	Irrigation system	0	0.0
2.6	Rain	0	0.0
3	Production water	23	100.0
3.1	Natural River/canal	0	0.0
3.2	Water from irrigation reservoir	23	100.0
3.3	Drilled well/dug well	0	0.0

Source: Survey data

According to socio-economic survey from 23 HHs, 22 HHs have septic tank toilet/semi-septic tank toilet accounted for 95.7%. Only one HHs has simple toilet accounted for 4.3 %

Table 9. Toilet of affected HHs

No.	Type of toilet	Quantity (hh)	Percentage (%)
1	No toilet	0	0
2	Septic tank toilet and semi-septic tank toilet	22	95.7
3	Two detached room toilet	0	0
4	Simple toilet	1	4.3
5	Others	0	0

Source: Survey data

For the light power, 100% affected HHs (23 HHs) access to national electricity grid and use for lighting.

Table 10. Power sources for lighting of affected HHs

No.	Power sources for lighting	Quantity (hh)	Percentage (%)
1	National electricity grid	23	100.0
2	Petroleum	0	0
3	Gas	0	0
4	Accumulator ,diesel engine, small highdro power	0	0
5	Other	0	0

Source: Survey data

Being a mountainous commune, most of the affected HHs use fire wood for cooking. Only one HH use gas for cooking .

Table 11. Main fuel for cooking of affected HHs

No.	Fuel for cooking	Quantity (hh)	Percentage (%)
1	Fire wood	22	95.7
2	Charcoal	0	0.0
3	Petroleum	0	0.0
4	Gas	1	4.3
5	Straw, leaves	0	0.0
6	Biogas	0	0.0
7	Electricity	0	0.0
8	Others	0	0.0

Source: Survey data

2.3. Necessities of HHs

The assets and necessities of affected households under the results of the economic - social survey as follows:

100% of the affected households have a television for daily use, 01 households with cars accounting for 4.3% and using for business and 13 households have refrigerators accounted for 56.5%. Number of households with motorcycles are 21 households accounted for 91.3% . Only 2 households do not have a motorcycle. 10 households have mobile telephones accounted for 43.5% and 16 HHs have mobile phones accounted for 69.6%. 10 households have gas stove but only one household frequently used in daily cooking .

None affected households have Internet, air conditioning, computers, washing machines and water heaters.

Table 12. Essential furnishings of affected HHs

No.	Types of assets	Have		Do not have	
		Households (hh)	Percentage (%)	Households (hh)	Percentage (%)
1	Television	23	100.0	0	0.0
2	Engined boat	0	0.0	22	95.7
3	Car	1	4.3	22	95.7

No.	Types of assets	Have		Do not have	
		Households (hh)	Percentage (%)	Households (hh)	Percentage (%)
4	Refrigerator	13	56.5	10	43.5
5	Motor bike/electric bike	21	91.3	2	8
6	Fixed telephone	10	43.5	13	56.5
7	Mobile phone	16	69.6	7	30.7
8	Gas oven	10	43.5	13	56.5
9	Internet	0	0.0	23	100.0
10	Air condition	0	0.0	23	100.0
11	Computer	0	0.0	23	100.0
12	Washing machine	0	0.0	23	100.0
13	Water heater	0	0.0	23	100.0

Source: Survey data

2.4. Living standard of affected HHs

The socio-economic survey shown that:

- ✓ 21 HHs accounted for 91.3% have living condition at the medium level
- ✓ 2 HHs are poor, and live at poor condition accounted for 8.7%.

Over the past 12 months, 3 affected households, make up for 13%, are still in shortage of food for 1-2 months. Two of them are recognized as poor households while a household is not yet classified as poor household. There are 20 households, equal to 87%, haven't suffer from food shortage during the past 12 months.

16 affected HHs said that the living condition is better in last 3 years accounted for 69.6% and 7 HHs accounted for 30.4 % said that the living condition recently years has not changed .

Table 13. Living standard of affected HHs

No.	Living standard	Quantity (hh)	Percentage (%)
1	Living stand of hhs	23	100.0
	Better off	0	0.0
	Medium	21	91.3
	Necessitous	0	0.0
	Poor	2	8.7
2	Food shortage in last 12 months	23	100.0
	Yes, shortage in 1-2 months	3	13.0
	Yes, shortage in 3-4 months	0	0.0
	Yes, shortage above 4 months	0	0.0
	Enough	20	87.0
3	Living standard in recent 3 years	23	100.0
	No change	7	30.4
	Better	16	69.6
	Less than	0	0.0

Source: Survey data

2.5. Vulnerable group

Two out of 23 affected HHs are poor, **none of** them are women headed HH who have to feed other members, **none of** them are ethnic minorities, **none of them** are near poor household. The vulnerable HHs also are entitled to receive support under the legal framework of Viet Nam government and the WB (detailed in following tables).

2 vulnerable HHs are classified as poor, none of them lose production land more or equal to 10% of production land.

Table Table 14. Households by vulnerable groups

Unit: hh

	Poor	Women head HHs who have to feed other members	Ethnic minority HHs
Total	2	0	0

Source: Survey data

3. IMPACT FROM SUBPROJECT

3.1. Inventory of losses (IOL)

The Inventory of losses was carried out basing on preliminary design, scope of work and field work to define the land acquisition boundary temporarily or permanently. The implementation procedures of IOL is described as following:

- i. The procedures related to IOL has been started from 16th March 2015. Representatives of the People's Committee of NghiaHanh district and affected local governments of Hanh Tin Tay commune with design consultant basing on the scope of work have done temporary demarcation for sub-components of the project and identify the households will be affected by land acquisition of the subproject.
- ii. From 16th March 2015, the working group for IOL included resettlement specialists combined with representative of affected commune: 1 vice president of the commune, one cadastral staff, 1 commune judicial officer, one officer in charge of agriculture, the village chief were carried out to estimate the loss of land and property on the ground will be acquire from the subproject

3.2. Losses of project

3.2.1. Summary of loss

Result of IOL showed that total of 23 households (118 people) that their agricultural land area, forestry land area and aquacultural land area will be affected. There are 266 HHs that their agricultural land (paddy cultivated land area) will be affected in one crop due to dam closure during construction period.

