

Resettlement Plan

November 2014

VIE: Urban Environment and Climate Change Adaptation Project (Dong Hoi City, Quang Binh Province)

Prepared by Quang Binh Provincial People's Committee for the Asian Development Bank.

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ABBREVIATIONS

ADB	-	Asian Development Bank
AHs	-	Affected Households
APs	-	Affected Persons
CLFD	-	Centre for Land Fund Development
CPC	-	Commune People's Committee
DMS	-	Detailed Measurement Survey
DOLISA	-	Department of Labor, Invalids and Social Affairs
DPs	-	Displaced Persons
EA	-	Executing Agency
EMA	-	External Monitoring Agency
GoV	-	Government of Vietnam
GRM	-	Grievance Redress Mechanism
HH	-	Household
IA	-	Implementing Agency
IOL	-	Inventory of Losses
LIC	-	Loan Implementation Consultant
LURC	-	Land Use Rights Certificate
MOLISA	-	Ministry of Labor, Invalids and Social Affairs
ODA	-	Official Development Assistant
PIB	-	Public Information Brochure
PIC	-	Project Implementation Consultants
PMU	-	Project Management Unit
PPC	-	Provincial People's Committee
PPTA	-	Project Preparatory Technical Assistance
PPU	-	Project Preparatory Unit
RCS	-	Replacement Cost Survey
RP	-	Resettlement Plan
SES	-	Socioeconomic Survey
RS	-	Resettlement Site
SPS	-	Safeguard Policy Statement
URENCO	-	Urban Environment One Member Limited Company
VND	-	Vietnam Dong
VUW	-	Vietnam Union of Women
WSS	-	Water Supply and Sanitation
WTP	-	Water Treatment Plant

CURRENCY EQUIVALENTS

(As of 26 October, 2014)
Currency unit: Vietnam Dong (VND) and US dollar (\$)
\$1 = 21,170 VND

GLOSSARY

Compensation	– This is payment given in cash or in kind to affected persons (APs) at replacement cost or at current market value for assets and income sources acquired or adversely affected by the project.
Cut-off date	– Is the date when the City’s People’s Committee and the Project Management Unit (PMU) officially inform the public about the Project and its locations. Anyone who occupies or encroaches into the defined boundaries of the Project area after this date is not entitled to compensation and other assistance for affected assets and incomes.
Detailed Measurement Survey (DMS)	– With the use of approved detailed engineering drawings, this activity involves the finalization and/or validation of the results of the IOL, severity of impacts, and list of APs done during the preparation of this resettlement plan (RP).
Affected person (AP)	– Refers to any person or persons, household, firm, private or public institution that, on account of changes resulting from the Project, will have its (i) standard of living adversely affected; (ii) right, title or interest in any house, land (e.g., residential, commercial, agricultural, and/or grazing land), water resources or any other fixed assets acquired, possessed, restricted or otherwise adversely affected, in full or in part, permanently or temporarily; and/or (iii) business, occupation, place of work or residence or habitat adversely affected, with or without physical displacement.
Affected Household (AH)	In the case of affected household (AH), it includes all members residing under one roof and operating as a single economic unit, who are adversely affected by the project.
Entitlements	– Refers to a range of measures, such as compensation in cash or in kind, income restoration support, transfer assistance, relocation support, etc., which are provided to the APs depending on the type and severity of their losses to restore their economic and social base.
Inventory of Losses (IOL)	– This is the listing of assets as a preliminary record of affected or lost assets during the preparation of the RP where all fixed assets (i.e., land used for residence, commerce, agriculture; dwelling units; stalls and shops; secondary structures, such as fences, tombs, wells; standing crops and trees with commercial value; etc.) and sources of income and livelihood inside the COI are identified, measured, their owners identified, their exact location pinpointed, and their replacement costs calculated. The severity of impact on the affected assets and the severity of impact on the livelihood and productive capacity of the DPs are likewise determined.
Involuntary Resettlement	– It is the displacement of people, not of their own volition but involuntarily, from their homes, assets, sources of income and livelihood in the ROW in connection with the Project.

- Land acquisition – Refers to the process whereby an individual, household, firm or private institution is compelled by a public agency to alienate all or part of the land it owns or possesses to the ownership and possession of that agency for public purposes in return for compensation at replacement costs.
- Relocation – This is the physical displacement of a DP from his/her pre- project place of residence and/or business.
- Replacement cost – Means the amount in cash or in kind needed to replace an asset in its existing condition, without deduction of transaction costs or depreciation and salvageable materials, at prevailing current market value at the time of compensation payment.
- Replacement Cost Study – This refers to the process involved in determining replacement costs of affected assets based on empirical data.
- Resettlement – Refers to various measures provided to DPs or AHs to mitigate any and all adverse social impacts of the project, including compensation, relocation (where relevant), and rehabilitation as needed.
- Resettlement Plan – This is a time-bound action plan with budget, setting out the resettlement objectives and strategies, entitlements, activities and responsibilities, resettlement monitoring, and resettlement evaluation.
- Right of Way (ROW) – This is the area which will be cleared of all structures and obstructions.
- Severely affected Households – This refers to AHs who will (i) lose 10% or more of their total productive assets, (ii) have to relocate, and/or (iii) lose 10% or more of their total income sources due to the project.
- Vulnerable groups – These are distinct groups of people who might suffer disproportionately or face the risk of being further marginalized due to the project and specifically include: (i) female-headed households with dependents, (ii) household heads with disabilities, (iii) households falling under the generally accepted indicator for poverty, (iv) elderly households who are landless and with no other means of support, (v) landless households, (vi) ethnic minorities.

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EXECUTIVE SUMMARY

Background. *The Urban Environment and Climate Change Adaptation Project for Dong Hoi City, Quang Binh Province will be implemented in two communes, namely Bao Ninh and Phu Hai. The objectives of the project include (i) Climate proofed urban development and (ii) Improved wastewater management in the main city area.*

The Project consists of two components, including (i) Bao Ninh Urban Development, and (ii) Dong Hoi Wastewater Management Improvement. The activities that will be supported by the Project under the component of Bao Ninh Urban Development include Bao Ninh Wastewater System; Bao Ninh Road Systems; Bao Ninh Sustainable Urban Drainage System and Bao Ninh Flood and Coastal Protection. For the component of Dong Hoi Wastewater Management Improvement, the activities that will be implemented include house connections, sewer extensions and telemetry for the pump stations and CSOs in the main city area.

Scope of Land Acquisition and Resettlement. *Among the project funded activities, only Bao Ninh Road Systems under the Bao Ninh Urban Development component requires land. The affected land is in Bao Ninh Commune. The roads construction would affect 375 households (HHs); of which 52 households have to relocate. None of affected households lose more than 10% of their total agricultural land holding. Among the affected households, 3 households are vulnerable households. Of total affected households, 143 households have only land affected and 225 households have only graves affected and 07 households have both land and graves affected. All the affected households are titled land users.*

The Project would permanently acquire 173,940 m² of different types of land including 9,534 m² of residential land of 59 HHs; 15,099 m² of garden land of 88 HHs; 86,400 m² of forest land of 7 HHs; 3,689 m² of aquaculture land of 08 HHs; 9,416 m² of reclaimed land of 35 HHs and 49,801 m² of other land such as cemetery land, pond and unused land managed by Bao Ninh CPC.

The implementation of the project in Dong Hoi City would impact on 27,467 trees including 1,247 fruit trees; 25,085 timber trees (acacia, eucalyptus, etc.) and 1,135 other trees of 86 households and 414 m² of crops (vegetable, cassava, etc.) of 65 households in the project area. Besides, the project causes impacts on 4171.24 m² of houses; 1962.64 m² of yard; 288.8 m² of kitchen; 129.64 m² of toilets of 59 households (52 households who are with houses affected, 07 households who are only with secondary structured affected but not houses). There are also 249 separate graves and 130 family grave compounds of 232 households that would be affected by the project.

Implemented land acquisition and resettlement. *Land acquisition and resettlement commenced in April 2013 for one project component (the Construction of Horizontal Road No.4) and one associated facility to the Project (the Access Road to Nhat Le 2 Bridge)¹. There are 63 affected households (252 affected persons); of-which 33 households have to relocate (15 households affected by Horizontal Road No.4 and 18 households affected by the Access Road to Nhat Le 2 Bridge). Up to October 2014, fifty-four households have been compensated (85.7%) and 24 households (72.7%) have been relocated. Resettlement due-diligence has been carried out and some gaps have been identified between the implemented resettlement activities and the provisions of the Project Resettlement Framework. Implementation of agreed corrective action plans for the already-completed land acquisition and resettlement activities will be within the time-frame of land acquisition and resettlement of the Project.*

Policy Framework. *The legal and policy framework for compensation, assistances and rehabilitation under the Project is defined by the relevant laws and regulations of the Government of Viet Nam and the ADB Safeguard Policy Statement (2009). Objectives of the project's policy are to avoid, if not minimize resettlement impacts, restore livelihoods and improve living standards of*

¹ The Access Road to Nhat Le 2 Bridge is not one of the project's components; however, the project funded Horizontal Road No.4 connects to the Access Road and is required for the Access Road be fully functional. It is thus considered a Project associated facility.

poor and vulnerable households. In case of discrepancies between the Government's laws, regulations, and procedures and ADB's policies and requirements, the policies and requirements of the latter will prevail, consistent with Decree No. 38/2013/ND-CP, dated 23 April, 2013 on ODA Management and Use.

An Entitlement Matrix and its applications are provided in this Resettlement Plan (RP). It covers the compensation and types of assistance to the APs who will be acquired their agricultural land; residential land or to be relocated; special assistances for the vulnerable affected households; etc. The Entitlement Matrix has been consulted with and agreed on by the APs, local authorities and Centre for Land Fund Development (CLFD) of Dong Hoi Provincial City.

Compensation will follow the principle of replacement cost. Relocation households will be allocated plots in the resettlement site and provided with free LURC and assistances for relocation.

The cut-off date has been established for one project component-the Horizontal Road No.4 (it is 21st September, 2012) and the associated facility to the Project- the Access Road to Nhat Le 2 Bridge (it is 10 October, 2011) for which land acquisition and resettlement have been started or on-going. For the remaining project components where land acquisition and resettlement have not yet been commenced, the cut-off-date will be established and officially announced to the public when the project has been approved by the relevant agencies.

Institutional Arrangement. Quang Binh Provincial People's Committee PPC will be responsible for the management of RP and social issues which shall be updated and implemented by Dong Hoi Urban Environment One Member Limited Company (URENCO). Dong Hoi URENCO will be supported by a full-time qualified and experienced social safeguard specialist of Loan Implementation Consultants (LIC) to manage the resettlement related issues. Land acquisition and resettlement will be implemented by CLFD of Dong Hoi City.

Grievance Redress Mechanism. Dong Hoi URENCO will ensure that all grievances and complaints on any aspect of land acquisition, compensation and resettlement are addressed in a timely and satisfactory manner. All possible avenues will be made available to AP to express their grievances by establishing a well-defined grievance redress mechanism. APs with grievances can submit their complaints or grievances regarding compensation, entitlement, compensation policy, rates, land acquisition, resettlement, allowances and income restoration measures as per the grievance redress mechanism (GRM) described in this RP. These APs will not be charged any fee during the resolution of their grievances and or complaints including necessary adjudication in a court of law.

Implementation Schedule. The RP shall be implemented 36 months prior to the award of the civil works contracts for each component (33 months from commencement of detailed design). Quang Binh PPC through Dong Hoi URENCO will implement the updated RP upon receipt of official approval from ADB. Civil works will begin after: (i) compensation and assistances have been paid in full paid to all affected households and agreed rehabilitation measures are in place; (ii) physically displaced households have been relocated to alternate sites; and, (iii) the acquired land is free from all encumbrances and no pending complaints and grievances are left unresolved, as validated by the EMA. The detailed activities and schedule in updating and implementing the updated RP are described in this RP. Detailed design is expected to be completed by 3th Quarter 2015, which is also when the RP will be updated based on the Detailed Measurement Survey (DMS) Socioeconomic Survey and Replacement Cost Study (RCS). RP implementation will start in 1st Quarter 2016.

Estimated Cost. The overall budget for implementing the resettlement plan was estimated at VND 59,244,293,688, equivalent to \$ 2,798,502. The amount earmarked for compensations, assistances, resettlement; RCS, external monitoring; implementation of corrective actions plans for Horizontal Road No.4; administration cost (2%) and contingency (10%). Among the total, an amount of VND 7,595,968,552 (equals to US\$ 358,808) has been disbursed to the APs who are affected by the Horizontal Road No.4 component. The remaining resettlement budget required for the Project for Dong Hoi City is VND 51,648,325,136 (equals to US\$ 2,439,694). The resettlement costs will be updated during the RP updating following the detailed engineering design, results of DMS and RCS, and consultations with APs and communities.

Monitoring and Reporting. *In order to help ensure that the approved RP are implemented as planned, monitoring of resettlement activities will be pursued, internally by City People's Committee, Centre for Land Fund Development, and PMU, and externally by External Monitoring Agency (EMA). The objectives, focuses, frequency of monitoring and reporting mechanism are presented in the RP.*

RP Updating: *This Resettlement Plan has been prepared based on the IOL and will be updated following the DMS when the detailed design is available. As planned by the PMU, the Resettlement Plan updating will start in 4th Quarter 2015.*

A. PROJECT DESCRIPTION

1.2. Background

1. The Urban Environment and Climate Change Adaptation Project for Dong Hoi City, Quang Binh Province will be implemented in two communes, namely Bao Ninh and Phu Hai. The objectives of the project include (i) Climate proofed urban development and (ii) Improved wastewater management in the main city area.

1.2. Components

2. The Project consists of two components, including (i) Bao Ninh Urban Development, and (ii) Dong Hoi Wastewater Management Improvement. The activities under Bao Ninh Urban Development component are summarized under the following headings:
 - Bao Ninh Wastewater System: Covering the communes of Bao Ninh and Phu Hai serving a total population of 12670 (including 1000 tourists) by 2020 and including 13,1 km of gravity sewer, 3.5 km of pumping main and 03 pumping stations;
 - Bao Ninh Road Systems: Serving the new urban area of Bao Ninh and including one vertical roads of 2.9 km length and 38m width and 04 horizontal roads of 2.5 km;
 - Bao Ninh Sustainable Urban Drainage System: covering on site storm-water retention, storm-water infiltration through roadside 11.6 swales, remediation of the 60m road drainage. Detention storage (1.6 ha) and connecting sewerage and final outfalls (7.0 km) to Nhat Le River.
 - Bao Ninh Flood and Coastal Protection: including restoration and protection of 3.3 km of dunes and protection of a further 4 km of dunes by coastal zoning.
3. The activities under Dong Hoi wastewater management improvement component comprise of house connections, sewer extensions and telemetry for the pump stations and CSOs in the main city area.



Figure 1: Components of the project

4. Land acquisition and resettlement have been commenced since April 2013 for one out of four horizontal roads - the Horizontal Road No. 4 - under the Bao Ninh Road Systems (Bao Ninh Urban Development Component). A total of 8,355.5 m² of lands in Bao Ninh Commune (2,913.7 m² of residential land; 3,782.5 m² of garden land; 134.8 m² of aquaculture land and 1,524.5 m² of land for other annual crops) is affected by the road construction. There are 24 affected households (96 family members), of which 15 households (62 persons) who have to relocate (11 HHs with 45 persons who have to relocate to resettlement site and 04 households with 17 persons who have to rebuild their house in the remaining part of the residential land). Up to October 2014, all 24 affected households have been compensated and 15 displaced households have been resettled.
5. The Access Road to Nhat Le 2 Bridge is not funded by the Project but the Project funded Horizontal Road No.4 connects to the access road and is required for the access road to be fully functional; therefore it is considered as an “associated facility” of the Project. Construction of Access Road to Nhat Le 2 Bridge affects a total area of 13,397.6 m² of lands in Bao Ninh Commune including 4,218.5 m² of residential land; 6,534.9 m² of garden land; 1,630.3 m² of aquaculture land and 1,013.9 m² of land for other annual crops. There are 39 households (156 family members) who are affected by the construction, of which 18 households (73 affected persons) have to relocate to the resettlement site. Up to October 2014, thirty households (119 persons) have been compensated and nine displaced households (37 persons) have been resettled.
6. Resettlement due-diligence has been carried out on the implemented land acquisition and resettlement of the Horizontal Road No. 4 and the Access Road to Nhat Le 2 Bridge. Some gaps between these activities with the provisions that envisaged in the Project Resettlement Framework have been identified and the corrective action plan has been developed. Implementation of these agreed corrective actions will be within the time-frame of land acquisition and resettlement implementation for the Project.

B. SCOPE OF LAND ACQUISITION AND RESETTLEMENT

2.1. Measure taken to minimize negative impacts

7. The route of the Vertical Road 36m width is designed to avoid the residential land of Ha Thon Village; therefore relocation of about 56 households is avoidable.
8. To avoid increasing the potential impacts on the local people, affected households were advised (through consultations) not to cultivate new crops on the land to be permanently and temporarily acquired. A public information booklet (PIB) that explains, among others, the policy on cut-off date for eligibility, was distributed to the APs and communities. Other than the aforementioned, the PMU will ensure that the payment of compensation and assistance and relocation for AHs are completed and rehabilitation measures are in place prior to the issuance of notice to proceed to start construction works.

2.2. Summary of impacts

9. The cut-off-date has been established for Horizontal Road No.4 (it is 21 September 2012) and the Access Road to Nhat Le 2 Bridge (it is 10 October 2011) for which land acquisition and resettlement have been implemented or is ongoing. The cut-off-date is the date when the Dong Hoi City's People's Committee and the Project Management Unit (PMU) officially inform the public about the Project and its locations. The cut-off-date for this project component and the associated facility has been announced to public. For the remaining project components that land acquisition and resettlement has not yet been commenced, the cut-off-date will be established and officially announced to the public when the project has been approved by the relevant agencies.
10. Among the project funded activities, only roads construction (Vertical Road 36 m width; 04 Horizontal Roads and resettlement site for Horizontal Road No.4) under Bao Ninh Road Systems component require land. The affected land is in Bao Ninh Commune.
11. The road construction will affect on 375 households. There will be 52 HHs that have to relocate due to land acquisition, of which 33 households have to relocate to resettlement site and 19 households who could rebuild the house in the remaining part of residential land. None of affected households lose from more than 10% of their total agricultural land holding. Of the affected households, there are 3 vulnerable households. Table 1 below quantifies the impacts on land of the project.

Table 1: Affected Households

	No. of affected HHs	No. of affected Persons	No. of HHs losing from more than 10% of their total agricultural land holding	No. of vulnerable HHs	No. of relocating HHs due to loss of residential land	Of which	
						Relocate to RS	Rebuild new house in the remaining part of affected residential land
Vertical Road 36m and three horizontal roads (1,2,3)	262	1100	0	3	26	22	4
Horizontal Road No.4	24	103	0	0	15	11	4

Resettlement site for Horizontal Road No.4	89	347	0	0	11	0	11
Total	375	1550	0	3	52	33	19

Source: IOL results

2.2.1. Impacts on land

12. There are 375 households affected by land acquisition under the project, of which 143 households who have land affected and 225 households who have only graves affected and 07 households who have both land and graves affected.
13. The Project will permanently acquire 173,940 m² of different types of land including 9,534 m² of residential land of 59 HHs; 15,099 m² of garden land of 88 HHs; 86,400 m² of forest land of 7 HHs; 3,689 m² of aquaculture land of 08 HHs; 9,416 m² of reclaimed land of 35 HHs and 49,801 m² of other land such as cemetery land, pond and used land managed by Bao Ninh CPC. There is no agricultural land of individuals or households affected by the project in Bao Ninh Commune.
14. Scope of impacts on land by the project is shown in Table 2 below.

Table 2: Affected land by roads construction

	Residential land (m ²)	Garden land (m ²)	Forest land (m ²)	Aquaculture land (m ²)	Reclaimed land (m ²)	Other land (cemetery land, pond, unused land) (m ²)	Total affected land (m ²)
Vertical Road 36m and three horizontal roads (1,2,3)	5,200	6,000	86,400			47,400	145,000
Horizontal Road No.4	2,914	3,783		135		1,525	8,356
Resettlement site for Horizontal Road No.4	1,421	5,317		3,555	9,416	877	20,585
Total	9,534	15,099	86,400	3,689	9,416	49,801	173,940

Source: IOL results

15. Among the 59 households who have residential land affected, there are 33 households whose entire residential land will be acquired by the Project and will have to relocate to the resettlement site; and, 26 households who are affected by partial loss of their residential land (of these 26 HHs, there are 19 HHs whose houses will be affected and will rebuild the house in the remaining residential land; and 7 HHs whose residential land will be partially acquired but with only secondary structures on the affected area). All affected households have LURC; therefore, they are legal land users. The total area of the affected residential land of 33 households who have entire area of residential land acquired is 7,612 m²; and the total area of the acquired residential land of 19 households who have to rebuild the house in the remaining residential land is 1,826 m². The total affected area of the seven households who will experience partial loss of residential land and with only secondary structures (yard and kitchen) on the affected land is 96 m² in total - the households do-not have to relocate.

2.2.2. Impacts on crops and trees

16. The implementation of the project shall impact on 27,467 trees including 1,247 fruit trees; 25,085 timber trees (acacia, eucalyptus, etc.) and 1,135 other trees of 86 households and 414 m² of crops (vegetable, cassava, etc.) of 65 households in the

project area. There is no paddy land affected. The affected crop-plantation land area is classified as “annual-crop-plantation land” or “short-term crop-plantation land” following the land classification of the Land-Law 2013. Table 3 below shows details in scope of impacts on crops and trees due to land acquisition.

Table 3: Impacts on crops and trees

	No. of HHs having trees affected	No. of affected trees	Of which			No. of HHs having crops affected	Total area of affected crops
			Fruit trees	Timber trees	Others		
Vertical Road 36m and three horizontal roads (1,2,3)	7	20,700	-	20,700	-	-	-
Horizontal Road No.4	19	2,685	784	885	1,016	5	110
Resettlement site for Horizontal Road No.4	60	4,082	463	3,500	119	60	304
Total	86	27,467	1,247	25,085	1,135	65	414

Source: IOL results

2.2.3. Impacts on houses and other structures

17. The Project causes impacts on 4171.24 m² of houses; 1962.64 m² of yard; 288.8 m² of kitchen; 129.64 m² of toilets. The affected houses are with very simple construction materials, mostly are grade 4 houses².
18. Due to land acquisition under the project, 52 HHs have to relocate; of which 33 households will relocate to resettlement site and 19 households will rebuild their houses in the remaining part of affected residential land.
19. There are also 249 separate graves and 130 family grave compounds of 232 households that would be affected by the project. Among the households (232 HHs) who have graves affected, 102 households will have only separate graves affected, 61 households will have only family grave compounds affected and 69 households will have both separate graves and family grave compounds affected.

Table 4: Number of households who have house and structures affected

<i>Components</i>	<i>No. of HHs who have houses and structures affected</i>
Vertical Road 36m and three horizontal roads (1,2,3)	26
Horizontal Road No.4	15
Resettlement site for Horizontal Road No.4	11
TOTAL	52

Source: IOL results

² According to the regulations of the Decree 209/2004/ND-CP on housing classification, the Grade 4 House is a house made by bricks or timbers with the duration of use is less than 30 years, the roof is made by tiles or fibrocement, and the walls are made by bricks or simple materials.

Table 5: Impacts on houses and structures by component

	No. of HHs having houses and structures affected (HH)	Of which			Total area of affected houses (m ²)	Of which					
		Two-floor house	Grade 4 house	Temporary house		Two-floor house	Grade 4 house	Temporary house	Yard	Kitchen	Toilet
Vertical Road 36m and three horizontal roads (1,2,3)	26	1	21	4	3120	200	2520	400			
Horizontal Road No.4	15		15		619.63		619.63		1249.17	209.38	90.2
Resettlement site for Horizontal Road No.4	11		11		431.61		431.61		713.47	79.42	39.44
Total	52	1	47	4	4171.24	200	3571.24	400	1962.64	288.8	129.64

Source: IOL results

2.3.4. Impacts on business and production

20. All affected households are engaged in fishing and aquaculture in the sea; therefore, land acquisition by the project causes no impacts on business and production of households.

2.3.5. Impacts on public assets

21. Apart from 49,801 m² of lands (cemetery land, pond and unused land) managed by Bao Ninh CPC that would be affected, the implementation of the project would cause no impacts on public assets.

C. SOCIO-ECONOMIC INFORMATION AND PROFILE

3.1. Socioeconomic Survey

22. The project will be implemented in Phu Hai and Bao Ninh communes of Dong Hoi Provincial City. However, there is no land acquisition of individuals or households in Phu Hai commune as implementation of the wastewater activities only causes temporary impacts on road during pipe installation. Therefore, socio-economic survey (SES) was only carried out in Bao Ninh Commune. The survey covers 100% of households who have land affected in the commune for both severely and marginally affected.
23. In addition, PPTA consultant conducted ten (10) in-depth interviews with key-informants such as representatives of Bao Ninh CPC, mass organizations, village heads and family members of vulnerable households; and four (04) focus-group discussions with groups of relocation households and the households who have graves affected.

