

# Resettlement Plan

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## VIE: Second Human Health Resources Development Project

Ha Nam - HMU

Prepared by Ministry of Health for the Asian Development Bank (ADB).

## **CURRENCY EQUIVALENTS**

(as of July 2018)

USD \$1 = VND 22,855

## **ABBREVIATIONS**

ADB	Asian Development Bank
AHs	Affected Households
APs	Affected Peoples
CPC	Commune People's Committee
DONRE	Department of Natural Resources and Environment
DOLISA	Department of Labour, Invalids and Social Affairs
DMS	Detailed Measurement Survey
EA	Executing Agency
ESU	Environmental and Social Unit
GOV	Government of Vietnam
HHRDP	Health Human Resource Development Project
IA	Implementing Agency
IEE	Initial Environmental Examination
IMU	Internal Monitoring Unit
IRP	Income Restoration Plan
IZ	Industrial Zone
JSC	Joint Stock Company
LURC	Land Use Right Certificate
MOH	Ministry of Health
HMU	Hanoi Medical University
HCMCUMP	Ho Chi Minh City University of Medicine and Pharmacy
LFDC	Land Fund Development Centre
ODA	Official Development Assistance
PCs	Peoples' Committee
PCM	Public Consultant Meeting
PMB	Project Management Board
PPC	Provincial People's Committee
PSC	Project Support/Implementation Consultant
RCS	Replacement Cost Study
RP	Resettlement Plan
SCB	Site Clearance Board Phu Ly City
SES	Socio Economic Survey
SPS 2009	Safeguards Policy Statement (2009)
TOR	Terms of Reference
TRTA	Transaction Technical Assistance Consulting Firm (VK Architects and Engineering, in association with Polo Architects and Ecorem)

## NOTES

- (i) The fiscal year of the Government of Viet Nam ends on 31 December.
- (ii) In this report, "\$" refers to United States dollars.

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## DEFINITION OF TERMS

<b>Affected Persons (APs)/Affected Households (AHs)</b>	Mean 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, water resources or any other moveable or 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 displacement. APs residing under one roof and operating as a single economic unit are collectively referred to as an affected household (AH).
<b>Compensation</b>	Payment in cash or in kind for an asset or a resource that is acquired or affected by a Project at the time the asset needs to be replaced.
<b>Cut-off date</b>	This refers to the date prior to which the occupation or use of the Project area makes residents/users eligible to be categorized as Affected Persons. In this Project, the cut-off date will be the date of official informs the issued notice of land acquisition. Persons who are not identified during the census before the cut-off date will not eligible for compensation and other entitlements.
<b>Detailed Measurement survey (DMS)</b>	With the aid of the approved detailed engineering design, this activity involves the finalization and/or validation of the results of the inventory of losses (IOL), severity of impacts, and list of affected households earlier done during RP preparation. The final cost of resettlement can be determined following completion of the DMS.
<b>Displaced Person (DP)</b>	Displaced persons are those who are physically displaced (relocation, loss of residential land, or loss of shelter) and/or economically displaced (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.
<b>Economic Displacement</b>	Loss of land, assets, access to assets, income sources or means of livelihood 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.
<b>Eminent Domain</b>	The right of the state using its sovereign power to acquire land for public purposes. National law establishes which public agencies have the prerogative to exercise eminent domain.
<b>Entitlements</b>	Refers to a range of measures comprising compensation, income restoration support, transfer assistance, income substitution, relocation support, etc. which are due to the APs, depending on the type and severity of their losses, to restore their economic and social base

<b>Inventory of loss</b>	Is the process where all fixed assets (i.e., lands used for residence, commerce, agriculture, including ponds; dwelling units; stalls and shops; secondary structures, such as fences, tombs, wells; trees with commercial value; etc.) and sources of income and livelihood inside the Project right-of-way (ROW) are identified, measured, their owners identified, their exact location pinpointed, and their replacement costs calculated. Additionally, the severity of impact to the affected assets and the severity of impact to the livelihood and productive capacity of APs will be determined.
<b>Livelihood Restoration</b>	Re-establishing livelihood of the displaced persons to enable income generation equal to or, if possible, better than that earned by the displaced persons before the resettlement.
<b>Meaningful Consultation</b>	A process that (i) begins early in the Project preparation stage and is carried out on an ongoing basis throughout the Project cycle; (ii) provides timely disclosure of relevant and adequate information that is understandable and readily accessible to affected people; (iii) is undertaken in an atmosphere free of intimidation or coercion; (iv) is gender inclusive and responsive, and tailored to the needs of disadvantaged and vulnerable groups; and (v) enables the incorporation of all relevant views of affected people and other stakeholders into decision making, such as Project design, mitigation measures, the sharing of development benefits and opportunities, and implementation issues
<b>Resettlement</b>	Means all social and economic impacts that are permanent or temporary and are (i) caused by acquisition of land and other fixed assets, (ii) by change in the use of land, or (iii) restrictions imposed on land, as a result of a Project.
<b>Replacement Cost</b>	Replacement cost involves replacing an asset at a cost prevailing at the time of its acquisition. This includes fair market value, transaction costs, interest accrued, transitional and restoration costs, and any other applicable payments, if any. Depreciation of assets and structures should not be taken into account for replacement cost. Where there are no active market conditions, replacement cost is equivalent to delivered cost of all building materials, labor cost for construction, and any transaction or relocation costs.
<b>Socio-Economic Survey (SES)</b>	The SES focuses on income-generating activities and other socioeconomic indicators. Although preliminary information can be gathered from secondary data sources, socioeconomic information needs to be supplemented with information obtained from surveys. A SES can be carried out on a sample that should cover 20% of severely affected households and 10% of marginally affected households. This serves for presenting baseline information on household income, livelihood patterns, standards of living and productive capacity.
<b>Vulnerable Group</b>	These are distinct groups of people who might suffer disproportionately or face the risk of being further marginalized by the effects of resettlement and specifically include: (i) female headed households with dependents, (ii) disabled household heads, (iii) households falling under the national poverty standard, (iv) children and the elderly households who are landless and with no other means of support, and (v) landless households, and (vi) ethnic minorities.



<b>Severely Affected Households</b>	Households who will be affected by the Project land acquisition and will either (i) lose 10% or more of their total productive (income-generating) assets; or (ii) have to relocate due to the Project implementation.
<b>Poor Households in rural areas</b>	Households that either have a monthly income per capita of lower than VND 700,000 or have an income per capita between VND 700,000 and VND 1,000,000 and have assigned <b>at least</b> three of the indicators that measure deprivation of access to basic social services, according to Decision No. 59/2015/QĐ-TTg promulgating multidimensional poverty levels applicable during 2016-2020 (DoLISA).
<b>Near Poor Households in rural areas</b>	Households that have a monthly income per capita between VND 700,000 and VND 1,000,000 and have assigned <b>less than</b> three of the indicators that measure deprivation of access to basic social services, according to Decision No. 59/2015/QĐ-TTg promulgating multidimensional poverty levels applicable during 2016-2020 (DoLISA).

## EXECUTIVE SUMMARY

### A. Background of the Project

1. In response to the request of the Government of Viet Nam (the Government) through the Ministry of Health (MOH), the Second Health Human Resources Development Project (SHHRDP) will assist Viet Nam achieve universal health coverage (UHC) and progress toward meeting health-related sustainable development goals (SDGs) through increased supply of health workforce skilled to provide quality services at the local health care level.

2. MOH requested the construction of new campuses for Hanoi Medical University (HMU) in Ha Nam province and Ho Chi Minh City University of Medicine and Pharmacy (HCMCUMP) in Dong Nai province. The project will support HMU and HCMCUMP become internationally accredited centers of excellence in health education and professional training. Given the proposed scope of the master plans for a health science facility, investment and construction will be undertaken in phases. The proposed SHHRDP loan will provide \$80 million financing for Phase 1 development of master plans of HMU and HCMCUMP, respectively. Each university will receive an allocation of about \$40 million. The scope of Phase 1 encompasses required elements to operate a health education and training facility for undergraduate and graduate students as well as continuing medical education (CME) for health professionals. Phase 2 of two new campuses will be invested later by the government budget that will be proposed by Ministry of Health after 2020 in medium term budget for the items such as hospital, research center, infrastructure and auxiliary structures for two main items.

3. Project is designed and proposed with three main outputs as follows. Only output 1 will involve land acquisition and resettlement:

- Output 1: Health education facilities in HMU and HCMCUMP campuses constructed.
- Output 2: Responsiveness of graduates to community health needs strengthened.
- Output 3: Quality of health workforce in disadvantaged communities enhanced.

### B. Sub-Project description

4. The “Construction of Second Campus of Hanoi Medical University” in Ha Nam province is one of two structural components under the proposed Project. The development of HMU second campus Phase 1 that is proposed for ADB support will be located in plots TH08, TH09, TH10, TH11 and NT10 with an area of approximately 16 ha (161,889 m<sup>2</sup>) in the Nam Cao University Complex, Ha Nam Province.

5. In 2011, HMU signed a Memorandum of Understanding with Ha Nam People’s Committee on the handover of 80-100ha of land in Duy Tien District, Ha Nam Province for Hanoi Medical University to build a second campus. This land area is located within the 800ha Nam Cao University Complex and the area was chosen in accordance with Decree No. 16/2016/NĐ-CP on the relocation of universities and colleges within the inner city of Hanoi. On May 3 2018 an official letter was issued for the acceptance of the HHRDP2, according to which Mr. Pham Binh Minh agreed to propose the Project as per the MPI letter No. 2808/BKHDT-KTDN, with full collaboration of MOH, the two Universities involved and other relevant entities. On June 11, 2018, Ha Nam PPC issued a Notice of Location for construction of the second campus of HMU in the area of 80ha belonging to Nam Cao University Complex according to Decision No. 261/TB. Phase 1 of the campus development, which will be supported under the current proposed Project, will occupy only 16ha (161,889 m<sup>2</sup>) within this 80ha area.

### C. Scope of Land Acquisition and Resettlement

6. Socio-Economic Survey (SES) was carried out in May and June 2018 to collect primary and secondary socio-economic data of affected communes and project-affected households. The Inventory of Loss (IOL) was conducted in parallel with SES for all potential affected households in the project area. A rapid replacement cost study (RCS) was conducted via consultations with local authorities, affected households and non-affected households on recent land transactions.

7. This Resettlement Plan (RP) has been prepared based on the result of IOL, SES and RCS conducted in 02 villages of Tien Tan commune that will be covered under the Project.

8. Land acquisition for construction of the HMU campus Phase 1 will affect 125 households (430 affected persons) and Tien Tan CPC. The total land acquired will be 162,177 m<sup>2</sup> in which 101,298m<sup>2</sup><sup>1</sup> is agricultural land of 125 households (430 APs), 12,282 m<sup>2</sup> of agricultural land<sup>2</sup> managed by Tien Tan CPC, and 48,597m<sup>2</sup> public land for irrigation canals and foot trails. No houses, secondary structures or religious and historical buildings will be affected by the Project. There will be no physical displacement of people. There are 31 severely affected households (121 APs) due to losing 10% and more of their total productive land holding where they are directly cultivating. Out of 125 affected households, 09 households (13 APs) are identified as belonging to vulnerable groups, including 02 poor households, 01 disabled-headed household, 03 female headed households with dependent, 02 elderly without support, 01 social martyr (veteran). 01 household (2 APs) is both severely affected and vulnerable household.

9. At this stage, it is estimated that land acquisition for construction of the HMU campus Phase 1 will affect 101,298m<sup>2</sup> of crops of 125 households; however, impacts on crops will be avoided during implementation by informing households well in advance of the date of handover so they can harvest any standing crops and/or make an informed decision about whether or not to plant new crops on the land. Besides the impact on land and crops of households, the Project will also affect 36 concrete culverts, 352.4 m of class 2 canals of Phu Ly city; 1,188.3m of class 3 canals and 1,842m of on-farm canals managed by the commune and villages.

#### **D. Legal framework and project policy**

10. The legal and policy framework for compensation, assistances and rehabilitation under the Project are defined by the relevant laws and regulations of the Government of Viet Nam and the ADB Safeguard Policy Statement (SPS, 2009). Objectives of the project's policy are to avoid, or, if not possible to avoid, minimize resettlement impacts, restore income and livelihoods of affected households and improve living standards of poor and vulnerable affected 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 the provisions of the Decree No. 16/2016/ND-CP, dated 16th March 2016 on Official Development Assistance (ODA) Management and Use.

11. The Entitlement Matrix was developed in consultation with local authorities at the commune level, affected households in the project area, relevant provincial departments of Ha Nam PPC, and Phu Ly City PC. Compensation for affected land and structures will follow the principle of replacement cost. The compensation for affected crops and trees will be at market rate. An income restoration program will be provided by the Project for severely affected and vulnerable affected households.

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<sup>1</sup> Agricultural land of households includes the remaining land (288m<sup>2</sup>) of two SAHs in Mac village whose remaining land is not viable for cultivation.

<sup>2</sup> This land is the buffer zone (corridor with width of 50cm) surrounding the edge of land plots and no specific households cultivate on such land

## **E. Disclosure, Public consultation and participation**

12. Consultations, public meetings, and village discussions with APs and local officials were carried out during the social impact assessment, IOL survey and resettlement planning process from March to June 2018. Two meetings were organized in commune to introduce the objective, scope of project and potential impacts, to consult local authority on provincial regulations for land acquisition, compensation and assistance packages, mitigation measures for adverse impacts, concerns of local people, and compensation options, with the participation of 135 households and representatives of CPC, mass organizations and village leaders. Four (04) consultation meetings with similar contents were also held with local authorities in Phu Ly City PC and relevant provincial departments of Ha Nam province. Draft RP was consulted with MOH, HMU, local authority, affected households and local community from 4th to 6th July 2018. The following topics were consulted: (i) Results of the IOL; (ii) Project resettlement policy; (iii) Grievance Redress Mechanism; (iv) Participation mechanisms during RP updating and implementation; (v) Cut-off Date; (vi) Contact persons from the executing agency (EA) and implementing agency (IA) if stakeholders have any questions.

13. Concerns and suggestions raised by the affected persons were elicited and incorporated into the draft RP. The grievance redress mechanism is designed and has been disclosed to people to ensure that APs' concerns and grievances are addressed and resolved in a timely, culturally appropriate and satisfactory manner. Further public consultations and information disclosure will be conducted during project implementation. APs will be made fully aware of their rights verbally and in writing during consultations, surveys, and at the time of compensation

## **F. Grievance Redress Mechanism and ADB Accountability Mechanism**

14. To ensure that all affected persons' grievances and complaints on any aspect of land acquisition, compensation and resettlement are addressed in a timely and satisfactory manner and that all possible avenues are available to affected persons to air their grievances, a well-defined grievance redress mechanism (GRM) is described in the RP. All affected persons can send any questions to resettlement implementing agencies (Phu Ly Land Fund Development Center, Compensation and Resettlement Board, CHPMU) about their rights in relation to the Project Resettlement policy, entitlements, compensation, allowances and income restoration programs. Affected persons are not required to pay any fee for the filing of grievance and complaints at any level of the GRM and court. The Executing Agency (EA) – MOH will shoulder all administrative and legal fees that might be incurred in the resolution of grievances and complaints. Complaints will undergo possible resolution at various levels such as Commune People's Committee (CPC), Phu Ly City People's Committees (City PC), and Ha Nam Provincial People's Committee (PPC) before these grievances and complaints can be elevated to a court of law as a last resort. However, APs are entitled to lodge complaints regarding any aspect of the preparation and implementation of the RP without prejudice to their right to file complaints with the court of law at any point in the process. Affected households, if not satisfied with the results of redressing complaints at the Project GRM level, may lodge a complaint directly to the Southeast Asia Department via Vietnam Resident Mission Office in Hanoi. In line with the ADB Accountability Mechanism (2012), if affected households are still not satisfied with the Southeast Asia Department's response, they may access the Office of the Special Project Facilitator.