The permanent affected agricultural land area and forest land area of 18 households are 13,7,758 m², of which agricultural land area of 7,758 m² from 12 households and forestry land area of 6,020 m² from 4 households will be affected permanently and 2 households that their both agricultural and forestry land will be affected

An area of 39,875 m² from 5 households will be acquired temporarily. Of which one household that his agricultural land will be affected permanently and his forestry land will be affected temporarily. 4 households that their forestry land will be affected temporarily only.

One household that his aquacultural land on the reservoir surface area will be affected

Total of 21,146 timber trees (mainly acacia from 2-3 years old) will be cut down from ground clearance, 7,758 m² of agricultural land (paddy land area) will be acquired permanently and 431,920.1 m² paddy land area will not be irrigated in one crop during

construction of dams.

Table 15. Summary of losses

No.	Types of asset	Unit	Permanent affect		Temporary affect		
			Soil discharged site from excavating spillway of dam toe	Management house	Bag from material construction	Soil discharges site from spill way excavation	Affect from water cutting for construction
A	Total affected HHs	HH	20	1	4	1	266
B	Total land area	m²	13,578	200	37,125	2,750	
1	Agricultural land	m ²	7,758				
		HH	14				
2	Forestry land	m ²	5,820	200	37,125	2,750	
		HH	6	1	4	1	
c	Crop						
1	Paddy	m ²	7,758				431,920
2	Timber tree	tree	1,208		18,563	1,375	

Source: Survey data

3.2.2. Affected by asset and land acquisition

3.2.2.1. Land affected

The land acquisition for the subproject is agricultural land and forestry land area (see Annex 3)

Total of 13,778 m² of land of 18 HHs will be acquired permanently. Of which 12 HHs that their agricultural land will be acquired permanently with area of 7,357 m², 4 HHs that their forestry land will be acquired with area of 3,600m² and 2 HHs both their agricultural and and forestry land area will be affected with area of 2,420 m². Detail affected land area as follow:

+ Agricultural land area: 7,758 m²

+ Forestry land area: 6,020 m².

The affected area is agricultural land and forest land

Table 16. Number of HHs and permanent land acquisition from the project

Project area	Total		Agricultural land		Forestry land	
	HH	Area(m ²)	HH	Area(m ²)	HH	Area(m ²)
Hanh Tin Tay commune	20	13,778	14	7,758	6	6,020

Source: Survey data

The total temporary acquired land area is 39,875 m² of which 100% is forest land

used for material mine and soil waste site from excavating spillway (Annex 3).

- Temporarily acquired land is used primarily to build camps for workers in the construction process, and used as material mine and for parking of construction machinery, material shed and working tools. Several positions are available to accommodate waste soil and waste materials temporarily before being leveled or transported to the official burial place.

- Temporarily acquired land will not be compensated as the price of land acquire permanently, this land will supported for:

- i. Give back at original condition of the temporarily acquired land (such as expenses for leveling, cost to clean the grease waste materials, waste, concrete ...) and returned the original status of the temporarily affected area.
- ii. Compensation for loss of production during temporarily acquire land area, this land has not been used for crop production or the crops planted in this area have to be affected. compensation values will be considered by authorities and issues the unit price for compensation

Table 17. Number of HHs and temporary land acquisition

Project area	Total		Forestry land	
	HH	Area(m ²)	HH	Area(m ²)
Hanh Tin Tay commune	5	39,875	5	39,875

Source: Survey data

The affected land area including land acquisition for Dap Lang reservoir upgrading in Hanh Tin Tay commune, Nghia Hanh district of HHs in comparison to total production land area of each household.

Table 18. Level of affected production land

Unit: hh

Percentage of land loss	Agricultural land			Forestry land		
	Below 10%	From 10-20%	Above 20%	Below 10%	From 10-20%	Above 20%
Total	5	9	0	5	1	0
Percentage of land loss from affected HHs	5	9	0	5	1	0
In which: vulnerable hhs	2	0	0	0	0	0

Source: Survey data

According to the survey data, the number of affected households who lose permanently agricultural land below 10% of the total agricultural land area are 5 HHs in which two of them are poor. Number of affected households who lose from 10 to 20% of total agricultural

land area are 9 HHs accounted for 39.1%. No households that agricultural land area affected permanently more than 20%

For forest land, 5 households that their forestry land will be affected permanently below 10% of the total area of forest land account for 21.7% and one households that their forestry land will be affected permanently from 10 to 20% of the total area of forest land accounted for 4.3% in a total of 23 affected households

3.2.2.2. *Land use right*

The affected land area is agriculture and forestry land. According to the survey results, the affected HHs have certificates of land use rights. However, some families have not yet been certified, they are eligible to get land use right. Table 18 shows the status of land use certificates by households and by type of soil

Table 19. Land legal status of affected HHs

Unit: HH

Content	With LURC	No LURC but having legal right to attain LURC	No having legal right to attain LURC	In the planning of the government	Long term leasing of Government	Hire from private
Total	10	15	0	0	0	0
Agricultural land	3	11	0	0	0	0
Forestry land	7	4	0	0	0	0

Source: Survey data

3.2.2.3. *Impact on house*

Acquisition of permanent and temporary land for sub-project construction will affect the structures on the land of households

The structures are built on HHs's residential land, Dam rehabilitation and safety improvement for Dap Lang reservoir project has to use area for construction, gathering materials ... According to IOL, none of 23 households that their houses and structures are affected

3.2.2.4. *Impact on crops and tree, aquaculture*

The clearance of tree and crops on an area of permanent and temporary acquired land area is implemented for work items. The affected tree are 100% timber tree from 2-3 years of age with 21,146 trees.