3.2. Socio-economic information of affected communes

Demographic characteristics

24. The total population of the affected communes (Bao Ninh and Phu Hai) is 13,565 people (3,248 households) accounting for 12.9% of the population of Dong Hoi City (in 2013). Of 13,565 persons, 50.1% are male and 49.9% are female. The family size is 4.2 persons, averagely. The population structure of the affected communes is presented in the table below:

Table 6: Population of affected communes

Provincial City/ District	Communes	No. of Households	Population		
			Male	Female	Total
Quang Binh	Phu Hai	959	1,910	1,986	3,896
	Bao Ninh	2,289	4,885	4,784	9,669
Total		3,248	6,795	6,770	13,565

Source: Socio-economic reports of Bao Ninh Commune and Phu Hai Commune in 2013

25. The number of people in labour age³ in the affected communes is 7,450 people, accounting for 54.9% of total population. The labour structures of the affected communes are presented as follows.

Table 7: Number of people in labour age by communes

Provincial City/ District	Communes	Population	Number of people in working age (person)		
			Male	Female	Total
Quang Binh	Phu Hai	3,896	1,034	1,098	2,132
	Bao Ninh	9,669	3,191	2,127	5,318
Total		13,565	4,225	3,225	7,450

Source: Socio-economic reports of Bao Ninh Commune and Phu Hai Commune in 2013

26. In Phu Hai commune, about 40% of households are engaged in agriculture and business while more than half of total households in Bao Ninh commune are engaged in fishing and aquaculture. Occupations of households in the project communes is presented as follows:

³ According to the provision of the Labour Law 10/2012/QH13, people in labour age are those aged 15 to 60 for males and 15 to 55 for females.

Table 8: Occupations of households in the affected communes

Communes		Agriculture	Fishing and Aquaculture	Industrial and Handicraft	Construction	Business	Service	Other	Total No. of HHs
Phu Hai	#	200	128	48	40	171	0	372	959
	%	21%	13%	5%	4%	18%	0%	39%	
Bao Ninh	#	226	1229	117	98	304	111	204	2289
	%	10%	54%	5%	4%	13%	5%	9%	

Source: Socio-economic reports of Bao Ninh Commune and Phu Hai Commune in 2013

27. Main source of income of local people in affected communes include fishing, aquaculture products (shrimp ponds), business, services and others, of which fishing contributes the main. The annual income per capita is about VND 25.8 million. The average annual income per capita of each affected communes is as follows:

Table 9: Average annual income per capita

Provincial City/ District	Communes	Average annual income per capita (VND)
Quang Binh	Phu Hai	30,000,000
	Bao Ninh	21,600,000
Average		25,800,000

Source: Socio-economic reports of Bao Ninh Commune and Phu Hai Commune in 2013

Poor Households

28. According to reports on socio-economic development of Bao Ninh and Phu Hai Communes in 2013, the poverty rates of Bao Ninh commune Phu Hai Commune are 1% (approximately 23 HHs or 97 persons⁴) and 1.2% (approximately 12 HHs or 50 persons), respectively⁵.

29. In the affected communes, the number of households with meritorious services to the Revolution (martyr, the wounded, Vietnam heroic mothers, etc.) is high due to the history of war. The number of vulnerable households in Phu Hai commune is 185 and that in Bao Ninh commune is 467. However, these households are not affected by the project. There are only three poor households who have land affected. The average income of these three households is VND 361,000/head/month – this is below the poverty line and the households are ranked as poor households by local authorities. The number of vulnerable households by commune is presented in the following table.

Table 10: Number of vulnerable HHs by communes

Communes	Vulnerable Group (# HH)					
	Single Female	Martyr	Wounded	Poor	Vietnam heroic mothers	Disabilities
Phu Hai	10	47	78	12	1	37
Bao Ninh	25	187	107	25	2	121

Source: Socio-economic reports of Bao Ninh Commune and Phu Hai Communes in 2013

Basic infrastructure

⁴ Given average HH size of 4.2 persons (source: SES of affected HHs)

⁵ According to the provisions of the Decree 09/2011/QĐ-TTg on the Poverty-Line applied for 2011-2015, a household in rural area whose income is VND 400,000/head/month or VND 4,800,000/head/year and below; and VND 500,000/head/month or VND 6,000,000/head/year and below in urban area – are considered as poor

30. In the affected communes, 100% of households use the septic toilet and are connected to the national grid electricity. Of 02 communes, there is only Phu Hai commune where 100% of households are connected to tap water. In Bao Ninh, only 05% of households are using tap water and 95% of households are using water from drilled wells. Data on basic infrastructures of the households in the affected communes is presented in the following table:

Table 11: Basic infrastructures

Communes	Rate of Households using septic toilet (%)	Rate of Households using taped water (%)	Rate of Households connected to national grid electricity (%)
Phu Hai	100	100	100
Bao Ninh	100	5	100

Source: Socio-economic reports of Bao Ninh Commune and Phu Hai Commune in 2013

31. The following table shows types of house used by the local people. Most of the households in the affected communes have single-storey house with concreted flat roof and bricked wall.

Table 12: Types of houses

Communes	Types of houses			
		Permanent multi-storey houses	Single storey houses with concreted flat roof and bricked wall	Wood House/cottage roofed brick house
Phu Hai	#	285	674	0
	%	29.7%	70.3%	0%
Bao Ninh	#	267	1938	84
	%	11.6%	84.7%	3.7%

Source: Socio-economic reports of Bao Ninh Commune and Phu Hai Commune in 2013

3.3. Socio-economic information of affected households

Demography

32. According to the results of SES, the populations of total surveyed households (150 households) are 630 persons, of which 327 persons are male and 303 persons are female. The household size is 4.2 persons per a HH.

Education

33. Survey of educational background of affected persons shows that most of them already graduated from secondary school (with 42.9% of the total surveyed households). The rates of graduated high school; technical/vocational; and primary school are 25%; 18.3% and 8.3%, respectively. The graduation rate of university is low (only 5.5% of total affected persons).

Employment and Income

34. The result of SES demonstrated that 53.7% of affected households rely on some forms of aquaculture as their main source of income, 13.22% on business, 9.9% on agriculture, 5.11% on industrial and handicraft, 4.85% on service and 13.22% on the other occupations. There are only three households out of 150 surveyed households who are poor as defined MOLISA's criteria.

Household Assets

35. Every affected household owns at least a color television set (most also own a DVD/CD player), all own at least one mobile phone. The result of SES also indicates that 26.9% of total surveyed HHs owns a washing machine and 38.5% has a refrigerator. Motorized transport in the form of at least a motorcycle is owned by all affected households.

Water, Sanitation and Hygiene

36. Only 5% of surveyed HHs are connected to the water supply system. The main source of water for all purposes is extracted from underground wells - the water quality of which is often problematic on a seasonal basis. However, 100% of AHs have an indoor toilet. In terms of sewage connections, 29.2% of affected households are connected to the Dong Hoi Wastewater System. Where affected households are not connected waste-water is disposed of by a mixture of disposal methods (including discharge into existing water bodies) in Bao Ninh. Despite the low population density of Bao Ninh its affected households contribute considerably to the effluent pollution and deleterious impacts on water bodies and aquatic life.

Major Energy Sources

37. All affected households rely on grid supplied electricity for domestic use with the exception of cooking. While 88.8% of AHs use liquid petroleum gas or kerosene for cooking the remainder use charcoal, which given the deforestation of provincial forested areas is non-sustainable in the long run although some of these AHs claim they cannot afford to use liquid petroleum gas.

Common Illnesses

38. Diarrhea is the major illness for 30.5% of affected households. During the wet season last year over 15% of AHs stated one or more household member was diagnosed with dengue fever which in recent times has been on the increase. For other common illnesses no responses were provided but healthcare centers indicate that during the cold season upper respiratory related illnesses are quite common as is tuberculosis from excessive smoking, especially among males and to a lesser extent hypertension from the excessive consumption of salty products with fish sauce being the major causative factor.

D. INFORMATION DISCLOSURE, CONSULTATION AND PARTICIPATION

4.1. Objectives of Consultation and Participation

39. Consultation with APs and community and ensuring their active participation will reduce the possibility of arising conflicts and minimize the risks of delaying the project. It enables the project to design the resettlement program as a comprehensive development program in compliance with the needs and priorities of affected people, and therefore maximizes the socioeconomic efficiency and benefits of the investment. The objectives of the community consultation and local participation include: (i) to ensure the participation of local competent authorities and affected people's representatives into the process of planning and making decisions; (ii) to share all information about the project's planned items and activities with the affected people; (ii) to collect information about the needs and priority of the affected people as well as to receive their feedbacks on policies and predicted activities; (iii) to ensure that affected people are fully informed about the decisions which directly impact on their income and living standards, and have opportunities to participate in activities and decisions that directly affect them; and (iv) to ensure the transparency in all activities concerning land recovery, compensation and assistance.

4.2. Consultations and Participation during Preparation of Resettlement Plan

40. During the preparation of resettlement plan, the public consultation was implemented with all affected households and relevant agencies by conducting the public consultative meetings, in-depth interviews with affected people; and focus group discussions.

41. PPTA consultant held public consultative meetings with representatives of local authorities; representatives of mass organizations (Vietnam Women's Union, Trade Unions, Vietnam Farmers' Union and Fatherland Front) in Bao Ninh Commune; the CLFD of Dong Hoi Provincial City and affected households on September 2013. The information that was provided for the affected households and relevant agencies in the meetings includes (i) the components of the project; (ii) scope of impacts of land acquisition; (iii) policies on compensation, assistance and resettlement regulated by the GOV and ADB; (iv) implementation schedule for compensation, assistance and resettlement; and (v) grievance redress mechanism. Total number of consulted persons is 185. Minutes of public consultative meetings and list of consulted persons are shown in Appendix 1.

42. The affected households were also provided with the Project Information Booklet (PIB). This document includes the information on background of the project; scope of impacts; entitlement matrix; schedule of land acquisition, compensation, assistance and resettlement and grievance redress mechanism. The PIB is included in Appendix 3

43. Summaries of opinions, suggestions and concerns of affected households and relevant agencies are presented in the table as follows.

Table 13: Results of consultation meetings

<i>Consultation Meetings</i>	<i>Issues discussed</i>	<i>Options, concerns of consulted organizations</i>	<i>Agreements Reached with the organizations</i>
<p>Consultation with representatives of Bao Ninh CPC, village heads, local mass organizations and AHs (84 male and 15 female)</p>	<p>Scope of the project implementation; scope of impacts; schedule for land acquisition, compensation, assistance and resettlement; grievance redress mechanism</p>	<p>The Project should allocate land for reburial of affected graves</p>	<p>All affected graves would be moved to the cemetery of Bao Ninh Commune that is 6 km far from the affected land. The land for reburial of graves shall be no cost to the households.</p>
		<p>Households having graves affected must be given assistances for relocation of graves.</p>	<p>All costs of excavation, relocation and reburial of graves will be reimbursed in cash to the AHs as prescribed in PPC's regulations. Additionally, costs for prays before and after relocation of graves would be provided.</p>
		<p>Time of relocation of graves must be informed to AHs</p>	<p>Schedule for relocation of graves should be discussed and consulted with AHs; the proposed schedule should be informed to AHs within 12 months in advance.</p>
		<p>There should be access road inside the cemetery</p>	<p>PMU will discuss with CPC on the details of required access road and will construct the road inside the cemetery</p>
		<p>Relocation households want to be resettled in their villages.</p>	<p>There is land fund of 40 ha in the commune for the development of residential area and urban area so that relocation HHs could be allocated plots in their villages to resettle.</p>
		<p>Resettlement site should be available at time of compensation and assistance payments made</p>	<p>If replacement land/resettlement site is not ready to allocate to the households for housing construction at time of making compensation payment, inflation rate of construction materials and increased labour cost (if any) shall be made for the households counting from the time of compensation made to the time of allocating replacement land for the households.</p>
<p>Consultation with Center for Land Fund Development (3 males and 1 female)</p>	<p>Compensation, assistance and resettlement payment made for Horizontal Road No.4 and Access Road</p>	<p>AHs requested that land price for plots in the resettlement site (RS) should be lower than compensation unit rate for affected</p>	<p>The CLFD will discuss with concerned agencies on the issue and respond officially to the HHs</p>

<i>Consultation Meetings</i>	<i>Issues discussed</i>	<i>Options, concerns of consulted organizations</i>	<i>Agreements Reached with the organizations</i>
		residential land because the position of plots in the RS was not as good as that of affected land.	
		APs should be exempt from construction permit allocation fee and construction fees when construct house in the RS	CLFD will discuss with concerned agencies to reimburse the fees to the households,
		There is no regulation of Quang Binh PPC on bonus for handing over on time	As outline in the Resettlement Framework, bonus for handing over the affected land on-time (5,000,000 VND per household) should be provided for AHs.
		Resettlement site should be available at time of compensation and assistance payments made	If replacement land/resettlement site is not ready to allocate to the households for housing construction at time of making compensation payment, inflation rate of construction materials and increased labour cost (if any) shall be made for the households counting from the time of compensation made to the time of allocating replacement land for the households.

44. PPTA consultant also conducted 15 in-depth interviews with key-informants such as CPC leaders, village headers and vulnerable households and 04 focus group discussions with groups of HHs who have graves affected and groups of relocation households. There were 22 people participating in in-depth interviews and focus group discussions.

45. Results of focus group discussions are presented in the following table:

Table 14: Results of Focus group discussions

No	Groups	Suggestions, concerns, opinions of Aps	Responses of Project
1	Groups of relocation households	Some HHs have several generations living together so that they expect to be allocated more plots in the resettlement site as regulated	If HH has several generations living together, each couple in the household who meets the conditions to separate to be an independent household following the Government's regulations is entitled to purchase a plot of land in the resettlement site at the price (per m ²) that equals to the compensation rate for the affected land. If does not meet the conditions to separate to be an independent household, is entitled to purchase a plot of land in the resettlement site at the price issued by the City People's Committee
		The relocation households want to resettled in their villages	There are enough land budget in the village for relocation households to resettle within the village.
		APs want to know when the project will start and when they have to hand over affected land	Detailed schedule for land acquisition will be informed to all affected households.
2	Groups of households having graves affected	Assistance that the affected households will receive	The affected households will receive the assistance as the national law and ADB policies including all costs of excavation, relocation and reburial of graves and cost for prays before and after relocation of graves.
		The households have graves affected will relocate the graves by themselves or project will plan an area to relocate the graves?	All affected graves will be reburied in the cemetery of Bao Ninh commune. The HHs will be assisted by cash to removal of graves. If the HHs requests, CPC can organize the removal.

46. Based on opinions, suggestions and concerns of the consulted persons, the issues that were suggested and agreed include:

- Affected land and non-land assets are compensated at replacement cost;
- Compensation and assistance payment should be made by one-time;
- Households having graves affected are provided with cost for prays before and after relocation of graves;
- Relocated households will be allocated land to resettle within their village.
- Cost for a plot allocated to relocation households should be equal to or lower than the compensation unit rates for affected residential land.
- Affected graves will be moved to the cemetery of Bao Ninh Commune

- Affected households should be consulted about the schedule for relocation of graves;
- AHs will be exempted from fees for LURC allocation for the replacement land such as administration fees and paper cost.
- Grievances lodged by affected households must be resolved in a timely and satisfactory manner

4.3. Future Consultations and Participation

47. For the next steps, consultations with the APs and local communities and concerned agencies will be carried out during the detailed engineering design.
48. After the detailed engineering design has been approved by the concerned agencies, the design will be posted in strategic public places and shared with the APs and communities. Attention will be called to these posters through the public broadcast systems.
49. Prior to the commencement of DMS, there will be a public announcement through the public broadcast system, radio, and postings in public places regarding the DMS.
50. The same process will be followed in the commencement of the RCS. RCS needs to be carried out together with the DMS. Once the Quang Binh PPC approves the updated unit rates, these shall also be disclosed publicly through electronic and physical posting. Flyers and information material on how to compute the amount of compensation will be provided. The information materials will also explain the basis for these unit rates and the methodology used to generate them.
51. APs, representatives of villages/residential groups, and relevant agencies will be consulted during updating of the Resettlement Plan following the approved detailed engineering design. The opinions, suggestions and concerns of affected organizations will be incorporated in the updated Resettlement Plan.

4.4. Disclosure Requirements

52. This resettlement plan and the Project Resettlement Framework (in Vietnamese language) will be posted in the commune headquarters, cultural houses of the project communes and other accessible public places. The documents will also be sent to village leaders relevant agencies. The RP will be disclosed on ADB's website prior to project appraisal.
53. Quang Binh PPC and the PMU will officially announce the details of impacts on land and assets upon land; and schedule for land acquisition, compensation and assistance to the APs, communities and relevant agencies.
54. Before submitting to ADB and after getting acceptance of ADB on the Updated Resettlement Plan – the Updated Resettlement Plan will be posted in accessible public areas and sent to the village leaders and relevant agencies. The Updated Resettlement Plan will also be uploaded to ADB's website.
55. The resettlement monitoring reports will be posted in accessible places, sent to village leaders and relevant agencies and uploaded to ADB's website.

E. GRIEVANCE REDRESS MECHANISM

56. Quang Binh PPC would ensure that all grievances and complaints on any aspect of land acquisition, compensation and resettlement would be addressed in a timely and satisfactory manner. All possible avenues would be made available to AP to air their grievances by establishing a well-defined grievance redress mechanism. AP with grievances can send their complaints or grievance to parties involved in Project implementation related to any aspect including incorrect estimates of number of individual graves, dissatisfaction associated with project attempts to accelerate grave relocation activities, requirements to pay informal transaction fees, or any other relevant issue associated the sensitive processes associated with grave relocation. AP seeking grievance redress are exempt from the payment of any fees – formal or informal - and Quang Binh PPC warrants it will not permit local authorities to collect such fees. The costs incurred by the AP during the grievance process will be borne by the project.
57. The grievance redress mechanism for land acquisition and resettlement of the Urban Environment and Climate Change Adaptation Project for Dong Hoi City shall follow the provisions of the Land Law No. 45/2013/QH13; Law on Grievances No. 02/2011/QH13; and the Decree No. 47/2014/NĐ-CP of the Government on Compensation, Assistance and Resettlement when the States Recovers Lands. The resolution of the complaint will go through the following four (04) steps:
- **Step 1:** The AHs may meet with the Chairman of Commune People Committee/Ward People’s Committee (CPC/WPC) directly, or will lodge the complaint with the CPC/WPC. The chairman of CPC/WPC will act on the grievance within a maximum period of 30 working days. The office of the CPC/WPC will acknowledge receipt of the grievance and will record the actions taken by CPC on the grievance.
 - **Step 2:** If after 30 working days the Chairman of CPC/WPC has not acted on the grievance, or if the AH is not satisfied with the action taken by CPC/WPC, the AH may meet directly with the chairman of City People’s Committee, or lodge the complaint with the City People’s Committee. The City People’s Committee will act on the grievance within a maximum period of 45 working days. The office of the City People’s Committee will acknowledge receipt of the grievance and will record the actions taken by City People’s Committee on the grievance.
 - **Step 3:** If after 45 working days the Chairman of City People’s Committee has not acted on the grievance, or if the AH is not satisfied with the action taken by the City People’s Committee, the AH may meet directly with the chairman of the PPC, or lodge the complaint with the PPC. The PPC will act on the grievance within a maximum period 45 working days. The office of the PPC will acknowledge receipt of the grievance and will record the actions taken by PPC on the grievance.
 - **Step 4:** If after 45 working days the Chairman of PPC has not acted on the grievance, or if the AH is not satisfied with the action taken by PPC, the AH may lodge the complaint with the City People’s Court or higher level courts for resolution and the AH can contact the ADB’s Office of Special Project Facilitator through the contact details specified in the PIB. The court will address the grievance according to the rules of the court. Dong Hoi URENCO and the Center for Land Fund Development will implement the decision made by the Court.
58. A grievance resolving task-force will be established by Dong Hoi City People’s Committee that consists of representatives of concerned city agencies (Natural resources and Environment; Construction; Finance, Justice; Labours and Social Affairs; and Centre for Land Fund Development) and two representatives of AHs (one male and one female). The grievance resolving task-force will manage the Project

grievance redress process and support the AHs for grievances to be addressed satisfactorily.

59. Grievance redress mechanism was consulted and discussed with affected households and affected households agreed with the mechanism – this was recorded in minutes of public consultative meetings.
60. The above grievance redress mechanism will be disclosed and discussed again with the APs prior to loan appraisal by ADB and during the updating of the RP to ensure their understanding of the process. Dong Hoi URENCO and the Center for Land Fund Development are responsible for following-up resolution of grievances of the AP. However, it also needs to be stressed that Quang Binh PPC hopes that all grievances can be resolved at the local level.

F. POLICY AND LEGAL FRAMEWORK FOR RESETTLEMENT

6.1. Relevant Laws and Regulations of Vietnam

61. The Constitution of the Socialist Republic of Viet Nam (2013, effective from 01 January, 2014) confirms the right of citizens to own and protects the ownership of house and production materials of citizens – compensation by market rate is made for impacts by the projects implementing for the purposes of national defense, security or public benefits (Article 32). Similarly, organizations and individuals have land use rights and the rights are protected by laws –and the in-case of land recovery for the purposes of national defense, security and socioeconomic development, compensation shall follow provisions of laws (Article 54).. In addition, the Government has enacted a number of laws, decrees and regulations that constitute the legal framework for land acquisition, compensation and resettlement. The principal documents include the Land Law No. 45/2013/QH13; the Decree No. 43/2014/NĐ-CP on Detailed Regulations on Implementation of the Land Law No. 45/2013/QH13; the Decree No. 47/2014/ NĐ-CP on Compensation, Assistance, and Resettlement when the State Recovers Lands; the Decree No. 44/2014/NĐ-CP on Land Prices; the Decree No. 84/2013/NĐ-CP on Development and Management of Resettlement Housing; the Circular No. 37/2014/BTNMT on Detailed Guidance on Compensation and Assistance when the State Recovers Land, and the Circular No. 36/2014/TT-BTNMT on specifying detailed methods of valuation of land prices, construction, adjustment of land prices; specific land prices valuation and land prices valuation consulting service.. These are the key legal documents that applied to land recovery and resettlement.
62. The Land Law 2013 (effective on 1 July, 2014) provides comprehensive framework for land acquisition and resettlement. There are several aspects of this Land Law 2013 which are similar to the policy objectives, and principles of the ADB safeguards on involuntary resettlement. The Law stipulates compensation by specific rate (market rate/replacement cost), resettlement sites must be developed and fully completed before relocation of APs; and various assistance for life stabilization of APs.
63. On the basis of the legal documents of the Government on compensation, assistance and resettlement in the event of land acquisition, Quang Binh Province People's Committee also issued specific legal documents applied in the province. Regulations on implementation of compensation, assistance and resettlement of the province (Quang Binh Province) applied in the Resettlement Plan of the Project include:
- Decision No.22/2014/QĐ-UBND, dated on 09 September 2014 of Quang Binh PPC on regulations on compensation, assistances and resettlement when the State recovers land in the areas of Quang Binh Province;
 - Decision No. 22/2013/QĐ-UBND, dated on 16 October 2013 of Quang Binh PPC on amending, supplementing some articles of Decision No. 02/2010/QĐ-UBND, dated on 05 February 2010 of Quang Binh PPC on regulations on compensation, assistances and resettlement when the State recovers land in the areas of Quang Binh Province;
 - Decision No. 04/2013/QĐ-UBND dated on 01 March 2013 of Quang Binh PPC regulating prices of houses and structures for compensation when the State recovers land in Quang Binh PPC;
 - Decision No. 05/2013/QĐ-UBND dated on 18 March 2013 of Quang Binh PPC on compensation unit prices of crops and trees and assistance for aquaculture, grave relocation when the State recovers land in Quang Binh PPC;
 - Decision No. 27/2013/QĐ-UBND dated on 23 December 2013 of Quang Binh PPC on regulations on land prices and classification of road, positions in the areas of

Quang Binh province in 2013;

6.2. ADB Safeguard Policy and Requirements

64. On 29 June 2009, ADB updated its safeguards policies by integrating its policies on involuntary resettlement, indigenous peoples and the environment into one common Safeguards Policy Statement (SPS). The SPS was approved by the ADB Board on 20 July 2009 and became effective on 20 January 2010.
65. ADB Policy on Involuntary Resettlement aims:
- To avoid involuntary resettlement wherever possible;
 - To minimize involuntary resettlement by exploring project and design alternatives;
 - To enhance, or at least restore, the livelihoods of all displaced persons in real terms relative to pre-project levels; and,
 - To improve the standards of living of the displaced poor and other vulnerable groups.
66. It covers physical displacement (relocation, loss of residential land, or loss of shelter) and economic displacement (loss of land, assets, access to assets, income sources, or means of livelihoods) as a result of (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas – regardless of whether such losses and involuntary restrictions are full or partial, permanent or temporary. Moreover, the Policy also applies to associated facilities funded through other sources and involuntary resettlement actions conducted by the borrower/client in anticipation of ADB support.
67. Projects financed by ADB, including associated facilities that are financed by the Government or other sources, are expected to observe the following policy principles:
- a. Screen early to identify involuntary resettlement impacts and risks and determine the scope of resettlement planning through a survey and/or census of displaced persons, including a gender analysis, specifically related to resettlement impacts and risks.
 - b. Carry out meaningful consultations with displaced persons, host communities, and concerned non-government organizations. Inform all displaced persons of their entitlements and resettlement options and ensure their participation in various stages of the project especially vulnerable and poor groups. Establish a grievance redress mechanism to receive and facilitate resolution of the displaced persons' concerns. Support the social and cultural institutions of displaced persons and their host population.
 - c. Improve, or at least restore, the livelihoods of all displaced persons through (i) land-based resettlement strategies when affected livelihoods are land based where possible or cash compensation at replacement value for land when the loss of land does not undermine livelihoods, (ii) prompt replacement of assets with access to assets of equal or higher value, (iii) prompt compensation at full replacement cost for assets that cannot be restored, and (iv) additional revenues and services through benefit sharing schemes where possible.
 - d. Provide physically and economically displaced persons with needed assistance, including the following: (i) if there is relocation, secured tenure to relocation land, better housing at resettlement sites with comparable access to employment and production opportunities, integration of resettled persons economically and socially into their host communities, and extension of project benefits to host communities; (ii) transitional support and development assistance, such as land development, credit facilities, training, or employment opportunities; and (iii) civic infrastructure

and community services, as required.