## **G. Income restoration strategy**

15. Income restoration strategy and alternatives for livelihood restoration have been consulted with local authority at commune level and livelihood organizations in Ha Nam such as Division of Labor, Invalids and Social Affairs; Division of Agriculture and Rural Development in Phu Ly city, Agricultural

Extension Center, and with severely affected and vulnerable households. During project implementation, the income restoration program will be developed in detail with further consultations with eligible affected households.

#### H. Resettlement Budget and Financing Plan

16. Based on the results of the rapid RCS, IOL and entitlements for compensation and assistance, the estimated cost for resettlement is 29,801,502,552VND (equal to 1,302,229USD), subject to finalization based on the detailed measurement survey and replacement cost study. This tentative budget includes compensation, allowances, cost for resettlement implementation (2% of cost of compensation and allowances), cadastral mapping, recruiting RCS consultant and contingency. MOH and HMU will ensure the timely provision of counterpart funds for resettlement to meet any unforeseen obligations in excess of the resettlement budget estimates in order to satisfy resettlement requirements and objectives.

#### I. Institutional Arrangement

17. MOH will be executing agency and will assign the Central Health Project Management Unit (CHPMU) as implementing agency to provide overall project management including of land acquisition and resettlement (LAR). CHPMU will be directly responsible for internal monitoring of RP implementation. Ha Nam PPC will be responsible for land acquisition and resettlement within its administrative jurisdiction. Phu Ly City Peoples Committee is implementer of compensation, assistance and resettlement, and will establish the Compensation and Resettlement Board (CARB) and Task Force Team to provide support in implementing land recovery, compensation, assistance and resettlement following the requirements in the approved RP. Resettlement specialists (consultants) will be mobilized to support CHPMU in RP updating, implementation and monitoring.

#### J. Monitoring

18. Based on the level of impact, project is categorized as Cat B on Involuntary Resettlement according to ADB SPS 2009, therefore no external monitoring agency is required and engaged. Only internal monitoring will be required. The implementation of the RP will be monitored regularly to ensure that it is implemented as planned and that mitigating measures designed to address the project's adverse impacts are adequate and effective. Towards this end, resettlement monitoring will be done through community monitoring and internal monitoring.

19. The CHPMU will serve as the Project internal monitoring body. As such, the CHPMU will maintain a file of all data gathered in the field, including a database on the affected households. The CHPMU will submit social monitoring reports on a semi-annual basis to the MOH and ADB on the implementation of the RP.

#### K. Implementation Schedule

20. The table below summarizes the steps and tentative implementation schedule of LAR for the Project in Ha Nam Province:

Activities	Timeline
<b>Preparing RP</b>	
Conduct IOL, SES, RCS at the site	3-6/2018
Conduct consultations with affected people, local community and CPC	3 – 6/2018
Conduct consultations with relevant stakeholders	3 - 6/2018

Prepare the Draft RP	5 – 6/2018
Consultation draft RP with relevant stakeholders	7/2018
Endorse final draft RP by PPC and approve by ADB	9/2018
Disclose the approved RP on ADB website and disclose locally to APs and communes	9/2018
<b>Implementing RP</b>	
Detailed engineering and demarcation of land to be acquired	3-12/2020
Conduct Public consultation meeting with APs before DMS	12/2020
Conduct RCS, DMS and prepare draft compensation plans	1-2/2021
Update the RP based on results of DMS, RCS and consultations	2/2021
Approval for Updated RP by ADB and PPC	3/2021
Compensation plan approved and compensation and allowance provided to AHs	4-5/2021
Site Clearance and land handed over to contractor	5-6/2021
Commencing civil works	7/2021
<b>Monitoring</b>	
Internal monitoring on the implementation LAR and RP	Begin 12/2020
Semi-annual social monitoring report to ADB	6/2021 onwards

## CHAPTER 1. PROJECT DESCRIPTION

### A. Project description

1. The Second Health Human Resources Development Project consists of the construction of Phase 1 of two new campuses for the enlargement of the capacity of Hanoi Medical University (HMU) and Ho Chi Minh City University of Medicine and Pharmacy (UMP). A Project Loan will finance the civil works, in addition to a grant which will be used for the soft component of the Project. Investment in infrastructure development is fundamental since these Universities cannot accommodate the increasing number of students. Investments made from the grant will help improve the quality of training in accordance with international standards. Phase 2 of two new campuses will be invested later by the government budget that will be proposed in medium term budget by Ministry of Health after 2020 for the items such as hospital, research center, infrastructure and auxiliary structures for two such main items.

2. The Project is in line with policies of the Political Bureau of the Central Committee Communist Party of Vietnam (Politburo) and the Government on fundamental and comprehensive reform of education following Resolution No. 22/NQ-TW dated 10 April 2013 on international integration and Directive No. 15/CT-TTg dated 7 July 2015 on continuing the implementation of the Politburo's Resolution No. 22/NQ-TW on international integration. The Project is in accordance with the Prime Minister's Decision No. 37/2013/QD-TTg dated 26 June 2013 on adjusting the planning of the network of universities and colleges in the period 2006-2020 with priority given to the construction of internationally recognized universities/colleges. The Project will help Hanoi Medical University to meet criteria for a research-oriented university in accordance with Decision 73/2015/ND-CP dated 8 September 2015.

3. The overall objective of the Project is to assist the Government of Vietnam to reach the target of universal health coverage and progress towards meeting sustainable development goals through an increase in the supply of qualified workforce in health sectors to appropriately respond to changes in Vietnam's epidemiological and demographic model. This Project will significantly contribute to the general health state of the country by:

- Increasing the number of medical graduates to meet the demand in health workforce in the country and address any constraints to reach the target of universal health coverage;
- Diversifying the scope of the training programs and majors to accommodate the demographic and epidemiological changes that the country is experiencing;
- Ensuring the future quality of health services by training students in accordance with international standards;
- Strengthening Research and Development (R&D) capacity in medical engineering and technology, and technology transfer.

4. The specific objective of the Project will be to help develop Hanoi Medical University and the University of Medicine and Pharmacy of Ho Chi Minh City to become two universities of health sciences to meet international standards, by assisting the construction of the universities' second campus. These campuses will improve the quality of health education and training in these Universities and strengthen the accreditation for medical training in these two cities. The Project includes three outputs:

- **Output 1: Health education facilities in HMU and UMP campuses constructed.** The project will complete construction of classroom, clinical teaching, ancillary support, and administration facilities under phase one of HMU and UMP's campus master plans, increasing the annual student intake capacity of each university by approximately 6,600 undergraduate

students. Output 1 will support (i) detailed engineering design of phase one infrastructure for each campus that incorporates gender responsive design features; (ii) site preparation and construction of the phase one infrastructure; and (iii) supply of classroom, laboratory, and clinical teaching equipment.

- **Output 2: Responsiveness of graduates to community health needs strengthened.** The project will strengthen training programs at HMU and UMP to equip graduates with the requisite skills and experience in-line with the community's evolving health needs (footnote 17). Output 2 will: (i) conduct community-based diagnostic assessments of health needs and the behavioral, social, and environmental determinants of health inequality; (ii) review and update curriculum for key degree programs incorporating findings of the diagnostic assessments and benchmarked against international curricula and quality standards; (iii) strengthen pedagogical capacity of faculty members to deliver the revised curriculum. A model of student rotations in rural and urban LHC facilities servicing poor and vulnerable populations will be piloted. The model serves the dual function of strengthening health service delivery for these target populations while providing students with the clinical exposure and professional linkages to facilitate their return to work in LHC on graduating. LHC facilities in pilot sites will be supplied with clinical and tele-mentoring equipment, including clinical equipment specific to health issues affecting women.
- **Output 3: Quality of health workforce in disadvantaged communities enhanced.** The project will strengthen HMU and UMP's capacity to provide professional development to existing health workforce in remote and disadvantaged locations. Output 3 will: (i) develop CME modules, based on findings of the community diagnostic assessments, covering primary health care linked topics including modules specific to the health needs of women; (ii) equip LHC facilities in remote areas to support both e-learning and onsite CME delivery; (iii) pilot the delivery of CME for LHC workforce in remote areas via combined distance learning and face-to-face modalities; and (iv) evaluate the pilot to inform MOH policy on CME certification.

## **B. Objective of Resettlement Plan**

5. Only Output 1 of the Project will require land acquisition and resettlement. The objective of the Resettlement Plan is to minimize foreseeable negative impacts and ensure mitigation and compensation measures will help displaced persons to improve or at least restore their livelihoods to the pre-Project levels and the standards of living of the displaced poor and other vulnerable groups are improved. To accomplish this, the Resettlement Plan will: (i) describe the Project's affected areas and adverse impacts on affected people; (ii) determine affected people's rights and entitlements to compensation and support based on the replacement cost principle and the Project resettlement policy; (iii) describe Project's procedures for compensation and support, including the grievance redress mechanism; (iv) develop income restoration strategy and; (v) describe institutional arrangements and financial requirements to implement resettlement activities and monitor the implementation of the Resettlement Plan.

## **C. Scope of Works**

6. The component "Construction of Second Campus of Hanoi Medical University" in Ha Nam province is one of two structural components under the proposed Project. A master plan for development of Second campus of Hanoi Medical University for period 2020-2030 was approved in decision 3680/QĐ- BYT dated 02 Oct 2009. The whole campus development initiative will occupy approximately 80ha of agricultural land situated in three villages of two communes in Phu Ly city, Ha Nam province including Mac and Truc Son villages in Tien Tan commune and Phu Thu village in Tien Hiep commune, as part of the 800ha Nam Cao University Complex.



7. The development of HMU second campus Phase 1 that is proposed for ADB support will be located in a 16-hectare area. The location of HMU second campus is shown in Figure 1 below. Works to be constructed under Phase 1 include:

- Administration building;
- Lecture and research halls;
- Sport halls
- Dormitories;
- Living Building for teachers
- Auxiliary structures
- Infrastructure: inner roads, lighting system, water supply, water treatment facilities

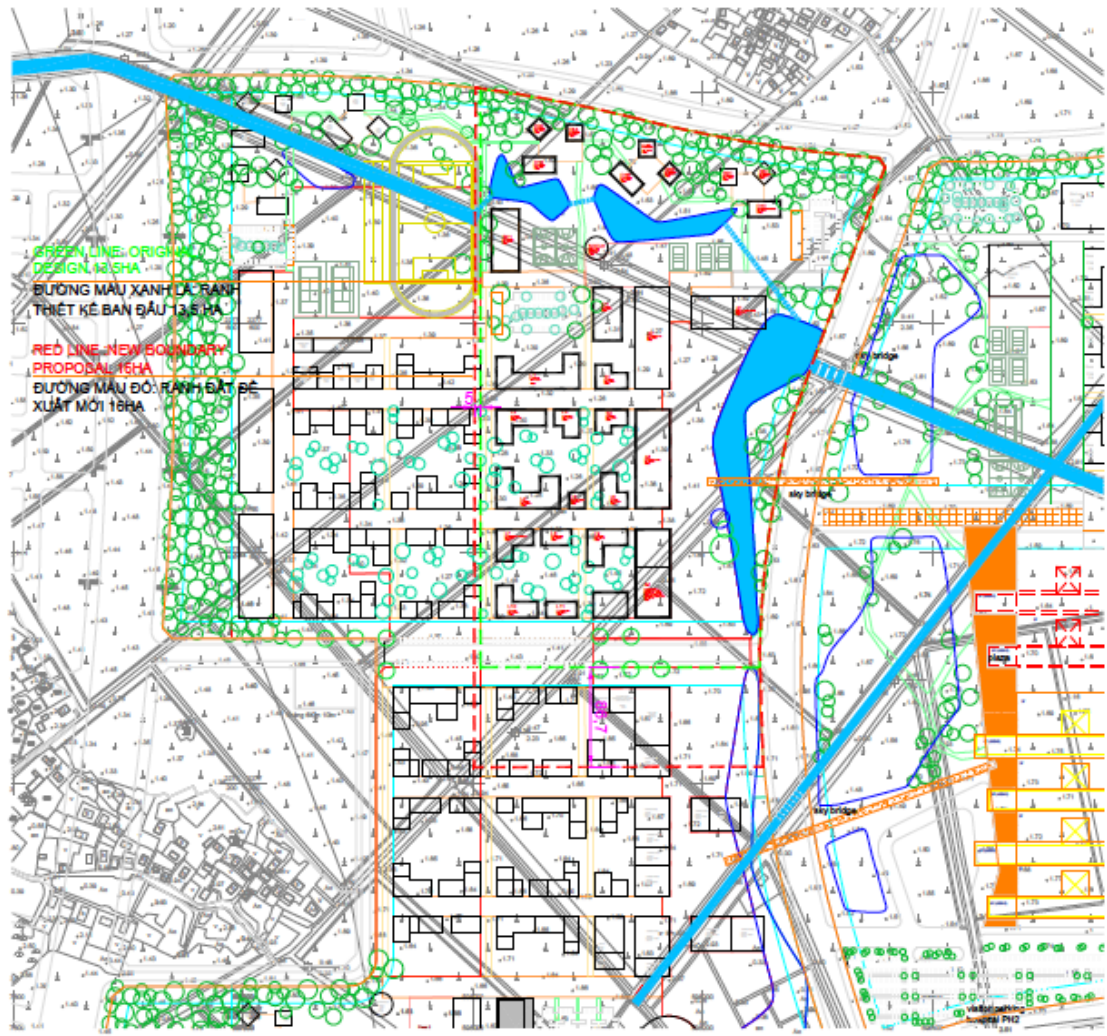


Figure 1: Location of Phase 1 development of HMU Second Campus

#### D. Design Alternatives to Minimize Involuntary Resettlement

8. The productivity of rice fields in the area is low and for that reason, people are in favor of the development of the Project. Several locations for Phase 1 development were studied, so that the expected impacts to the surrounding communities, existing infrastructure and cultural heritage elements could be avoided as much as possible. The residential area and cemetery locations were studied and excluded from the boundary of the Project to minimize the impact on houses, buildings

and graves of households.