The agricultural land area with double crops is located in the dam foot is permanently acquired for soil waste site from excavating soil from spillway and construct dam foot safety corridor with area of 7,758 m². For rice is cultivated and harvested during one year cycle. The amount of compensation shall be equal to the output value of the harvest. The value of crop production is calculated by the highest crop on last 3 years and the average price at the time of land acquisition is applied.

The compensation for crops and tree is followed the provincial decision on compensation and resettlement and is described in the under Decision No. 64/2014 / QD-UB of QuangNgai PPC dated December 17th 2014.

Table 20. Summary of crop and tree losses

Project area	Area of double crop land(m^2)	Timber tree (tree)
Hanh Tin Tay commune	7,758	21,146

Source: Survey data

3.2.3. Impact on relocation and resettlement

- . ***The remaining residential land area*** is still enough to build houses and ancillary works. In this case, households will be compensated to rebuild the entire house and structure on the remaining residential land and partial supported to remove house and renovate the floor and other costs to restore the house under the policy of the province and World Bank. **No household in this case**

- ***Relocate on the spot in the remaining agricultural land***: residential land and housing and ancillary works have been recovered but agricultural land area is still enough to build houses and ancillary works. In this case, the agricultural land being converted into residential land and households will be resettled on converted land. Besides compensation for acquired residential land, compensation to build house on converted land , households will not have to pay any fee to change from agricultural land to residential land (or supported this fee). **None of the households in this case**

- ***Relocate to other resettlement places***: In the case of the acquired residential land, house and secondary structures do not have enough to resettled, the relocated households will be compensated in order to be able to buy other land and build houses or move to resettlement areas of the project and be supported to recover income, stable life. **None of the households in this case**

3.2.4. Impact on business and income

- The implementation of the project may cause affect to the livelihoods of the affected HHs as stores are cleared or adjacent area to the work items that people will not do business; construction activities impede traffic or hinder trade, hinder the good transportation ... being the potential issues to cause damage to the business and thereby affect to the income of the people in the project area.

- In the case of the store are cleared which affect to the business operations, in addition to compensation for the clearance stores (under the compensation policy for house loss) so the support business loss during period of store relocated to a new place. This support is equal to income of the store during the store's relocation time or follow agreement between the Government of Vietnam and the World Bank. **None of the households in this case.**

3.2.5. Impact from dam closure during construction period

Slightly impact is the households are affected during time of upgrading dam. Sources of water supply for the production area of agricultural land in Tan Phu 1 and Tan Phu 2 villages during the upgrading of dam. Thus the area of 431,920 m² of rice production land from 266 households will not be irrigated in one crop. In addition, the surface area of 7 ha water surface of Dap Lang reservoir dam can not do aquaculture (freshwater fish farming) during 1 year.

Table 21. Summary of affected area and aquaculture production

Content	Area of double paddy land		Area of aquaculture production	
	Affected HH	Area(m ²)	Affected HH	Area(ha)
Cutting water due to dam construction	266	431.920	1	7

Source: Survey data

4. LEGAL FRAME WORK, COMPENSATION POLICY AND ENTITLEMENTS

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

4.1. Legal Framework

4.1.1. Law and regulations of Vietnam

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

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

Other laws, decrees and regulations relevant to land management, land acquisition and resettlement include the Construction Law 50/2014/QH13, dated on 18 Jun 2014, on construction activities, rights and obligations of organization and individual investing in civil works construction and construction activities; Decree 102/2014 / ND-CP on sanctioning of administrative violations in the field of land replaced by Decree No. 15/2013 / ND-CP dated on February, 06, 2013 on quality management of constructions; Decree No. 12/2009/NĐ-CP

of the Government, dated 12 February 2009 on the management of construction investment projects and replacing the Decree 16/2005/ND-CP, the Decree 126/2014/ND-CP of the Government on the management and use of Official Development Assistance (ODA) fund, and Decree 70/2001/ND-CP of the Government on marriage and family Law implementation, stipulating that all documents registering family assets and land use rights must be in the names of both husband and wife; Decisions of project provinces relating to compensation, assistance and resettlement in provincial territory will be also applied for each relevant project province.

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

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

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

Besides the general policy of the Government of Vietnam, QuangNgai province has also issued the legal document to apply the Decree of the Government circulars and instructions of the departments of land acquisition and clearance. The following decision issued regulations on compensation and assistance when the State recovers land in the province of QuangNgai:

- Decision No. 08/2013 / QD-UB of the People's Committee of QuangNgai province on 28 May 01st 2013 on the promulgation of regulations on compensation, support and resettlement when the State recovers land applied in the province of QuangNgai;

- Decision No. 25/2014 / QD-People's Committee of QuangNgai province dated June 6th , 2014 on the promulgation of regulations on the compensation price for affected structures, houses when the State recovers land for defense purposes, security; economic development - social as national interests, public applicable in the province of QuangNgai;

- Decision No. 64/2014 / QD-People's Committee of QuangNgai province dated December 17th , 2014 on the promulgation the regulations on density and plant unit price for compensation and assistance when the State recovers land applicable in the province of QuangNgai;

- Decision No. 67/2014 / QD-People's Committee of QuangNgai province dated in December 31st , 2014 on the promulgation of regulations on land prices in the province of QuangNgai applied to 05-year period (from 2015 to 2019)

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

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

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

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

4.1.3. Comparison between Government of Vietnam and World Bank approaches

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

Table 22. Comparison of Vietnam's and World Bank's Policies related to Involuntary Resettlement

<i>Subjects</i>	Bank's OP 4.12	Government of Vietnam	Project Measures
<i>Land Property</i>			
<i>Policy objectives</i>	<i>PAPs (Project Affected Persons) should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher</i>	Not mentioned. 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). 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)	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.