- e. Improve the standards of living of the displaced poor and other vulnerable groups, including women, to at least national minimum standards. In rural areas provide them with legal and affordable access to land and resources, and in urban areas provide them with appropriate income sources and legal and affordable access to adequate housing.
 - f. Develop procedures in a transparent, consistent, and equitable manner if land acquisition is through negotiated settlement to ensure that those people who enter into negotiated settlements will maintain the same or better income and livelihood status.
 - g. Ensure that displaced persons without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land assets.
 - h. Prepare a resettlement plan elaborating on displaced persons' entitlements, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time-bound implementation schedule.
 - i. Disclose both the draft and final resettlement plan in a form and language understandable to displaced persons and other stakeholders.
 - j. Conceive and execute involuntary resettlement as part of a development project or program. Include the full costs of resettlement in the presentation of project's costs and benefits. For a project with significant involuntary resettlement impacts, consider implementing the involuntary resettlement component of the project as a stand-alone operation.
 - k. Pay compensation and provide other resettlement entitlements before physical or economic displacement. Implement the resettlement plan under close supervision throughout project implementation.
 - l. Monitor and assess resettlement outcomes, their impacts on the standards of living of displaced persons, and whether the objectives of the resettlement plan have been achieved by taking into account the baseline conditions and the results of resettlement monitoring. Disclose monitoring reports.
68. Calculation of full replacement cost will be based on the following elements: (i) fair market value; (ii) transaction costs; (iii) interest accrued, (iv) transitional and restoration costs; and (v) other applicable payments, if any. In the calculation, depreciation of structures will not be taken into account. It is expected that qualified and experienced experts will undertake the valuation of acquired assets.
69. Persons or households without formal legal rights nor recognized or recognizable claims to the acquired land are still entitled to be compensated for their loss of assets other than land, such as dwellings or other improvements on the land at full replacement cost, provided that they have occupied/used the land or structures in the affected land prior to the cut-off date.

6.3. Reconciliation of Government and ADB Policy on Resettlement

70. With the promulgation of Land Law 2013, the Decree 47/2014/ND-CP and relevant decrees stated above, the policies and practices of the Government have become more consistent with ADB's social safeguards policies. Nonetheless, provisions and principles adopted in this RP will supersede the provisions of the relevant decrees currently in force in Viet Nam wherever a gap exists, as provided for under Decree 38/2013/ND-CP (April 2013), which regulates the management and use of official development assistance.

71. It should also be noted that as per Decree 47/2014/ND-CP, Article 25, it states "Apart from the supports prescribed in Article 19, 20, 21, 22, 23 and 24 of this Decree, basing themselves on the local realities, the provincial-level People's Committee Chairmen shall decide on other supporting measures to stabilize life and production of persons who have land recovered; special cases shall be submitted to the Prime Minister for decision", therefore, if additional gaps not mentioned below are found during RP updating, the required assistance or support will be included in the Updated RP.
72. The differences between the Government's Laws and Decrees and ADB Policy with regard to resettlement and compensation, and how to address these gaps for this Project are shown in the table below.

Table 15: The gap between ADB and Government policy on compensation, assistance and resettlement- Policies applied in the Project

Items	Vietnam Regulations	ADB SPS (2009)	Project Policy
Severely impacted APs losing productive land	Decree 47/2014/ND-CP, Article 19, Item 3: APs losing from more than 30% of productive land are considered severely impacted and are entitled to livelihood restoration measures	APs who are (i) physically displaced from housing or (ii) losing from 10% of their productive assets (income generating) are considered severely impacted	APs losing from 10% or more of their productive assets (income generating) or who are physically displaced from housing shall be considered as severely affected.
APs without LURC	<p>Land Law 2013, Article 77, Item 2 and Article 92: Persons who has used land before 1st July 2004 and directly be involved in agriculture production on the acquired land without LURC or illegalizable will be compensated for the acquired land area but not exceed quota of agricultural land allocation.</p> <p>No compensation for non-land assets in the following cases: (i) the assets subject to the land recovery as stipulated in one of items a, b, d, đ, e, l, clause 1, article 1, article 64 and items b, d, clause 1, article 65 of the Land Law 2013; (ii) the assets created after the notification on land acquisition; and (iii) unused public infrastructures and other works</p>	APs who have neither formal legal rights nor recognized or recognizable claims to such land are entitled to be compensated for the loss of non-land assets other than land, and also for other improvements to the land, at full replacement cost (including temporary and partial losses), if they occupied the land or structures prior to the cut-off date.	APs without LURC or recognizable legal claims to land acquired, will be equally entitled to participation in consultations and project benefit schemes where possible, and be compensated for their lost non-land assets created before cut-off date at replacement cost. They will be entitled to resettlement assistance and other compensation and social support to assist them to improve or at least restore their pre-project living standards and income levels
Compensation for affected houses/structures	<p>Land Law 2013, Article 89, Item 1: houses/structures used for living purpose will be compensated at replacement cost.</p> <p>Decree 47/2014/ND-CP, Article 9: Houses/structures used for other purposes will be compensated equal to the remaining vale of the affected house plus some percentage of current value but total compensation amount is not exceed value</p>	Non-land assets, including house/structure created before the cut-off date will be compensated at replacement cost without deduction for salvageable materials or depreciation	Full compensation at the cost of new house/structure with similar technical standard will be paid for all affected houses/structures without any deductions for salvageable materials or deprecation

<i>Items</i>	<i>Vietnam Regulations</i>	<i>ADB SPS (2009)</i>	<i>Project Policy</i>
	of the new house/structure		
Monitoring	No monitoring indicators indicated	Monitoring indicators specified for internal and external monitoring and reporting. In case of significant or sensitive impacts, an external monitoring organization is required to conduct monitoring on RP implementation	The EA to undertake internal monitoring according to the critical indicators. EA will engage external monitoring to perform the external resettlement monitoring of land acquisition and resettlement.
Third-party validation of consultation related to land donations	Not required	The borrower is required to engage an independent third-party to document the negotiation and settlement processes to openly address the risks of asymmetry of information and bargaining power of the parties involved in such transactions	In case of land donations involving marginal portions of land, the Loan Implementation Consultant (LIC) will verify and report on the negotiation and settlement processes as part of the due diligence report. A voluntary donation from signed by the landowners, witnesses and village leaders will be attached in the report

6.4. Project Principles

73. Principles of compensation and support policies of the project are as follows:

- (i) Involuntary resettlement and impacts on land, structures and other fixed assets will be minimized where possible by exploring all alternative options.
- (ii) Compensation will be based on the principle of replacement cost at the time of compensation.
- (iii) APs without title or any recognizable legal rights to land are eligible for resettlement assistance and compensation for non-land assets at replacement cost.
- (iv) Residential land, residential house for replacement should be close to the previous places as much as possible and be suitable to displaced persons. In case the household opts for cash compensation or land is not available, cash compensation can be used.
- (v) Meaningful consultation will be carried out with the APs and concerned groups and ensure participation from planning up to implementation. The comments and suggestions of the APs and communities will be taken into account.
- (vi) The Resettlement Plan (this Resettlement Plan and the updated Resettlement Plan latter) will be disclosed to APs in a form and language understandable to them prior to submission to ADB.
- (vii) Resettlement identification, planning and management will ensure that gender concerns are incorporated.
- (viii) Special measures will be incorporated in the resettlement plan to protect socially and economically vulnerable groups such as households headed by women, children, disabled, the elderly, landless and people living below the generally accepted poverty line.
- (ix) Existing cultural and religious practices will be respected and, to the maximum extent practical, preserved.
- (x) Culturally appropriate and gender-sensitive social impact assessment and monitoring will be carried out in various stages of the project.
- (xi) Resettlement transition stage should be minimized. Restoration measures will be provided to displaced persons before the expected starting date of construction in the specific location.
- (xii) Budget for payment of compensation, resettlement and support will be prepared sufficiently and made available during project implementation. Sites for resettlement and restoration will be available as required.
- (xiii) Reporting and external monitoring should be defined clearly as part of the management system of resettlement. External assessment of the duration and results of the land recovery should be carried out.
- (xiv) Quang Binh PPC will not issue notice of possession to contractors until the external resettlement monitoring agency has officially confirmed in writing that (i) payment has been fully disbursed to the APs and rehabilitation measures are in place as per the updated Resettlement Plan agreed between Quang Binh PPC and ADB; (ii) already-compensated APs have cleared the area in a timely manner; and (iii) the area is free from any encumbrances. No land acquisition or site clearing will be done until and after the updated Resettlement Plan has been agreed between Quang Binh PPC and ADB.

G. ENTITLEMENTS, ASSISTANCE AND BENEFITS

7.1. Eligibility

74. Eligibility for compensation and assistance follows the cut-off-date. The cut-off date for eligibility is the date when the City's People's Committee and the Project Management Unit (PMU) officially inform the public about the Project and its locations. The cut-off date has been established for one project component - the Horizontal Road No.4 (it is 21 September, 2012) and for the associated facility to the Project - the Access Road to Nhat Le 2 Bridge (it is 10 October, 2011) for which land acquisition and resettlement have been started. For the remaining project components where land acquisition and resettlement has not yet been commenced, the cut-off-date will be established and officially announced to the public when the project has been approved by the relevant agencies.
75. Anyone who occupies or encroaches into the defined boundaries of the Project area after the cut-off date is not entitled to compensation and other assistance for affected assets and incomes.
76. For affected persons who have Land Use Rights Certificate (LURC) or eligible to have LURC allocated following the Government's regulations – full compensation and assistance shall be made for affected land and assets upon land. For those who have no LURC or not eligible to have LURC allocated, compensation shall not be provided for the affected land but the affected assets upon land shall be compensated by replacement cost and entitled for resettlement assistance.

7.2. Entitlements

77. Affected lands and structures shall be compensated at replacement cost. Affected crops and trees shall be compensated by market rates. The following entitlement matrix summarizes entitlements that APs in Quang Binh Province are entitled to and are based on both GOV policy and laws and ADB policy:

Table 16: Entitlement Matrix

<i>Impacts</i>	<i>Affected Persons</i>	<i>Entitlements</i>	<i>Implementation Issues</i>
1. Impacts on Agricultural/Production Land			
<p>a Loss less than 10% of total production land holding (0 HH)</p>	<p>Owners with LURC or eligible to have LURC allocated</p>	<p>a. Cash compensation at replacement cost for the affected land area; and b. Entitled to allowance for job change and creation by cash equal to 5.0 times of value of the affected area. The assisted area shall not exceed the ceiling area of agricultural land allocation per household in the local area and the affected agricultural land is not within the residential area.</p>	<ul style="list-style-type: none"> • If the remaining area of the land plot is no-longer economically viable (too small, the shape is difficult for cultivation) and if the owner requests, the entire plot shall be acquired and compensated by replacement cost. • The Centre for Land Fund Development shall engage qualified replacement cost appraiser to appraise the replacement cost of the affected land. • LURC shall be adjusted at no cost for the owner.
<p>b Loss more than 10% of total agricultural land holding (severely affected households) (0 HH)</p>	<p>Owners with LURC or eligible to have LURC allocated</p>	<p>a. As priority, land for land compensation for the affected land (same area, production conditions and distance) with LURC. If land is unavailable in the local for compensation, cash compensation at replacement cost shall be made for the affected area; and b. Entitled to allowance for life stabilization:</p> <ul style="list-style-type: none"> • Loss from 10% to 30% of total agricultural land holding: Cash compensation equal to 30 kg of rice/head/month for all family members for 03 months – if not required to relocate; 06 months if required to relocate; 12 months if required to relocate to socio-economic difficulty area declared and is among the list of the government. • Loss more than 30% to 70% of total agricultural land holding: Cash compensation equal to 30 kg of 	<ul style="list-style-type: none"> • If the remaining area of the land plot is no-longer economically viable (too small, the shape is difficult for cultivation) and if the owner requests, the entire plot shall be acquired and compensated by replacement cost. • The Centre for Land Fund Development shall engage qualified replacement cost appraiser to appraise the replacement cost of affected land. • LURC shall be adjusted at no cost for the owner. • IRP will be prepared during RP updating process in consultations with affected persons, communities and concerned agencies. IRP will focus on increasing productivity of crops in the remaining land,

		rice/head/month for all family members for 06 months – if not required to relocate; 12 months if required to relocate; 24 months if required to relocate to socio-economic difficult area.	
		<ul style="list-style-type: none"> Loss more than 70% of total agricultural land holding: Cash compensation equal to 30 kg of rice/head/month for all family members for 12 months – if not required to relocate; 24 months if required to relocate; 36 months if required to relocate to socio-economic difficulty area. 	supporting the affected households on short term income generating activities (animal breeding, agricultural extension, business expansion etc.) or helping affected households on developing non-agricultural activities for long-term income generation (provision of occupational training, job introduction, business start-up or expansion, etc.). IRP is a part of resettlement implementation program.
		c. Entitled to allowance for job change and creation by cash by 5.0 times of value of the affected land area. The affected area shall not exceed the ceiling area of agricultural land allocation per household in the local area and the affected agricultural land is not within the residential area; and	
		d. Entitled to participate in Income Restoration Program (IRP)	
c	Affected agricultural land (non-title users) (0 HH)	Owners without LURC and/or not eligible to have LURC allocated	<ul style="list-style-type: none"> Centre for Land Fund Development will assess the investment made on land improvement of the households to determine the assistance.
		a. No compensation for the affected land.	
		b. Affected crops and trees on the land shall be compensated at replacement cost.	
		c. Entitled for cash assistance for investment made on land improvements	
d	Temporary impacts on agricultural land (0 HH)	- Owners with LURC - Owners without LURC but are using the land for cultivation (with certification from the CPC)	<ul style="list-style-type: none"> If the net-income that would have been derived from the affected land area can-not be identified, the rental rate for that land-type following the provincially regulated price-frame could be used to discuss and agree with the land-owner.
		a. Cash payment for the rent of land by the net-income that would have been derived from the affected land area during the period of disruption.	
		b. Restoration of land within 1 month after use of land to its previous or better quality OR pay full replacement cost to the land owner if it fails to restore the affected land within 1 month after use of land.	

2. Impacts on Residential Land

<p>e Partly Affected (the remaining residential land area is still sufficient to stay following the local regulations)</p> <p>(26 HHs)</p>	<p>Owners with LURC or eligible to have LURC allocated</p>	<p>Compensation at replacement cost for the affected area.</p>	<ul style="list-style-type: none"> • The Centre for Land Fund Development shall engage qualified replacement cost appraiser to appraise the replacement cost of the affected land. • LURC shall be adjusted at no cost for the owner.
<p>f Fully Affected (entire of the plot is affected or partly affected but the remaining area is insufficient to stay following the local regulations)</p> <p>(33 HHs)</p>	<p>Owners with LURC or eligible to have LURC allocated</p>	<p>As priority, replacement land for the affected land (same land position and living conditions) with LURC shall be allocated. The area of allocated land shall not exceed the ceiling of residential land allocation per a household in the local area .</p> <p>OR,</p> <p>Cash compensation at replacement cost for the affected land. The land area for compensation shall not exceed the ceiling of residential land allocation in the local. The area that exceeds the ceiling of residential land allocation in the local shall be compensated at replacement cost for its specific land-type.</p> <p>If the land owner receives cash compensation and opts to self-relocation, an additional cash assistance of VND 60.000.000 shall be made to the household on-top of compensation.</p> <p>In case the loss of structure leads to loss of income and livelihood, the household will be entitled for IRP based on case to case determination during detailed design. For assistance, please see below.</p>	<ul style="list-style-type: none"> • Replacement land should be the same position and conditions as these of the affected land and is leveled to be ready for housing construction. The price of replacement land (per m²) shall be equal or lower than the compensation rate for the affected land so that the affected household can afford to purchase the land at the resettlement site. • Fees for LURC allocation for the replacement land such as administration fees and paper cost shall be exempted to households. • If the household has several generations living together, each couple in the household who meets the conditions to separate to be an independent household following the Government's regulations is entitled to purchase a plot of land in the resettlement site at the price (per m²) that equals to the compensation rate for the affected land. If does not meet the conditions to be an independent household, they ate entitled to purchase a plot of land in the resettlement site at the price issued by the City People's Committee

g	Affected residential land (non-title users) (0 HH)	Owner without LURC and/or not eligible to have LURC allocated - and <i>have other places to stay.</i>	No compensation for the affected land but the assets and structures on the land shall be compensated at replacement cost.
	Owner without LURC and/or not eligible to have LURC allocated - but <i>have no other places to stay.</i>	<p>a. No compensation for the affected land but the assets and structures on the land shall be compensated at replacement cost.</p> <p>b. Affected household will be considered during detailed design for assistance with provision of one plot allocation in the resettlement site. The area of the plot shall not exceed the ceiling area of residential land allocation in the local area per household. The price of the plot is decided by City People's Committee.</p>	<ul style="list-style-type: none"> The household has to pay for the fees for LURC allocation such as administration fees and paper cost.
h	Temporary impacts on residential land (0 HH)	<p>- Owners with LURC</p> <p>- Owners without LURC but are using the land for living (with certification from the CPC)</p>	<p>a. Pay for the rent of land for the period of use following the provincially regulated price-frame.</p> <p>b. Restore of land within 1 month after using to its previous or better quality OR pay full replacement cost to the land owner if it fails to restore the affected land within 1 month after use of land.</p>

3. Compensation for Affected Houses and Structures

i	Partly affected (the remaining parts just require repairs) (7 HHs)	<p>- Owners of house/ structures</p> <p>- Owners of houses/ structures without construction permit; or constructed on agricultural land but the local authorities have not issued notice in writing to the owner to dismantle the structures prior to cut off date</p>	<p>a. Compensation at replacement cost for the affected portion, and</p> <p>b. Entitled for rental allowance outside the affected area (structure) for 01 month to enable the household during repair works based on the price-frame issued by the PPC.</p> <ul style="list-style-type: none"> Replacement cost based on the market costs of construction materials and labours to newly construct the affected portion, without deduction for depreciation or salvageable materials. Centre for Land Fund Development will engage qualified replacement cost appraiser to appraise the replacement cost for affected houses and structures.
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j Structure fully affected. (52 HHs)	<p>- Owners of house/ structures</p> <p>- Owners of houses/ structures without construction permit; or constructed on agricultural land but the local authorities have not requested the owner in writing to dismantle the structures</p>	<p>a. Compensation at replacement cost for the entire affected house/structures; and</p> <p>b. Entitled to rental allowance for three months (03) based on price-frame issued by the PPC – if the household re-settles in the remaining residential land; six months (06) if the household has to relocate out of the affected residential land, and</p> <p>c. Compensation for transport cost: VND 3.000.000 /HH if required to relocate within the province; VND 5.000.000 /HH if required to relocate out of the province; VND 1.500.000 /HH if the household resettles in the remaining part of affected residential land.</p> <p>d. If income and livelihoods of the affected households are affected because of relocation (changed livelihoods, reduced income) the resettlement households are entitled to participate in IRP.</p>	<ul style="list-style-type: none"> • Replacement cost based on the market costs of construction materials and labours to newly construct the affected portion, without deduction for depreciation or salvageable materials. Centre for Land Fund Development will engage qualified replacement cost appraiser to appraise the replacement cost for affected houses and structures. • Fees for construction permit allocation and construction management fees are exempted to the resettlement households. • If replacement land/resettlement site is not ready to allocate to the households for housing construction at time of making compensation payment, inflation rate of construction materials and increased labour cost (if any) shall be made for the households counting from the time of compensation made to the time of allocating replacement land for the households. Centre for Land Fund Development shall calculate the inflation rate to pay for the households.
k Houses/structures constructed illegally and the local authorities requested the owner in writing to dismantle to house/structures. (0 HH)	Illegally constructed houses/structures and the local authorities requested the owner in writing to dismantle but the house/structures still exist until before 1 July 2014	Compensation by 80% for the affected house/structures based on the provincially regulated price-frame.	

4. Compensation for affected crops and trees

l Affected crops and trees	Owners of affected crops and trees	a. Affected crops: Cash compensation at market rate for the average productivity of the affected crop for one-harvesting season. The average	• Centre for Land Fund Development will engage qualified replacement cost appraiser to appraise the market rate for affected
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(86 HHs with trees cut and 65 HHs with crops affected)

productivity of the crop bases on the average production over past three years.

crops and trees

b. Affected trees: Cash compensation at current market prices given the type, age and productive value of the affected trees.

5. Compensation for Graves

m Affected graves (232 HHs)	Households/ individuals who have graves	<p>a. All costs of excavation, relocation and reburial of graves will be reimbursed in cash to the affected households as prescribed in PPC’s regulation, and</p> <p>b. Costs for prays before and after relocation of graves: VND 1.000.000/HH.</p>	<ul style="list-style-type: none"> Graves will be moved to the cemetery that planned by the City/Ward People’s Committee. The land for reburial of graves shall be at no cost to the households.
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6. Other Assistancess

n Assistancess for production-business income disrupted. (0 HH)	With business license	<p>a. Cash assistance equals to 30% of one year income after tax from the production-business; and</p> <p>b. Cash compensation for transport of equipment to the new place based on the actual costs.</p> <p>c. Households or individuals using residential land in combination with trading and services in which the main source of income derives from trading and services, and need to be relocated: entitled to allowance of 40,000,000 VND as per Decision 22/2014 of the PPC, and participate in the IRP</p>	<ul style="list-style-type: none"> Centre for Land Fund Development will work with the tax agencies to determine the one year income after tax from production-business of the households based on their tax receipts. Center for Land Fund Development will determine the actual cost for transport of equipment of the households.
	Without business license	<p>a. Cash assistance of 50% of assistance amount compared to the total assistance for those with business license.</p> <p>b. Households or individuals using residential land in combination with trading and services in which the main source of income derives from trading and services, and need to be relocated: entitled to allowance of 40,000,000 VND as per</p>	

<p>o Assistance for vulnerable households (3 HHs)</p>	<p>(i) Poor HH; (ii) HH that are headed by women with dependents, (iii) HH heads with disabilities, children, elderly without any support, (iv) landless HH (iv) social policy benefited households.</p>	<p>Decision 22/2014 of the PPC and participate in the IRP</p> <ul style="list-style-type: none"> • For poor households, cash assistance equals to 30 kg of rice/head/month for all the family members for 36 months; for other households, cash assistance (one-time assistance) by VND 2.000.000/HH. • Social policy benefited households (wounded shoulders, martyr, and people with meritorious service for the Revolution): cash assistance and reduced price for the replacement land in the resettlement site following the regulations of the PPC (as envisaged in the Decrees 118-TTg and 20/2000/QĐ-TTg of the Prime Minister). • All vulnerable households are entitled to participate in IRP
<p>p Other assistances (52 HHs)</p>	<p>Assistances for relocations</p>	<ul style="list-style-type: none"> • Assistance for electricity connection: VND 1.000.000/HH. • Assistance for telephone installation: VND 500.000 /HH. • Assistance for water connection: VND 1.500.000/HH; if digging well (as there is no tap-water in the area): VND 5.000.000/HH. • Costs for ceremony of new house: VND 1.000.000 /HH. • Bonus for handing over the affected land on-time: VND 5.000.000/HH.
<p>q Unforeseen impacts</p>		<p>Unforeseen impacts will be addressed in accordance with this RP. The entitlements specified in this entitlement matrix can-be upgraded but cannot be down graded</p>

7.2. Addressing Gender Issues

78. The Project includes the following specific actions to address gender issues in the Project:

- During the updating of this and other RPs, both men and women regardless of ethnicity will participate in the discussions during public meeting, providing inputs to DMS, and consultations on resettlement activities and relocation options.
- A male representative and a female representative of the AH will be included as participants in the resolution of grievances and complaints.
- Gender issues will be included in the training on Project implementation by LICs to concerned personnel of the PMU, Dong Hoi PC and Quang Binh PPC.
- Special attention will be extended to elderly, disabled and women-headed households during relocation and in the provision of assistance as provided for in the Project policy.
- Disaggregated monitoring indicators by gender will be developed for monitoring social benefits, economic opportunities, livelihood, and resettlement activities as well as in the restoration of livelihoods and living standards during post-Project implementation.