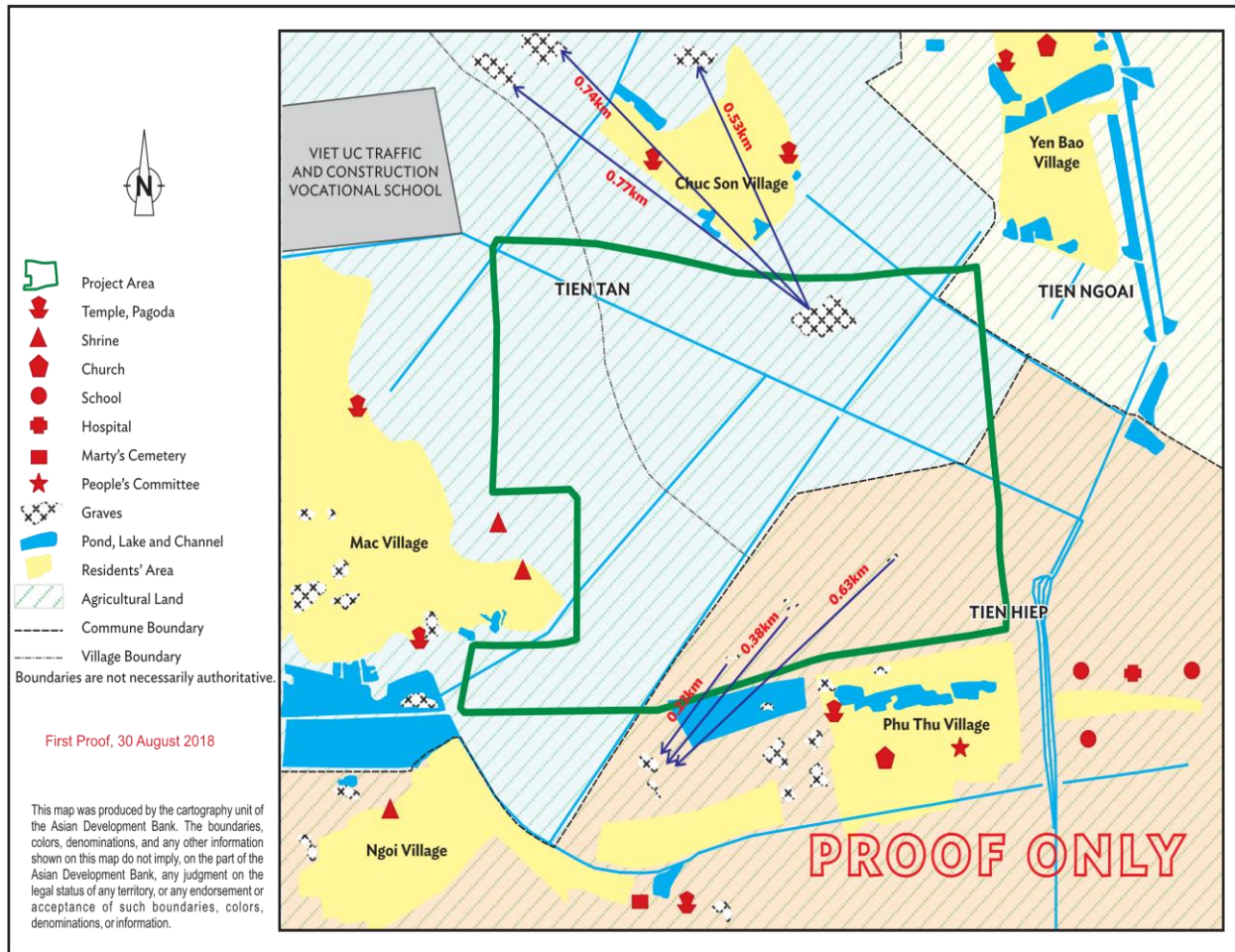
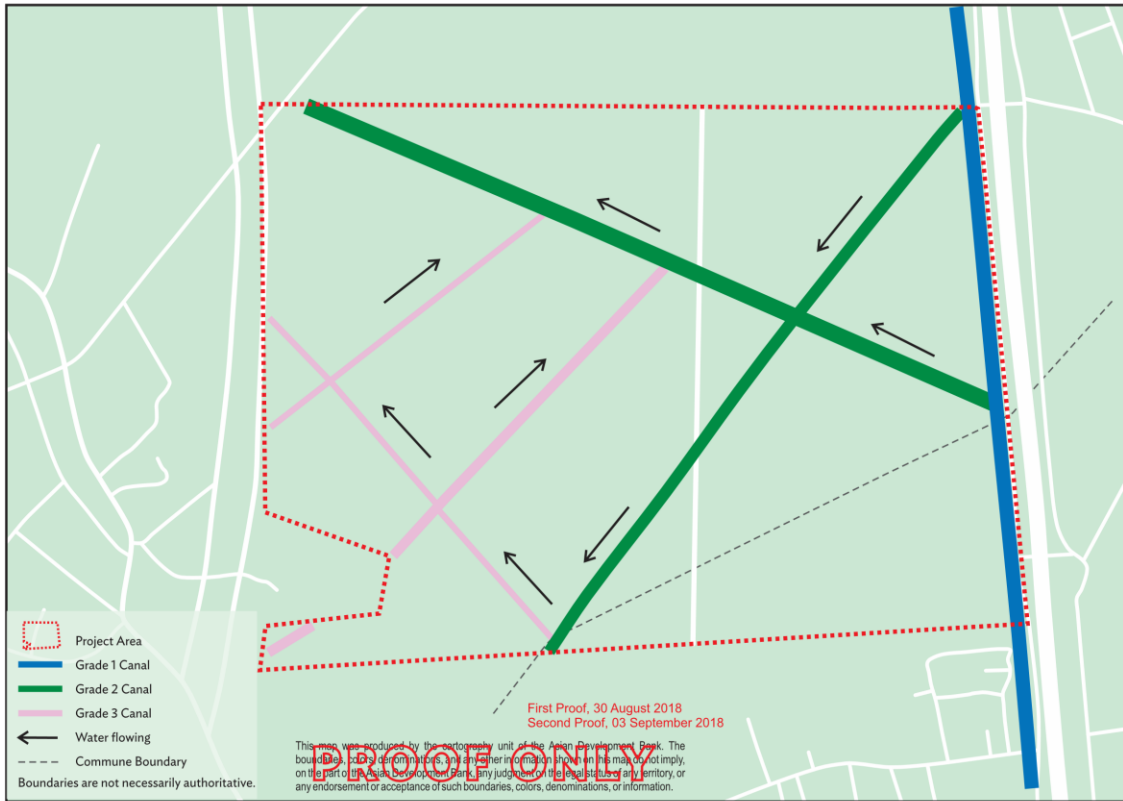


Figure 2: Map showing the site of graves avoided by the Project.

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9. There is a road built inside the Project area to improve connectivity, but it will not be affected by Phase 1, however, some class 1, class 2 and on-farm canals will be affected and the water connectivity to surrounding fields may see some non-significant changes. Such canals shall be realigned and reconstructed to ensure the irrigation system for the fields outside the project area. During construction, a temporary solution shall be provided to avoid the disruption of the water supply, such as installing temporary pipes to ensure the water flow, pumping water to the fields based on the water demand of local community.



**Figure 3: Map with indication of water flows inside the canals in the area. (Phase 1 area and road)**

10. For all potential impacts during construction and operation phase, mitigation measures will be proposed in the Initial Environmental Examination Report and in Environment Management Plan later. Provisions in such documents should be strictly followed by Contractors to minimize adverse impacts to local community and households.

## CHAPTER 2. SCOPE OF LAND ACQUISITION

### A. Survey process

11. The social impact assessment (SIA) was conducted in March, May and June 2018 in Tien Tan commune. The SIA consisted of census and inventory of loss (IOL) for all AHs and socioeconomic survey (SES) of 125 AHs within the project area. Additionally, a rapid replacement cost study (RCS) was carried out.

12. Census and Inventory of loss (IOL) were done for all affected households, organizations based on the preliminary design and boundary of Phase 1. Agricultural land and other lands to be acquired were identified through referencing of commune cadastral records. Affected crops were determined based on the area of affected agricultural land and field survey. The amounts indicated for area of land loss and affected crops will be validated during the detailed measurement survey (DMS) that will be done when the final site boundaries and detailed technical design is approved.

13. Socioeconomic survey (SES): The SES was conducted by collecting socioeconomic information of affected households (demographic characteristics of AHs, their income and livelihood, occupation, education levels, vulnerability and their concerns) through direct interviews. The survey also collected statistical data of the commune from its 2017 annual socioeconomic reports. The SES was carried out for all AHs including 100% of severely affected households and 100% of vulnerable affected households.

14. Replacement cost study (RCS): The purpose of the rapid RCS was to collect information on replacement costs of land, crops, and non-land assets in the project area, to calculate the budget for land acquisition. In future, during the detailed measurement survey, a replacement cost study will be carried out by an independently qualified and experienced appraiser to determine the unit prices for individual types of asset affected by project. These will be submitted to PPC for approval. Such unit prices will be the basis for calculating compensation packages for AHs.

### B. Potential Land Acquisition and Resettlement (LAR) Impacts

#### *Impacts on households*

15. According to the IOL, the project will affect 125 HHs (430 APs) of 2 villages in Tien Tan commune, Phu Ly city. All of them will be affected by loss of agricultural land. Thirty-one (31) HHs (121 APs) were identified as severely affected as they are directly cultivating and thus earn income from the land and will lose more than 10% of their total productive land holding. There are no impacts on residential land. No ethnic minority household is found in project area. 09 affected households (13 APs) belong to vulnerable group including 02 poor households, 01 disabled-headed household, 03 female-headed households with dependent, 02 elderly headed-households without support, 01 social martyr (veteran).

16. Besides the impact to the households, the project will also affect 352.4 m of class 2 canal of Phu Ly city; 1,188.3 m of class 3 canals and 1,842 m of on-farm canals managed by the commune and villages.

**Table 1: Impacts on Households of HMU Phase 1**

No.	Village/Commune	No. of AHs	No. of APs	No. of Severely AHs		Vulnerable AHs	
				No. of AHs	No. of APs	No. of AHs	No. of APs
1	Truc Son Village (Tien	75	264	9	43	5	7

	Tan commune)						
2	Mac Village (Tien Tan commune)	50	166	22	78	4	6
	<b>Total</b>	<b>125</b>	<b>430</b>	<b>31</b>	<b>121</b>	<b>9</b>	<b>13</b>

Source: IOL data

### **Impact on land**

17. The project will require a land area of 162,177 m<sup>2</sup> in which 101,298 m<sup>2</sup> is agricultural land of 125 households, 12,282m<sup>2</sup> is agricultural land managed by the commune as the buffer zone (corridor of 50cm) surrounding the edge of land plots (no specific households cultivate on such land), and 48,597m<sup>2</sup> public land (irrigation and transport/footpath land). All affected households have land use right certificate (LURC) for their affected agricultural land.

**Table 2: Summary of Impacts on Land for HMU Phase 1**

<b>N o.</b>	<b>Village</b>	<b>AHs</b>	<b>APs</b>	<b>Agricultural land of households (m<sup>2</sup>)</b>	<b>Agricultural land managed by CPC (m<sup>2</sup>)</b>	<b>Transport/ Irrigation land (m<sup>2</sup>)</b>	<b>Total land acquired (m<sup>2</sup>)</b>
1	Truc Son Village (Tien Tan commune)	75	264	31,466	3,187	15,163	49,816
2	Mac Village (Tien Tan commune)	50	166	69,832	9,095	33,434	122,361
	<b>Total</b>	<b>125</b>	<b>430</b>	<b>101,298</b>	<b>12,282</b>	<b>48,597</b>	<b>162,177</b>

Source: IOL data

Note: agricultural land of households includes the remaining land (288m<sup>2</sup>) of two SAHs in Mac village whose remaining land is not viable for cultivation.

### **Impacts on Crops and Trees**

18. The main plantation in the area is of rice crops, cultivated in two seasons. In surveyed villages, not all affected households are cultivating on land. Only 72 out of 125 households informed that they are cultivating on their land therefore only such households will be entitled for the assistance for job change and creation. The remaining households allow their relatives or neighbours to cultivate on it for free (there is an overlap between these households and the identified AHs; any additional cultivating households not counted among the AHs will be identified during the DMS). According to IOL result, the Project may affect 101,298m<sup>2</sup> of rice of 125 households (please refer to the below paragraph on how impacts on crops will be avoided). The buffer zone surrounding the edge of the land plots of households is managed by CPC and there is no cultivation on it, therefore such area will not be measured as affected area of crops. This was confirmed by Cadastral staff of CPC.

19. Impacts to crops will be avoided by discussing the date of handover well in advance with affected households, so they can make an informed decision about harvesting of crops or whether to plant further on the affected land. In the event that standing crops are destroyed by the project prior to harvesting, AHs will be compensated for these at prevailing market rates. Nevertheless, in line with practical procedure of other projects in Tien Tan commune, AHs losing agricultural land will also be compensated for crops on land. Thus, compensation for crops based on the area of affected agricultural land is included in this RP.

**Table 4: Summary of Impact on Crops**

Village/Commune	Rice (m <sup>2</sup> )	Number of AHs
Truc Son Village (Tien Tan commune)	31,466	75
Mac Village (Tien Tan commune)	69,832	50
<b>Total</b>	<b>101,298</b>	125

Source: IOL data

### **Impacts on Houses and Structures of households**

20. The IOL identified 100% agricultural land inside the project area. There will be no houses or structures of households affected by this Project since the land is used for rice cultivation only.

### **Impacts on public assets**

21. The proposed project will impact on the irrigation canals that were built by local government, or to which local people contributed the labor and cost for maintenance and improvement. Phu Ly city manages class 1 and class 2 canals and Tien Tan commune and villages manages class 3 and on-farm canals. For the project, the local authority indicated a total of 352.4m of main canals (class 2), 1,188.3m of Class 3 canals and 1,842.0m on-farm canals, 30,524m<sup>2</sup> of trails and 19 concrete culverts with different dimensions that will need compensation. Project shall provide the budget to restore main canal system (class 2 canal and class 3 canal, including all related costs: design, supervision), and incorporate the cost in the total budget for land acquisition of Project. Summary of impacts on public assets is shown in the table below. Furthermore, project design includes the following features in order to avoid disrupting the water flow to farmland outside the project area:

22. The Phase 1 site affects one main dual-purpose irrigation/drainage canal which runs east-west-east. The canal will be completely removed but the water flow will be not interrupted as the east and west ends of the existing canal will be joined through a system of lakes and pipes. At the east side of the site, the canals have already been interrupted by the new north-south road that bisects the site however, water from the canal passes under the road through two large drainage culverts (about 1.8m diameter). On the west side of the road these will now empty into a large lake that runs down much of the Phase 1 site frontage. To the north west is a smaller lake, this will be linked to the large lake by two pipes like those under the road. This smaller lake will be linked to even smaller lake to the west, by two further pipes, and then this smallest lake will be linked to the west part of the existing canal by two more pipes. This technical solution has been consulted with CPC and commune cadastral officer. According to the Commune's Cadastral Officer this arrangement will be sufficient, and no further arrangements are necessary for the other smaller canals around the site. However, to provide an additional safeguard, allowance has been for a small canal (2m wide by 1 to 1.5m deep) to be made along the full-length of the western and southern boundaries of the site, set back 1m from the boundary edge. While all the canals on these two sides of the site are minor and do not need the link to the disrupted portion of the main canal, this additional boundary canal would provide an alternative route of flow for them. During construction, construction of the the abovementioned lakes and pipes will be prioritized and done in parallel with ground leveling to avoid disruption of the water supply. The requirement for construction of lakes and pipes that can avoid the water disruption will be requested in EMP and Bidding document. Based on it, Contractor can propose proper construction method

**Table 5: Summary of Impact on public assets**

No	Commune / Village	Concrete culvert	Class 2		On-farm	Trails (m <sup>2</sup> )	Accretion of land
.							