Subjects	Bank's OP 4.12	Government of Vietnam	Project Measures
<i>Support for affected households who have no recognizable legal right or claim to the land they are occupying</i>	<i>Financial assistance to all project affected persons to achieve the policy objective (to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher)</i>	Only agricultural land used before July 1, 2004 is eligible for compensation. Other cases may be considered for assistance by PPC if needed.	Financial assistance of an agreed amount will be given to all PAPs, regardless of their legal status, until their livelihoods and standards of living restore in real terms, at least, to pre-displacement levels.
<i>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	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.

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

<i>Subjects</i>	Bank's OP 4.12	Government of Vietnam	Project Measures
	<i>Mechanisms</i>		
<i>Grievance redress mechanism</i>			
	<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
<i>Monitoring & Evaluation</i>			
	<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.

4.2. Policies on compensation, support and resettlement

4.2.1. General principles

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 prefer “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. .

4.2.2. Compensation Policies

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. A census survey will be done before the cut-off date is announced to establish a list of potential affected households. Those who encroach into the investment area or 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.

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.

4.3. Entitlement matrix

Table 23. Entitlement matrix

Type of Loss/ Impacts	Application	Entitlements	Implementation Arrangements
1. Productive land¹ (Agricultural, garden, pond land, etc.) either in or out of the residential area.	<u>Legal land users</u> 1.1. Marginal loss (<20% of land holding or <10% for vulnerable group) The remaining area of affected plot is still economically viable for use or meets the expected personal yield.	Cash compensation at replacement cost (free from taxes and transaction costs) for the affected area of the land.	- 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.
2. Crops and Trees, aquaculture products	Owners regardless of tenure status	For annual and perennial standing crops or trees, aquaculture products regardless of the legal status of the land, compensation in cash will be paid to the affected persons, who cultivate the land, at full replacement	PAPs will be given notice several months in advance regarding evacuation. Crops grown after issuance of the deadline will not be compensated.

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

Type of Loss/ Impacts	Application	Entitlements	Implementation Arrangements
		cost in local markets to ensure the compensation is sufficient to replace the lost standing crops, trees or aquaculture products.	
3. Loss of Income/ Livelihood due to loss of productive land	Impacts due to permanent loss of 20% or more of their total productive land or where <20% land affected but the remaining land is rendered unviable. (Legal, legalizable land users and PAPs with lease agreement over the affected land)	<p>- Allowance for Loss of Livelihood: Affected person will be compensated with 30kg of rice/person/month, including:</p> <p>(a) : Affected households losing 20% to 70% of their agricultural land will be assisted for 6 months if the remaining land is viable for continued use, and for 12 months in case the remaining land is rendered unviable and entire land is acquired by the project. In some special cases, in extremely difficult areas, the assistance may be given up to a maximum of 24 months;</p> <p>(b) Affected households losing more than 70% of their agricultural land acquired will be assisted for 12 months if the remaining land is viable for continued use, and for 24 months in case the remaining land is rendered unviable and entire land is acquired by the project. In some special cases, in extremely difficult areas, the assistance may extend to a maximum of 36 months; In addition, these PAPs will be targeted for livelihood restoration program;</p> <p>(c) households affected by loss of <20% of land and the remaining land is rendered unviable for continued use, the PAPs will be provided assistance</p>	

Type of Loss/ Impacts	Application	Entitlements	Implementation Arrangements
		<p>for 12 months; <i>Assistance for agricultural, garden and pond land in the residential area adjacent to residential land, but not recognized as residential land</i>: Additional assistance (40% of the cost of compensation for the adjacent residential plot) for garden land and pond land; and (at 50% of the cost of compensation for the adjacent residential plot) for agricultural land.</p> <p>In case of land-for-land compensation, PAP will be assisted with seedlings, agricultural-forestry extension programs, husbandry etc.</p> <p><i>Vocational conversion assistance</i>: Every PAP affected by loss of productive land, irrespective of the degree of impact, will be provided with additional assistance equivalent to at most 5 times the agricultural land price established by PPC.</p> <p><i>Support for vocational training and job creation</i>: At least one member of households affected by loss of productive land will be entitled to vocational training and assistance in getting employment in the province. The PAPs participating in such training programs will be exempted from payment of tuition fees course will be paid directly to the vocational training centers. After finishing training courses, they will be given priority to be recruited in local manufacturing</p>	

Type of Loss/ Impacts	Application	Entitlements	Implementation Arrangements
		industries.	
4. Other Allowances/Assistances	Loss of land and non-land assets	<p>Incentive Bonus: All PAPs who vacate the affected land immediately after receiving compensation and allowances will be given an incentive allowance in accordance with the provincial policy.</p> <p>Repair Allowance: If house/structure is partially affected and the remaining structure is viable for continued use, the project will provide a repair allowance equivalent of 20% of compensation for the affected part of the structure to enable PAPs to restore it to former or better conditions.</p> <p>The relocating households with children who are going to schools will be supported with 1-year tuition as regulated by the Ministry of Education</p> <p>Based on the actual situation of the locality, the PPC Chairman issues other allowances to ensure accommodation and livelihood restoration for PAPs.</p>	
5. Temporary impacts	Temporary loss of land and assets.	<p>Compensation for all damaged or lost assets, including trees, crops at full replacement cost</p> <p>Rental in cash for the land acquired at a rate which will be no less than the net income that would have been derived from the affected property during disruption;</p> <p>Restoration of the land within 3 months after use: The contractor is expected to return the land in its original condition within 3</p>	If the quality of land is radically changed when returned to PAPs, requiring PAPs to change in the types of land use; then PAPs should be compensated for all envisaged cost of losses.

Type of Loss/ Impacts	Application	Entitlements	Implementation Arrangements
		months of the termination of the civil works.	
	Agricultural HH lost income due to stopping water supply when construction	Compensation in cash with monthly average income equivalent to the affected area for at least 3 months; Priority of participation in agricultural extension, and other assistance of local.	People to be assisted must be specified and consulted fully.