7.3. Assistance to Vulnerable Households

79. This RP has identified 03 vulnerable AHs. These households will receive applicable allowances as provided for in the entitlement matrix, on top of their compensation. In order to ensure that they share the same benefits as the other AHs, they will be encouraged to appoint their representatives in each commune or neighborhood clusters to participate in any meeting or consultations related to the Project, specifically on resettlement, compensation and assistance and income restoration.

7.4. Unforeseen Impacts

80. If during a DMS additional adverse social impacts are identified and/or additional APs they are also entitled to receive Project entitlements as the others on condition that it can be ascertained that they have actually been in the Project ROW or equivalent before the cut-off dates for eligibility. New APs that might emerge due to changes in Project design or alignment prior to or even during construction works are likewise entitled to the same entitlements as those of the other APs. Unforeseen impacts will be addressed in accordance with this RP. The entitlements specified in the entitlement matrix of this RP can be upgraded but cannot be down graded.

H. RELOCATION OF HOUSING AND SETTLEMENT

81. According to IOL result, there are 52 households who have to relocate due to land acquisition of the project; of which 33 HHs will relocate to resettlement site and 19 HHs can rebuild the house in the remaining part of residential land.
82. The 33 relocating households who will relocate to resettlement site requested that the resettlement site should be within the same village. Bao Ninh CPC confirmed that the commune still has 40 ha of unused land in the affected village. The land is empty land (no structure or trees upon) and can be developed into a resettlement site for the households. The affected households agreed with the proposed location of the resettlement site (Sa Dong village). The commune also has three other resettlement sites, namely Dong Duong RS (220 plots), Trung Binh RS (40 plots) and Ha Thon RS (20 plots) that are being developed for relocating households affected by various projects in the commune; therefore, the relocating households affected by this Project can select the site that they are prefer to move to. As the main occupation of the relocating households is fishing in the sea; there is no special requirement by the households for infrastructures in the resettlement site but just access road. It is planned that, during the DMS after the DED gets approved, relocating households will register for the plot in the resettlement site. The access road construction will be constructed in consultation with relocation households.
83. Apart from these 52 relocating households who are affected by the project, there is another 18 relocating households who are affected by Construction of Access Road to Nhat Le 2 Bridge. The construction of Access Road to Nhat Le 2 Bridge is not funded by the Project but the Project funded Horizontal Road No.4 connects to the Access Road and is required for the Access Road to be fully functional; therefore the Access Road to Nhat Le 2 Bridge is considered an “associated facility”.
84. To have resettlement site for these 18 relocating households (73 persons) who are affected by Construction of Access Road to Nhat Le 2 Bridge plus the 15 relocating households (62 persons) who are affected by Horizontal Road No.4, a total of 19,7807.1 m² (1,420.7 m² of residential land; 5,316.9 m² of garden land; 3,554.5 m² of aquaculture land; 9,416 m² of reclaimed land and 876.7 m² of land for other annual crops) of land of 89 households in Bao Ninh Commune was acquired to develop the resettlement site, of which 11 households (45 persons) relocated to the resettlement site while 4 households (17 persons) reorganize their house on the remaining residential land.
85. As Compensation, assistance and resettlement for the affected households by the Horizontal Road No.4 and Access Road to Nhat Le 2 Bridge were made before the preparation of this RP, the Project Preparatory Technical Assistance (PPTA) consultant conducted resettlement due diligence to assess the compliance of the implemented compensation, assistance and resettlement with the provisions of the Government’s regulations and the Project’s Resettlement Framework and some significant gaps were found. Based on the found gaps, a corrective action plan for the components Horizontal Road No.4 and Access Road to Nhat Le 2 Bridge was prepared and discussed with Dong Hoi PMU and concerned agencies. The results of resettlement due diligence, including the agreed corrective actions are presented in Appendix 6. The costs for implementation of the agreed corrective actions plan are estimated and included in the budget for RP implementation. Table 17 below summarizes the outstanding resettlement issues of relocation of displaced households of the Horizontal Road No.4 and the Access Road to Nhat Le 2 Bridge.

Table 17 Outstanding resettlement issues of relocation of households

<i>Components</i>	<i>No. of Relocating households</i>	<i>Status</i>	<i>Outstanding issues</i>
Horizontal Road No. 4	15 HHs	Resettlement plots in the relocation site have been allocated to all households to construct the house. Relocation assistance has been fully made	<ul style="list-style-type: none"> Assistance for the HHs who is with meritorious services to the revolution (reduction of 20%-50% of the price of the resettlement plot) has not yet been calculated to the HHs. Bonus for handing over the land on-time (VND 5 millions/ HH) has not yet been made. Relocating households have to pay fees for construction permit allocation (VND 50,000/HH) and it must be reimbursed to the HHs. Relocating households have to pay construction management fees when constructing the house in the resettlement site (VND 2,300,000/HH) and it must be reimbursed to the HHs. Drinking water is unsafe in the resettlement site. Water of the wells has smell and HHs have to use the water filter.
Access Road to Nhat Le 2 Bridge	18 HHs	Resettlement plots in the relocation site have been allocated to nine (09) households. Resettlement plot, compensation and relocation assistance have not yet been provided to the remaining nine (09) households	<ul style="list-style-type: none"> Cost for prays before and after relocation of graves (VND 1,000,000/HH) has not yet been made to the HH Rental allowance for the HHs during constructing the house in the resettlement site has not yet provided. Assistance for the HHs who is with meritorious services to the revolution (reduction of 20%-50% of the price of the resettlement plot) has not yet been calculated to the HHs. Bonus for handing over the land on-time (VND 5 millions/ HH) has not yet been made. Relocating households have to pay fees for construction permit allocation (VND 50,000/HH) and it must be reimbursed to the HHs. Relocating households have to pay construction management fees when constructing the house in the resettlement site (VND 2,300,000/HH) and it must be reimbursed to the HHs. Drinking water is unsafe in the resettlement site. Water of the wells has smell and HHs have to use the water filter.

I. INCOME RESTORATION AND REHABILITATION

86. All 33 relocation households of the project funded components in Dong Hoi City are engaged in fishing on sea and aquaculture farming; in an addition, the resettlement site will be within their village therefore, their income generation source is not affected. Livelihoods of 19 relocation households who will rebuild their house on the remaining residential land are not affected as they are also fishermen.
87. For three vulnerable households (poor households) who will have land affected, cash assistance and life stabilization allowance will be provided. Depending on the situations of the households, Dong Hoi CLFD will propose to the City PC and PPC the assistance measures to help three households to improve their income and develop livelihoods.
88. For the relocating households affected by Access Road to Nhat Le 2 Bridge (the associated facility), the resettlement site is just in 800 m distance from the affected village. Fishing and aquaculture farming are the main income sources of the households. Relocation of houses, therefore, do not effected on income and livelihoods of the households.
89. The income restoration program (IRP) for relocating households and vulnerable households under the Urban Environment and Climate Change Adaptation Project for Dong Hoi City is therefore not required. There is no households who lost from more than 10% of the income generating assets by the Project.

J. RESETTLEMENT BUDGET AND FINANCING PLAN

90. The total estimated resettlement costs for the Urban Environment and Climate Change Adaptation Project for Dong Hoi City (Quang Binh Province) is VND 59,244,293,688 equivalent to \$2,798,502. The amount covers costs for compensation, assistance and resettlement; administration costs (2%); RCS; external monitoring; implementation of corrective action plan for the component of road construction of the Horizontal Road No.4 and Access Road to Nhat Le 2 Bridge, and contingency (10%). The detailed cost estimations by project components are presented in the Appendix 5.
91. Among the total resettlement costs of VND 59,244,293,688 for the Project for Dong Hoi City (Quang Binh Province), an amount of VND 7,595,968,552 (equals to US\$ 358,808) has been disbursed to the APs who are affected by the Horizontal Road No.4 component (VND 5,503,154,252 for compensations and VND 2,092,814,300 for assistances). The remaining resettlement budget required for the Project for Dong Hoi City is VND 51,648,325,136 (equals to US\$ 2,439,694).
92. The budget was estimated based on the results of the IOL and the result of RCS conducted in August 2014. It will be updated during the resettlement plan updating following the results of DMS, RCS and consultations with affected households and local authorities.
93. The resettlement budget will be transferred from state budget of Quang Binh PPC to the CLFD of Dong Hoi City to implement resettlement. Dong Hoi PMU will cooperate with Dong Hoi City People's Committee and Dong Hoi CLFD as well as with Quang Binh PPC to ensure that the resettlement budget will be transferred adequately and in a timely manner for resettlement implementation.

Table 17: Estimated cost for compensation, assistance and resettlement

No.	Items	Amount (VND)	Paid Amount (VND)
1	Total cost for compensation, assistance and resettlement	51,162,471,200	
	Compensation for land	13,662,251,100	2,941,624,339
	Compensation for crops and trees	953,442,000	661,715,003
	Compensation for houses and structures	19,166,205,600	1,899,814,910
	Assistances	17,380,572,500	2,092,814,300
2	Administration cost = 2% of total cost for compensation, assistance and resettlement	1,032,109,424	
3	Implementation of corrective action plan for Horizontal Road No.4 and Access Road to Nhat Le 2 Bridge.	680,900,000	
4	Replacement Cost Survey	317,550,000	
5	External monitoring	571,590,000	
	TOTAL	53,764,620,624	
6	Contingency cost = (TOTAL + Administration cost) x 10%	5,479,673,064	
	GRAND TOTAL (VND)	59,244,293,688	7,595,968,552
	GRAND TOTAL (US\$)	2,798,502	358,808

K. INSTITUTIONAL ARRANGEMENTS

11.1. Provincial People's Committee of Quang Binh Province

94. The Provincial People's Committee (PPC) of Quang Binh Province is the executing agency (EA) and will oversee all projects' activities including implementation of RP. The PPC will have the following responsibilities:

- Endorse the draft RP and the updated RP prepared for the Project and submit to ADB for concurrence;
- Generate awareness on the project development to all relevant institutions and various administrative levels within the province;
- Direct its relevant departments such as Departments of finance, construction, transport and natural resources and environment to help in the preparation and implementation of the resettlement plan and the updated resettlement plan;
- Approve the unit rates which are detailed in the replacement cost survey report as proposed by the qualified appraiser to enable the CLFD in finalizing the compensation plans;
- Approve the detailed compensation plan and overall resettlement plan budget which will be reviewed and submitted by the Department of Finance;
- Settle complaints and concerns at the provincial level.

11.2. Project Management Unit (PMU)

95. A Project Management Unit (PMU) has been established within the existing institutional structures in Dong Hoi URENCO. The PMU will have the following responsibilities:

- Participate in preparation and implementation of the resettlement plan and the updated resettlement plan in collaboration with the People's Committees at various levels and the CLFD and submit the same for approval of Quang Binh PPC and for ADB review and concurrence.
- Develop and implement a training program for the People's Committees of Dong Hoi City and affected wards and communes, the CLFD and related groups regarding the resettlement plan/ updated resettlement plan and complaint handling.
- Engage a qualified appraiser to carry out replacement cost survey. Submit the unit rates proposed by the qualified appraiser to Quang Binh PPC for review and approval.
- Work with the CLFD in finalizing the compensation plan.
- Secure the budget for preparation and implementation of the resettlement/ updated resettlement plan, ensure that funds for compensation, assistance and resettlement are available and in a timely manner.
- Coordinate with the Quang Binh PPC to direct relevant departments and various levels of authorities in implementing the project and updated resettlement plan.
- Serve as grievance officers for PMU and monitor/track/report on grievances related to the Project.
- Internally monitor the preparation and implementation of the resettlement plan/updated resettlement plan and ensure that resettlement-related activities are carried out in accordance with the updated resettlement plan agreed between Quang Binh PPC and ADB.

- Oversee the disclosure of resettlement related documents and consultation with affected persons and key stakeholders.
- Prepare semi-annual progress reports on preparation and implementation of updated resettlement plan for submission to ADB.
- Coordinate the work of the External Monitoring Agency

11.3. Centre for Land Fund Development of Dong Hoi City

96. Dong Hoi City CLFD has been assigned to work directly with PMU to prepare and implement the resettlement plan with other relevant institutions. The main responsibilities of the CLFD are as follows:

- Conduct the DMS and prepare detailed compensation plans and submit them to People's Committee of Dong Hoi City and PMU for review.
- Conduct consultations and participation activities and coordination with various stakeholders in implementing resettlement plan.
- Assist Quang Binh PPC and People's Committee of Dong Hoi City in the dissemination of information on the resettlement plan/updated resettlement plan;
- Organize, plan and carry out land recovery, compensation, assistance and other resettlement activities in the city on behalf of the People's Committee of Dong Hoi City as per agreed resettlement plan/updated resettlement plan.
- Pay compensation and allowances, subsidies to affected persons after updated resettlement plan has been agreed between Quang Binh PPC and ADB. Ensure the timely delivery of payments of compensation, assistance and other entitlements to affected persons, and
- Assist People's Committee of Dong Hoi City in the resolution of grievances at the city level.

11.4. Local Administrative Authorities (People's Committee of Bao Ninh commune)

97. Bao Ninh CPC will assist the CLFD in its compensation, assistance and resettlement tasks. Specifically, Bao Ninh CPC will be responsible for the following:

- Handle the day-to-day preparation and implementation of the resettlement plan.
- Form commune working teams and direct their functions, assign commune officials to assist the CLFD and the PMU in conducting DMS, preparing dossiers of land recovery for the project, preparation and implementation of resettlement activities.
- Sign the DMS forms; certify legal papers or history of land use, land transfer for affected persons to fulfill the requirements for preparing compensation plans for them.
- Settle the complaint and grievances at the first level as required by the laws.
- Actively participate in all land recovery, compensation payment, assistance and resettlement activities and concerns.

11.5. Local Mass Organizations

98. Mass organizations in Dong Hoi City relevant to this Project include the Fatherland Front, Vietnam Women's Union, Farmers Union and Youth Union. They will be actively involved in providing necessary support to AHs.

11.6. Project Implementation Consultants

99. The Loan Implementation Consultant (LIC) will include one international resettlement specialist and one local resettlement specialist, to assist and supervise all social land resettlement-related activities. Their responsibilities include the following:

- Work closely with PMU, Centre for Land Fund Development, local authorities at all levels on all resettlement-related activities;
- Assist in the conduct of the information campaigns, public consultation and community participation;
- Assist in the verification of census, inventory of losses and detailed measurement survey activities;
- Check the accuracy of the AH database prepared and provide improvements if necessary;
- Assist in the preparation of an updated RP;
- Assist and improve, if necessary, procedures for the coordination of resettlement and compensation activities;
- Ensure that grievances are addressed promptly and properly and that grievance redress mechanism is functioning well;
- Provide necessary training on grievance if needed;
- Establish and implement liaison mechanisms to ensure proper technical and logistical support to PMU, local administrative authorities, resettlement committees and concerned government departments;
- Establish and implement procedures for ongoing internal monitoring; assist in preparing monitoring reports.
- Design and deliver capacity development activities for all relevant agencies, as needed, in the areas of ADB resettlement policy; participation and communication; and gender and development.

100. Implementation arrangements are summarized in the diagram below.

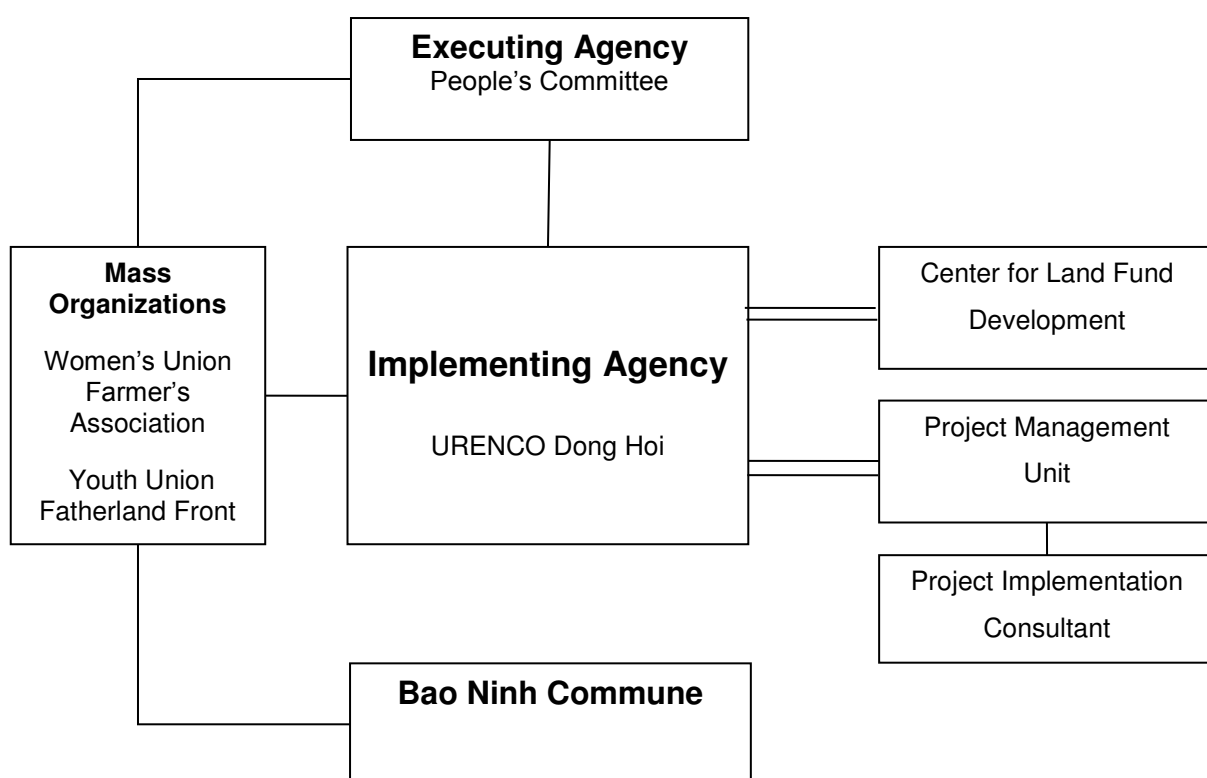


Figure 2 Diagram for Implementation Arrangements

11.7. Capacity of Relevant Agencies on Implementation of Resettlement

101. Quang Binh PPC and Dong Hoi City are not new to resettlement, including ADB and World Bank policies and procedures related to resettlement planning and implementation. Several resettlement projects have been implemented in the city previously. Recently, the relevant agencies have participated in resettlement planning and implementation for WB funded Central Region Coastal Environment and Sanitation Project.
102. An assessment on the capacity of the relevant agencies on resettlement planning and implementation was conducted in August 2014 by the Project. Interviews and focus group discussions were conducted with the CLFD, People's Committee of Dong Hoi City and with relevant agencies of the City and Bao Ninh commune. The assessment result shows that although the understanding of the concerned agencies on resettlement principles, requirements and procedures of Government and ADB is sound, there is a need to provide a refresher training for the staff in the city, Bao Ninh commune, including the relevant staff of the Division of National resource and Environment; Division of Construction and Division of Finance on updating and implementing of resettlement plan – requirements, steps, procedures, tools, etc.
103. As planned by the PMU, refresh training for the concerned agencies will be organized once the LIC is mobilized.

L. IMPLEMENTATION SCHEDULE

104. The implementation process of land acquisition and resettlement under the Urban Environment and Climate Change Adaptation Project for Dong Hoi City (Quang Binh Province) is as follows:

Administrative and institutional arrangements

- Capacity building for resettlement staff. The PMU will develop and implement a training program for the updating and implementation of the resettlement plan. The training will discuss the different sections of a resettlement plan, especially differences between city/national roles and the ADB's SPS, the roles of different agencies in resettlement plan updating and implementation, monitoring, and evaluation, complaint handling/recording/reporting, consultation and participation, ADB's gender and disclosure policies, internal and external monitoring and reporting.

Implementation of Corrective Action Plans

- Once Quang Binh PPC and ADB have approved this RP, the corrective action plans (CAPs) for the project component and the associated facility for which resettlement activities have already commenced will be implemented. The implementation of CAPs is subject to external resettlement monitoring.

Updating and Implementation of Resettlement Plan

- Land clearance and boundary setting of the project: After receipt of the decision of the Quang Binh PPC and People's Committee of Dong Hoi City in revoking and handing over land to the URENCO for implementing the project, URENCO will cooperate with the DONRE of Quang Binh province and the specialized cadastral agency contracted by the detailed engineering design (DED) consultants to determine the corridor of impact or clearance red line and setting out boundaries at the field. The DONRE and Bao Ninh CPC will assign their staff working in the CLFD to implement this task.
- Sending of Notices to affected persons: Land Law 2013 states that the City People's Committee must send written notices to affected land owners within 90 days in case of agricultural land and 180 days in case of non-agricultural land. The notice to the landowners must contain reasons for land acquisition, the timing and plan for displacement, compensation and assistance solutions, land clearance and the cut-off date;
- Procurement of a Qualified Appraiser. According to law, the government will procure the services of a qualified appraiser to undertake a replacement cost study (RCS).
- Information campaign before DMS: Before the DMS, PMU in cooperation with Dong Hoi City and Bao Ninh commune officials will provide information to the residents in the project area. Information will be provided through various media: (i) through broadcasts in the public address system, radios, press, television, brochures or letters delivered to affected stall owners, and posters in public areas; (ii) through consultation in project affected wards to notify the affected community about the scope and scale of the project, impacts, policies, and rights of all kinds of damages, implementation schedule, responsibilities for organization, and grievance mechanism.
- Detailed Measurement Survey: The DMS will be undertaken once detailed design is finalized. These surveys along with the RCS will be used the preparation of compensation plan and updating of the resettlement plan.

- Replacement Cost Study and Submission to the Department of Finance of Quang Binh Province: The external appraiser will undertake the RCS. If there is a significant difference between compensation and market prices as per the RCS, the Quang Binh PPC will update the compensation unit price in accordance with the regulations and implementation guidance of Decree No. 44/2014/NĐ-CP and Circular No. 37/2014/BTNMT.
- Preparation of Detailed Compensation Plan: Following the updates made by the Quang Binh PPC on the compensation unit price, the CLFD will prepare detailed compensation plans. The PMU will conduct due diligence on these detailed compensation plans focusing on the prices, the quantities of affected assets, the declared income of affected businesses, and the entitlements due to affected persons before notifying each commune. The unit prices to be applied will be based on the approved unit rates of the Quang Binh PPC. Offer sheets will be given to each affected household/business for checking and concurrence. The offer sheets shall be signed the affected people to signify their consent. If the affected persons have a grievance or complaint with the offer sheet, they can file this with the CLFD and Dong Hoi City
- Updating of this resettlement plan and submission to Quang Binh PPC and ADB for concurrence. In parallel with preparation of detailed compensation plans by the CLFD, the PMU with the project consultants will update this resettlement plan and submit this to the Quang Binh PPC for approval and endorsement to ADB for review and clearance.
- Disclosure on Site and on Quang Binh PPC, Government and ADB Websites: Once the updated resettlement plan has been cleared by ADB, the RP will be disclosed electronically and physically on site.
- Payment of compensation and allowances: Compensation and assistance will be paid directly to the affected persons under the supervision of the People's Committee of Dong Hoi City, representatives of mass-organization, commune people's committees and representatives of the affected persons. CLFDs will distribute the payments.
- Relocation of displaced households: Relocation of displaced households will be commenced after compensation and allowances have been fully paid.
- Issuance of Notice to Proceed (NTP): The NTP for civil works will be issued by the Quang Binh PPC to the civil works contractor for commencement of construction activities once the External Monitoring Agency (EMA) has verified that (i) compensation and assistances has been paid in full to all affected households for the specific location and agreed rehabilitation measures are in place; (ii) physically displaced households have been relocated to alternate sites; and (iii) the acquired land is free from any encumbrances and no pending complaints and grievances are left unresolved

Monitoring of resettlement Implementation

- Procurement of an EMA: The PMU will engage the services of an EMA to undertake external monitoring and evaluation of resettlement plan updating and implementation activities. The EMA's services will be engaged from the commencement of the DMS and will produce semi-annual monitoring reports to be submitted to PMU and ADB.
- Monitoring: Internal and external monitoring will be implemented from the updating of the resettlement plan to its implementation. Internal monitoring reports will be

prepared and submitted on a semi-annual basis. Grievances received will be addressed through the grievance redress mechanism.