		D	No	Length	canal (m)	Class 3 canal (m)	canal (m)		for canal and road on farm (m3)
1	Truc Son Village (Tien Tan commune)	3D80, 4D60	7	27	0	329.9	893.3	-	-
2	Mac Village (Tien Tan commune)	D40	12	36	352.4	858.4	948.7	-	-
	<b>Total</b>		<b>19</b>	<b>63</b>	<b>352.4</b>	<b>1,188.3</b>	<b>1,842.0</b>	<b>30,524</b>	<b>42,828</b>

Source: IOL data

23. Beside the allocated budget for restoring main irrigation canals, local community requested Project to compensate them for the volume of excavation and backfilling soil used to build class 3 canal and on-farm canals and foot path/trails to the fields as other projects did, because the local people had to contribute labor force and pay annual fees for constructing and maintaining such community assets (calculated by m3 of soil). It is estimated that the total volume is about 42,828 m3.

### Impacts on Livelihood and Income sources

24. Although local people still cultivate rice in the Project area, the proportion of income from rice cultivation is of lesser importance as compared to other income sources. Here, the productivity is between 300 - 350kg per 360m2. The rice price is around 10,000VND/kg. The households may lose about 3,500,000 VND/season, or about 7,000.000 VND/year (308 USD) for each 360m2. However, land acquisition for the project will severely affect 31 households (121 persons). The severity of impact on livelihood and income of such households are summarized in the table below.

**Table 6: Impacts on livelihood of affected households by severity**

No	Commune/ village	Severity of impacts on agricultural land (losing 10% and more of total production land holding of households who are cultivating on land)							
		10% - < 30%		30% - 70%		> 70%		Total	
		No. of AHs	No. of APs	No. of AHs	No. of APs	No. of AHs	No. of APs	No. of AHs	No. of APs
1	Truc Son Village (Tien Tan commune)	7	29	4	20	2	6	13	55
2	Mac Village (Tien Tan commune)	5	17	9	30	4	19	18	66
	<b>Total</b>	12	46	13	50	6	25	31	121

Source: IOL data

Note: Among 6 households who will lose 70% and more productive land holding, the remaining land of two households in Mac village is not viable for cultivation and is supposed to be acquired (288m2).

25. Among severely affected 31 households, 04 households including Nguyen Thi Luan - 63 years old (6 household members) , Nguyen Thi Nga/Vu Van Ngoc – 54 years old (3 household members), Bui Van Khao – 45 years old (6 household members) and Nguyen Thi Que – 50 years old (5 household members) will be particularly severe as total or almost productive land will be acquired and the remaining land is not viable for economical cultivation.. Such households shall be consulted thoroughly on the income restoration measures during the implementation phase.

## **Impacts on Vulnerable Groups**

26. Out of 125 affected households, 09 households are considered as vulnerable in the Project area including 02 poor households, 07 others belong to vulnerable group including 01 disabled-headed household, 03 female headed households with dependents, 02 elderly headed households without support, 01 social martyr (veteran). Affected households belonging to vulnerable groups will receive additional support from Project as described in the entitlement matrix. One vulnerable household is also severely affected household.

**Table 7: Vulnerable households**

<b>Village/Commune</b>	<b>Poor Household</b>	<b>Other vulnerable households</b>	<b>Total Vunerable AHs</b>
Truc Son Village (Tien Tan commune)	1	4	5
Mac Village (Tien Tan commune)	1	3	4
<b>Total</b>	<b>2</b>	<b>7</b>	<b>9</b>

*Source: IOL data*

## **CHAPTER 3. SOCIOECONOMIC INFORMATION**

### **A. Socio-Economic condition of Project Area**

27. Two villages in Tien Tan commune will be affected directly by this Project; namely, Mac Village and Truc Son Village.

28. Tien Tan commune is bordered by Tien Noi commune in the north, Tien Hai commune in the south; Tien Hiep commune in the east and Quang Trung commune in the west. According to statistics of 2017, Tien Tan commune has 1,769 households with about 5,917 people. There are 598ha of agricultural land, of which 573ha are for rice. There are 3,668 employed people, 45% is linked to agriculture while 55% is non-agricultural work. The average annual income per capita in 2017 was about VND 35,000,000 (1,537USD). More than 1,000 households from this commune have had land recovered under the development of other Projects. Tien Tan commune has two villages within the Project area, i.e. Mac village and Truc Son village. There is a graveyard with 350 to 400 family graves nearby, and some scattered graves on the remaining area. Under this Project there will be no affected graves. However, there are some class 2, class 3 and on-farm canals and trails in the rice fields inside the Project area.

29. According to statistics of the People's Committee, Tien Tan commune consists of 713 households who are considered as vulnerable. Out of which 600 households are headed by women, 32 are near-poor households, 22 are poor households and 59 households have martyrs & wounded soldiers.

30. In Tien Tan commune, there are many enterprises that are operating that can create job opportunities for local people in the commune.

### **B. Affected Households Information**

31. All 125 affected households were surveyed with a questionnaire and interviews and only two poor households were identified. Sixty-one households are of middle economic level and 62 HHs are well-off.



32. As per the results of the Socio-Economic Survey (SES) of 125 AHs, 56 land-owners are women accounting for 44.8% while 69 land-owners are men accounting for 55.2%. The average size of households in project area is 3.44.

**Table 3: Gender of household heads and household size**

No.	Commune / Village	No. of AHs	Head of the surveyed AHs		Members of the surveyed AHs			Average Household Size
			Male	Female	Male	Female	Total	
1	Mac village	50	24	26	99	67	166	3.32
2	Truc Sơn village	75	45	30	158	106	264	3.52
	<b>Total</b>	<b>125</b>	<b>69</b>	<b>56</b>	<b>257</b>	<b>173</b>	<b>430</b>	<b>3.44</b>

Source: SES

33. Out of 125 household heads, most of interviewed household heads (103) are over 50 years. No head of household is below 30 years old. It is very difficult for affected heads to change the occupation or find the job in local enterprises in industrial zone (IZ) surrounding the commune.

**Table 9: age of heads of affected households**

HMU Phase 1 Project	<18 years old	18-30	31-50	51-60	> 60 years old	Total
Mac village	0	0	6	11	31	48
Truc Sơn village	0	0	7	43	18	68
<b>Total</b>	<b>0</b>	<b>0</b>	<b>13</b>	<b>54</b>	<b>49</b>	<b>116</b>

Source: SES

34. Large number of affected household members are aged over 50 years old, accounting for 53%.

**Table 4a: age of members of affected households**

HMU Phase 1 Project	<18 years old	18-30	31-50	51-60	> 60 years old	Total
Mac village	31	19	18	32	66	166
Truc Sơn village	42	37	51	60	74	264
<b>Total</b>	<b>73</b>	<b>56</b>	<b>69</b>	<b>92</b>	<b>140</b>	<b>430</b>

Source: SES

### C. Livelihood of Affected Households

35. The main livelihoods of AHs in Tien Tan commune are rice cultivation, livestock (poultry, pigs, others), workers (in IZs in Phu Ly city), small business services (such as grocery stores and others) and seasonal independent workers. Most of the AHs that still grow rice do not want to continue with this activity (90%) because of its low productivity and revenue, and risks from natural disasters. Although it is the most common livelihood in the local community, many households in the community have not used their farmland for the past five years and instead they let their relative or neighbours cultivate rice on the land (there is an overlap between these households and the identified AHs; any additional cultivating households not counted among the AHs will be identified during the DMS).

36. The in-depth interviews conducted with local people and the local authorities showed that rice cultivation is not for income generation purpose. Locals do it because they want to keep their land. The main income of the affected households is from other sources, such as from work in industrial zones (IZs), freelance jobs as masonry worker or small trading in the market.

37. Only 30 interviewed households (equal to 22.4%) explained that land acquisition will seriously affect the management of their households. Another 64 households (equal to 47.4%) shared that the land acquisition will affect their livelihood but marginally since they have other land for cultivation. Finally, 41 interviewees (equal to 30.3%) mentioned that the land acquisition would not affect their households because their main income is from sources other than rice cultivation.

38. In general, local people find it difficult to access stable jobs since they do not have the skill and expertise. Young generations manage to find jobs in the surrounding industrial zones, which is not the case for older people and especially for women. Most women in the area are engaged with all domestic responsibilities and therefore they cannot work too many hours or far from home and consequently are the main labor force working on the rice paddies. Apart from the rice cultivation, women look for seasonal jobs close to their communes. Many women state they expect land acquisition and compensation to take place as soon as possible so that they can invest more in other ongoing activities.

39. Some concerns regarding the Project impacts were raised by the interviewed households, such as the loss of land (mentioned by 32 households, equivalent to 25.6%) and others like (i) loss of job or lack of job (mentioned by 13.3%); (ii) reduction of income (mentioned by 8.14%); (iii) environmental pollution (12.6% mentioned this concern) and (iv) the possible pressure for migration and finding new jobs (mentioned by 10.4%). However, 42.4% of the households stated there would be no foreseeable impacts on their family, probably because they have not used the land in the Project area for several years due to the low productivity of rice in combination with other jobs. According to these people, the compensation for the loss of land may help to find a better job, and bring more stability to the household.

40. Of the 125 interviewed heads of AHs, 53 of them (equal to 42%) identify farming as their main occupation. Most of the remaining people are working in factories in the industrial zones nearby. There are only a few people with other livelihood options, such as livestock husbandry or small businesses.

41. After harvest, women can take other seasonal jobs, and their remuneration can go up to 150,000VND/day (equal to 6.6 USD/day). Normally men may get some 200,000VND/day (equal to 8.8 USD/day). On the other hand, if women change their livelihoods, they are more likely to find alternative jobs as housekeepers or babysitters, which generates a higher income than rice cultivation.

**Table 5: Occupation of Head of Households and other members to be affected**

Occupation	AH Head		AH member	
	Quantity	%	Quantity	%
Cultivation, livestock and husbandry	53	42%	68	22%
Contract workers (IZs, others)	8	6%	55	18%
Small businesses (grocery stores, others)	9	7%	24	8%
Independent workers / free labour	23	18%	56	18%
Others (housewives, retired, others)	32	26%	102	33%
<b>Total</b>	<b>125</b>	<b>100%</b>	<b>305</b>	<b>100%</b>

Source: Questionnaire interview

42. According to the statistics of Tien Tan commune, the average income of local people is relatively high, around 2,910,000VND per person per month. The table below shows the distribution of AHs by estimated annual income: majority - 62 AHs (49.6%) – have annual incomes greater than 60M VND per year, while only 5 AHs (4%) have annual incomes less than 20M VND.

**Table 6: Distribution of Affected Households by annual estimated income**

	Number of affected households					Total
	< 20 Mil.	20 – 30 Mil.	31 – 49 Mil.	49 – 60 Mil.	> 60 Mil.	
HMU Phase 1	5	19	31	8	62	125

Source: SES

#### D. Educational Status

43. Most heads of households just completed primary school and secondary school. Given the limitation in education and age over 40, heads of households would have difficulty in changing their occupation especially to ones that require skill such as those in industrial zones in Phu Ly city. Manual work would be suitable and familiar with heads of affected households.

**Table 7: Distribution of household heads in terms of education**

Village	Illiteracy	Primary school	Secondary school	High school	University (including intermediate, college and vocational training etc.)	Total
Truc Son village	1	13	57	4	0	75
Mac village	1	11	30	7	1	50
Total	1	24	87	11	1	125

Source: SES

#### E. Housing and Sanitation Conditions

44. All (100%) households interviewed have permanent house or semi-permanent house with separate toilets. Based on criteria for housing classification by Vietnam Population and Housing Census in the 2009, Permanent houses are those where three main structures (columns, roofs and walls) are made of durable materials. Semi-permanent houses are houses with two of the three main structures made of durable materials. The percentage of households in the Tien tan commune having two-storey houses (over 2 floors) accounts for over 50%.

#### F. Possession of other assets

45. Regarding family amenities: most households affected by the project possess all major household amenities. Of the 125 surveyed households, 100% households use electricity and personal vehicles (bicycles and motorcycles), televisions and telephones (landline and mobile). Most of the AHs use piped water for their daily living. The table below shows AH's possession and use of assets.

**Table 8: Possession and Use of Other Assets**

Type of Assets	Quantity	%
Bike	125	100%
Electric bike	44	35%
Motorbike	110	88%
Car/truck	0	0%
TV	125	100%
DVD/CD player	33	26%
Audio system	24	19%
Refrigerator	103	82%
Electric cooker	125	100%
Phone/Mobile	125	100%

### **G. Access to social services**

46. Affected households in two villages can access social services easily as the transportation network is good and the public services such as health station, schools are in the administration center of Tien Tan commune and are not far from the villages (within a radius of 2 km).

47. All affected households nowadays use the pipe water and grid electricity for their daily activities.

48. In Tien Tan commune there are 01 primary school, 01 junior secondary school and one pre-school. Teaching is according to new methods and solutions which helps to improve the quality of education. The Community Learning Center of Tien Tan commune works well. It mainly organizes vocational training courses for young people and training courses for farmers, in addition to propaganda on environmental protection.

### **H. Gender issues**

49. The survey showed some gender issues related to resettlement. Men often take the final decision for all important issues in the family. Based on in-depth interviews with AHs, in at least 71% of households, men make the important decisions in the family, such as selling and buying high value goods; investments for production; business operation, etc.

50. In addition, men are the owners of the high value assets in the family. Women have access to these facilities, but they do not make decisions regarding these. The survey also revealed that in 55.2% of the cases, the men are the owners of the household's land. Women may have the opportunity to provide their opinion, but eventually the men make final decisions on these issues.

## **CHAPTER 4. DISCLOSURE OF INFORMATION, CONSULTATION AND PARTICIPATION**

### **A. Project Stakeholders**

51. Aside from the affected households, the main stakeholders involved in this Project are the Ministry of Health, Hanoi Medical University, Ha Nam Provincial People Committee (PPC), Nam Cao Project Management Board (PMB), Department of Natural Resource and Environment (DONRE), Land fund development center (LFDC) of Phu Ly city, Department of Labour and Invalid Social Affairs (DOLISA), Commune People's Committees and AHs. LFDC is responsible for planning and implementing compensation and site clearance while DOLISA is responsible for the government policy to support the poor and near poor AHs. They are also responsible for responding to the needs of vocational training for local farmers.

52. The Womens Union at city level have experience to protect rights and benefits for women. Under this Project they support the implementation of the Resettlement Plan by providing technical support to AHs headed by women. Phu Ly City Farmer Union should run activities with farmer members in the Project area. This Union is responsible for organizing farmers to implement the vocational training or other livelihood options, if needed. The Commune People's Committee (CPC) played an important role in the disclosure of information to AHs / APs and will support the implementation of the RP and dissemination of relevant policies. Nam Cao PMB is the focal point of Ha Nam province to work directly with HMU for project implementation.

### **B. Disclosure of Information and Public Consultation Goals**

53. ADB Safeguards Policy Statement (SPS 2009) requires that in line with ADB's Public Communications Policy, ADB is committed to working with the borrower/client to ensure that relevant information about social and environmental safeguard issues is made available in a timely manner, in an accessible place, and in a form and language(s) understandable to affected people and to other stakeholders, including the general public, so they can provide meaningful inputs into Project design and implementation. The disclosure of information, with the consultation and participation of all APs and relevant stakeholders, will minimize the risk of disputes and Project delay. This also facilitates the Project to design resettlement and rehabilitation program as a comprehensive development program that meets the needs, preferences and social benefits of the Project investment.