4.4. Resettlement and Income Restoration Strategy

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

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

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

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

4.5. Vulnerable Group, Gender, and Ethnic Minorities

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

During the implementation process, the Project will pay special attention to the women and female-headed HHs as the project beneficiaries. Women will participate equally in the whole process of project implementation to enhance the project sustainability. Active

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

5. RELOCATION ACTION PLAN

Dam rehabilitation and safety improvement of Dap Land reservoir in Hanh Tin Tay commune, NghiaHanh district, QuangNgai Province. The project implementation will affect to agricultural, forestry and aquacultureal land area of 23 households directly. Of which agricultural land and forest land area from 18 households will be affected permanently. Forest land area of 05 households will be affected temporarily and one households that their aquacultureal land area affected. Therefore, **none of the households to be relocated.**

6. SUPPORTS FOR AFFECTED HOUSEHOLDS

6.1. Displaced persons

The displaced persons (DPs) are the individual and organizations as following:

The persons who have house/asset affected partly or totally by the sub-project

The persons who have agricultural land/residential land affected partly or totally (temporarily or permanently) by the sub-project;

The person who have crops (annually or perennially), tree affected partly or totally by the sub-project;

The person who are affected by land acquisition for resettlement site where to be allocated to the affected HHs of the sub-project;

The ineligible persons are the person who move to the sub-project area after the cut-off date. The cut-off date is the date that the ownership of usage any part of the sub-project area to make the inhabitant owning or using legally are recognised as affected persons

The severely affected households and the affected HHs are in vulnerable groups will be have special support in order to achieve the objectives of the RAP.

6.2. Income restoration and support

Experience shows that involuntary resettlement in development projects, if not mitigated, which increase economic, social and environment problems: the production system is broken, people have to face with poverty when the production assets or income sources are not replaced

Decree 43/2014 / ND-CP has improved the provision of compensation and assistance to affected households, especially households depend on agriculture as the main source of income. The results of the consultations with the stakeholders mentioned in consultation and participation programme shows that most of the affected people are eager to get money to self-restore their livelihood.

In addition, vulnerable groups when affected due to social status or economic conditions will be less likely to re-establish life than others and therefore more at risk of poverty. Therefore, the compensation for the severely affected and those in vulnerable group that is not enough thus need to have other support schemes to ensure that the living condition of affected people will not be poorer than before the project or their livelihoods and standards of living in a new place are improved.

6.3. Desire of the affected people

In all agricultural land and forest land and aquacultural affected households in the village they have aspirations and desire to be compensated in cash at the rate of 100%. Affected households have no expectation of "land for land" because the affected land area is small and their agricultural land, forest area are large (no households affected over 20% of total area of productive land)

Table 24. Desire from affected HHs on compenstion of production land

Content	HHs (HH)	Percentage (%)	Remark
Total	23	100.0	
Land for land	0	0.0	
Cash compensation	23	100.0	
No decision	0	0,0	

Source: Survey data

However, affected households have a lot of plans to use the compensation, most of them have focused mainly on livestock, poultry because there is available grazing area and food resources from nature so other plan of households accounted at highest rate of 52.2%,

- ✓ 17.4% of affectedhouseholds plans to build or repair their homes and buy new land.
- ✓ 8.7% of affected households plan to use compensation to the small business investment..
- ✓ **No household** use compensation to buy assets and savings

Table 25. Plan for spending compensation from affected HHs

Content	HHs (HH)	Percentage (%)	Remark
Total	23	100.0	
Construct or repair house	4	17.4	
Buy new land	4	17.4	
Buy other asset	0	0.0	
Invest in small business	2	8.7	
Saving	0	0.0	
Spending for children go to school	1	4.3	
Other intention	12	52.2	

Source: Survey data

In all 23 affected households, only 13 households planed to replace the income source by raising animalsaccounted for 56.5% proportion of the remaining 10 households do not have any plan accounted for 43.5%.

Of the 13 households who have plan to replace income by mainly focus on breeding (breeding cattle, cattle, poultry ...) because they raise the cattle in grazing land of their forest.

Thus there are 5 households choose to buy new agricultural land to produce accounted for 21.7%; 01 households chose small businesses accounted for 4.3% and 07 households choose other ways as metioned above

Table 26. Plan of affected HHs on changes of income sources

Content	HHs (HH)	Percentage (%)	Remark
Total	13	56.4	
Buying new agricultural land for production	5	21.7	
Re-establishment of new bussiness	0	0.0	
Trading	1	4.3	
Open small shop	0	0.0	
Handycraft	0	0.0	
Finding new job	0	0.0	
Others	7	30.4	

Source: Survey data

7. INFORMATION DISCLOSURE AND PUBLIC CONSULTATION

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

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

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

7.2. Information disclosure

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

7.2.1. Information disclosure in preparation phase of Resettlement Action Plan

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

On March 16th, 2015 – March 18th 2015, consultation meetings were held in the communal areas of the sub-project area with participation of 23 households who are impacted by land acquisition and representative of 266 households who are impacted by water cut during construction and representatives of social organization such as: Farmers' Association, Women's Union, the Vietnam Fatherland Front of Hanh Tin Tay commune also participate in meetings to disseminate information and consultation on land acquisition, compensation and resettlement of the subproject

The main contents of consultation:

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

7.2.2. Information disclosures in implementation phase of Resettlement Action Plan

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

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

7.3. Public consultation

7.3.1. Consultation in preparation process of Resettlement Action Plan

Community consultation was carried out in March 2015 at Hanh Tin Tay with the following contents:

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

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

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

(iii) the impacts of resettlement.

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

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

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

7.3.2. Consultation in implementation process of Resettlement Action Plan

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

7.3.3. Project's leaflet

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

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

7.4. Disseminating information

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

8. GRIEVANCE REDRESS MECHANISM

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

8.1. First step - CPC

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

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

8.2. Second step - DPC

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

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

8.3. Third step - PPC

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

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

8.4. Final step - Court

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

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

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

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

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

9. ARRANGEMENT AND RESPONSIBILITY

The implementation of resettlement activities requires the involvement of agencies and organizations at the national, provincial, district and commune level. Each provincial people's committee will take general responsible for the implementation of the general policy framework and specific resettlement plan of the sub-project of that province. Compensation, Assistance and Resettlement Committees shall be established at district/province level according to the provisions of Decree 47/2014/CP, Decison No.08/2013/QD-UBND of Quang Ngai province. The provisions and policies of the RPF and the RAPs will form the legal basis for the implementation of compensation and resettlement activities in the Dam Rehabilitation and Safety Improvement Project (DRASIP/WB8).