- Post-Implementation Evaluation. A post-resettlement evaluation will be done by the EMA within 6 months after completion of compensation and resettlement activities.

Table 19: Schedule of resettlement plan implementation

Activities	Timeframe
Implementation of Corrective Action Plan (CAP)	
Disclosure of calculations of entitlements (assistance) to the APs	December, 2014
Fixing up the issues of relocation sites	January- February, 2015
Payment of assistance/ reimbursement of some collected fees to the AHs	March, 2015
Consultations with APs on the outstanding issues (if any)	Continuous
Settlement of grievances related to the CAP	Continuous, until resolution
Resettlement Plan Updating	
Conduct DMS, SES	3 rd Quarter 2015
Mobilize appraiser to carry out RCS	3 rd Quarter 2015
Consultation with APs and community	Continuous
Prepare Updated RP, including disclosure of the updated RP before submission	4 th Quarter 2015
Submit RP to ADB for review and concurrence	4 th Quarter 2015
Disclosure of the updated RP after being approved	1 st Quarter 2016
Implementation of Updated RP	
Payment of compensation and assistance	2 nd Quarter 2016
Relocation of affected households	3 rd Quarter 2016
Monitoring of Updated RP Implementation	
Grievance Resolution	Continuous, until resolution
Engage external monitor	August 2015
First internal monitoring (when the CAP is implemented)	From December 2014, Quarterly internal monitoring reports to be submitted
Post-Resettlement Evaluation	December 2017

M. MONITORING AND REPORTING

105. Internal and external monitoring will be carried out on the implementation of land acquisition and resettlement.

13.1. Internal Monitoring

106. Internal monitoring will be carried out by the City People's Committee of Dong Hoi and Centre for Land Fund Development, PMU and concerned Commune People's Committee. The aforementioned agencies will perform of internal monitoring by (i) meeting with CPC, representatives of mass organizations and heads of villages/residential groups; (ii) holding group discussions with all or representatives of severely affected AHs and vulnerable households in each villages/residential groups; and (iii) meeting with marginally affected households. The focus of internal monitoring will be as follows:

- Confirmation of the number of severely affected AHs affected by the entire loss of houses and/or the loss of 10% or more of their aggregate productive assets, the number of marginally affected AHs, and the number of vulnerable AHs.
- Progress in the implementation of resettlement: amounts disbursed in compensation and cash assistance and date these are given to the AHs; and progress in the payment of compensation and cash assistance, and in the clearing of the COI vis-à-vis the schedule of resettlement indicated in the agreed RP.
- Information dissemination and public participation: the number of public consultation-meetings held during the preparation of the detailed compensation plan; the number of AHs that participated; comments, suggestions and concerns of the AHs and how these were addressed.
- Progress in the implementation of the IRP: which income restoration activities have been implemented and status of their implementation (in subsequent monitoring periods, inquire on whether or not the income restoration activities carried out or are being implemented are effective).
- Smooth transition period between the completion of relocation activities and the start of civil works.
- Grievance redress: number of AHs with complaints, nature of the complaints, status of the resolution of the complaints; assessment of efficiency of the grievance redress mechanism.
- Gender concerns: participation of women in meetings and in the implementation of resettlement; concerns of women in connection with their resettlement and resolution of their grievances.

107. Internal monitoring will be started from December 2014 to coincide with implementation of the Corrective Action Plans for the land acquisition and resettlement activities that have already carried out. During subsequent monitoring periods, the agencies will look into whether or not corrective actions agreed to address resettlement issues in the past monitoring period (i.e., outstanding resettlement issues) have been resolved.

108. Dong Hoi City Centre for Land Fund will submit the quarterly internal monitoring reports to Quang Binh PPC, Quang Binh City People's Committee and PMU. PMU will submit internal monitoring reports to ADB.

13.2. External Monitoring and Evaluation

109. The main objectives of external resettlement monitoring and evaluation are to (i) monitor and examine if the Resettlement Corrective Action Plan is implemented properly for the component of Horizontal Road No. 4 - Access Road to Nhat Le 2

Bridge; (ii) collect the baseline data, including socioeconomic data and resettlement data for the monitor and evaluation; (iii) monitor and examine whether or not the implementation of the RP is being carried out as planned and compliantly to the Project Resettlement Framework and the approved Resettlement Plan; (iv) evaluate the impacts of resettlement of APs and (v) assess whether or not the mitigating measures identified and planned out in the RP are adequate in helping affected HHs restore their living standards (vulnerable HHs improve their livelihoods). In view of this, the EMA will have its first monitoring visit in August, 2015 and conducts four (4) compliance monitoring visits during the RP implementation and one (01) follow-up socio-economic/living standard survey after completion of RP implementation.

110. The EMA will focus on the following specific issues and indicator:
- a. DMS is carried out properly
 - Affected lands and assets shall be measured correctly; the results of DMS shall be disclosed publicly.
 - Complaints or questions of affected HHs on the DMS results shall be settled timely and satisfactorily.
 - b. Consultations with AHs and their knowledge on the entitlements
 - Relevant documents (RF, RP, decrees/decisions related to land acquisition, compensation, allowances and resettlement) shall be provided to the affected HHs.
 - AHs are informed and consulted adequately about the land acquisition, and resettlement; schedule of resettlement implementation; income restoration, livelihood rehabilitation, and grievance redress.
 - c. Compensation and assistances provisions (cash for land or land for land compensation)
 - All AHs shall be compensated adequately and satisfactorily to replace assets affected before the land is acquired.
 - Compensation for structure affected shall be equal to replacement prices of materials and labor based on the standards and typical structures of works, and free from reduction or salvaging of old materials.
 - Affected business shall be compensated compliantly following the provisions in the approved RP.
 - All types of assistances/allowances as envisaged in the approved RP shall be provided accordingly to the affected HHs.
 - d. Selection and development of resettlement sites
 - Resettlement sites are selected (location, price of the plot, etc.) and developed (lay-outs, infrastructures provisions, etc.) with full consultations with the resettlers, including host-communities.
 - Resettlement sites are with sufficient infrastructures; resettlement is fully completed before civil work is commenced.
 - Selected resettlement site(s) is suitable for livelihood rehabilitation and development.
 - e. Income restoration and livelihood development
 - Provided assistances for production development (trainings, job creation, etc.).
 - Restoration of production of AHs, particularly of severe AHs, relocation AHs and

vulnerable AHs.

- Level of income restoration, living standard and livelihood development of the affected HHs after land acquisition and compensation/resettlement. Problems that AHs are facing on restoring the affected income and livelihoods.
- f. Level of AHs satisfaction
- Assessing the level of satisfaction of AHs in different aspects in RP implementation (information dissemination and public consultation, DMS, compensation payment, compensation unit rate, resettlement site selection and development, rehabilitation measures and recovery of living conditions etc.).
 - Assessing the level of satisfaction of AHs on the grievance mechanism and grievance redress.
- g. Coordination between the resettlement activities and construction schedule
- Civil works can only be started when (i) land acquisition and resettlement activities (compensation, assistance and relocation) for the specific location have been completed; (ii) agreed rehabilitation measures are in place; and, (iii) the acquired land is free from any encumbrances and no pending complaints and grievances are left unresolved.
- h. Gender Issues
- Participations of women in various land acquisition and resettlement activities; impacts of land acquisition and resettlement on women's livelihoods; issues of income restoration of women.
111. The EMA will submit to PMU the following reports:
- Inception Report: 01 report (with 5 copies of English version and 8 copies of Vietnamese version).
 - Monitoring Report: 04 reports for four regular monitoring (with a total of 20 copies of English versions and 32 copies of Vietnamese versions)
 - Analyzed socioeconomic survey of the post-resettlement evaluation: 1 set (with 5 copies of English version and 8 copies of Vietnamese version).
 - Post-Resettlement Evaluation Report: 01 report (with 5 copies of English version and 8 copies of Vietnamese version).
112. PMU will share the internal and external monitoring reports to the City People's Committee, centre for land fund development, commune/ward people's committee and relevant agencies. The reports will be posted in public places and in ADB's website.
113. Terms of reference for EMA are attached in Appendix 8.

N. APPENDICES

Appendix 1: Minutes of public consultative meetings

BIÊN BẢN THAM VẤN CỘNG ĐỒNG VỀ CÁC VẤN ĐỀ LIÊN QUAN ĐẾN THU HỒI ĐẤT, ĐỀN BÙ, HỖ TRỢ, TÁI ĐỊNH CƯ

DỰ ÁN PHÁT TRIỂN MÔI TRƯỜNG, HẠ TẦNG ĐÔ THỊ ĐỀ ỨNG PHÓ VỚI BIẾN ĐỔI KHÍ HẬU TẠI THÀNH PHỐ ĐỒNG HỚI, TỈNH QUẢNG BÌNH

Xã Bảo Ninh, Thành phố Đồng Hới, Tỉnh Quảng Bình

Ngày 15 tháng 09 năm 2013

I. THÀNH PHẦN THAM DỰ

1. Lê Anh Tuấn – Phó Giám đốc Ban CBDA.
2. Đào Ngọc Phương – Cán bộ Kỹ Thuật.
3. Nguyễn Đức Thuận - Cán bộ Kỹ Thuật.

Đại diện lãnh đạo chính quyền và tổ chức đoàn thể xã Bảo Ninh, bao gồm:

1. Nguyễn Ngọc Hiếu – Chủ tịch UBND xã Bảo Ninh
- 2.

Người dân trong khu vực dự án xã Bảo Ninh. Danh sách các hộ gia đình tham gia và ký nhận về sự tham gia được đính kèm.

II. NỘI DUNG THAM VẤN:

1. Ban Chuẩn bị dự án cung cấp các thông tin cho người tham dự bao gồm:

- Mô tả về dự kiến quy mô của Dự án
- Các ảnh hưởng tiềm tàng đến thu hồi đất và các tài sản trên đất
- Các chính sách, biện pháp giảm thiểu các tác động thu hồi đất và các tài sản trên đất
- Chính sách đền bù, hỗ trợ, tái định cư của Dự án theo Tài liệu thông tin dự án
- Cơ chế giải quyết thắc mắc, khiếu nại

2. Ban Chuẩn bị dự án đã cung cấp cho đại diện chính quyền địa phương và đại diện tổ chức đoàn thể các tài liệu sau:

- a. Tóm tắt mức độ ảnh hưởng theo kết quả đánh giá thiệt hại sơ bộ
- b. Tài liệu thông tin dự án (PIB)

3. Người tham dự trao đổi và phát biểu ý kiến.

III. KẾT QUẢ THAM VẤN:

1. Về ảnh hưởng của Dự án

- Dự án sẽ triển khai tại xã Bảo Ninh bao gồm việc xây dựng một đường dọc rộng 36 m, dài 2,9km và 4 đường ngang (2 đường rộng 32m và 2 đường rộng 36m). Dự án sẽ chỉ ảnh

hưởng một phần diện tích đất ở, đất nông nghiệp, đất rừng trồng, đất nghĩa trang của cộng đồng và một số hộ gia đình.

- Chính quyền địa phương và người dân tại xã Bảo Ninh đã biết được quy mô và mức độ - ảnh hưởng của dự án. Ban Chuẩn bị Dự án cũng đã cắm mốc dự kiến thu hồi tại địa phương.

- Sẽ có một số hộ gia đình phải tái định cư và khoảng hơn 100 ngôi mộ sẽ phải di chuyển do tác động của dự án.

- Dự án sẽ không ảnh hưởng sinh kế của người dân do hầu hết những người bị ảnh hưởng đều có nghề chính là đánh bắt và khai thác thủy sản. trên địa bàn phường.

2. Về chính sách đền bù, hỗ trợ:

- Ban Chuẩn bị dự án đã thông báo dự thảo chính sách đền bù, hỗ trợ, tái định cư cho các hộ gia đình bị ảnh hưởng. Đối với các hộ có một phần đất ở bị ảnh hưởng nhưng không phải di dời thì sẽ được đền bù bằng giá thay thế cho diện tích đất bị ảnh hưởng. Đối với các hộ bị ảnh hưởng toàn bộ diện tích đất thổ cư sẽ được nhận tiền đền bù theo giá thay thế và các hỗ trợ di dời hoặc được giao đất ở khu tái định cư với diện tích theo quy định và các hỗ trợ di dời, ổn định đời sống. Các loại đất khác và vật kiến trúc bị ảnh hưởng sẽ được đền bù theo giá thay thế; cây cối hoa màu sẽ được đền bù theo giá thị trường.

- Mộ mã sẽ được hỗ trợ chi phí cải tang, chi phí di dời và chi phí cúng lễ theo phong tục tập quán địa phương.

3. Về hoạt động phục hồi thu nhập và phát triển sinh kế

- Trong thời gian tái định cư và xây dựng nhà mới, các chi phí hỗ trợ ổn định đời sống sẽ được cung cấp cho các hộ gia đình.

4. Về quá trình thực hiện và giải quyết khiếu nại

- Các khiếu nại liên quan đến thu hồi đất, đền bù, hỗ trợ, tái định cư của dự án sẽ được giải quyết theo quy định hiện hành. Các hộ gia đình và cộng đồng đã được trao đổi kỹ về cơ chế giải quyết khiếu nại.

5. Các đề xuất trong cuộc họp

- Đối với các hộ tái định cư, cần thực hiện đền bù thỏa đáng cho đất và tài sản trên đất bị ảnh hưởng. Khu tái định cư cần được xây dựng ngay tại thôn để thuận tiện cho việc di dời và ổn định đời sống cũng như không làm thay đổi sinh hoạt và quan hệ của cộng đồng. Kế hoạch Tái định cư cần được thông báo trước ít nhất 06 tháng để các hộ chuẩn bị di dời.

- Lãnh đạo UBND xã khẳng định có đủ quỹ đất tại các thôn để xây dựng khu tái định cư. Hiện nay, xã còn khoảng 40 ha chưa sử dụng có thể dung cho quỹ đất xây dựng khu tái định cư.



- Các hộ có mộ bị ảnh hưởng đồng ý với việc di dời mộ mả đến khu nghĩa trang đề xuất (cách xa khu vực bị ảnh hưởng khoảng 7km). Tuy nhiên việc đền bù cần phải phù hợp, đặc biệt là khoản hỗ trợ di dời mộ mả. Dự án cần hỗ trợ chi phí cho hai lần cúng lễ (trước và sau khi di dời) đối với các mộ phải di chuyển. Lãnh đạo UBND xã và các hộ gia đình đề xuất dự án hỗ trợ xây dựng một số con đường đi lại trong khu nghĩa trang để thuận lợi cho việc di chuyển và thăm viếng mộ sau này. Việc di dời mộ cần- phải được thông báo trước 12 tháng để các hộ kịp thời chuẩn bị (xem ngày, chọn đất,...)

Cuộc họp kết thúc lúc giờ cùng ngày. Đại diện chính quyền xã/phường, thôn, tổ trưởng dân phố, đại diện các tổ chức đoàn thể và người dân tham dự cuộc họp cùng đọc và thống nhất với nội dung biên bản cuộc họp và cùng ký tên dưới đây.

Đại diện Ban Chuẩn Bị Dự án

(Ký tên, đóng dấu)

GIAM ĐỐC


Lê Anh Tuấn

Đại diện Chính quyền địa phương

(Ký tên, đóng dấu)

CHỦ TỊCH


Nguyễn Ngọc Hiếu

DỰ ÁN MÔI TRƯỜNG ĐÔ THỊ VÀ ỨNG PHÓ BIẾN ĐỔI KHÍ HẬU
DANH SÁCH CHI TRẢ TIỀN

Về việc: Dự án MTĐT và ứng phó biến đổi khí hậu CH
 Tiêu dự án:
 Tại: h. Ninh - TP. Bình. h. - P. Quang. Bình
 Ngày: 15/09/2013

TT	Họ và tên	Địa chỉ	Thành tiền	Ký tên	Giới tính (1=Nam; 2=Nữ)
1	Lai Thị Lợi	Sa Long	20.000đ	Lợi	2
2	Võ Văn Hải	"	20.000đ	Hải	1
3	Nguyễn Văn Dân	"	20.000đ	Dân	1
4	Bùi Đức Lập	"	20.000đ	Lập	1
5	Hương Thị Hồng	"	20.000đ	Hồng	2
6	Hương Quang Tiến	"	20.000đ	Tiến	1
7	Trần Quang Thủy	"	20.000đ	Thủy	1
8	Phạm Ngọc Bình	Trang Bình	20.000đ	Bình	1
9	Nguyễn Pháp Bình	"	20.000đ	Bình	1
10	Đào Khanh	Đ.Đ. Thuận	20.000đ	Khanh	1
11	Lai Tân Tài	Sa Long	20.000đ	Tài	1
12	Lai Minh Bình	"	20.000đ	Bình	1
13	Hương Quang Nguyệt	H. Thuận	20.000đ	Nguyệt	1
14	Nguyễn Thuận	Sa Long	20.000đ	Thuận	1
15	Trương Kiên Hùng	"	20.000đ	Hùng	1
16	Trương Thị Hồng	"	20.000đ	Hồng	2
17	Lê Thị Hoa	"	20.000đ	Hoa	2
18	Đỗ Thị Hồng	Trang Bình	20.000đ	Hồng	2
19	Mai Minh	Sa Long	20.000đ	Minh	1

DỰ ÁN MÔI TRƯỜNG ĐÔ THỊ VÀ ỨNG PHÓ BIẾN ĐỔI KHÍ HẬU
DANH SÁCH CHI TRẢ TIỀN

Về việc: Dự án MT.ĐT. và ứng phó biến đổi khí hậu KCH
 Tiêu dự án:
 Tại: h. Ninh., TP. Bình., h. Ninh., TP. Quảng. Bình.
 Ngày: 15/09/2013

TT	Họ và tên	Địa chỉ	Thành tiền	Ký tên	Giới tính (1=Nam; 2=Nữ)
1	Lai Thị Lợi	Sa Long	20.000đ	Lợi	2
2	Võ Văn Hải	"	20.000đ	Hải	1
3	Nguyễn Văn Dân	"	20.000đ	Dân	1
4	Bùi Đức Lập	"	20.000đ	Lập	1
5	Hương Thị Hồng	"	20.000đ	Hồng	2
6	Hương Quang Tiến	"	20.000đ	Tiến	1
7	Trần Quang Thủy	"	20.000đ	Thủy	1
8	Phạm Ngọc Bình	Trang Bình	20.000đ	Bình	1
9	Nguyễn Pháp Bình	"	20.000đ	Bình	1
10	Đào Thanh	Đã Đ. Thuận	20.000đ	Thanh	1
11	Lai Văn Tài	Sa Long	20.000đ	Tài	1
12	Lai Minh Bình	"	20.000đ	Bình	1
13	Hương Quang Nguyệt	Hà Thôn	20.000đ	Nguyệt	1
14	Nguyễn Thuận	Sa Long	20.000đ	Thuận	1
15	Trương Kiên Hùng	"	20.000đ	Hùng	1
16	Trương Thị Hồng	"	20.000đ	Hồng	2
17	Lê Thị Hoa	"	20.000đ	Hoa	2
18	Đỗ Thị Hồng	Trang Bình	20.000đ	Hồng	2
19	Mai Minh	Sa Long	20.000đ	Minh	1

DỰ ÁN MÔI TRƯỜNG ĐÔ THỊ VÀ ỨNG PHÓ BIẾN ĐỔI KHÍ HẬU

DANH SÁCH CÁC HỘ DỰ HỢP THAM VẤN VÀ NHẬN TÀI LIỆU DỰ ÁN

Về việc: *Phấn đoán MTĐT các vùng phía Bắc đới CH*

Tiêu dự án:

Tại: *15X 09/ 2013 Bắc Ninh - TP. Hà Nội - T. Quảng Bình*

Ngày: *15/09/ 2013*

TT	Họ và tên	Địa chỉ	Thành tiền	Ký tên	Giới tính (1=Nam; 2=Nữ)
1	Trương Thị Nam	Sĩ Anh	20.000đ	elam	2
2	Trần Thị Bình	đ	20.000đ	Bình	2
3	Ho Thị Văn	Hà Nội	20.000đ	Văn	2
4	Nguyễn Thị	Sa Anh	20.000đ	Thu	1
5	Trương Trung Năm	Trang Bình	20.000đ	Trương	1
6	Trương Văn Đức	Sĩ Anh	20.000đ	Viên	1
7	Lưu Thị Lai	Sĩ Anh	20.000đ	Lai	2
8	Đào Xuân Giờ	Sĩ Anh	20.000đ	Đào	1
9	Tưong Thị Bình	Hà Nội	20.000đ	Bình	2
10	Hồ Thị Lý	Hà Nội	20.000đ	Lý	1
11	Phạm Phú	Hà Nội	20.000đ	Phạm	1
12	Đào Thị Huệ	Hà Nội	20.000đ	Huệ	2
13	Ngô Thị Cai	Hà Nội	20.000đ	Cai	2
14	Trương Phương Xa	Sĩ Anh	20.000đ	Xa	1
15	Ngô Thị Diễm	Sĩ Anh	20.000đ	Diễm	2
16	Ngô Thị Ninh	Sa Anh	20.000đ	Ninh	2
17	Lưu Thị Vy	Sĩ Anh	20.000đ	Vy	2
18	Trương Thị	Sĩ Anh	20.000đ	Trương	1
19	Trương Thị	Sĩ Anh	20.000đ	Trương	1
20	Lai Thị Thu	Sĩ Anh	20.000đ	Thu	1
21	Lai Thị Hằng	Sĩ Anh	20.000đ	Hằng	1
22	Ngô Thị Hải	Trang Bình	20.000đ	Hải	1

..... Nữ = 10

Appendix 2: Pictures of public consultations, in-depth interviews and focus group discussions







Appendix 3: Public Information Booklet

BACKGROUND

The Urban Environment and Climate Change Adaptation Project will be implemented in Hoi An City (Quang Nam Province) and Dong Hoi City (Quang Binh) Province of Viet Nam. The Project aims to support the Government of Vietnam and the project provinces to (i) improve wastewater collection and treatment, (ii) enhance flood protection and erosion control, (iii) protect water resources from saline intrusion, (iv) climate proofing urban development, (v) improve the financial sustainability of water and wastewater utilities and (vi) strengthen the capacity of existing government entities and urban environmental utilities.

For Dong Hoi City (Quang Binh Province), four project components will be supported by the Project, namely:

- Bao Ninh Wastewater System: Covering the communes of Bao Ninh and Phu Hai serving a total population of 12670 (including 1000 tourists) by 2020 and including 13,1 km of gravity sewer, 3.5 km of pumping main and 03 pumping stations;
- Bao Ninh Road Systems: Serving the new urban area of Bao Ninh and including one vertical roads of 2.9 km length and 36 m width and 04 horizontal roads of 2.5 km;
- Bao Ninh Sustainable Urban Drainage System: covering on site storm-water retention, storm-water infiltration through roadside 11.6 swales, and remediation of the 60m road drainage. Detention storage (1.6 ha) and connecting sewerage and final outfalls (7.0 km) to Nhat Le River.
- Bao Ninh Flood and Coastal Protection: including restoration and protection of 3.3 km of dunes and protection of a further 4 km of dunes by coastal zoning.

SCOPE AND LAND ACQUISITION AND RESETTLEMENT

Implementation of four project components would effect on 375 households; of which 52 households have to relocate (33 HHs will relocate to resettlement site and 19 households will rebuild their new houses in the remaining residential land) and 03 households are vulnerable. None of affected households lose from more than 10% of their total agricultural land holding. Of total affected households, 143 households have only land affected and 225 households have only graves affected and 07 households have both land and graves affected.

The Project would permanently acquire 173,940 m² of different types of land including 9,534 m² of residential land of 59 HHs; 15,099 m² of garden land of 88 HHs; 86,400 m² of forest land of 7 HHs; 3,689 m² of aquaculture land of 08 HHs; 9,416 m² of reclaimed land of 35 HHs and 49,801 m² of other land such as cemetery, pond and used land managed by Bao Ninh CPC.

The implementation of the project in Dong Hoi City would impact on 27,467 trees including 1,247 fruit trees; 25,085 timber trees (acacia, eucalyptus, etc.) and 1,135 other trees of 86 households and 414 m² of crops (vegetable, cassava, etc.) of 65 households in the project area. Besides, the project causes impacts on 4171.24 m² of houses; 1962.64 m² of yard; 288.8 m² of kitchen; 129.64 m² of toilets. There are also 249 separate graves and 130 family grave compounds that would be affected by the project.