54. Public consultations and community participation is encouraged in all stages of the project, especially the preparation, updating and implementation of the RP. The objective is to develop and maintain avenues of communication between the project, stakeholders and AHs in order to ensure that their views and concerns are incorporated into project preparation and implementation with the objectives of reducing or offsetting negative impacts from the project. The feedback from consultations is an important component of the RP preparation and implementation process, leading to the formulation of mitigation measures and compensation plans for project- affected community. Especially, public consultation shows respect to the disadvantaged, the vulnerable and especially to people living under poor levels. The meaningful consultation process:

- Begins early in the project preparation stage and is carried out on an ongoing basis throughout the project cycle;
- Provides timely disclosure of relevant and adequate information that is understandable and readily accessible to affected people;
- Is undertaken in an atmosphere free of intimidation or coercion;
- Is gender inclusive and responsive, and tailored to the needs of disadvantaged and vulnerable groups; and

- Enables the incorporation of all relevant views of affected people and other stakeholders into decision making, such as project design, mitigation measures, the sharing of development benefits and opportunities, and implementation issues

### C. Disclosure of Information and Public Consultation Process

55. During the Preparation of the Draft Resettlement Plan, project team conducted two surveys from March to May 2018 in the affected communes and during that time conducted separate meetings with households and commune officials. At each public meeting, information regarding the project was provided at different levels. Draft RP was consulted with relevant stakeholders and local community from 4<sup>th</sup> to 6<sup>th</sup> July 2018. Consultation activities and results are summarized in the table 14 below.

**Table 9: Participatory Consultation along the Project Cycle**

Stages	Activities and Target Participants	Time	Conducted by
During Project Processing	<ul style="list-style-type: none"> <li>- Conduct field observation of project areas and inventory of losses with representative of the affected households and local authority with transect walks, coordinates of important locations, household interviews. Prior to the surveys, there was a prior consultation to HHs to inform about the coming activities.</li> <li>- Information for IOL was fully collected.</li> <li>- Conduct consultation meetings with local authority and relevant organizations at commune level such as farmer union, women union to have overall information about the Project.</li> <li>- Conduct consultation through questionnaire interviews with representatives of the affected households.</li> <li>- Conduct consultation through questionnaire interviews with representatives of the affected households.</li> <li>- Conduct consultation meetings with affected households.</li> <li>- Hold a public consultation to disclose information on the proposed project and the results of the inventory and the general compensation policy.</li> <li>- Consultation on draft RP with relevant stakeholders and local community, affected households.</li> <li>- Distribution of PIB to the AHs and posting of summary RP at District and Commune PC offices, posting of draft RP on ADB website</li> </ul>	<p>Trip 1: 8<sup>th</sup> – 11<sup>th</sup> March 2018</p> <p>Trip 2: 3<sup>rd</sup> – 6<sup>th</sup> May 2018</p> <p>Trip 3: 4<sup>th</sup> – 6<sup>th</sup> July 2018</p>	<p>CHPMU and consultants, local staff of CPC</p>

Updating of RP	<ul style="list-style-type: none"> <li>- Public consultation before commencement of the detailed measurement survey (DMS)</li> <li>- Conduct of DMS</li> <li>- Posting of the summary updated RP at Phu Ly city PC office and Commune PC office, posting of final updated RP on ADB website</li> <li>- Monitoring and evaluation of the updating process</li> </ul>	Q4 2020-Q1 2021	CHPMU, Phu Ly city CARB and consultant, cadastral staff of CPC
RP implementation	<ul style="list-style-type: none"> <li>- Implementation of the RP (i.e., payment of compensation, handing-over of acquired properties, etc.)</li> <li>- Receipt and resolution of grievances of APs/AHs</li> <li>- Monitoring of the implementation of land acquisition</li> <li>- Establish the feedback mechanism and monitoring on quality of the resettlement</li> </ul>	Q1-Q3 2021	<p>CHPMU, Phu Ly city PC, CARB, CPC</p> <p>CPC, Phu Ly City PC, PPC, CHPMU with assistance by PIC</p> <p>CHPMU with assistance by PIC, Women's Union and Farmer's Union</p>

### During the Preparation of the Draft Resettlement Plan

56. During RP preparation, important elements of the Project document were disclosed to the affected people by way of public consultations conducted in March, May, and July 2018. In the first survey (March 2018), the main items disclosed included: general information about the campus construction project, expected positive and negative impacts on socioeconomic conditions and health for local communities; The project owner, the lender, the current progress of the project, the agencies responsible for compensation, etc; information on potential land recovery in the larger area of 80 ha to serve the university construction; regulations of land Law and information on annual land prices issued by the Ha Nam PPC.

57. During the second survey trip (May 2018), more focus was placed on the affected households of the Project and informed the AHs / APs of the proposed compensation mechanism; land areas to be recovered; Compensation process in accordance with the law; Relevant agencies responsible for the compensation process; The role of the main stakeholders (CPC, project owner and Management Board of Nam Cao University Complex); Compensation will be made for specific types of land to be recovered and affected assets on land; Severely affected households and vulnerable households will be identified and they will receive additional assistance (eg vocational training, job placement). In addition, the expectations and suggestions of the affected households for the project owners were recorded and added to the RP.

58. The following were consulted during public consultations and meetings held by the project preparation consultant team with the Nam Cao Project Management Board and local agencies: People's Committee of Phu Ly city (City PC) and 6 specialized departments of City PC (Natural Resource and Environment, Economic and Infrastructure, Division of Labor, Invalids and Social

Affairs, Culture and Information), Phu Ly City Womens Union (WU), Tien Tan CPC and Womens Union (CWU), Commune Farmers Union (CFU) and the leaders of three villages. Forty-two representatives from the agencies were consulted, including from the Department of Agriculture and Rural Development (DARD), Project Management Board of Nam Cao University Area (PMB Nam Cao), the Provincial Center for Agriculture Extension (CAE), the Provincial Center for Plant Protection (CPP); the Department of Natural Resource and Environment (DONRE), Compensation and Resettlement Board of Phu Ly city (CARB) Phu Ly City Women Union (WU), Phu Ly City Division of Information and Communications (DIC), Tien Tan Commune People Committee (PC), Tien Tan Commune Women Union (CWU), Tien Tan Commune farmer Union (CFU). In addition, 135 people representing affected households participated in public meetings and in-depth interviews.

59. The Draft RP was then consulted with CHPMU, HMU, CPC and local community in 4<sup>th</sup>, 5<sup>th</sup> and 6<sup>th</sup> July respectively. Feedback of stakeholders is summarized in the table below.

Table 15. Summary of Consultations during RP preparation



Date	Stakeholders	Content of Public Consultations	Concerns and Opinions of Participants/ Project Response and Agreements reached with participants	No. of participant	No. Female participant	No. Male participant
8.3.2018	Project Management Board of Nam Cao University Complex	<ul style="list-style-type: none"> <li>- Disclosure of project information</li> <li>- The status of land planning for the project area of 80 ha; types of land and property, structures on land.</li> <li>- Providing information on the project to local stakeholders</li> <li>- Legal documents have been signed between PMB and HMU</li> <li>- Records of households will be subject to land recovery</li> <li>- Status of land compensation</li> </ul>	<p><u>Concern of PMB Nam Cao:</u></p> <ul style="list-style-type: none"> <li>- The existence of irrigation canals;</li> <li>- The communes have not received the official notification from the provincial People's Committee approving the project.</li> <li>- MOU has been signed between PMB and HMU since 2011</li> <li>- Land acquisition has not been conducted yet.</li> </ul> <p><u>Responses and agreement reached:</u></p> <ul style="list-style-type: none"> <li>- Project will minimize impacts on the water supply system;</li> <li>- The commune will disseminate information about the project to the AHs/APs after the official announcement of the project;</li> <li>- PMB supports to provide list of land plots and the owners;</li> <li>- The compensation plan will be developed as soon as the PPC issues a land recovery notice.</li> </ul>	2	0	2
8.3.2018	DARD, Provincial Center for Agriculture Extension (CAE), Provincial Center for Plant Protection (CPP)	<ul style="list-style-type: none"> <li>- Provide general information about the project of HMU</li> <li>- Local policy for agriculture development and support for households with land acquisition</li> <li>- Negative and positive impacts of Project</li> <li>- The status of agricultural land use and its</li> </ul>	<p><u>Concern of DARD and its function divisions:</u></p> <ul style="list-style-type: none"> <li>- Lack of information on the project;</li> <li>- Land acquisition will cause the loss of land and reduction of income of households with main livelihoods based on agriculture;</li> <li>- Project should have policy for agricultural development support;</li> <li>- Low productivity of rice cultivation in project area so many</li> </ul>	6	3	3

		<p>effectiveness.</p> <ul style="list-style-type: none"> <li>- Roles and responsibility in the Project implementation</li> </ul>	<p>households want to change the purpose of land use;</p> <ul style="list-style-type: none"> <li>- Ha nam Province always give priority to AHs by land acquisition, in fact, there are not many APs interested in vocational courses.</li> <li>- It is important to improve skills for young labors of AHs</li> <li>- No land purchase or compensation in the planned area;</li> </ul> <p><u>Responses and agreement reached:</u></p> <ul style="list-style-type: none"> <li>- Project will provide more information about the project to the agencies and AHs.</li> <li>- Project will introduce alternative employment to guaranteed income: Extension activities, vocational training free of charge</li> <li>- It's necessary to determine exactly the area of land to be recovered before disclosing to the people about compensation.</li> <li>- DARD, CAE co-ordinate with DOLISA and CPC in organizing the free training courses. Young labors of AHs should be involved in technical courses in organic agriculture or other vocational training.</li> </ul>			
8.3.2018	DONRE, CARB of Phu Ly City	<ul style="list-style-type: none"> <li>- Provide general information about the project of HMU</li> <li>- The status of agricultural land use and its effectiveness.</li> </ul>	<p><u>Concern of DONRE and its function divisions:</u></p> <ul style="list-style-type: none"> <li>- Lack of legal documents of project: The participants care about the official document approving the project from the PPC;</li> </ul>	3	0	3

		<ul style="list-style-type: none"> <li>- Roles and responsibilities in the Project design and implementation</li> <li>- Negative and positive impacts by Project</li> <li>- Provincial policy for resettlement: Experience in implementation of the Resettlement Plan, compensation for land, assets on land and support (cash or non-cash) for severely AHs and vulnerable AHs; Difficulties arising in the process of compensation and resettlement (complaints on land prices, houses for resettlement, and others) and solutions. Conflicts, disputes can occur and procedures to resolve a complaint</li> <li>- Compensation and resettlement process</li> </ul>	<ul style="list-style-type: none"> <li>- Entitlements and Eligibilities and cut-off date;</li> <li>- The compensation and assistance will be made in long time;</li> <li>- Grievance Redress;</li> <li>- Impact of the project: The project will bring both positive and negative impacts.</li> <li>- Equity in support for severely AHs;</li> <li>- Job change appropriate to the needs.</li> </ul> <p><u>Responses and agreement reached:</u></p> <ul style="list-style-type: none"> <li>- Fully support the project because it bring multiple benefits to the community: 1) medical services; 2) employment opportunities; 3) opportunities for learning and awareness for young people;</li> <li>- The cut-off date of this project for eligibility for compensation will be the date of official informs the issued notice of land acquisition.</li> <li>- It's necessary to determine exactly the area of land to be recovered before disclosing to the people about compensation.</li> <li>- All compensation and assistance should be paid in full and on time for households;</li> <li>- Properly determines the degree of influence of the households.</li> <li>- Opportunity for new jobs that fit the needs of the household.</li> <li>- Explain the grievance process for AHs.</li> <li>- The complaints of AHs should be</li> </ul>			
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			<p>resolved timely and satisfactory.</p> <ul style="list-style-type: none"> <li>- Need to consult with the CPC on the orientation for socio-economic development in next 5 years;</li> <li>- Need to consult with the Commune Farmers Union</li> </ul>			
9.3.2018	DOLISA	<ul style="list-style-type: none"> <li>- Provide general information about the project of HMU</li> <li>- Negative and positive impacts of the Project.</li> <li>- Roles and responsibility in the Project implementation</li> <li>- Local policies for job seeking, vocation training and poverty reduction;</li> <li>- Mechanism to assist women and vulnerable households.</li> </ul>	<ul style="list-style-type: none"> <li>- Vocational training and job introduction for APs</li> </ul> <p><u>Responses and agreement reached:</u></p> <ul style="list-style-type: none"> <li>- DOLISA will assist in the organization of vocational training and job introduction</li> <li>- Inform to AHs the support policies.</li> </ul> <p>via Employment Service Center;</p>	1	0	1
9.3.2018	Phu Ly City Women Union; Division of Information and Communications, Phu Ly City (DIC)	<ul style="list-style-type: none"> <li>- Provide general information about the project of HMU</li> <li>- Local policy on gender equality and women empowerment</li> <li>- Roles and responsibility in the Project implementation</li> <li>- Negative and positive impacts of the Project</li> <li>- Experience in implementation of the Resettlement Plan and support for households headed by women</li> </ul>	<ul style="list-style-type: none"> <li>- Some older women who have land-based income will find it difficult to find a replacement job.</li> <li>- Coordinate with commune and city Women's Union in supporting AHs in vocational training, job search assistance, loan assistance, etc.</li> <li>- Early notification of the project to the affected people.</li> <li>- Project support for vocational training according to local market demand.</li> <li>- Support training courses on financial management skills.</li> <li>- Assess the needs and capacities of women</li> <li>- Separate consultations with</li> </ul>	4	3	1

			<ul style="list-style-type: none"> <li>vulnerable women</li> <li>- Information is provided soon and fully.</li> <li>- Information transparency during the compensation process</li> </ul>			
10.3.2018 4.5.2018 6.5.2018	Tien Tan CPC,	<ul style="list-style-type: none"> <li>- Provide general information about the project of HMU</li> <li>- Socio-economic condition; Number of affected households</li> <li>- Negative and positive impacts type of impact potentially created by this Project on the target households</li> <li>- The current progress of the project, types of land will be recovered;</li> <li>- Land area is expected to be recovered for the whole university campus and for phase 1; the agencies responsible for land acquisition, compensation,</li> <li>- Mechanisms for compensation prices</li> <li>- Who are identified as vulnerable and severely affected;</li> <li>- The expectations and suggestions of the affected households</li> <li>- Experience of local authority in implementation of the RP</li> <li>- Grievance redress</li> </ul>	<ul style="list-style-type: none"> <li>- Concern of Tien Tan CPC, local community in Mac and Truc Son villages:</li> <li>- Provide full information about the project to the commune, village leaders</li> <li>- Compensation is applied to agricultural land, rice, sewers have been built and remuneration (labor fee) for maintenance of annual canals.</li> <li>- Other projects are compensated for land at the regulated prices of the state.</li> <li>- The unit price of compensation for affected land should be satisfactory and reasonable.</li> <li>- Concern of AHs about the eligibility to be provided the full compensation for affected land and assets on land</li> <li>- Involvement of AHs/ APs</li> <li>- Impact on the graves is very sensitive</li> <li>Responses and agreement reached:</li> <li>- The commune will disseminate information about the project to the AHH/APs after the official announcement of the project.</li> <li>- It's necessary to determine exactly the area of land to be recovered before disclosing to the people</li> </ul>	32	9	23
10.3.2018 4.5.2018 7.5.2018	Local communities, potential affected households in Mac and Truc Son villages			95	53	42