9.1. At central level

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 provincial governmental authorities 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, relevant Ministries and sectors, the provincial governmental authorities of the project provinces, to be responsible for frequent monitoring and managing the Project during its implementation process.

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.

9.2. Quang Ngai Province People's Committees (PPC)

PPCs take the overall responsibility for compensation, site clearance, and resettlement within the province. The PPCs are 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;
- In special cases, the provincial authority's approval is needed for compensation plans, the provincial authority establishes an appraisal council at provincial

level to appraise the compensation plans submitted by the DRCs so that advice will be provided for the provincial authority to approve such plans in accordance with the Government's regulations on compensation, assistance and resettlement, and the WB's involuntary resettlement policy (OP4.12) applied to the project;

PMU level

Subproject owner shall be responsible for managing compensation and site clearance of their respective sub-projects, encompassing:

- Prepared and update of RAP;
- Submit sub-project RAPs to the PPCs before making compensation payment;
- Co-operate closely with Departments, agencies, sectors, and the project DPCs in implementing resettlement and site clearance to ensure that the implementation of compensation and resettlement is in line with the construction schedules;
- Monitor internally implementation of compensation and resettlement of the sub-projects, preparing quarterly reports on implementation progress of compensation and resettlement of the sub-projects to CPO.

9.3. Nghia Hanh District Level (District People's Committee):

Nghia Hanh People's Committees (DPCs) are responsible for:

- Approving compensation plans prepared by DRCs and submitting the PPC for endorsement;
- Issuing decisions on land acquisition from individuals and households;
- Settling complaints and grievances of the APs within jurisdiction.

District of Compensation, Resettlement shall take responsibility for implementation of compensation and site clearance for works located in their respective districts, including:

- Preparing compensation plans to submit to DPCs for approval;
- Implementing the approved plan on compensation and site clearance.

9.4. Hanh Tin Tay Commune/Town Level (Commune People's Committee):

Hanh Tin Tay People's Committees (CPCs) are responsible for:

- Disseminating and mobilizing people to implement RPF;
- Planning land use and protecting public safety corridors of reservoirs and dams to maintain security in the locality;
- Providing cadastral maps for Resettlement Committees, determining the origin of land use and mobilizing their staffs to be members of DMS teams;
- Co-operating with DRCs in delivering information and organizing community consultation;
- Settling APs' queries relating to inventory of their assets;
- Facilitating and assisting APs in restoring their livelihoods, incomes, and stabilizing their lives.

9.5. The implementation steps

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

01, 2009 of Ministry of Natural Resources and Environment.

- Decision No. 08/2013 / QD-UBND of the People's Committee of Quang Ngai province on 28 May 01st 2013 on the promulgation of regulations on compensation, support and resettlement when the State recovers land applied in the province of Quang Ngai;

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

Step 1: Location introduction and announcement of land acquisition

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

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

Step 2: Preparation of cadastral documents for acquired land

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

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

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

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

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

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

a. Basis for plan preparation;

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

Step 4: Making landmarks for site clearance.

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

Step 5: Develop compensation, support and resettlement plan.

1. Site inspection, inventory.

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

2. Determine origin of acquired land.

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

3. Develop compensation, support plan.

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

- Name and address of the households who are acquired with land ;
- Area, type of land, location, origin of acquired land ;

- The basis for calculating the amount of compensation, support such as the land value for compensation, the price of houses and property for compensation, number of household's members, number of employees, number of people are entitled to social assistance
- Amount of compensation, support ;
- Arrangement of resettlement ;
- Replacement construction of state, organizations, religion and residential community;
- Displacement of graves.

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

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

5. Complete compensation, support and resettlement plan:

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

Step 6: Submit and appraise compensation, support plan

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

Step 7: Handle complaints for land acquisition decision

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

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

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

Step 8: Publish compensation, assistance and resettlement plan.

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

Step 9: Implement payment of compensation, assistance and resettlement

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

Step 10: Site handover and land acquisition

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

10. FUND SOURCES AND COST ESTIMATION

10.1. Budget sources

All cost from land acquisition, compensation, and resettlement for the acquired land of subproject “Dam rehabilitation and safety improvement for Dap Lang reservoir” is used from the counter part fund of QuangNgai province and from the Government.

10.2. Compensation at replacement cost survey

The resettlement consultant has made a market survey to prepare replacement price in Hanh Tin Tay commune in the sub- project area. The replacement cost survey was carried out in March 2015. The study and survey of replacement was carried out basing on the following basic principles: (i) productive land (agricultural land, fish ponds, gardens, forests) based on market prices reflecting the last sales in the locality and surrounding area; (ii) crops is valued equivalent to market value at the time of compensation, and (iii) perennial trees and fruit trees are compensated in cash according to market prices by tree kinds, tree diameter, or a value of output at the time of compensation;

Replacement Cost Survey was conducted through (i) study of the average revenue for agricultural industries (income generated from land) in the locality, (ii) interviews and surveys of project affected households and non-project affected households and (iii) observations and surveys in residential areas. Thereby, replacement unit price is proposed for the

Compensation unit price is set up for each province, the replacement cost is defined at market price at the time of preparing RAP. Compensation price is prepared basing on result of market survey to set up replacement price and updating methodology when the market change. This unit price will be approved by PPC for the subproject .