ENTITLEMENTS, ASSISTANCE AND BENEFITS

The following matrix has been prepared for the Project based on both Government of Vietnam and Asian Development Bank policies and the monetary amounts quoted in this matrix are subject to revision when the Resettlement Plan is updated but the principles will of course remain the same.

Table 18: Entitlement Matrix

<i>Impacts</i>	<i>Affected Persons</i>	<i>Entitlements</i>	<i>Implementation Issues</i>
1. Impacts on Agricultural/Production Land			
a Loss less than 10% of total production land holding	Owners with LURC or eligible to have LURC allocated	<p>c. Cash compensation at replacement cost for the affected land area; and</p> <p>d. Entitled to allowance for job change and creation by cash equal to 5.0 times of value of the affected area. The assisted area shall not exceed the ceiling area of agricultural land allocation per household in the local area and the affected agricultural land is not within the residential area.</p>	<ul style="list-style-type: none"> • If the remaining area of the land plot is economically viable (too small, the difficult for cultivation) and if the owner the entire plot shall be acquired and cost by replacement cost. • The Centre for Land Fund Development engage qualified replacement cost appraiser to appraise the replacement cost of the land. • LURC shall be adjusted at no cost for the
b Loss more than 10% of total agricultural land holding (severely affected households)	Owners with LURC or eligible to have LURC allocated	<p>e. As priority, land for land compensation for the affected land (same area, production conditions and distance) with LURC. If land is unavailable in the local for compensation, cash compensation at replacement cost shall be made for the affected area; and</p> <p>f. Entitled to allowance for life stabilization:</p> <ul style="list-style-type: none"> • Loss from 10% to 30% of total agricultural land holding: Cash compensation equal to 30 kg of rice/head/month for all family members for 03 months – if not required to relocate; 06 months if required to relocate; 12 months if required to relocate to socio-economic difficulty area declared and is among the list of the government. • Loss more than 30% to 70% of total agricultural land holding: Cash compensation equal to 30 kg of rice/head/month for all family members for 06 	<ul style="list-style-type: none"> • If the remaining area of the land plot is economically viable (too small, the difficult for cultivation) and if the owner the entire plot shall be acquired and cost by replacement cost. • The Centre for Land Fund Development engage qualified replacement cost appraiser to appraise the replacement cost of affected • LURC shall be adjusted at no cost for the • IRP will be prepared during RP update in consultations with affected communities and concerned agencies focus on increasing productivity of the remaining land, supporting the households on short term income activities (animal breeding, agricultural

			<p>months – if not required to relocate; 12 months if required to relocate; 24 months if required to relocate to socio-economic difficult area.</p> <ul style="list-style-type: none"> Loss more than 70% of total agricultural land holding: Cash compensation equal to 30 kg of rice/head/month for all family members for 12 months – if not required to relocate; 24 months if required to relocate; 36 months if required to relocate to socio-economic difficulty area. 	<p>business expansion etc.) or helping households on developing non-activities for long-term income (provision of occupational training introduction, business start-up or expansion). IRP is a part of resettlement implementation program.</p>
c	Affected agricultural land (non-title users)	Owners without LURC and/or not eligible to have LURC allocated	<p>g. Entitled to allowance for job change and creation by cash by 5.0 times of value of the affected land area. The affected area shall not exceed the ceiling area of agricultural land allocation per household in the local area and the affected agricultural land is not within the residential area; and</p> <p>h. Entitled to participate in Income Restoration Program (IRP)</p> <p>d. No compensation for the affected land.</p> <p>e. Affected crops and trees on the land shall be compensated at replacement cost.</p> <p>f. Entitled for cash assistance for investment made on land improvements</p>	<ul style="list-style-type: none"> Centre for Land Fund Development will invest investment made on land improvement households to determine the assistance
d	Temporary impacts on agricultural land	<ul style="list-style-type: none"> Owners with LURC Owners without LURC but are using the land for cultivation (with certification from the CPC) 	<p>a. Cash payment for the rent of land by the net-income that would have been derived from the affected land area during the period of disruption.</p> <p>b. Restoration of land within 1 month after use of land to its previous or better quality OR pay full replacement cost to the land owner if it fails to restore the affected land within 1 month after use of land.</p>	<ul style="list-style-type: none"> If the net-income that would have been derived from the affected land area can-not be the rental rate for that land-type for provincially regulated price-frame could discuss and agree with the land-owner.

2. Impacts on Residential Land

e	Partly Affected (the remaining residential land area is still sufficient to stay following the local regulations)	Owners with LURC or eligible to have LURC allocated	Compensation at replacement cost for the affected area.	<ul style="list-style-type: none"> The Centre for Land Fund Development shall engage qualified replacement cost appraisers to appraise the replacement cost of the land. LURC shall be adjusted at no cost for the affected area.
f	Fully Affected (entire of the plot is affected or partly affected but the remaining area is insufficient to stay following the local regulations)	Owners with LURC or eligible to have LURC allocated	<p>As priority, replacement land for the affected land (same land position and living conditions) with LURC shall be allocated. The area of allocated land shall not exceed the ceiling of residential land allocation per a household in the local area . OR,</p> <p>Cash compensation at replacement cost for the affected land. The land area for compensation shall not exceed the ceiling of residential land allocation in the local. The area that exceeds the ceiling of residential land allocation in the local shall be compensated at replacement cost for its specific land-type.</p> <p>If the land owner receives cash compensation and opts to self-relocation, an additional cash assistance of VND 60.000.000 shall be made to the household on-top of compensation.</p> <p>In case the loss of structure leads to loss of income and livelihood, the household will be entitled for IRP based on case to case determination during detailed design. For assistance, please see below.</p>	<ul style="list-style-type: none"> Replacement land should be the same size and conditions as these of the affected land and leveled to be ready for housing construction. The price of replacement land (per m²) shall be equal or lower than the compensation rate for the affected land so that the affected household can afford to purchase the land at the replacement site. Fees for LURC allocation for the replacement land, such as administration fees and paper fees shall be exempted to households. If the household has several generations living together, each couple in the household shall be allowed the conditions to separate to be an independent household following the Government's policy. If the household is entitled to purchase a plot of land at the resettlement site at the price (per m²) equal to the compensation rate for the affected land, but the household does not meet the conditions to be an independent household, they are allowed to purchase a plot of land in the resettlement site at the price issued by the City People's Committee.
g	Affected residential land (non-title users)	Owner without LURC and/or not eligible to have LURC allocated -	No compensation for the affected land but the assets and structures on the land shall be compensated at replacement cost.	

and have other places to stay.

Owner without LURC and/or not eligible to have LURC allocated - but have no other places to stay.

h Temporary impacts on residential land

- Owners with LURC
- Owners without LURC but are using the land for living (with certification from the CPC)

a. No compensation for the affected land but the assets and structures on the land shall be compensated at replacement cost.

b. Affected household will be considered during detailed design for assistance with provision of one plot allocation in the resettlement site. The area of the plot shall not exceed the ceiling area of residential land allocation in the local area per household. The price of the plot is decided by City People's Committee.

a. Pay for the rent of land for the period of use following the provincially regulated price-frame.

b. Restore of land within 1 month after using to its previous or better quality OR pay full replacement cost to the land owner if it fails to restore the affected land within 1 month after use of land.

- The household has to pay for the fees allocation such as administration fees cost.

3. Compensation for Affected Houses and Structures

i Partly affected (the remaining parts just require repairs)

- Owners of house/ structures
- Owners of houses/ structures without construction permit; or constructed on agricultural land but the local authorities have not issued notice in writing to the owner to dismantle the structures prior to cut off date

a. Compensation at replacement cost for the affected portion, and

b. Entitled for rental allowance outside the affected area (structure) for 01 month to enable the household during repair works based on the price-frame issued by the PPC.

- Replacement cost based on the market construction materials and labours construct the affected portion, without for depreciation or salvageable material for Land Fund Development will engage replacement cost appraiser to appraise replacement cost for affected houses and structures.

j	Structure fully affected.	<p>- Owners of house/ structures</p> <p>- Owners of houses/ structures without construction permit; or constructed on agricultural land but the local authorities have not requested the owner in writing to dismantle the structures</p>	<p>e. Compensation at replacement cost for the entire affected house/structures; and</p> <p>f. Entitled to rental allowance for three months (03) based on price-frame issued by the PPC – if the household re-settles in the remaining residential land; six months (06) if the household has to relocate out of the affected residential land, and</p> <p>g. Compensation for transport cost: VND 3.000.000 /HH if required to relocate within the province; VND 5.000.000 /HH if required to relocate out of the province; VND 1.500.000 /HH if the household resettles in the remaining part of affected residential land.</p> <p>h. If income and livelihoods of the affected households are affected because of relocation (changed livelihoods, reduced income) the resettlement households are entitled to participate in IRP.</p>	<ul style="list-style-type: none"> • Replacement cost based on the market price of construction materials and labours to reconstruct the affected portion, without deduction for depreciation or salvageable materials. Land Fund Development will engage an independent replacement cost appraiser to appraise the replacement cost for affected households and structures. • Fees for construction permit allocation and construction management fees are excluded from the resettlement households. • If replacement land/resettlement site is not available to allocate to the households for reconstruction at time of making compensation payment, inflation rate of construction materials and increased labour cost (if any) shall be added to the compensation made to the time of relocation to replacement land for the households. Land Fund Development shall calculate the compensation with inflation rate to pay for the households.
k	Houses/structures constructed illegally and the local authorities requested the owner in writing to dismantle to house/structures.	Illegally constructed houses/structures and the local authorities requested the owner in writing to dismantle but the house/structures still exist until before 1 July 2014	Compensation by 80% for the affected house/structures based on the provincially regulated price-frame.	

4. Compensation for affected crops and trees

l	Affected crops and	Owners of affected	a. Affected crops: Cash compensation at market rate for	• Centre for Land Fund Development v
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trees

crops and trees

the average productivity of the affected crop for one-harvesting season. The average productivity of the crop bases on the average production over past three years.

b. Affected trees: Cash compensation at current market prices given the type, age and productive value of the affected trees.

qualified replacement cost appraiser to determine the market rate for affected crops and trees.

5. Compensation for Graves

m Affected graves

Households/ individuals who have graves

a. All costs of excavation, relocation and reburial of graves will be reimbursed in cash to the affected households as prescribed in PPC's regulation, and

b. Costs for prays before and after relocation of graves: VND 1.000.000/HH.

- Graves will be moved to the cemetery planned by the City/Ward People's Committee. The land for reburial of graves shall be returned to the households.

6. Other Assistances

n Assistances for production-business income disrupted.

With business license

a. Cash assistance equals to 30% of one year income after tax from the production-business; and

b. Cash compensation for transport of equipment to the new place based on the actual costs.

c. Households or individuals using residential land in combination with trading and services in which the main source of income derives from trading and services, and need to be relocated: entitled to allowance of 40,000,000 VND as per Decision 22/2014 of the PPC, and participate in the IRP

- Centre for Land Fund Development will coordinate with the tax agencies to determine the actual cost for transport of equipment of the households based on their tax receipts.
- Center for Land Fund Development will coordinate with the tax agencies to determine the actual cost for transport of equipment of the households.

Without business license

a. Cash assistance of 50% of assistance amount compared to the total assistance for those with business license.

b. Households or individuals using residential land in combination with trading and services in which the main source of income derives from trading and services, and need to be relocated: entitled to allowance of 40,000,000 VND as per Decision 22/2014 of the PPC and participate in the IRP

o Assistance for

(i) Poor HH; (ii) HH that

- For poor households, cash assistance equals to 30 kg

vulnerable households	are headed by women with dependents, (iii) HH heads with disabilities, children, elderly without any support, (iv) landless HH (iv) social policy benefited households.	of rice/head/month for all the family members for 36 months; for other households, cash assistance (one-time assistance) by VND 2.000.000/HH.
p Other assistances	Assistances for relocations	<ul style="list-style-type: none"> • Social policy benefited households (wounded shoulders, martyr, and people with meritorious service for the Revolution): cash assistance and reduced price for the replacement land in the resettlement site following the regulations of the PPC (as envisaged in the Decrees 118-TTg and 20/2000/QĐ-TTg of the Prime Minister). • All vulnerable households are entitled to participate in IRP • Assistance for electricity connection: VND 1.000.000/HH. • Assistance for telephone installation: VND 500.000 /HH. • Assistance for water connection: VND 1.500.000/HH; if digging well (as there is no tap-water in the area): VND 5.000.000/HH. • Costs for ceremony of new house: VND 1.000.000 /HH. • Bonus for handing over the affected land on-time: VND 5.000.000/HH.

IMPLEMENTATION SCHEDULE

<i>Implementation of Corrective Action Plan (CAP)</i>	
Disclosure of calculations of entitlements (assistance) to the APs	<i>December, 2014</i>
Fixing up the issues of relocation sites	<i>January- February, 2015</i>
Payment of assistance/ reimbursement of some collected fees to the AHs	March, 2015
Consultations with APs on the outstanding issues (if any)	Continuous
Settlement of grievances related to the CAP	Continuous, until resolution
<i>Resettlement Plan Updating</i>	
Conduct DMS, SES	3 rd Quarter 2015
Mobilize appraiser to carry out RCS	3 rd Quarter 2015
Consultation with APs and community	Continuous
Prepare Updated RP, including disclosure of the updated RP before submission	4 th Quarter 2015
Submit RP to ADB for review and concurrence	4 th Quarter 2015
Disclosure of the updated RP after being approved	1 st Quarter 2016
<i>Implementation of Updated RP</i>	
Payment of compensation and assistance	2 nd Quarter 2016
Relocation of affected households	3 rd Quarter 2016
<i>Monitoring of Updated RP Implementation</i>	
Grievance Resolution	Continuous, until resolution
Engage external monitor	August 2015
First internal monitoring (when the CAP is implemented)	From December 2014, Quarterly internal monitoring reports to be submitted
Post-Resettlement Evaluation	December 2017

GRIEVANCE REDRESS MECHANISM

The resolution of the complaint will go through the following four (04) steps:

Step 1: The AHs may meet with the Chairman of Commune People Committee/Ward People's Committee (CPC/WPC) directly, or will lodge the complaint with the CPC/WPC. The chairman of CPC/WPC will act on the grievance within a maximum period of 30 working days. The office of the CPC/WPC will acknowledge receipt of the grievance and will record the actions taken by CPC on the grievance.

Step 2: If after 30 working days the Chairman of CPC/WPC has not acted on the grievance, or if the AH is not satisfied with the action taken by CPC/WPC, the AH may meet directly with the chairman of City People's Committee, or lodge the complaint with

the City People's Committee. The City People's Committee will act on the grievance within a maximum period of 45 working days. The office of the City People's Committee will acknowledge receipt of the grievance and will record the actions taken by City People's Committee on the grievance.

Step 3: If after 45 working days the Chairman of City People's Committee has not acted on the grievance, or if the AH is not satisfied with the action taken by the City People's Committee, the AH may meet directly with the chairman of the PPC, or lodge the complaint with the PPC. The PPC will act on the grievance within a maximum period 45 working days. The office of the PPC will acknowledge receipt of the grievance and will record the actions taken by PPC on the grievance.

Step 4: If after 45 working days the Chairman of PPC has not acted on the grievance, or if the AH is not satisfied with the action taken by PPC, the AH may lodge the complaint with the City People's Court or higher level courts for resolution. The court will address the grievance according to the rules of the court. The AH also can directly contact to Special Project Facilitator of Asian Development Bank at the address:

Project Facilitator of Asian Development Bank
6 ADB Avenue, Mandaluyong City 1550 Metro Manila, Philippines
Tel: [+ 632 632 4825](tel:+6326324825) +632 636 2490

YOUR RIGHTS

It is clearly recognized by the Government of Vietnam and Asian Development Bank that as people affected by involuntary resettlement you have full rights to seek grievance redress should this become necessary. Initially it is hoped that grievances can be resolved at the local level but if necessary a court of law is empowered to decide on the outcome. None of these processes will require affected people to spend their own money or incur other losses as a result. Ultimately if you as an affected person is dissatisfied with actions of the Government of Vietnam you can appeal to the Asian Development Bank in Hanoi where it maintains a Resident Mission. The latter takes as serious grievances raised by affected people and if necessary will conduct a mission or missions to ensure you are not disadvantaged.

CONTACTS

For queries concerning this Project please contact the Dong Hoi URENCO: Tel: 0523827051 fax: 0523840734.

Appendix 4: Replacement Cost Survey

No.	Item	Unit	Unit issued by PPC (VND)	Replacement cost (VND)	Different factor (time)	Remark
1	Land	Decision No, 27/2013/QD-UBND, dated 23/12/2013 issued by Quang Binh PPC				
1.1	Residential land	VND/m ²	1,280,000	1,350,000	1.05	
1.2	Agriculture land					
1.2.1	Forest land	VND/m ²	8,000	8,000		
1.2.2	Perennial tree land	VND/m ²	27,000	27,000	1.08	
2	House, structure	Decision No,01/2014/QD-UBND dated 23/01/2014 issued by Quang Binh PPC				
2.1	Secondary house, temporary house		1,876,000	2,045,000	1.09	
2.2	House with 1 floor		2,995,000	3,000,000		
2.3	House with 2 floors or more		4,341,000	4,500,000	1.03	
2.4	Villa	VND/m ² construction	6,887,000	7,438,000	1.08	
3	Other structures					
3.1	Toilet (Independent, outside house)					
3.1.1	Septic toilet; foundation, walls, septic tank made of bricks, stone; roof made from reinforced concrete or tiled and with ceiling; tiled walls, floor made from high quality ceramic, lavatory bowl, shower and 7 items	VND/m ² construction	4,884,000	5,117,000	1.06	
3.1.2	Septic toilet; foundation, walls, septic tank made of bricks, stone; tiled roof; color lime washed, cement floor, plate-shaped bowl	VND/m ² construction	2,930,000	3,164,000	1.08	
3.1.3	Toilet (plate-shaped bowl, shower), foundation made of bricks, stone, walls made of bricks; plate-shaped bowl, cement floor; tiled or metal sheet roof	VND/m ² construction	879.000	941,000	1.07	

No.	Item	Unit	Unit issued by PPC (VND)	Replacement cost (VND)	Different factor (time)	Remark
3.1.4	Toilet (plate-shaped bowl, shower), temporary, cover all around by bamboo, brick platform, non-roof or simple roof	VND/m ² construction	212,000	231,000	1,09	
3.2	Yard					
3.2.1	Drying yard, paved by concrete thick <=10cm (or broken bricks), with cement or tiled cover (non-holes brick)	VND/m ²	154,000	170,000	1,1	
3.2.2	Drying yard paved by non-holes bricks, stone plates, concrete slabs, grout in cement or broken bricks and cement cover	VND/m ²	123,000	138,000	1,12	
3.3	Well					
3.3.1	Dug Well with depth >=10m, walls of well made of bricks and stone, concrete floor with cement cover	VND/m	825,000	883,000	1,07	
3.3.2	Dug Well with depth <10m, walls of well made of bricks and stone, concrete floor with cement cover	VND/m	708,000	744,000	1,05	
3.3.3	"Tha buy" Well made of reinforced concrete, diameter inside >=1m, concrete floor with cement cover	VND/m	1,887,000	2,057,000	1,09	
3.3.4	"Tha buy" Well made of reinforced concrete, diameter inside <1m, concrete floor with cement cover	VND/m	1,533,000	1,740,000	1,12	
3.3.5	Drilled well	VND/unit	4,596,000	5,056,000	1,1	
3.4	Fence					
3.4.1	Fence with walls made of bricks, stone; attached square iron above; pillars with bracing reinforced concrete, height=1,8m	VND/m	1,294,000	1,398,000	1,08	

No.	Item	Unit	Unit issued by PPC (VND)	Replacement cost (VND)	Different factor (time)	Remark
3.4.2	Fence with walls made of bricks, stone; attached square iron above; pillars with bracing reinforced concrete, height=1,4m	VND/m	1,011,000	1,062,000	1.05	
3.4.3	Fence made of iron grid B40 with iron pillars height =1,4m	VND/m	116,000	123,000	1,07	
3.4.4	Fence made of iron grid B40 with iron pillars height <1,4m	VND/m	106,000	115,000	1,08	
3.4.5	Fence made of iron grid B40 with reinforced concrete pillars height >=1,4m	VND/m	157,000	165,000	1,05	
3.4.6	Fence made of iron grid B40 with reinforced concrete pillars height <1,4m	VND/m	137,000	144,000	1,05	
4	Tree, crop	Decision No,05/2013/QD-UBND dated 18/03/2013 issued by Quang Binh PPC				
4.1	Eucalyptus, Casuarina, "Tram", "Xoan" (Diameter>10cm)	VND/tree	29,000	31,000	1,05	
4.2	Orange, Grapefruit, Mango, Peach, Tangerine (with fruits)	VND/tree	500,000	540,000	1.08	
4.3	Avocado (Harvest)	VND/tree	224,000	242,000	1,08	
4.4	Banana (harvest)	VND/tree	95,000	100,000	1,05	
4.5	Areca (Harvest)	VND/tree	143,000	137,000	1,05	
4.6	Coconut (harvest)	VND/tree	555,000	589,000	1,06	
4.7	Logan, Litchi, Rambutan, Persimmon (with fruits)	VND/tree	570,000	605,000	1,06	
4.8	Dragon fruit (Harvest)	VND/tree	88,000	93,000	1.06	
4.9	Lemon (Harvest)	VND/tree	300,000	318,000	1.06	
5	Construction materials	Announcement No,1049/CBLN-XD-TC dated 29/08/2013 issued by Inter Department of Construction-Finance of Quang Binh province				

No.	Item	Unit	Unit issued by PPC (VND)	Replacement cost (VND)	Different factor (time)	Remark
5.1	Cement					
5.1.1	Packed cement PCB30 Song Giang	VND/Kg	1,218	1,400	1,15	
5.1.2	Bulk cement PCB40 Anh Son	VND/Kg	846	1,000	1,18	
5.1.3	White cement	VND/Kg	5,000	6,000	1,20	
5.2	Sand					
5.2.1	Sand for filling foundation	VND/m3	16,000	20,000	1,25	
5.2.2	Yellow sand	VND/m3	90,000	110,000	1,22	
5.3	Stone					
5.3.1	Crushed stone 1 x 2	VND/m3	170,000	200,000	1,18	At Len AngAng Son mine
5.3.2	Green quarry Stone	VND/m3	105,000	120,000	1,14	
5.3.3	Crushed aggregated stone type 1	VND/m3	115,000	130,000	1,13	
5.3.4	Red and black Granit Stone	VND/m3	550,000	650,000	1,18	At Dong Hoi
5.3.5	White stone	VND/kg	1,800	2,000	1,11	
5.4	Brick					
5.4.1	Block Brick solid (210 x 100 x 65 x -M100)	VND/unit	600	800	1,33	
5.4.2	Block Brick with 1 hole (210 x 100 x 65 x -M50)	VND/unit	1,090	1,200	1,10	
5.4.3	Block Brick with 2 holes (210 x 100 x 65 x -M50)	VND/unit	1,340	1,500	1,12	
5.4.4	Ganitô Brick 300 x 300 with red	VND/unit	90,000	100,000	1,11	At Dong Hoi
5.4.5	Ganitô Brick 300 x 300 with gray	VND/unit	82,000	100,000	1,22	
5.5	Steel					
5.5.1	Steel stamping boxes, purlins with U-shaped	VND/Kg	18,000	20,000	1,11	
5.5.2	Shaped steel with edges >=50	VND/Kg	14,200	16,000	1,13	

No.	Item	Unit	Unit issued by PPC (VND)	Replacement cost (VND)	Different factor (time)	Remark
5.5.3	Plate steel with thick <=6mm	VND/Kg	14,500	16,000	1,10	
6	Wage					
6.1	Skilled worker	VND/day	-	220,000	-	
6.2	Unskilled worker	VND/day	-	150,000	-	

Appendix 5: Cost for compensation, assistance and resettlement by items

No.	Items	Quantity	Unit	Unit Price (VND)	Amount (VND)
I	Compensation for land	173,940			13,662,251,100
1	Garden land	15,099	m ²	35,000	528,479,000
2	Residential land	9,534	m ²	1,350,000	12,871,440,000
3	Aquaculture land	3,689	m ²	27,000	99,611,100
3	Forest land	86,400	m ²	8,000	691,200,000
4	Reclaimed land	9,416			
4	Other land (cemetary, pond and unused land)	49,801	m ²	-	-
II.	Compensation for crops and trees	9	ha	28,938,000	953,442,000
III	Compensation for houses and structures				19,166,205,600
3.1.	Houses	26	ea.		-
a	One-floor house	21	ea.		-
	- For HHs that have to relocate	2,974	m ²	3,000,000	8,923,120,000
	- For HHs that could repair or rebuild new house in the remaining land	597	m ²	3,000,000	1,790,480,000
b	Two-floor house	200	m ²	4,500,000	900,000,000
c	Temporary house	400	m ²	2,044,840	817,936,000

No.	Items	Quantity	Unit	Unit Price (VND)	Amount (VND)
3.2.	Other structures				
3.2.1.	Graves	379			-
a	Separate Graves	249			4,929,266,000
b	Family grave compounds.	130			562,250,000
3.2.2	Other structures (yard, fence, kitchen, etc.)				1,243,153,600
IV	Assistance				17,380,572,500
4.1	Assistance for garden land and aquaculture land (50% of the value of residential land)	18,789	m ²	675,000	12,682,372,500
4.2.	Assistance for relocation HHs that rebuild their houses in the remaining part of affected residential land				
	-Assistance for rental housing	19	HH	4,200,000	79,800,000
	- Assistance for transportation	19	HH	1,500,000	28,500,000
	- Assistance for life stabilization (one-floor house)	19	HH	9,000,000	171,000,000
	-Assistance for domestic electricity connection	19	HH	1,000,000	19,000,000
	-Assistance for telephone installation	19	HH	500,000	9,500,000
	Assistance for domestic connection	19	HH	1,500,000	28,500,000
4.2	Assistance for relocation HHs that relocate to resettlement site	33			-
	-Assistance for transportation	33	HH	3,000,000	99,000,000
	-Assistance for rental housing				-
	One-floor house	32	HH	8,400,000	268,800,000

<i>No.</i>	<i>Items</i>	<i>Quantity</i>	<i>Unit</i>	<i>Unit Price (VND)</i>	<i>Amount (VND)</i>
	Two-floor house	1	HH	12,600,000	12,600,000
	- Assistance for life stabilization				
	One-floor house	32	HH	9,000,000	288,000,000
	Two-floor house	1	HH	13,500,000	13,500,000
	-Assistance for domestic electricity connection	33	HH	1,000,000	33,000,000
	-Assistance for telephone installation	33	HH	500,000	16,500,000
	Assistance for domestic water connection	33	HH	1,500,000	49,500,000
4.3	Assistance for adjustment of LURC	150	HH	200,000	30,000,000
4.7	Assistance for vulnerable households	3	HH	25,000,000	75,000,000
4.8	Bonus for handing over on time	375	HH	5,000,000	1,875,000,000
4.9	Cost for prays before and after relocation of graves				-
	-Separate graves	249	ea.	1,000,000	249,000,000
	-Family grave compounds	130	ea.	10,000,000	1,300,000,000
4.10	Cost for ceremony a new house	52		1,000,000	52,000,000
	TOTAL				51,162,471,200

Appendix 6: Resettlement Due Diligence Report on Horizontal Road No.4 – Access Road to Nhat Le 2 Bridge

I. BACKGROUND

The Urban Environment and Climate Change Adaptation Project for Dong Hoi City, Quang Binh Province will be implemented in two communes, namely Bao Ninh and Phu Hai. The objectives of the project include (i) Climate proofed urban development and (ii) Improved wastewater management in the main city area.