			<p>about compensation.</p> <ul style="list-style-type: none"><li>- Minimize impact on irrigation canal system</li><li>- Asking for project owners to provide additional cash assistance to severely AHs and vulnerable AHs.</li><li>- Commitment to propagandize people to support the project and hand over the land on time.</li><li>- Dissemination to AHs of the land law and project policy on resettlement..</li><li>- The affected land and assets on land will be compensated at replacement cost. The project will engage qualified consultants to appraise and determine the replacement cost based on the price regulated by the state and the market price.</li><li>- Consultation with households on mitigation measures</li><li>- Disclosure of the project information to the people as soon as possible as it relates to their farming plan in 2019.</li><li>- Priority to recruit workers aged under 50 to work in the process of project construction.</li><li>- All APs who own or occupy land in the project impacted areas before the cut-off date, will be entitled to compensation for their affected assets and to rehabilitation measures sufficient to assist them to improve living standards and income-earning capacity.</li></ul>			
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			<ul style="list-style-type: none"> <li>- Representatives of AHs / APs must be a member of the Compensation Board</li> </ul>			
6.7.2018	Local communities, potential affected households in Mac and Truc Son villages	<ul style="list-style-type: none"> <li>- Results of the IOL</li> <li>- Project resettlement policy</li> <li>- Grievance Redress Mechanism</li> <li>- Participation mechanisms during RP updating and implementation</li> <li>- Cut-off Date</li> <li>- Contact persons from EA and IA if they have any questions</li> </ul>	<ul style="list-style-type: none"> <li>- Local people in two villages and local authority fully support project and would like to implement project as soon as possible.</li> <li>- Should compensate for the volume of excavation and backfilling for on-farm canals and footpath that were built by the labour force and cost of local community.</li> <li>- Ensure there is no interruption in water supply in irrigation system</li> </ul>	20	5	15
5.7.2018	HMU	<ul style="list-style-type: none"> <li>- Consultation on draft RP: impacts of LAR, GRM, public consultation, entitlement matrix, IRP, institutional arrangement, roles of stakeholders, budget and source of fund for LAR</li> </ul>	<ul style="list-style-type: none"> <li>- Role and responsibility of HMU in project will follow instruction and assignment of MOH;</li> <li>- Agree with project policy if it is developed based on government regulation and ADB policy</li> <li>- HMU can arrange the budget for land acquisition of 80 Hectare. HMU would to conduct LAR for 80 hectare in one time.</li> </ul>	4	1	3
4.7.2018	CHPMU	<ul style="list-style-type: none"> <li>- Consultation on draft RP: impacts of LAR, GRM, public consultation, entitlement matrix, IRP, institutional arrangement, roles of stakeholders, budget and source of fund for LAR, monitoring</li> </ul>	<ul style="list-style-type: none"> <li>- Role and responsibility of CHPMU in project will follow instruction and assignment of MOH;</li> <li>- CHPMU will be implementing agency; HMU and HCMC PMU will assign representatives and experts to join in project implementation;</li> <li>- Agree with project policy if it is developed based on government regulation and ADB policy</li> </ul>	2	0	2

### ***Before ADB's Approval of the Resettlement Plan***

60. Draft RP was consulted with CHPMU, HMU on 4<sup>th</sup> and 5<sup>th</sup> July 2018 to provide the comments on the main content such as project resettlement policy, institutional arrangement, role of relevant stakeholders

61. CHPMU with the support of consultant organized public meetings with Commune People's Committee and mass organizations in CPC office including womens union, farmers union, fatherland front, youth union, with village leaders and affected households at community culture houses to consult on the draft RP on 6<sup>th</sup> July 2018. The PIB was disclosed to affected households during the public consultation meeting. The following information has been disclosed: i) project design, scope of land acquisition, social impacts and mitigation measures; (ii) cut-off date, eligibility and entitlements, principle for compensation unit price, income restoration strategy; (iii) grievance redress mechanism; (iv) public consultation and participation during implementation of RP; (v) implementation arrangement; (vi) implementation schedule; (vii) community-based monitoring and issues of gender.

### ***During implementation of Resettlement Plan***

62. In the implementation phase, CHPMU in cooperation with CARB and CPC is responsible for dissemination of project information using various avenues including public meetings where project APs and beneficiaries are invited. CHPMU will deliver the updated PIB and other documents of the project to AHs. Participants are free to give feedback. They can comment about the technical parameters and project impacts of different alternatives as well as about resettlement and compensation measures.

63. Updated RP will be disseminated to the affected community and posted on the ADB website following government endorsement and ADB concurrence. Any updates or adjustments to the RP will also be disseminated to the APs and the surrounding community and posted on the ADB' website. A summary of the updated resettlement plan will be translated in to Vietnamese and made available for access by affected communities at the People's Committee offices at the commune and city level. The information will also be provided for APs as a Project Information Booklet and oral explanations of CHPMU and CARB.

64. CARB will post the draft compensation plan on the notice boards of the CPC offices for 20 days (According to Article 30 (2c) of Decree 69), posting notices will be recorded in the official records and confirmed by the CPCs, the commune Fatherland Fronts and affected persons. According to Article 30 (3a) of Decree 69, after the expiration of a notice, the agency in charge of the compensation will summarize all comments and feedback received, including the number of affected persons and the parties, which agree or disagree, together with the information on compensation for land acquisition and assistance as proposed in the resettlement plan.



## CHAPTER 5. GRIEVANCE REDRESS MECHANISM

65. To ensure that all APs' grievances and complaints on any aspect of land acquisition, compensation and resettlement are addressed in a timely and satisfactory manner, and that all possible avenues are available to APs to air their grievances, a well- defined grievance redress mechanism needs to be established. All APs can send any questions to implementation agencies about their rights in relation with entitlement of compensation, compensation policy, rates, land acquisition and grievance redress. APs are exempted from any fee for procedures associated with seeking grievance redress. A general grievance redress mechanism is established based on Complaint Law No. 2/2011/QH13 and Decree No.75/2011/ND-CP guiding implementation the complaint law as follows:

- First Stage: Commune Peoples' Committee (CPC) - An aggrieved AP may lodge his/her complaint to any member of the CPC, either through the Chairperson or directly to the CPC, in writing or verbally. It is incumbent upon the village chief to notify the CPC about the complaint. The CPC will meet personally with the aggrieved affected household and will have 30 days and maximum of 45 days following the lodging of the complaint, depending on complicated case or distance, to resolve it. The CPC secretariat is responsible for documenting and keeping file of all complaints that it handles. (Articles 25 to 27, Law No. 2/2011/QH13 dated 11 November 2011).
- Second Stage: Phu Ly City People's Committee (Phu Ly City PC) - If after thirty (30) days or 45 days (depending on complicated cases) the aggrieved affected household does not hear from the CPC, or if the affected household is not satisfied with the decision taken on his/her complaint, the affected household may bring the case, either in writing or verbally, to office of Phu Ly City PC. Phu Ly City PC in turn will have thirty (30) days or maximum of 70 days following the lodging of the complaint, depending on complicated case, to resolve the case. Phu Ly City PC is responsible for documenting and keeping files of all complaints that it handles and will inform to CARB of any determination made and CARB is responsible for supporting Phu Ly City PC to resolve AH's complaint. The Phu Ly City PC must ensure their decision is notified to the complainant. (Articles 36 to Article 43, Law No 2/201/QH13 dated 11 November 2011).
- Third Stage: Provincial People's Committee (PPC) - If after thirty (30) days to 45 days the aggrieved AP does not hear from Phu Ly City PC, or if the affected household is not satisfied with the decision taken on his/her complaint, the affected household may bring the case, either in writing or verbally, to office of the PPC. The PPC has 30 days or maximum of 70 days, depending on complicated case, to resolve the complaint to the satisfaction of all concerned. The PPC is also responsible for documenting and keeping file of all complaints that it handles in PPC office.
- Final Stage: People's Court - If after 30 days following the lodging of the complaint with the PPC, the aggrieved AP does not hear from the PPC, or if he/she is not satisfied with the decision taken on his/her complaint, the complainant can appeal again to the PPC. If the complainant is not satisfied with the second decision of the PPC, the case may be brought to a court of law for adjudication. If the court rules in favor of the complainant, then PPC will have to increase the compensation at a level to be decided by the court. In case the court will rule in favor of PPC, then the complainant will receive compensation approved by PPC.

66. The above Grievance Redress Mechanism has been disclosed to the AHs during preparation of this RP. It will further be disseminated and discussed with the APs in the process of updating and implementing RP to ensure people understand the procedure. CHPMU and CARB will be responsible for following up the grievance process from the APs. Records of the complaints will be recorded and monitored by the CHPMU and CARB.

67. In Tien Tan commune, local authorities have extensive experience in implementation of land acquisition, site clearance and resettlement. Information dissemination for people to understand the project and information transparency is always their priority. In case the land users in the recovered land area do not coordinate with CARB to perform the compensation and site clearance, the commune-level People's Committees or the Vietnam Fatherland Front, Women Union will shall propagate and convince land users to implement. The authorities of Tien Tan Commune have implemented more than 10 projects, including land acquisition and so far, there are no complaints.

68. If efforts to resolve disputes using the grievance procedures mentioned above remain unresolved or unsatisfactory, complainants have the right to directly discuss their concerns or problems with ADB Vietnam Resident Mission (VRM - 3rd Floor, No.16, Phan Chu Trinh Street, Hoan Kiem District, Hanoi, Tel: 024.933.1374). If APs are still not satisfied with the responses of the VRM, they can directly contact the ADB Office of the Special Project Facilitator<sup>3</sup>. The Office of the Special Project Facilitator procedure can proceed based on the Accountability Mechanism in parallel with the project implementation.

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<sup>3</sup> Complainants can send their concerns to the Office of the Special Project Facilitator using the information at: <https://www.adb.org/site/accountability-mechanism/main>

## CHAPTER 6. LEGAL FRAMEWORK

69. The Project is funded by the ADB, therefore, the Safeguards Policy Statement (SPS) 2009 of ADB on involuntary resettlement will be applied in combination with relevant policies of Viet Nam on compensation, assistance and resettlement. In case there are differences between the Laws and Regulations and procedures of the Borrower (VN) and the ADB Policies and Requirements, the latter will be prevalent. This is consistent with the Government's Decree No. 16/2016/ND-CP, Article 51 stipulated that Compensation for land clearance and relocation in program/project execution shall comply with applicable regulations of law and international treaties on ODA and concessional loans to which Socialist Republic of Vietnam is a signatory. Where there are discrepancies between Vietnam's law and a signed international treaty on the same issue, the international treaty shall prevail. The provisions of the SPS and the governmental regulations have been reconciled in developing entitlements proposed in this RP.

### ***ADB Policies***

70. The ADB Safeguard Policy Statement (SPS) of 2009 consolidates three existing safeguard policies: involuntary resettlement (IR), indigenous peoples (IP), and environment. The objectives of the IR policy are to (i) avoid involuntary resettlement where possible, (ii) to minimize involuntary resettlement by exploring Project and design alternatives, (iii) to enhance, or at least restore, the livelihoods of all displaced persons in real terms relative to pre-Project levels and (iv) improve living standards of poor and vulnerable households. The IP policy objectives are to (i) design and implement Projects that fosters full respect for IP's identity, dignity, human rights, livelihoods systems, and cultural uniqueness as defined by the IP themselves and (ii) ensure that IPs receive culturally appropriate social and economic benefits, do not suffer adverse impacts as a result of Projects, and can participate actively in Projects that affect them.

71. The involuntary resettlement requirements apply to full or partial, permanent or temporary 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) resulting from (a) involuntary acquisition of land, or (b) involuntary restrictions on land use or on access to legally designated parks and protected areas. Resettlement is considered involuntary when displaced individuals or communities do not have the right to refuse land acquisition that results to displacement. This occurs in cases where (i) lands are acquired through expropriation based on eminent domain; and (ii) lands are acquired through negotiated settlements, if expropriation process would have resulted upon the failure of negotiation.

72. Projects financed by ADB, including associated facilities that are financed by the government or other sources, are expected to observe the following policy principles:

- 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;
- 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;
- 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, assistance 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, assistance at full replacement cost for assets that cannot be restored; and (iv) additional revenues and services through benefit sharing schemes where possible;

- 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;
- Improve the standards of living of the displaced poor and other vulnerable groups, including women head of households, 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;
- 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;
- 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;
- 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;
- Disclose both the draft and final Resettlement Plan in a form and language understandable to displaced persons and other stakeholders;
- Conceive and execute involuntary resettlement as part of a development Project or programme. 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;
- Pay compensation and provide other resettlement entitlements before physical or economic displacement. Implement the Resettlement Plan under close supervision throughout Project implementation;
- 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.

73. Calculation of full replacement cost will be based on the following elements: (i) fair current market value at the time of compensation, (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.

74. Persons or households without formal legal rights nor recognized or recognizable claims to the acquired land are still entitled to compensation for their loss of assets other than land if they have been created before the cut-off date, and resettlement assistance.

75. The ADB Policy on Gender and Development (2006) adopts gender mainstreaming as a key strategy for promoting gender equity, and for ensuring that women participate in, and that their needs are explicitly addressed in the decision-making process for, development activities. The safeguard policy also reiterates the importance of including gender issues in the preparation of safeguards documents at all stages to ensure that gender concerns are incorporated, including gender-specific

consultation and information disclosure. This includes special attention to guarantee women's assets, property, and land-use rights and restoration/improvement of their living standards; and to ensure that women will receive Project benefits. Other policies of the ADB that have bearing on Resettlement Planning and implementation are the (i) Public Communications Policy (2011), and (ii) Accountability Mechanism (2012).

### ***Compensation and Resettlement Policy of the Government of Viet Nam***

76. The Constitution of the Socialist Republic of Vietnam (2013) confirms that ownership and protection of ownership of citizens of their houses. Besides, the Government has issued a number of laws, decrees, and regulations to form the legal framework for land acquisition, assistance, compensation, and resettlement. Primary documents include:

#### **Applicable Law**

- Land Law (2013) No. 45/2013/QH13 approved by the National Assembly, dated November 29, 2013;
- Complaint Law (2011) No. 02/2011/QH13 approved by the National Assembly, dated November 11, 2011.

#### **Government's Decrees**

- Decree No. 43/2014/ND-CP, dated May 15, 2014 guiding the implementation of Land Law 2013;
- Decree No. 44/2014/ND-CP, dated May 15, 2014 by the Government on the evaluation of land prices;
- Decree No. 45/2014/ND-CP dated May 15, 2014 by the Government providing the collection of land use levies;
- Decree No. 46/2014/ND-CP, dated May 15, 2014 by the Government providing the collection levies on land lease, water surface lease;
- Decree No. 47/2014/ND-CP, dated May 15, 2014 by the Government on compensation, assistance, and resettlement in the event of land recovery by the State;
- Decree No. 16/2016/ND-CP, dated March 16, 2016 on Management and Utilization of Official Development Assistance (ODA) and Concessional Loans of concessional loans Foreign Donors;
- Decree No 75/2012/ND-CP dated October 03 2012, by the Government provision detail some articles of the Complaint Law.