Currently, regulations on compensation unit price and allowances for land, trees, crops as well as architectural objects, houses... issued by QuangNgai People's Committee are updated by Department of Finance, Department of Natural Resources - Environment, Department of Construction and local authorities every beginning and middle of a year

Base on results of market price survey, Resettlement Consultant has conducted the comparison result between market prices and compensation unit prices regulated in documents and policies of the province in last years and be presented in the following Table ,

Price is calculated before relocate affected assets, no tax deduction and implementation cost as following:

- i. To the production land is based on the market price corresponding to recent sold – land price , in case there is no land sold recently , the price is based on the production value;
- ii. The annual crops are corresponding to the highest production in last 3 years multiply with market price at the time of compensation;
- iii. Timber tree is based on diameter, height, year at current market price.

The price for compensation is for land, structure, crops under Decisions No. 67; 25 và 64/2014/QĐ-UBND issued by QuangNgai province. The evaluation of replacement cost is implemented to compare the unit price in this decision with the market price.

According to the replacement cost survey, the unit price from Quang Ngai province has no significant difference in the market price for the affected assets .The land prices are applicable to land in Quang Ngai province are also the difference with market prices

Table 27. Compensation price for agricultural land and forestry land

Unit: VND/m²

No.	Type of land	Decision No. 67/2014/QĐ - UBND	Surveyed price	Proposed price
1	Agricultural land	15,000	No price	15,000
2	Forestry land	7,000	7,000	7,000

In general, the unit price of QuangNgai province regulates on crops reflects the market price. With seasonal crops, unit price is higher than the price that the farmer sale in the market. In some cases, the surveyed price of timber trees is lower than the price of QuangNgai province regulated and proposed in the following table:

Table 28. Compensation price crop and timber tree

No.	Type of tree	Unit	Compensation price	Surveyed price	Proposed price
1	Annual crops				
	Paddy	VND/m ²	6,600	No Price	Follow the price regulated by provincia people's committee
2	Timber tree				
	Accasia	VND/tree	35,000	30,000	35,000

10.3. Compensation cost

The following table presented the (i) Cost estimate for permanent land acquisition, (ii) and cost estimate for structure, house, crop and tree.

Table 29. Summary of compensation , support of sub-project

No.	Type of affect	Unit	Quanity	Unit (VND)	Total cost (VND)
I	Land				158,510,000
1	Agricultural land	m ²	7,758	15,000	116,370,000
2	Forestry land	m ²	6,020	7,000	42,140,000
II	Crop, tree				771,142,000
1	Annual crop				31,032,000
	Paddy	m ²	7,758	4,000	31,032,000
2	Timber tree				740,110,000

No.	Type of affect	Unit	Quantity	Unit (VND)	Total cost (VND)
	Accasia	tree	21,146	35,000	740,110,000
III	Water surface for aquaculture production				50,000,000
	Total				979,652,000

10.4. Support cost and administrative cost

The support cost is based on the Decision of Viet Nam Government, Decision No. 08/2013/QĐ-UBND of QuangNgai province and the policies of the World Bank.

The compensation, support for agricultural land (paddy land area) is defined basing on the net income on the affected area in one crop.

The support cost includes job transfer and job creation to the households that their agricultural land and forestry land acquired, support for agricultural land area where is not irrigated during dam construction, cost for implementation of compensation, support and resettlement

Table 30. Support cost

No.	Support cost and administrative cost	Unit	Quantity	Unit (VND)	Amount (VND)
I	Support for professional change and job creation				606,975,000
1	Agricultural land	times	2.5	116,370,000	290,925,000
2	Forestry land	times	3.5	90,300,000	316,050,000
II	Support for agricultural land area where is not irrigated during dam construction	ha	43.2	15,120,000	653,184,000
III	Organization and Implementation cost				44,796,220
	Management cost	%	2	2,239,811,000	44,796,220
	Total				1,304,955,220

10.5. Contingency cost

Contingency of cost and price is calculated by 15% of compensation cost, income restoration cost and administrative cost include (management cost and cost for independent monitoring) is calculated as following:

$(979,652,000 + 1,304,955,220) \times 15\% = 342,691,083 \text{ VND}$ Contingency cost estimation for price and for compensation, resettlement, of the project is **342,691,083 VND**,

10.6. Total cost estimation

Total cost includes: (1) compensation cost; (2) job transfer and creation, cost for compensation, support and resettlement implementation organization (3) Contingency cost estimation is describes in the following Table:

Table 31. Total cost estimation for compensation, support and resettlement

No,	Cost	Amount (VND)
1	Compensation cost	979,652,000
2	Cost for professional change and job creation, cost for compensation, support and resettlement implementation support for agricultural land area where is not irrigated during dam construction	1,304,955,220
3	Contingency cost	342,691,083
	Total	2,627,298,303

Total cost estimated is rounded as **2,627,298,000 VND** (two billion,six hundered twenty seven million, two hundred ninety eight thousand dong) equivalent to **121,634 USD**, Of which the compensation cost is **979,652,000 VND** equivalent to **45,354USD**.

11. IMPLEMENTATION SCHEDULE

11.1.Update RAP

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

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

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

11.2 Implementation schedule

The prepatation and implementation plan of RAP is presented in the following Table

Table 32. The prepatation and implementation plan of RAP

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

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

12. MONITORING AND EVALUATION

12.1. Monitoring

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

i) Monitor the activities of project whether it complete effectively or not, including quality, quantity and time.

ii) Asset these activities whether they achieve the project's purposes and objectives or not, and how achievement level is.

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

12.2. International monitoring

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

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

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

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

- Number of affected persons according to types of effects and project components and the status of compensation, relocation and income recovery for each item.
- The distributed costs for the activities or for compensation payment and disbursed cost for each activity.

- List of outstanding complaints
- Final results on solving complaints and any outstanding issues that demand management agencies at all levels to solve.
- Arisen issues in the implementation process.
- RAP Schedule is actually updated.