Horizontal Road No. 4 is the road connects Nguyen Thi Dinh Road to Road No. 60 is one of the components of the Project. Construction of Access Road to Nhat Le 2 Bridge is not the project's component but the project funded Horizontal Road No.4 connects to the Bridge and makes the bridge to be full functional; therefore, construction of Access Road to Nhat Le 2 Bridge is an "associated facility". This project's component and the associated facility will be constructed in Bao Ninh Commune. Land acquisition, compensation; assistance and resettlement under the component and the associated facility have been carried out since May 2012 by Dong Hoi Centre for Land Fund Development (CLFD).

II. SCOPE OF IMPACTS OF LAND ACQUISITION BY THE COMPONENTS

The component of Construction of Horizontal Road No.4 impacted on a total area of 8,355.5 m² of lands in Bao Ninh Commune. Of total area of affected land, there were 2,913.7 m² of residential land; 3,782.5 m² of garden land; 134.8 m² of aquaculture land and 1,524.5 m² of land for other annual crops. The component causes no impact on paddy land of individuals or households. There were 24 households (96 family members) who were affected by the component, of which 15 households who have to relocate (11 HHs would relocate to resettlement site and 04 HHs would rebuild their house in the remaining part of the residential land). The component causes impacts on 2,685 trees and 110 m² of crops of 24 households. The impacts on structures included 619.63 m² of houses; 209.38 m² of kitchen; 139.64 m² of toilets and 1,249.17 m² of yard. The affected houses were with very simple construction materials. Most of affected households were with toled-roofs, simple timbered or toled-walls and bricked-floors.

Construction of Access Road to Nhat Le 2 Bridge impacted on a total area of 13,397.6 m² of lands in Bao Ninh Commune including 4,218.5 m² of residential land; 6,534.9 m² of garden land; 1,630.3 m² of aquaculture land and 1,013.9 m² of land for other annual crops. The component causes no impact on paddy land of households. There were 39 households (156 family members) who were affected by the construction, of which 18 households had to relocate to the resettlement site. The component causes impacts on 1,199 trees and 596 m² of crops of 24 households. The affected structures included 1,948.97 m² of houses; 160,59 m² of kitchen; 498.6 m² of toilets and 3293.11 m² of yard.

To resettle the affected households, a resettlement site was developed. Development of resettlement site acquired 19,708.1 m² of land of 89 households in Bao Ninh Commune. The affected land included 1,420.7 m² of residential land; 5,316.9 m² of garden land; 3,554.5 m² of aquaculture land; 9,416 m² of reclaimed land and 876.7 m² of land for other annual crops. There were 4,082 trees and 304.25 m² of crops of 60 households affected. Additionally, 431.61 m² of houses; 713.47 m² of yard; 79.42 m² of kitchen and 39.44 m² of toilets were affected by the land acquisition for resettlement site development. Of 89 affected households, 11 households have houses and structures affected and have to relocate. These households could rebuild their house in the remaining part of affected residential land plot.

The objectives of the Resettlement Due Diligence (RDD) are to examine (i) the

compliance of land acquisition, compensation, assistances and resettlement with the provisions of national laws and regulations; (ii) the requirements of the SPS and the extent to which these requirements have been satisfied by the components; and (iii) aspects where significant discrepancies exist between the observed outcomes of the land acquisition, compensation, assistances and resettlement implementation and the objectives of ADB Safeguard Policy Statement (SPS, 2009).

III. APPLIED POLICIES ON COMPENSATION, ASSISTANCE AND RESETTLEMENT

Detailed compensation, assistance and resettlement plans of the components were prepared by the CLFD of Dong Hoi City and approved in 2013. The policies that applied on compensation, assistances and resettlement for the constructions include:

- Land Law 2003;
- Decree No. 181/2004/ND-CP, dated on 29 October 2004 of the Government on the implementation of the Land Law;
- Decree No. 197/2004/ND-CP, dated on 03 December 2004 of the Government on compensation, assistance and resettlement when the State recovers land;
- Decree No. 84/2007/ND-CP, dated on 25 May 2007 of Government on supplementary regulations on issuing LURC, land acquisition, implementation of land use right, orders and procedures on compensation, assistance and resettlement when the State recovers land and settle grievances;
- Decree 69/2009/ND-CP, dated on 13 August 2009 of the Government on supplementary regulations on land use planning, land price, land recovery, compensation, assistances and resettlement;
- Circular No.14/2009/TT-BTNMT, dated on 1 October 2009 of the MONRE detailing the compensation, assistances, resettlement and order of and procedures for land recovery, allocation and lease;
- Decision No. 02/2010/QĐ-UBND, dated on 05 February 2010 of Quang Binh PPC on regulations on compensation, assistances and resettlement when the State recovers land in the areas of Quang Binh Province;
- Decision No. 22/2013/QĐ-UBND, dated on 16 October 2013 of Quang Binh PPC on amending, supplementing some articles of Decision No. 02/2010/QĐ-UBND, dated on 05 February 2010 of Quang Binh PPC on regulations on compensation, assistances and resettlement when the State recovers land in the areas of Quang Binh Province;
- Decision No. 31/2012/QĐ-UBND dated on 21 December 2012 of Quang Binh PPC on regulations on land prices and classification of road, positions in the areas of Quang Binh province in 2013;
- Decision No. 04/2013/QĐ-UBND dated on 01 March 2013 of Quang Binh PPC regulating prices of houses and structures for compensation when the State recovers land in Quang Binh PPC;
- Decision No. 05/2013/QĐ-UBND dated on 18 March 2013 of Quang Binh PPC on compensation unit prices of crops and trees and assistance for aquaculture, grave relocation when the State recovers land in Quang Binh PPC;

III. METHODOGY

The Resettlement Due Diligence (RDD) was conducted in September 2014. The methodology of conducting RDD was as followed:

- **Desk Review:** The relevant documents on compensation, assistance and resettlement for the components were collected and reviewed, including the Detailed compensation, assistance and resettlement plans for the components prepared by the CLFD of Dong Hoi city; Decisions of GOV and Quang Binh PPC that were applied for land acquisition, compensation, assistance and resettlement of the components; results of DMS and results of pricing; and the vouchers of payments. The desk review focused on the principles, requirements and provisions that envisaged in the documents and the actual implementation of land recovery, compensation, assistances and resettlement by the components.
- **Consultations with resettlement implementing agencies:** The PPTA conducted consultations with the PMU; the CLFD of Dong Hoi City and Bao Ninh CPC. The consulted issues revolved around the applied policies and the actual implementation of land recovery, compensation, assistances and resettlement by the components. List of consulted persons is presented in the Appendix 1.
- **In-depth interviews and focused group discussions with the affected households:** In-depth interviews and focus group discussions were conducted with 20 affected persons. The interviews/discussions focused on the implementation of compensation, assistances and resettlement; their income and livelihoods after land acquisition as well as the concerns, opinions, suggestions, outstanding issues raised by AHs on the process; and grievances of AHs relating land acquisition, compensation and assistance under the components. List of interviewed persons is presented in the Appendix 1.

IV. FINDINGS OF THE DUE DILIGENCE

4.1. Eligibility

According to the provisions of the government policies, compensation and assistances for affected land shall be made for individuals/households if they have (i) LURC; or (ii) Decision on Land Allocation by the competent agency as regulated by Laws; or (iii) have been using the land stably for a long-time, certified by CPC on there is no-dispute on the affected land.

For the components, those with legalisable land holdings were compensated. This included those with LURCs or eligible to obtain such. Based on the compensation records, affected households have no LURCs but have been using the land stably for a long-time (before the year 1991) without dispute on the land and the land use has been certified by the local authorities – these households were compensated for the loss of land and at the same compensation rate as those with LURCs. As in the detailed compensation, assistance and resettlement plans, all 152 affected households having land affected were entitled to land compensation.

For affected houses and structures, the compensation was compliant to the provisions of the national laws and Quang Binh PPC particularly the Decree 69/2009 and Decision No. 04/2013/QĐ-UBND, for which compensation for the affected houses and structures shall be in conformity with the unit prices of a newly built houses or structure with the same technical standard issued by the Ministry of Construction; and the newly built houses and other structures price is calculated by the area of the house/structure multiplied by the construction price that conformity with the unit prices of a newly built houses or structure – issued by the PPC following the regulations of the Government (Article 24, Decree 69/2009). All houses and structures affected by the components were compensated in compliance with the regulations of the national laws and the requirements of the SPS.

Results of in-depth interviews and focus group discussions with affected households

indicated that there are no complaints regarding non-eligibility for land compensation.

4.2. Information Disclosure, Consultations and Local Participation

CLFD of Dong Hoi Provincial City and Bao Ninh CPC held public consultative meetings to provide information regarding land acquisition, compensation, assistances and resettlement to the affected households and communities. The meetings were (i) to announce of the approved land use plan for the components; (ii) to discuss the schedule to carry-out the DMS; (iii) to respond to the questions of households on results of DMS and pricing and (iv) to discuss on the location and the area of plots in the resettlement site. The meeting participants were provided with PIBs. All the contents of public consultative meetings were recorded in minutes. Consulted people stated that the provided information was clear, easy to understand, useful and transparent.

Pricing results were posted in public places (headquarter of Bao Ninh CPC, village leader's houses and village cultural houses) and sent to the households for review and giving any feedback (if any).

During the process of land acquisition, compensation, assistances and resettlement, affected households and communities participated in the consultative meetings; DMS and discussions on the location and the area of plots of the resettlement site.

Information disclosure, consultations and local participations under the components were implemented in compliance with the GOV's regulations. More action, therefore, is not required.

4.3. Detailed Measurement Survey

The affected households were provided DMS self-enumeration form to fill-up. The form that was completed by each household presented all the affected lands and assets of the household and with signature of household head. The DMS team of the CLFD of Dong Hoi city conducted the detailed measurements after that to verify the impacts for the households with participations of the heads of the households, village leaders, representatives of Bao Ninh CPC, mass organizations and the CLFD. The agreed DMS records were with signatures of the affected households and enumerators.

The results of DMS was disclosed in the public places (headquarter of Bao Ninh CPC, village leader's houses and village cultural houses) and a copy of DMS result was provided to affected households. The households who participated in FGDs stated that they are satisfied with DMS results and also confirmed that the questions and complaints of the households on the DMS results were responded adequately on the field.

The implementation of DMS by the component was compliant with the provisions of the GOV's regulations. No more action therefore is required.

4.4. Pricing

Compensation unit rates for affected residential land followed the land prices regulated by Quang Binh PPC. Compensation unit rates for affected residential land are equal to land price in the resettlement site. However, relocation households stated that price of a plot in the resettlement site was higher than the actual value of the land because the position of a plot is not the same with this of the affected land, and the water in the resettlement site was contaminated and could not be used without water filtration system. The price should be by a half of compensation unit price. Therefore, up to August 2014, nine relocation households have not received compensation and assistance payment yet (refused

compensation and assistance).

Relocation households were provided with assistances including (i) assistance for relocation (1,000,000 VND per household or 100,000 VND per family member for 6 months); (ii) assistance for domestic electricity connection (1,000,000 VND per household); (iii) assistance for telephone installation (500,000 VND per household); (iv) assistance for domestic water connection (1,500,000 VND per household) or digging well (5,000,000 VND per household); (v) assistance for issue or adjustment of LURC (200,000 VND) and a(vi) assistance for life stabilization (30 kg of rice per person/month for all family members for 06 months for affected one-floor house and in 09 months for affected two-floor house).

Compensation for affected crops and trees based on the issued rates in the Decision No. 05/2013/QĐ-UBND of Quang Binh PPC. All the consulted households confirmed that the compensation rates made for affected annual crops/trees equal to the values of the productivities of the crops/trees in that harvesting year; for affected perennial trees, compensation unit rates equal to the values of the trees in the market at time of compensation. Affected households are satisfied with the applied compensation rates and there is no complaint on the rates.

Compensation for affected houses and structures followed the compensation rates regulated by Quang Binh PPC in the Decision No.04/2013/QĐ-UBND. According to the assessment of the affected households, the compensation unit rates for the affected houses and structures were the replacement costs at the time of compensation. Compensation for affected houses and structures was sufficient for relocation households to build new houses with the same structure as the status of pre-components

Results of focus groups discussions and in-depth views with affected households by the components indicate that bonus for handing over on time (5,000,000 VND per household the affected household) and assistances for vulnerable households have not yet been provided – this is a non-compliant issue with the provision of the government.

4.5. Compensation, assistance and resettlement

Compensation and assistance payment was made since April 2013. However, up to September 2014, there are still 09 relocation households affected by construction of Access Road to Nhat Le 2 Bridge who refused compensation and assistance payments.

Results of focus groups discussion with affected households indicated that AHs were paid compensation and assistance by one-time. For households who received plots in the resettlement site and paid for the plots, they were issued LURC with no cost. However, they had to pay fees for construction permit allocation that is 50,000 VND per household and the construction management fees that is 2,300,000 VND. For the construction management fees, the contractors should pay for the fees for building new houses in the resettlement site; however the households engaged groups of local residents to build their new houses so that the HHs paid this fee (about 2,300,000 VND per household)

All affected graves were moved to the cemetery of Bao Ninh Commune and the households who have graves affected did not have to pay for the land for reburial of graves. However, they have not been provided with cost for prays before and after relocation of graves, which has been specified in the Project Resettlement Framework.

4.6. Assistances for vulnerable households

According to the DMS and consultations with affected households and local authorities,

there is no vulnerable household that was impacted by the constructions of Horizontal Road No. 4 and the access road to Nhat Le 2 Bridge.

According to Decision No. 02/2010/QĐ-UBND of Quang Binh PPC, only poor households that have to relocate or lose from more than 30% of total productive land of households would receive cash assistance that is 5,000,000 VND per person. There is no provision on assistance for households that headed by female or the elderly or households with meritorious services to the revolution – therefore, the assistance were not provided.

Although, there are provisions on the GOV regulations on exempting and reducing cost for a plot in the resettlement site for households with meritorious services to the revolution (specified in Decree 120/2000/NĐ-TTg, Decision No. 118/1995/QĐ-TTg and Decision No.20/2000/QĐ-TTg) there is no document of Quang Tri PPC detailing the implementation of the provisions.

4.7. Income restoration program

All 44 relocation households (15 HHs who are affected by the component of Construction of Horizontal Road No.4; 11 HHs who are affected by construction of resettlement site and 18 HHs who are affected by construction of Access Road to Nhat Le 2 Bridge) are engaged in fishing and aquaculture farming on sea; in an addition, the households will resettle within their village; therefore, their income generation source is not affected. There is no household who have production land affected. Also, there is no vulnerable household affected by the construction. Income restoration program for relocation households, vulnerable households and severely affected households; therefore, is not required.

4.8. Preparation for Resettlement site

The resettlement site is just 800 m in distance from the affected areas has been developed for the affected households by the components of Construction of Horizontal Road No.4 and Construction of Access Road to Nhat Le 2 Bridge at the same time of commencement of Detailed Measurement Survey. Relocation households participated in public consultative meetings and were consulted about the location of the resettlement site.

Construction of the resettlement site acquired 20,584.8 m² of land of 89 households in Bao Ninh Commune and 11 households had to relocate due to the land acquisition. These households could rebuild their house in the remaining part of residential land. The affected households were compensated fully and timely. The relocation households were provided with assistance for housing rental; assistance for domestic electricity connection; assistance for domestic water connection; assistance for life stabilization and assistance for transportation.

Basic infrastructures (street-light system, electricity, access roads, drainage system...) have been constructed. The area of a plot is from 100 m² – 150 m² depending on the area of affected residential land. Cost for the plot in the resettlement site is equal to the compensation unit rate paid for the affected residential land. However, relocation households who participated in FGDs stated that water in the resettlement site is contaminated and could not be used without water filtration system and the land positions of plots in the resettlement site are the same with those of affected residential land. They are requesting the concerned agencies to consider reducing the cost for the plot by a half of the compensation unit rate for affected residential land.

4.9. Grievance Redress mechanism

Grievance redress mechanism were disclosed and consulted with affected households in public consultative meetings and via PIBs provided by PPTA consultants. During the implementation of land acquisition, compensation and assistance, nine (09) households who are affected by construction of Access Road to Nhat Le 2 Bridge lodged grievances on the price of the plots and the quality of drinking water in the resettlement site to Dong Hoi City CLFD. The CLFD of Dong Hoi City reported the grievances to People's Committee of Dong Hoi City for resolution. The cases are under review by the People's Committee of Dong Hoi City.

5.11. Gaps of Implemented Land Acquisition and Resettlement with Government's Regulations

The table below summarizes the gaps of implemented land acquisition and resettlement for the Construction of Horizontal Road No.4 and the Access Road to Nhat Le 2 Bridge with the Government's Regulations.

Areas	Gaps with Government's Policy	Gaps with project's resettlement framework	Descriptions
Eligibility	Compliant. Affected households who have no LURCs but have been using the land stably for a long-time (before the year 1991) without dispute on the land and the land use were compensated	Compliant. All affected households were eligible for compensation. There is no household that lodge grievance on eligibility for compensation	All AHs with LURC or eligible to have LURC allocated were compensated.
Information disclosure, public consultation and local participation	Compliant. CPCs of affected communes and ward held meetings to disclose component-related information. Pricing results and decision on approval of detailed compensation, assistance and resettlement plans were posted in the public places.	Compliant. Information on compensation, assistance and resettlement was disclosed and consulted with AHs, local community and concerned agencies sufficiently.	Information that was disclosed and consulted with AHs include (i) scope of the components; (ii) scope of impacts by the components; (iii) entitlements; (iv) schedule for the implementation of activities under the components and (v) grievance redress mechanism. Information disclosure was implemented through public consultative meetings, PIBs that were provided for AHs in the meetings and documents that were posted at public places. AHs participated in the DMS, review of pricing results and selection of resettlement site.
DMS	Compliant. DMS was carried out in compliance with orders and procedures as regulated by the GOV and Quang Binh PPC.	Compliant. Land and on-land assets affected by the components were measured adequately and correctly.	Each AH was provided self-enumeration form. DMS team measured and verified affected land and on-land assets. AHs, representatives of Bao Ninh CPC and the CLFD signed on the minutes of DMS. Concerns and complaints regarding DMS results were resolved on the field.
Pricing	Compliant. Compensation for land by the	Compliant. Compensation for	

Areas	Gaps with Government's Policy	Gaps with project's resettlement framework	Descriptions
	<p>provincially regulated price-frame but the price is market price. The compensation rate for residential land is equal to the price that HHs paid for the plot in the resettlement site.</p> <p>Compensation for affected houses and structures were the replacement costs; compensation rates made for affected annual crops/trees equal to the values of the productivities of the crops/trees in that harvesting year; for affected perennial trees, compensation unit rates were equal to the values of the trees in the market at the time of compensation</p>	<p>land and affected structures upon land by replacement cost; compensation for affected crops and trees by market rate.</p>	
Compensation, assistance and resettlement	<p>Incompliant. Relocation households had to pay fees for construction permit allocation; construction management fees.</p> <p>Assistances that have not been provided to the APs include: bonus for handing over the land on time (5,000,000 VND per household); Assistance for HHs that resettle in the remaining part of residential land; assistance cost for prays before and after relocation of graves; and price reduced for the plots for those who are with meritorious services to the revolution</p>	<p>Incompliant. Relocation households had to pay fees for construction permit allocation and construction management fees.</p> <p>Assistances that have not been provided to the APs include: bonus for handing over the land on time (5,000,000 VND per household); and assistance cost for prays before and after relocation of graves</p>	<p>Each relocation household had to pay construction management fee that is 2,300,000 VND per household and fees for construction permit allocation that is 50,000 VND when building a new house in the resettlement site.</p> <p>Households who have graves affected are not provided with cost for prays before and after relocation of graves that is equal to 1,000,000 VND.</p> <p>Bonus for handing over the land on time (5,000,000 VND per household) has not been provided.</p>
Assistance for vulnerable households	Not applicable.	Not applicable	There is no vulnerable household affected by the construction.
Income restoration program	Not applicable	Not applicable	No applicable as aforementioned
Preparation of RS	Incompliant. The quality of water in the RS is unsafe.	Incompliant. Cost for a plot in the RS is higher than the actual value.	Water in the RS is contaminated and could be used only with water filtration system

Areas	Gaps with Government's Policy	Gaps with project's resettlement framework	Descriptions
			<p>installed. It would cost the households by VND 15 million/household to install the system.</p> <p>The position of plots in the RS is not as good as this of affected residential land but the set-up price by the local authorities for the plot is equal to the compensation rate for affected residential land.</p>
Grievance Redress	<p>Incompliant. Nine (09) households who lodged grievances on price of plots in the RS the issue of unsafe water issue, but the response have not yet been provided.</p>	<p>Incompliant. Nine (09) households who lodged grievances on price of plots in the RS the issue of unsafe water issue, but the response have not yet been provided up to August, 2014.</p>	<p>This outstanding issue has not yet been solved for more than one year.</p>

V. CORRECTIVE ACTIONS PLAN

In order to ensure the full-compliance to the requirements of the Government's regulations and the ADB's SPS (2009), as well as to restore the income of the affected households – the corrective actions that required to be implemented as follows:

Issues	Activities	Time frame	Responsibility of agencies
Some assistances were not provided for households	<p>The CLFD is to provide bonus for handing over on time that is 5,000,000 VND per household for all AHs; assistance for HHs who resettle in the remaining part of residential land; and cash assistance for prays before and after relocation of graves.</p> <p>DOLISA of Dong Hoi Provincial City is to review whether AHs are households with meritorious services to the revolution and cooperate with the CLFD to provide assistance for reduction (20-50%) of price for a plot in the RS for households/people with meritorious services to the revolution.</p>	March 2015	PPU and CLFD of Dong Hoi City
The quality of water in the RS is unsafe.	As requested by the households, CLFD should propose to the City People's Committee to provide cash assistance to the household to install the filtration system by about 15,000,000 VND/household	March 2015	PPU and CLFD of Dong Hoi City
Price of plot in the RS is higher than the actual value of the land.	CLFD of Dong Hoi City should discuss with concerned agencies on the issue and respond officially to the HHs on the solution	March 2015	LCFD

VI. BUDGET FOR IMPLEMENTATION OF CORRECTIVE ACTIONS PLAN

The PPTA consultant discussed with the PPU and the CLFD on the actions plan and it was estimated that the budget required to implement the action plan is VND 680,900,000 equivalent to \$ 32,163. The table below presents budget for implementation of corrective action plan.