#### **Circulars**

- Circular No. 23/2014/TT-BTNMT, dated May 19, 2014 by MONRE regulating Land Use Right Certificate (LURC), right to ownership of housing and other assets attached to land;
- Circular No. 24/2014/BTNMT, dated May 19, 2014 by MONRE regulating cadastral dossiers;
- Circular No. 25/2014/BTNMT, dated May 19, 2014 by MONRE, regulating cadastral maps;
- Circular No. 28/2014/BTNMT, dated June 2, 2014 by MONRE regulating land statistic and inventory and development of current land use map;
- Circular No. 29/2014/BTNMT, dated June 2, 2014 by MONRE regulating details of making and amending land use planning;
- Circular No. 30/2014/BTNMT, dated June 2, 2014 by MONRE regulating dossiers of handing over land, leasing land, converting land use purpose, and land acquisition;
- Circular No. 36/2014/TT-BTNMT, dated June 30, 2014 on land pricing method; compilation of

and adjustment to land prices; determination of specific land prices and consultancy on land pricing;

- Circular No. 37/2014/TT-BTNMT, dated June 30, 2014 on compensation, assistance and resettlement when land is recovered by the State;
- Circular No. 76 dated June 16, 2014 by MoF guiding some articles of Decree No. 45/2014/ND-CP on land use levy collection;
- Circular No. 77 dated June 16, 2014 by MoF guiding Decree No. 46/2014/ND-CP on collection of land rental water surface;
- Circular No. 02/2015/TT-BTNMT, dated January 27, 2015 by MONRE detailing a number of articles of Decree No. 43/2014/ND-CP and Decree No.44/2014/ND-CP dated May 15, 2014 by the Government.

### **Decisions of the Government**

- Decision No. 1956/2009/QD-TTg, dated November 17, 2009 by the Prime Minister approving the Master Plan on vocational training for rural workers to 2020;
- Decision No. 63/2015/QD-TTg dated December 10, 2015 of the Prime Minister on policy on assistance in vocational training and job search for workers whose land is acquired by the State.

### **Decisions of the Ha Nam Province**

- Decision No.38/2014/QD-UBND dated 12/09/2014 by the People's Committee of Ha Nam province stipulating regulations on compensation, support and resettlement when the State recovers the land;
- Decision No. 49/2014/QD-UBND dated 20/11/2014 by the People's Committee of Ha Nam province on compensation and support for plants and animals when the State recovers land;
- Decision No. 50/2014/QD-UBND dated 19/12/2014 by the People's Committee of Ha Nam province stipulating price frame for various types of land in Ha Nam province;
- Announcement No. 426/CB-SXD dated 27/3/2018, the price of building materials in Q1 2018 issued by the construction department, People's Committee of Ha Nam province;
- Decision No. 1623/QD-UBND Hanam dated 06/12/2012, announced the price of construction works in Ha Nam province;
- Decision No. 48/2017/QD-UBND dated 18/12/2017 by the People's Committee of Ha Nam province on compensation for houses and structures when the State recovers land.

### **A. Gap Analysis and project Principles**

77. With the promulgation of the Land Law 2013, including Decree No.47/2014/ND-CP and Decree No.43/2014/ND-CP, Decree No.44/2014/ND-CP, the policies and practices of the national Government have become more consistent with ADB's Policy on Involuntary Resettlement (SPS 2009). However, there are still some significant gaps between the Government policies and the ADB's Policy on Involuntary Resettlement.

78. The following table provides a gap analysis of ADB's Policy (SPS 2009) and Government's policy on involuntary resettlement, and measures for filling gaps applied for the project.

**Table 16: Gaps between Governmental Policies and ADB SPS 2009 for the Project**

Issues	Viet Nam policy	ADB Policy (SPS 2009)	Policy applied for the Project
<b>Severely impacted Aps losing productive land</b>	<b>Decree 47/2014/ND-CP, Article 19, Item 3:</b> Aps losing at 30% or more of productive agriculture land are considered severely impacted and are entitled to livelihood restoration measures.	The involuntary resettlement impacts of an ADB-supported project are considered significant if 200 or more persons will experience major impacts, which are defined as (i) being physically displaced from housing, or (ii) losing 10% or more of their productive assets (income generating).	Losing 10% or more of the household's productive (income-generating) assets, and/or relocating households shall be considered as threshold of severely affected HHs.
<b>Aps without LURC</b>	<b>Land Law 2013, Article 77, item 2 and Article 92:</b> Persons who has used land before 1 <sup>st</sup> July 2004 and directly be involved in agriculture production on the acquired land without LURC or illegal will be compensated for the acquired land area but not exceed quota of agricultural land allocation. But 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 64 and items b, d, clause 1, Article 65 of the Land Law 2013; the assets created after the notification on land acquisition; and (iii) unused public infrastructures and other works.	Those Aps without legal title to land will be included in consultations. Ensure that Aps without titles to land, or any recognizable legal rights to land, are eligible for resettlement assistance and compensation for loss of non-land assets including dwellings, structures and other improvements to land such as crops, irrigation, at full replacement cost. Safeguards cover involuntary restrictions on land use or on access to legally designated parks and protected areas. Covers temporary and partial losses.	Project affected people, without legal 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 such as dwellings and structures which are occupied/created before cut-off date. They will be entitled to resettlement assistance and other social support to assist them to improve and or at least restore their pre-project living standards and income levels.

Issues	Viet Nam policy	ADB Policy (SPS 2009)	Policy applied for the Project
<b>Compensation unit price for land</b>	<b>Land Law 2013, Article 114, Clauses 3 and 4:</b> land price for compensation calculation is specific price of land.	Compensation at full replacement cost.	Compensation at full replacement cost.
<b>Compensation for house and structures</b>	<b>Land Law 2013, Article 89, item 1:</b> houses/structures used for living purpose will be compensated at replacement cost. <b>Decree 47, article 9:</b> Houses/structures used for other purposes will be compensated equal to the remaining value of the affected house plus some percentage of current value but total compensation amount is not exceed value of the new house/structure.	Rate of compensation for acquired housing, land and other assets will be calculated at full replacement costs, based upon: i) fair market value, ii) transaction costs, iii) interest accrued, iv) transitional and restoration costs, v) other applicable payments.	Full compensation at replacement cost will be paid for all affected structures without any deductions for salvageable materials or depreciation.
<b>Compensation for trees, crops and livestock, annual crops, perennial trees</b>	Land Law 2013, Article 90: compensation equal to the value of the output of their crops which will be calculated based on the highest yield of crops season in 3 recent years multiplying with the average local price at the time of land acquisition. Compensation equal to the existing value of the orchard, calculated at the local price at the time of land acquisition excluding the value of land user right.	Compensation at full replacement cost	Compensation at replacement cost as appraised by independent appraiser
<b>Prepare Resettlement Plan</b>	Decree No. 47/2014/NĐ-CP, Article 28: Prepare compensation plan, assistance, resettlement when the State recovers land for the purpose of national defense and security; economic and social development as national interest, public.	Prepare a resettlement plan	Prepare a resettlement plan



Issues	Viet Nam policy	ADB Policy (SPS 2009)	Policy applied for the Project
<b>Monitoring</b>	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 and EMDP implementation	The IA must undertake internal monitoring according to the critical indicators. Anticipated negative impacts of the project are minor, it is no need to recruit an external monitoring organization.

## **CHAPTER 7. ENTITLEMENTS, ASSISTANCE AND BENEFITS**

### **A. Principles on Compensation, Assistance and Resettlement**

79. In order to harmonize the above-mentioned gaps between the regulations of GoV and ADB's SPS 2009, the Article 87 of the Land Law 2013 requires that "For Projects using loans from international or foreign organizations for which Vietnam has committed to a policy framework for compensation, support and resettlement, that framework policy shall apply". The following project resettlement principles have been assigned to address the discrepancies between ADB SPS and relevant government regulations as previously described in the gap analysis:

- Involuntary resettlement and impacts on land, structures and other fixed assets will be avoided or minimized where possible by exploring all alternative options;
- Compensation and assistance will be based on the principle of replacement cost at the time of compensation. A household is considered severely affected when they are losing 10% or more of the household's productive (Income-generating) assets or need to relocate as a result of the project;
- Displaced persons without title or any recognizable legal rights to land are eligible for compensation for affected non-land assets at replacement cost and resettlement assistance;
- Residential and agricultural land for replacement should be close to the previous places as much as possible and be suitable to displaced persons;
- Meaningful consultation will be carried out with the displaced persons and concerned groups and ensure participation from planning up to implementation;
- The comments and suggestions of the affected persons and communities will be taken into account;
- The Resettlement Plan will be disclosed to affected persons in a form and language(s) understandable to them;
- Resettlement identification, planning and management will ensure that gender concerns are incorporated;
- 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;
- Existing cultural and religious practices will be respected and preserved, to the maximum extent practical. Culturally appropriate and gender-sensitive social impact assessment and monitoring will be carried out in various stages of the Project;
- 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;
- Budget for payment of compensation, assistance, and resettlement and support will be prepared sufficiently and made available during Project implementation and by MOH and HMU;

80. The CHPMU will not issue notice of proceed to contractors for any component until ADB received confirmation through a resettlement completion report that (i) compensation and assistance payment has been fully disbursed to the displaced persons and rehabilitation measures are in place; (ii) already-compensated, assisted displaced persons have handed over the affected area in a timely manner; and (iii) the area is free from any encumbrances.

## **B. Cut-off date and Eligibility**

81. Eligibility is determined considering land use rights consistent with the Vietnamese Law and accounting for the cut-off date. The cut-off date will be defined as the date of officially informing the notice of land acquisition. The specific date will be established during project implementation and will be included in the updated RP.

82. In addition, the extent of eligibility for compensation with regard to land is determined by legal rights to the land concerned. There are three types of affected persons: (i) persons who will fully or partially lose the land with Land Use Right Certification (LURC); (ii) persons who do not have LURC yet but claim recognizable under the National Laws on the ownership of the land for the land lost; or (iii) persons who fully or partly lost the land they occupy and do not have any recognizable claims to that land. Affected persons included under (i) and (ii) above shall be compensated for the affected land and assets but affected persons included under (iii) shall not be compensated for the land, but for the affected assets upon land and are entitled to additional assistance if they have to relocate, belong to any vulnerable groups, or are severely affected.

## **C. Specific Entitlements**

83. All APs who own or occupy land or operate businesses in the project-affected areas before the cut-off date, will be entitled to compensation for their affected assets and to rehabilitation measures sufficient to assist them to improve or at least maintain their pre-project living standards, income-earning capacity and production levels. Those who encroach into the project areas after the cut-off date will not be entitled to compensation or any other forms of assistance.

84. The entitlement matrix in the following table includes the main types of losses and the corresponding nature and scope of entitlements. The detailed civil works design, DMS, SES and RCS will be the basis for determining actual impacts and compensation rates for losses. Phu Ly City PC will engage an independent specialist to carry out the replacement cost study (RCS) to determine actual replacement costs and rates. Entitlements described in this RP will not be lowered during RP updating but can be enhanced in the updated RP as required.

**Table 17: Entitlement Matrix**

No	Type of Loss/Impact	Level of Impact	Eligibility	Entitlements	Implementation Issues
1a	Loss of agricultural land of individuals, households (101,298m <sup>2</sup> )	Loss of productive land less than 10% of total land holding and the remaining unaffected portion is viable for continued use)	All individuals, households have LURC or have claim recognized or recognizable by law. (94 AHs)	<ol style="list-style-type: none"> <li>1. Cash compensation for acquired land at replacement cost which is equivalent to current market price and free from transaction costs (e.g., taxes, certification, administration costs);</li> <li>2. Compensation for trees/crops, structures see item 3 below.</li> <li>3. Allowance for job change and creation, and life stabilization allowance. See items 5 and 6a below</li> </ol>	<p>AHs shall be informed three months in advance before the Notice of land recovery so they can stop the cultivation on land and harvest the crops. AHs shall fully receive the compensation and allowance at the replacement cost before site clearance.</p> <p>If remaining land holding is not economically viable i.e. is too small to be economically cultivated, and if the AH so agrees, the project will acquire the entire land holding and not just the affected portion. The size of the entire holding will be the basis for providing replacement land or cash compensation. The economically remaining land area will be identified by DRC for each case.</p> <p>During DMS, local authority will decide the legal status of land use of land plots of households who had passed away and compensation and assistance amount will be provided to legal inherited persons.</p>
1b		Loss of 10% and more of total productive holding and the remaining unaffected portion is not viable for continued use)	All individuals, households have LURC or have claim recognized or recognizable by law. (31 AHs)	<ol style="list-style-type: none"> <li>1. Cash compensation for acquired land at replacement cost which is equivalent to current market price and free from transaction costs (e.g., taxes, certification, administration costs);</li> <li>2. Compensation for trees/crops, structures see item 3 below.</li> <li>3. Allowance for job change and creation, and life stabilization allowance. See items 5 and 6a below.</li> <li>4. Entitled to participate in Income Restoration Program. See item 6b below.</li> </ol>	
2	Loss of agricultural land managed by CPC	(12,282m <sup>2</sup> )	Communal People Committee	Cash assistance at 100% of compensation amount for acquired land with unit price as stipulated by PPC	The assistance amount will be transferred to CPC account and used for the purpose of development of public

					infrastructure and facility of commune
3	Loss of annual crops	Loss of annual crops (101,298 m2 of rice)	Owners regardless of land tenure status (125 AHs)	Annual crops and aquaculture products, cash compensation equivalent to the output value of the annual harvest as the highest yield of the harvests in the preceding 3 years of the local main crop and the average price at the time of land recovery.	AHs shall be informed three months in advance before the Notice of land recovery to be able to harvest the crops. Crops grown after issuance of the deadline to cease planting crops will not be compensated.
4	Loss of public and community assets (irrigation canals and trails)		Local community and Local Government	Cash compensation to the labour force for excavating irrigation canals and filling on-farm roads that were invested by the fund contributed by local people; and Cash compensation to construct the structures to replace the affected assets;	Project shall compensate for the volumn of soil excavation and bacfilling of local community for affected class 3 and on-farm canals and footpath.
5	Allowance for job training and creation	(72 HHs – households directly cultivate on land out of 125 AHs)	AHs losing agriculture land	Allowance for job training, job transition, searching and creation for APs who are directly engaged in agricultural production: supported for training, job transition and job search in cash which is equivalent to 2 times agricultural land compensation amount. The maximum area to be calculated for this assistance is not larger than 3 ha (land quota in locality).	
6a	Loss of income due to productive land to be acquired	101,298 m2	All affected households who will lose agricultural land 125HHs	Assistance for life stabilization will be provided in cash to households with an amount calculating by multiplying with 15,000 VND/m2 for affected land area but not exceed land quota at locality.	