12.3. Independent Monitoring

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

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

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

- Payment of compensation will be as follows: a) full payment to be made to all affected persons sufficiently before land acquisition; (b) adequacy of payment to replace affected assets.
- Provision of assistance for APs who have to rebuild their houses on their remaining land, or building their houses in new places as arranged by the project, or on newly assigned plots.
- Support for recovering income source.
- Community consultation and public dissemination of compensation policy: (a) APs should be fully informed and consulted about land acquisition, leasing and relocation activities; (b) the IMC should attend at least one community consultation meeting to monitor community consultation procedures, problems and issues that arise during the meetings, and propose solutions; (c) public awareness of the compensation policy and entitlements will be assessed among the APs; and (d) assessment of awareness of various options available to APs as provided for in the RAPs.
- Affected persons should be monitored regarding restoration of productive activities.
- APs' satisfaction on various aspects of the RAP will be monitoring and recorded. Operation of the complaint mechanism and speed of complaint settlement will be monitored.
- Through the implementation, trends on living standards will be observed and surveyed. Any potential issues arising in the restoration of living standards are reported and suitable measures will be proposed to ensure the project objectives.

12.4. Methodology for Independent Monitoring

A. Database Storage

The IMC will maintain a database of resettlement monitoring information. It will contain files on results of independent monitoring, HHs monitored and will be updated based on information collected in successive rounds of data collection. All databases compiled by the PMU will be fully accessible by the IMC.

B. Reports

The Independent Monitoring Consultant must submit periodical reports every 6 months which states the findings in the monitoring process. This monitoring report will be submitted to the CPO, and then the CPO will submit to the WB in the form of appendixes of the progress report.

The report should contain (i) a report on the progress of RAP implementation; (ii) deviations, if any, from the provisions and principles of the RAP; (iii) identification of outstanding issues and recommended solutions so that the executive agencies are informed about the ongoing situation and can resolve problems in a timely manner; and (iv) a report on progress of the follow-up of problems and issues identified in the previous report.

C. Follow-Up Monitoring Report

The monitoring reports will be discussed in a meeting between the IMC and PMU. PMUs will hold meetings immediately after receiving the report. Necessary follow-up activities will be carried out based on the problems and issues identified in the reports and follow-up discussions.

D. Ex-post Evaluation Report

In fact, this is the evaluation at a given point of time of the impact of resettlement and the achieved objectives. The external monitor will conduct an evaluation of the resettlement process and impacts 6 to 12 months after the completion of all resettlement activities. The survey questionnaires for evaluation are used based on the database in the project database system and the questions used in the monitoring activities.

Ultimately, a summary of ex-post resettlement evaluation included in Project Completion Report (PCR) will be prepared before closure of the Project. The evaluation covers project impacts (number of affected households, scope of land acquired by subproject, compensation paid to APs, any pending issues resulting from land acquisition and provides information if the AP's livelihood is restored, or at least maintain to pre-project implementation.

Resettlement Action Plan cannot be considered complete until an ex-post evaluation and a project completion audit confirm that all the affected HHs have received fully all compensation, assistance and life restoration processes as planned.

Annex 1**LIST OF AFFECTED HHS**

No.	Name	Sex		Remark
		Male	Female	
1	Mai Van Nang	1		
2	Mai Van Tuong	1		
3	Nguyen Thi Chiec		2	
4	Nguyen Thanh Hai	1		
5	Pham Trung Nhan	1		
6	Cao Thi Bong		2	
7	Nguyen Van Nhon	1		
8	Đinh Van Cung	1		
9	Nguyen Van Hai	1		
10	Nguyen Cho	1		
11	Nguyen Le	1		
12	Đinh Van Ngai	1		
13	Nguyen Cong Chinh	1		
14	Đinh Cong Ma	1		
15	Bui Thi Ty		2	
16	Trinh Quang Dao	1		
17	Nguyen Cuong	1		
18	Ho Quang Hiep	1		
19	Tran Anh Dung	1		
20	Nguyen Ba	1		
21	Hoang Thi Dao		2	
22	Le Vien	1		
23	Le Vu	1		

Annex 2

AFFECTED LAND AREA OF HHS

No.	Name of HHs	No. of people in HH	Affected agicultural land area		Affected forestry land area	
			Permanent affected agicultural land area	Temporary affected agicultural land area	Permanent affected forestry land area	Temporary affected forestry land area
1	Mai Van Nang	3	1,300			
2	Mai Van Tuong	4	500			
3	Nguyen Thi Chiec	5	1,300			
4	Nguyen Thanh Hai	4				7 ha of water surface for aquaculture
5	Pham Trung Nhan	6	500			
6	Cao Thi Bong	5	400			
7	Nguyen Van Nhon	5	500			
8	Đinh Van Cung	9				13,452
9	Nguyen Van Hai	6	500			
10	Nguyen Cho	4	300			
11	Nguyen Le	7	150		920	
12	Đinh Van Ngai	4	250		1,500	
13	Nguyen Cong Chinh	2	460			
14	Đinh Cong Ma	4	750			923
15	Bui Thi Ty	5			100	
16	Trinh Quang Dao	4			1,500	
17	Nguyen Cuong	6			1,000	
18	Ho Quang Hiep	9				500
19	Tran Anh Dung	4			1,000	
20	Nguyen Ba	4	248			
21	Hoang Thi Dao	7	600			
22	Le Vien	5				17,000
23	Le Vu	6				8,000
Total		118	7,758		6,020	39,875

Annex 3: PICTURES OF SUB-PROJECT AREA

Annex 3-1. Effected area by Sub-Project



Agricultural land acquisition due to construction sub-project



Aquaculture households are affected



Forest land at the left reservoir is effected



Forest land at the right reservoir is effected



Da Bridge – south of irrigated area



Rau Bridge – central of irrigated area



Lồ Ô- Bridge – north of irrigated area

Road may be affected during the construction phase

Annex A3-2. Public consultants



CONSULTATION MEETINGS OF LEADERSHIP OF HANH TIN TAY COMMUNITY



CONSULTATION MEETINGS OF TAN PHU 1 VILLAGE

CONSULTATION MEETINGS OF TAN PHU 2 VILLAGE



CONSULTATION MEETINGS OF TAN HOA VILLAGE