<i>No.</i>	<i>Items</i>	<i>Quantities</i>	<i>Unit</i>	<i>Unit price (VND)</i>	<i>Amount (VND)</i>
1	Bonus for hand over the affected land on-time for HHs affected by the Access Road to Nhat Le 2 Bridge	39	HH	5,000,000	195,000,000
2	Cost for prays before and after relocation of graves (26 graves of 7 households)	7	HH	1,000,000	7,000,000
3	Assistance for AHs by Access Road to Nhat Le 2 Bridge that resettle in the remaining part of affected residential land	7	HH		
	- Rental allowance	7	HH	1,400,000	9,800,000
	- Cost for ceremony a new house	18	HH	1,000,000	18,000,000
4	Assistance for AHs by Construction of Horizontal Road No.4 and the resettlement site that resettle in the remaining part of affected residential land				included in RP's budget
5	Assistance for water filtration system	26	HH	15,000,000	390,000,000
6	Assistance for fees for construction permit allocation	26	HH	50,000	1,300,000
7	Assistance for construction management fees in the RS	26	HH	2,300,000	59,800,000
	TOTAL				680,900,000

The budget for implementation of the corrective actions plan is from the counter-part fund. Quang Binh PPC is to allocate the budget timely for the action-plan implementation. The budget will be transferred from the state budget of Quang Binh PPC to the CLFD of Dong Hoi city to implement of the corrective actions plan. The PPU will cooperate with the PPC, People's Committee of Dong Hoi City and the CLFD of Dong Hoi city to ensure that the budget will be transferred timely and adequately for implementation of the actions plan.

Appendix 7: Questionnaire for households

QUESTIONNAIRE FOR HOUSEHOLDS IN PROJECT AREA

District/Quan:	Ward/commune:	Village/Hamlet:
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1. Basic Socio Demographic Information on Households

1.1 Name of the Interviewee: _____

1.2 Is the Interviewee the head of the household? 1- Yes 2 – No

1.3 Profile of the Household

1.4 Number of persons in the household (include only those who share the same eating and cooking arrangement): _____ persons

1.5 Profile of head of household and other household members:

Seq. (a)	Relation to the head of household (b)	Gender (c)	Age (d)	Marital Status (e)	Education (f)	Ethnicity (g)	Present Occupation (h)	Average Income per Month VND (i)
1	Head of hh							
2								
3								
4								
5								
6								
7								
8								
9								
10								

(Use the codes below)

Column	Variable	Code	
(c)	Gender:	1 - Male	2 - Female
(e)	Marital status	1 - Married 2 – Widow/widower	3 – Divorced 4 – Single
(f)	Education	1 – Illiterate/no schooling training 2 – Primary school graduate 3 – Secondary school 4 – High school 9- Other-----	5 – Technical/Vocational training 6 - College/University 7 - Master 8 – Doctor
(g)	Ethnicity	1 - Kinh / Vietnamese 2 - Hoa	3 – Other.....
(h)	Present Occupation	1 - Agriculture 2 – Aquaculture work 3 - Business owner 4 – Hired labourer 5 - Driver	6 – Government staff 7- Unemployed; looking for work 8 – Retired 9- Housewife 10- Other (specify)

1.6 Household poverty classification (MOLISA)

1 – Not poor 2 – Poor 3 – Very Poor

1.7 Does the household have members who are?

Woman-headed household=1; Single elderly=6
 Ethnic minority=2; Social policy household=7;
 Disabled=3; Severe chronic illness/condition=8;
 Wounded soldiers =4; VN mother heroes =9
 Martyrs=5

2. Information on the Household's Housing and Housing Facilities

2.1 Type of House Structure

1 – Two-storey house or more (flat roof or tiled-roof)	5 – one-storey house of brick wall and cottage roof
2 – One-storey house of flat proof	6 – wooden building
3 – One-storey house of bricked – wall and tiled-roof	7 – house on stilts
4 – One-storey house of temporary wall and tiled-roof	8 – thatched cottage, temporary house

2.2 Total floor area of the house: _____ m²

2.3 Legal status of the household on the land where the house is located:

- 1 – LURC or eligible to have LURC
- 2 – Leased, rented, borrowed or temporary use right
- 3 - No legal right/illegal squatter

2.4 Year when the house was built: _____

2.5 Water and Sanitation Facilities:

a.	Source of water – drinking / cooking: _____	1- Rain water	5- Purchased
b.	Source of water – washing / bathing: _____	2- Traditional / shallow well	6- Public tap
		3- Deep well water	7- Piped
c.	Sanitary facility	4- Canal, river, pond	8- Other
		1- Pit latrine toilet	3- Public
		2- Toilet in house	4- None
d.	Domestic waste water disposal	1- Public drainage system	
		2- Pond or Pit	
		3- Others	
e.	Garbage disposal	1. URENCO	
		2. Burn	
		3. Bury	
		4. Stream, lake, river or sea	
		5. Others	
f.	Source of energy – lighting	1- Electricity (from government)	6- Wood
		2- Private generator	7- Coal
		3- Car battery gas	8- Cylinder
g.	Source of energy – cooking: _____	4- Kerosene / gas	9-
		5- Paraffin / candle	10 - Other
		None	

Water Quality – Please tick which box fits.

Water resources	Good	Bad	Others
h. Rivers			
i. Piped Water			
j. Deep well /Shallow well			

Water pollution source - Please tick which box fits.

<i>Water resources</i>	<i>Domestic waste water</i>	<i>Industry</i>	<i>Agriculture</i>	<i>Others</i>
k. Rivers				
l. Piped water				
m. Deep well / Shallow well				

2.6. Land Used For Agriculture or Aquaculture

	<i>m²</i>	<i>LURC</i>	<i>Leased/Rented</i>	<i>"Informal"</i>
Rice Cropping				
Maize Cropping				
Other Cereal Crops				
Vegetable Growing				
Fruit Orchard				
Fodder Crops				
Fish Raising				
Prawn Farming				
Livestock Grazing				
Duck Raising				

2.8. Annual Production Output and Percentage of Output Sold Commercially

	<i>Kilogram Or Head</i>	<i>Spring Harvest</i>	<i>Autumn Harvest</i>	<i>Year Round</i>	<i>Marketed Commercially</i>
Milled Rice					
Harvested Maize					
Other Cereal Crops					
Vegetables Grown					
Fruit Picked					
Fish Caught					
Prawn Netted					
Piglets Raised					
Calves Reared					
Ducks Sold					

	<i>Kilogram Or Head</i>	<i>Spring Harvest</i>	<i>Autumn Harvest</i>	<i>Year Round</i>	<i>Marketed Commercially</i>
Chickens Sold					
Eggs Sold					

2.9. Fruit and Vegetables Grown

	<i>Kilogram</i>	<i>Seasonal</i>	<i>Year Round</i>	<i>Sold to Market</i>
Coconut				
Mango				
Pineapple				
Papaya				
Guava				
Morning Glory				
Chilli				
Cabbage				
Morning Glory				
Bean				
Tomato				
Lettuce				
Egg Pant				

3.0. Access to public facilities

<i>Facilities/Social service</i>	<i>1.Yes</i>	<i>2.No</i>	<i>1= under1 km</i>	<i>2= from 1 to 2 km</i>	<i>3= from 2 to 5 km</i>	<i>4= over 5 km</i>
a. Health Services						
1. Communal health center						
2. Hospital/General Clinic						
3. Private medical center						
4. Pharmacy						
b. Market						
c. Kindergarten and School						
5. Kindergarten						
6. Primary school						
7. Secondary school						
8. High school						
9. Community college/Vocational training						
d. Other Community Facilities						
10. Cultural communal house						
11. Pagodas, temples, churches						
12. Sport center,						

Facilities/Social service	1.Yes	2.No	1= under 1 km	2= from 1 to 2 km	3= from 2 to 5 km	4= over 5 km
stadium						

4. Water- borne Disease in the area

1 - Diarrhea 2 - Dysentery 3 - Dengue fever 4 - Malaria 5- Other Disease

5. Environmental Conditions

Air quality - Please tick ✓ which box fits.

Pollutant/Level	None	Minimal	Moderate	Significant
Noise				
Dust				

Air pollution source

Pollutant/Source	Transportation	Industry	Agriculture (burning of waste, livestock)	Others
Noise				
Dust				

Flooding

	1- Yes	2 - No		
Do you experience flooding on an Annual Basis?				
When it floods do you have to leave your house?				
How many days do you have to leave your house?				
Is your livelihood affected during this time?				
Can your children continue to attend school?				
Do you have to spend time and money to repair house due to flood damage?				
How much time and money did you have to spend as a result of the most recent flood?				
If yes, what years?	1- 2012	2- 2011	3- 2010	4 – Others
What are the possible causes?	1. No Drainage	2. Poorly maintained drainage system	3. Overflowing rivers or high tides during typhoons	4 Others

9. Household assets

a) Agricultural and Aquacultural Equipment

- Walking Tractor (Iron Buffalo) [] Number:
- 4 Wheel Tractor [] Number:

- Rice Harvester [] Number:
- Mechanical Thresher [] Number:
- Fish-rearing cages on river [] Number:
- Boat Used for Fishing [] Number:
- Large-scale fishing nets/traps [] Number:

b) Equipment for business purpose

- Glass cabinet [] Number:
- Chair and Table [] Number:
- Trolley [] Number:
- Fax, computer and printer [] Number:
- Other equipment [] Number:

c) Transportation

- Car [] Number:
- Motorcycle [] Number:
- Bicycle [] Number:
- Truck [] Number:
- Other vehicle [] Number:

d) Major Kitchen Equipment

- Gas Cooker [] Number:
- Electric Stove [] Number:
- Rice cooker [] Number:
- Other cooking equipment [] Number:

e) Other Household Consumer Durables

- Washing machine [] Number:
- Refrigerator [] Number:
- Radio [] Number:
- DVD player [] Number:
- Television [] Number:
- Mobile Phone (Android) [] Number:

f) General status of building

- Excellent [] Good []
- Fair [] Poor []

g) General condition of households furnishing such as furniture, cabinet, etc.?

- Excellent [] Good []
- Fair [] Poor []

10. Household Income and Expenditures

Source of income

a.	Source of <u>primary or largest</u> income	1- Agriculture 2- Trading – retail / wholesale 3- Services	7- Government/social assistance/pension
b.	Source of <u>second largest</u> income	4- Manual / daily labor 5- Wages / salary 6- Truck transport	8- Lease/property rental 9- Financial assistance from relatives 10- Other
c.	Responsible for <u>primary income</u> :	1- Household head alone 2- HH head + spouse 3- HH head + spouse + adult children	4- Adult children 5- Other

Amount of income

	Source	VND/month	VND/year
a.	Primary		
b.	Secondary		

	Source	VND/month	VND/year
c.	TOTAL (<u>ALL</u> sources)		

Household Expenditures

	Expenditure	VND/month	VND/year
a.	Food		
b.	Clothing		
c.	Health		
d.	Education		
e.	Religious/social/ceremony		
f.	Transport (bus fare, maintain, etc.)		
g.	Fuel		

Making Ends Meet (Management of Expenditure)

+ No saving (income is enough to balance expenditure) []
 + There is saving (income is more than expenditure) []
].....VND
 + Income is less than spending []

Outstanding Loans

BankVND; Lending purpose:
 Other Loan Provider VND; Lending purpose:
 Family/Neighbor/FriendVND; Lending purpose:

11. MEANS OF TRANSPORTATION

What kind of vehicle does your family use for traveling everyday?

- 1 – Walking
- 2 – Bicycle
- 3 – Motorcycle
- 4 – Car
- 5 – Bus
- 6 – Other kind of vehicle (in detail)

Date of Interview: _____
 Interviewed by: _____
 Checked by: _____

Interviewer's Notes: <hr/> <hr/>

Appendix 8: Term of References for External Monitoring Consultants

I. Back-ground

The Urban Environment and Climate Change Adaptation Project will be implemented in Hoi An City (Quang Nam Province) and Dong Hoi City (Quang Binh) Province of Viet Nam. The Project aims to support the Government of Vietnam and the project provinces to (i) improve wastewater collection and treatment, (ii) enhance flood protection and erosion control, (iii) protect water resources from saline intrusion, (iv) climate proofing urban development, (v) improve the financial sustainability of water and wastewater utilities and (vi) strengthen the capacity of existing government entities and urban environmental utilities.

For Dong Hoi City (Quang Binh Province), four project components will be supported by the Project, namely:

- Bao Ninh Waste-water System: Covering the communes of Bao Ninh and Phu Hai serving a total population of 12670 (including 1000 tourists) by 2020 and including 13,1 km of gravity sewer, 3.5 km of pumping main and 03 pumping stations;
- Bao Ninh Road Systems: Serving the new urban area of Bao Ninh and including one vertical roads of 2.9 km length and 36 m width and 04 horizontal roads of 2.5 km;
- Bao Ninh Sustainable Urban Drainage System: covering on site storm-water retention, storm-water infiltration through roadside 11.6 swales, and remediation of the 60m road drainage. Detention storage (1.6 ha) and connecting sewerage and final outfalls (7.0 km) to Nhat Le River.
- Bao Ninh Flood and Coastal Protection: including restoration and protection of 3.3 km of dunes and protection of a further 4 km of dunes by coastal zoning.

II. Scope of Impacts by the Components

Implementation of four project components would affect on 375 households; of which 33 households requires to be relocated; 19 households would rebuild their new houses in their remaining residential land and 03 households are considered vulnerable. None of affected households lose more than 10% of their total agricultural land holding. Of total affected households, 150 households are affected by loss of land and 225 households are affected by loss of graves and 07 households affected by both loss of land and graves.

The Project would permanently acquire 173,940 m² (17.3 ha) of different types of land including 9,534 m² of residential land of 59 HHs; 15,099 m² of garden land of 88 HHs; 86,400 m² of forest land of 7 HHs; 3,689 m² of aquaculture land of 08 HHs; 9,416 m² of reclaimed land of 35 HHs and 49,801 m² of other land such as cemetery, pond and used land managed by Bao Ninh CPC.

	<i>Residential land (m²)</i>	<i>Garden land (m²)</i>	<i>Forest land (m²)</i>	<i>Aquaculture land (m²)</i>	<i>Reclaimed land (m²)</i>	<i>Other land (cemetery land, pond, unused land) (m²)</i>	<i>Total affected land (m²)</i>
Vertical Road 36m and three	5,200	6,000	86,400			47,400	145,000

	<i>Residential land (m²)</i>	<i>Garden land (m²)</i>	<i>Forest land (m²)</i>	<i>Aquaculture land (m²)</i>	<i>Reclaimed land (m²)</i>	<i>Other land (cemetery land, pond, unused land) (m²)</i>	<i>Total affected land (m²)</i>
horizontal roads (1,2,3)							
Horizontal Road No.4	2,914	3,783		135		1,525	8,356
Resettlement site for Horizontal Road No.4 and Access Road to Nhat Le 2 Bridge	1,421	5,317		3,555	9,416	877	20,585
Total	9,534	15,099	86,400	3,689	9,416	49,801	173,940

The implementation of the project in Dong Hoi City would impact on 27,467 trees including 1,247 fruit trees; 25,085 timber trees (acacia, eucalyptus, etc.) and 1,135 other trees of 86 households and 414 m² of crops (vegetable, cassava, etc.) of 65 households in the project area. Besides, the project causes impacts on 4171.24 m² of houses/structure; 1962.64 m² of yard; 288.8 m² of kitchen; 129.64 m² of toilets. There are also 249 separate graves and 130 family grave compounds that would be affected by the project.

	<i>No. of HHs affected by loss of houses and structures (HH)</i>	<i>Of which</i>			<i>Total area of affected houses (m²)</i>	<i>Of which</i>					
		<i>Two-floor house</i>	<i>Grade 4 house</i>	<i>Temporary house</i>		<i>Two-floor house</i>	<i>Grade 4 house</i>	<i>Temporary house</i>	<i>Yard</i>	<i>Kitchen</i>	<i>Toilet</i>
Vertical Road 36m and three horizontal roads (1,2,3)	26	1	21	4	3120	200	2520	400			
Horizontal Road No.4	15		15		619.63		619.63		1249.17	209.38	90.2
Resettlement site for Horizontal Road No.4 and Access Road to Nhat Le 2 Bridge	11		11		431.61		431.61		713.47	79.42	39.44
Total	52	1	47	4	4171.24	200	3571.24	400	1962.64	288.8	129.64

III. Objectives of External Resettlement Monitoring

In conformity with ADB's SPS (2009) and related Vietnam laws and decrees, a Resettlement Plan was prepared as part of the feasibility study. The RP will be updated subject to the PPC and ADB concurrence once the detailed engineering design is available with a detailed measurement survey.

In order to help ensure that the approved RP is implemented, monitoring of land acquisition and resettlement activities will be pursued, internally by City People's Committee, Centre for Land Fund Development, and PMU, and externally by an independent body called the External Monitoring Agency (EMA). The EMA is expected to begin monitoring one (01) month after the commencement of RP implementation. The EMA will be engaged for a period of 16.5 person-months in total.

The main objectives of external resettlement monitoring and evaluation are to (i) monitor and evaluate if the Resettlement Corrective Action Plan is implemented properly for the component of Horizontal Road No. 4 - Access Road to Nhat Le 2 Bridge; (ii) conduct survey and collect socioeconomic data and resettlement data for the monitor and evaluation; (iii) monitor and examine whether or not the implementation of the RP is being carried out as planned and compliant with the Project Resettlement Framework and the approved Resettlement Plan; v) assess whether or not the mitigating measures identified and planned out in the RP are adequate in helping affected HHs restore their living standards (vulnerable HHs improve their livelihoods). In view of this, the EMA will conduct four (4) compliance monitoring visits during the RP implementation and one (01) follow-up socio-economic/living standard survey after completion of RP implementation.

IV. Issues and Indicators of External Resettlement Monitoring

The EMA will focus on the following specific issues and indicator:

DMS is carried out properly

Affected lands and assets shall be measured correctly; the results of DMS shall be disclosed publicly.

Complaints or questions of affected HHs on the DMS results shall be settled timely and satisfactorily.

Consultations with AHs and their knowledge on the entitlements

Relevant documents (RF, RP, decrees/decisions related to land acquisition, compensation, allowances and resettlement) shall be disclosed accessible to the affected HHs.

AHs are informed and consulted adequately about the land acquisition, and resettlement; schedule of resettlement implementation; income restoration, livelihood rehabilitation, and grievance redress mechanism.

Compensation and assistances provisions (cash for land or land for land compensation)

All AHs shall be compensated adequately and satisfactorily to replace assets affected before the land is acquired.

Compensation for structure affected shall be equal to replacement prices of materials and labor based on the standards and typical structures of works, and free from reduction or salvaging of old materials.

Affected business shall be compensated compliantly following the provisions in the approved RP.

All types of assistances/allowances in the approved RP shall be provided accordingly to

the affected HHs.

Selection and development of resettlement sites

Resettlement sites are selected (location, price of the plot, etc.) and developed (lay-outs, infrastructures provisions, etc.) with full consultations with the resettlers, including host-communities.

Resettlement sites are with sufficient infrastructure; relocation of AHs is fully completed before civil work is commenced.

Selected resettlement site(s) is suitable for livelihood rehabilitation and development.

Income restoration and livelihood development

Provided assistances for production development (trainings, job creation, etc.).

Assess restoration of production of AHs, particularly of severe AHs, relocation AHs and vulnerable AHs.

Assess level of income restoration, living standard and livelihood development of the affected HHs after land acquisition and compensation/resettlement. Monitor problems that AHs are facing on restoring the affected income and livelihoods.

Level of AHs satisfaction

Assessing the level of satisfaction of AHs in different aspects in RP implementation (information dissemination and public consultation, DMS, compensation payment, compensation unit rate, resettlement site selection and development, rehabilitation measures and recovery of living conditions etc.).

Assessing the level of satisfaction of AHs on the grievance mechanism and grievance redress.

Coordination between the resettlement activities and construction schedule

Civil works can only be started when (i) land acquisition and resettlement activities (compensation, assistance and relocation) for the specific location have been completed; (ii) agreed rehabilitation measures are in place; and, (iii) the acquired land is free from any encumbrances and no pending complaints and grievances are left unresolved.

Gender Issues

Participations of women in various land acquisition and resettlement activities; impacts of land acquisition and resettlement on women's livelihoods; issues of income restoration of women.

V. Monitoring Methodology

Desk Review: The EMA will review the relevant laws and decrees of the Government and of the Provincial People's Committee of Quang Binh Province on land acquisition and resettlement. The documents for desk review include the ADB's SPS 2009; the Project Resettlement Policy Framework; the approved updated resettlement plan; internal resettlement monitoring reports, and project progress reports including any resettlement progress reports, etc.

Field assessment: Based on the DMS data, for each monitoring visit, the consultant shall carry-out questionnaire survey with 100% of severely AHs; 100% of vulnerable households and 20% of marginal AHs by random sampling for all those compensated during that monitoring time. In addition, the EMA shall also conduct in-depth interviews and group-discussions with key-informants, severely affected households and vulnerable households. Consultations on the issues of land acquisition and resettlement shall also be

conducted with PMU, affected communities, local authorities, concerned agencies and mass-organizations.

Post resettlement evaluation: The methodology for post resettlement evaluation will be based mainly on comparison of the socio-economic status of affected households following displacement and their socio-economic conditions prior to displacement. For this purpose, a follow-up socio-economic survey (100% of severely AHs; 100% of vulnerable households and 20% of marginal AHs of all affected households) will be conducted by the EMA to find out the living standards of affected households six-months following completion of RP implementation. If the findings of the study would indicate that the objectives of the RP have not been achieved, the EMA will propose appropriate additional measures to help affected households rehabilitate themselves to at least their pre-project situation (for the vulnerable households to improve their income).

The sample size and monitoring methodology will be specified in more detailed in the Inception Report of the EMA and based on the actual magnitude of subprojects.

VI. Frequency of Monitoring

Regular Monitoring: The EMA will carry out one (01) monitoring in the year 2015; and three (03) monitoring in the year 2016. A total of four regular monitoring will be carried out in the field.

Post Resettlement Evaluation will be carried out in the year 2017.

Mobilization the EMA will depend on the progresses of land acquisition and resettlement activities of subprojects.

VII. Outputs

The EMA will submit to PMU the following reports:

Inception Report: 01 report (with 5 copies of English version and 8 copies of Vietnamese version).

Monitoring Report: 04 reports for four regular monitoring (with a total of 20 copies of English versions and 32 copies of Vietnamese versions)

Analyzed socioeconomic survey of the post-resettlement evaluation: 1 set (with 5 copies of English version and 8 copies of Vietnamese version).

Post-Resettlement Evaluation Report: 01 report (with 5 copies of English version and 8 copies of Vietnamese version).

PMU will share the reports to the ADB, City People's Committee, centre for land fund development, commune/ward people's committee and relevant agencies. The reports will be posted in public places and in ADB's website.

VIII. Qualification and required Experience of EMA

The EMA can be an organization, a consulting firm, or an agency that have competent professions locally. The candidate must have experience on resettlement monitoring for projects funded by international funding agencies (WB, ADB or JICA). EMA recruitment shall be in accordance with the Consultant Quality Selection (CQS) in compliance with ADB guidelines.

The EMA shall mobilize 2 experts who have qualifications on social science such as community development, sociology, gender, anthropology, migration, economic, etc. and

propose one team leader who is qualified in profession, English command and managerial competence to undertake the general responsibilities of the consultant team and to work with relevant agencies. The requirements on qualifications and work experiences of each of the EMA team members as below.

Team Leader (4.5 *person-months*): shall have intensive and extensive knowledge in the Sociology/Anthropology, have at least 10 years of working experiences, 5 years of working experience in RP monitoring or having involved in RP preparation/monitoring plan in at least 5 internationally funded projects. The position is required a bachelor degree on Sociology/Anthropology, and preference is given to the higher education degree. The Team leader is required with knowledge on basic computer skills and a good command on English (listening, speaking, reading and writing)

Community development expert (4.5 *person-months*): The expert on community development shall have knowledge and skills in community development, public consultation and have at least 7 years of working experience, having involved in RP monitoring in 03 internationally funded projects. The position is required a bachelor degree on Sociology/Anthropology/Community Development and preference is given to the higher education degree. Preference is given to a candidate who has knowledge on basic computer skills and a good command on English (listening, speaking, reading and writing).

Supporting staffs (7.5 *person-months*): The supporting staffs will have experiences in surveying, collecting and analyzing information and data, conducting consultations, managing data and have good computer skills in relevant software.