6b		(31 SAHs 09 VAHs. 01 VAH is also SAH)	Severely, vulnerable affected households	Beside the assistance for life stabilization as mentioned in 6a, severely and vulnerable affected households will be entitled to participate in income restoration program implemented by project	During implementation of RP, project owner, implementing agency and local authority will develop in details and implement the IRP based on the consultation with local livelihood agency and with the participation of households.
7	Higher Risks of impoverishment/ Hardship due to Loss of income source	Affected vulnerable groups regardless of severity of impacts. (09 HHs)	Definition as women headed households with dependents, people with disabilities, war veteran, elderly without any support households and poor AHs	1. Households, individuals whose land is recovered and are poor as defined by the national poverty standard shall be supported to overcome poverty, with allowance of 6,000,000 VND per household. 2. Households which are receiving the subsidy policy of the State (with a certificate from the State agency authorized) is supported with the allowance of 3,000,000 VND per household. 3. Female headed households with dependents will receive allowance of VND 3,000,000 per households Entitled to participate in income restoration program.	If a household is entitled to multiple types of vulnerability as mentioned, this household will only receive one type of support with the highest levels of allowance.
8	Bonus for land handed over on time	(125 AHs)	All affected households who have land affected	Cash bonus of 1,000,000 VND will be provided to households who hand over the land to project on time	

## **CHAPTER 8. RELOCATION OF HOUSING AND SETTLEMENT**

85. There will be no relocations of houses. Only agricultural land, and communal canals will be affected. There is no grave or cultural work in Phase 1 but there is a gravesite located close. Local people worry that the construction of the works will affect the tomb, such as smoke, building rubbish, having many workers going there every day, etc. This requires the need for barriers between the construction area and the off-site areas. Suitable mitigation measures shall be provided in Environment Management Plan to avoid the impacts to cemetery surrounding Phase 1 boundary.

## **CHAPTER 9. INCOME RESTORATION AND REHABILITATION**

### **A. Livelihood Risks**

86. The acquisition for the Project, as mentioned before, will mainly be of agricultural land with two season crops of rice. In some higher grounds the people may also have some short season plant cultivation (soybeans and other vegetables for example). The productivity of rice is from 300 to 350kg per 360m<sup>2</sup> and the rice price is around 6,000-7,000VND/per 1kg. The estimated income loss for 360m<sup>2</sup> is of 2,100,000VND per season, and about 4,200,000VND (equal to 184.5 USD) per year.

87. A number of households are older people within the age range of 40-60 years old, whose livelihood is rice cultivation. Loss of productive land will make it difficult for them to find alternative income sources because of their age and lack of skills. These AHs need a money management guide to effectively use the compensation amount or guide them to invest in small home-based business services besides depositing savings at the bank.

### **B. Objectives and Eligible households for Income Restoration Program**

88. Two groups of affected households will be eligible for participating in IRP: i) severely affected households; ii) vulnerable affected households. The Project will have 31 severely affected households and 09 vulnerable households, including disabled, poor households, women-headed households, single and low-income women, policy beneficiaries, etc. The exact number of severely affected and vulnerable affected households will be verified and updated later during the DMS.

89. Income restoration programs will be implemented in order to assist the severely affected households and vulnerable groups: (i) restore the sources of income to at least be equal to pre-Project conditions; and (ii) improve the ability of generating the income through income restoration models designed to be suitable with the preferences of AHs and local socio-economic characteristics. Baseline data on the income sources, income level and ability to generate the income needs to be collected as a basis for analyzing the effectiveness and level of achievements of the income restoration program.

### **C. Strategy for Income Restoration Program**

90. In supporting the households to restore their income loss due to land acquisition in short term, different allowances will be provided to affected households:

- Support for job change and creation: cash assistance equivalent to 2 times of compensation amount for affected agricultural land.
- Support for life stabilization: cash assistance provided to affected households who have agricultural land affected with the amount 15,000 VND/m<sup>2</sup> for affected land area but not exceeding the land quota at locality.

91. However, experience in implementing land acquisition and resettlement in many ADB funded projects shows that cash assistance is not enough to ensure long-term sustainability of the livelihood

of severely affected and vulnerable affected households. Beside cash assistances, it is necessary to provide strategy for income restoration and rehabilitation to the eligible households. Based on consultation with livelihood agencies such as DOLISA and DARD and with affected households during SES, the following income restoration and rehabilitation strategy can be provided to the households.

92. The household heads with age over 40 cannot find the job in local enterprises and still insist in farming activities and livestock raising. Based on the consultations with heads of severely affected households, they would like to receive additional support in kind for restoring their livelihood themselves. In the surveyed area, the households are raising livestock like chicken, duck. Pig and cow raising is not encouraged in Tien Tan commune, as this will be urban area in future.

93. An Income Restoration Program (IRP) will be developed and implemented by the CHPMU and CARB to (a) maximise the use of remaining unacquired production land for farming purpose; (b) create career opportunities through vocational trainings and job creating activities; (c) provide technical assistance or/and small business/service models for those who want to do business. To achieve the first objective of maximising the use of remaining productive land for farming, the Program will provide assistances and appropriate technique for entitled households whose remaining land are still viable to implement agricultural extension models. To create career opportunities through vocational trainings and job creating activities, the Program will organise training courses that suit their needs, capacity and provide supplementary trainings, consultations, allowance and other supports to participants attending the courses as well as tools/equipment for career establishment after being trained. With the objective of providing technical assistance or/and small business/service models for those who want to do business in the local area, the Program will provide them with technical advice, small business/service models and other training courses, study tours, and some in-kind/materials support for business establishment.

94. The IRP is designed to support (i) the severely affected households losing 10% or more of their production/income-generating assets (31 households); (ii) and the vulnerable affected households (09 households) of the Project. Among vulnerable AHs, 01 is severely affected also therefore in total, 39 households are eligible for IPR. The final figures on the severely affected households and vulnerable affected households by the Project will be updated following the result of the DMS.

95. Budget for IRP implementation (cost of materials/input) have been estimated. It is noted that, during the detailed needs assessment and additional consultations during RP updating to finalise the IRP, the rates may be adjusted if necessary to ensure that the income restoration activities are implemented effectively to restore income and develop livelihoods of eligible households. However, no cash assistance shall be provided directly to the IRP eligible households but will be in-kind/materials. After implementation of the IRP, the households will not have to return the provided assistance to the Project. To estimate the budget for IRP, the following rates are proposed initially as below:

- For households who lose more than 70%, assistance equivalent to 30kg of rice per member of household per month and support period is 12 months;
- For those who lose from 30% to 70%, assistance equivalent to 30kg of rice per member of household per month and support period is 9 months;
- For those who lose less than 30% and vulnerable affected households, assistance equivalent to 30kg of rice per member of household per month and support period is 6 months.
- One member of severely affected households/vulnerable affected households is entitled to participate in vocational training course according to Decision 1956/QD-TTg.

96. Training requirements of the IRP eligible households will be finalised during updating of the resettlement plan. The households at that time will know the details of impacts on their land and



livelihood, compensation and assistance package for their household, and will have concrete ideas on what should be the income restoration measures that they wish to implement - detailed training program will be developed accordingly. Trainings will be provided by batches. The first training will be conducted prior to provision of IRP material support to the eligible households, and will focus on (i) the specific training needs of the eligible households identified during the detailed needs assessment (carried out during updating of the resettlement plan); and (ii) the areas that the specialized agencies (agricultural extension division of the District, for example) consider necessary for effective implementation of the income restoration activities. The second batch of trainings (“refresher” trainings) will be conducted during implementation of the income restoration activities; and the final training will be scheduled after implementation of the activities. This last training will focus on sharing of lessons learned and how participating IRP households can continue to apply the knowledge gained. The training sessions will involve visual aids and practical training, and participants will be provided with handouts that can be used as reference during implementation of the income restoration activities.

97. In addition to the trainings, IRP eligible households will receive materials / breeds and technical supports to increase agricultural productivity. The households will also be equipped with tools, equipment and other means to improve their production efficiency as well as their businesses. All the support aims to help to generate income for the households.

98. A detailed needs assessment will be conducted during RP updating to assess the impacts and needs of the affected households for income restoration activities and it will be used as basis for preparation of a detailed IRP. List of detailed income restoration activities, support levels for eligible households, and list of eligible households following the eligibility criteria, and responsibilities of concerned agencies will be finalised by the CHPMU and CARB together with commune/ward people's committees and IRP eligible households and reflected in the final RP.

#### **D. Other livelihood restoration measures:**

99. Beside the income restoration strategy proposed in Section C, additional measures are proposed to support livelihood rehabilitation such as:

100. Facilitate heads of households to find the job that is suitable with their age and gender like security staff or cooking staff in local enterprises, house keeper or babysitter.

101. Priority employment for skilled AHs in the Project: The income restoration and rehabilitation activities shall consider ways to provide short- term income support through employment of skilled labor with priority assistance to severely affected and vulnerable affected households. The CHPMU will ensure provision of employment support during construction and project operation. Coordination with the CHPMU need to be done to identify skilled members to be accommodated in the projects' labor requirement. The CHPMU will specify in the labor contract with the contractors to absorb some skilled workers from AHs, with provision for female members as well. The employment for skilled AHs will be selected based on the priority of ranking from high to low percentage of land loss.

102. Phu Ly DOLISA and CARB shall be responsible to assess the needs for job finding of severely affected and vulnerable affected households during updating of RP then introduce the household heads and members to clients who have the demand for labor force.

103. The budget for IRP is included in the budget for the land acquisition and resettlement.

#### **E. Social Insurance and Special Funds**

104. Social insurance is not applicable in this case. Nevertheless, there will be members of the

Commune Women's Union in the Resettlement Committee and consultation with women, women-headed households and older women will be held separately. Vulnerable groups (poor households, female-headed households, elderly women, disabled people, etc.) will be supported by specific provincial policies such as lower interest rate loans for housing, advantages on changing jobs or free training for youngsters of vulnerable AHs.

#### **F. Implementation Arrangement**

105. CHPMU will be responsible for: (i) cooperating with Phu Ly City PC and related departments to manage implementation of the IRP and preparing reports to ADB; (ii) co-ordinate with CARB to carry out detailed needs assessment; (iii) Discuss and agree with CARB and commune people's committees on specific income restoration measures to implement; (iv) Supports CARB in preparing the IRP for submission to Phu Ly City PC for review and acceptance; (v) ensure that fund is available in bank account to implement IRP; (vi) Reflecting the IRP in the updated resettlement plan and submit to ADB for review and concurrence; (vii) Providing guidance to CARB in implementing and monitoring of the approved IRP; (viii) monitoring IRP implementation.

106. CARB will be responsible for: (i) carrying out detailed need assessment of IRP eligible households; (ii) developing IRP in detail and then submitting the program to CHPMU for review before submitting to Phu Ly city PC for approval; (iii) Directly planning and implementing income restoration activities on-site, coordinating with CHPMU for implementing specific IRP activities ; (iv) providing necessary documents to CHPMU to timely allocate fund for IRP activities; (v) Regularly monitoring the status of IRP implementation and providing support as needed; (vi) closely working with local authority (CPC), organizations/unions (Women union, farmer association) to find out solutions for arising issues during the process of implementing IRP; (vii) preparing reports on implementation progress of IRP to submit to CHPMU.

107. Commune/Ward People's Committee will be responsible for: (i) Assisting CARB and CHPMU in carrying out detailed needs assessment; (ii) Assisting CARB and CHPMU in implementing IRP; (iii) Assisting CARB and CHPMU in monitoring implementation of IRP.

### **CHAPTER 10. RESETTLEMENT BUDGET AND FINANCING PLAN**

#### **A. Procedures on Flow of Funds**

108. Funds for compensation and implementation of the plan will come from HMU and MOH as counterpart funds. CHPMU will be responsible for allocating and transferring funds for resettlement to the CARB who will be responsible for making payments directly to APs with respect to land, crops, and any allowances. CHPMU will establish a system to ensure that the capital flows are transparent, complete and assigned swiftly and effectively. Monitoring will occur regularly and the financial reports on resettlement compensation payments should be submitted in a timely manner.

#### **B. Replacement Cost Study**

109. During consultation with local authority, community and affected households, it is recorded that there is no transaction on agricultural land in Tien Tan commune and the local people feel satisfied with compensation rates regulated by Ha Nam PPC. The unit prices for structures were updated based on the latest prices declared by Department of Finance in April 2018. These will be updated at the time of RP updating based on the RCS.

Table 10: Proposed unit costs for compensation

No	Compensation item	Unit	Compensation price as regulated by the Ha Nam PPC	Compensation price proposed for project
1	Agricultural land	m <sup>2</sup>	58,000	58,000
2	Crops (paddy)	m <sup>2</sup>	9,000	9,000
3	Excavation and Backfill	M <sup>3</sup>	115,000	115,000
4	Pipe Culvert D=80cm	M	845,000	845,000
5	Pipe Culvert D=60cm	M	540,000	540,000
6	Pipe Culvert D=40cm	M	420,000	420,000

### C. Cost Estimate and Budget for Land acquisition

110. As shown in the table below, the estimated cost for resettlement of the Project is 29,801,502,552VND (equal to 1,302,229USD), to be included in the Project investment cost. The rates for compensation and cash entitlements for rehabilitation, as well as allowances payable to APs, will be adjusted based on the DMS, SES and RCS. The different categories for items for compensation are agricultural land, drainage and irrigations canals, trails and rice. All compensated items are calculated according on the price specified by Ha Nam PPC according to the most recently issued documents. Unit costs will be confirmed through the RCS at the time of RP updating.

**Table 11: Total Cost of resettlement for the complete area of the Project**

No	Items	Unit	Quantity	Unit price (VND/unit )	Amount (VND)
I	Compensation for Land				
	- Land for annual I rice crops <sup>4</sup>	m <sup>2</sup>	101,298	58,000	5,875,284,000
II	Compensation for Crops and Trees				
	Rice <sup>5</sup>	m <sup>2</sup>	101,298	9,000	911,682,000
III	Compensation for structures <sup>6</sup>				
3.1	Irrigation drain level 2 (big) (3 culverts x 5 m); diameter 80	m	15	845,000	12,675,000
3.2	Irrigation drain level 3 (small) (4 culverts x 3 m); diameter 60	m	12	540,000	6,480,000
3.3	Irrigation drain level 3 (small) (22 culverts x 3 m); diameter 40	m	36	420,000	15,120,000
3.4	Compensation cost for accretion of land for canal and road in the field. <sup>7</sup>	M3	42,830	115,000	4,925,450,000
IV	Assistances <sup>8</sup>				
4.1	Assistance for training, job change and job seeking, which is equal to 2 times of the unit price regulated by Ha Nam PPC				
	- Land for annual rice crops	m <sup>2</sup>	101,298	116,000	11,750,568,000
4.2	Assistance for life stabilization and production stabilization (15,000 VND/m <sup>2</sup> ); applicable to all affected households regulated by Ha Nam PPC <sup>9</sup>	m <sup>2</sup>	101,298	15,000	1,519,470,000
4.3	Assistance for Vulnerable group/Policy household: <sup>10</sup>				
	- For poor households	VAH	2	6,000,000	12,000,000
	- For other vulnerable households	VAH	7	3,000,000	21,000,000
4.4	Bonus for handing over the affected land on-time (125 AHs) <sup>11</sup>	AH	125	1,000,000	125,000,000
4.5	Assistance for agricultural land managed by CPC	M2	12,282	58,000	712,356,000

<sup>4</sup> According to the Decision No. 50/2014 / QD-UBND dated 19/12/2014 by the People's Committee of Ha Nam province on compensation and support for land when the State recovers land.

<sup>5</sup> According to the Decision No. 50/2014 / QD-UBND dated 19/12/2014 by the People's Committee of Ha Nam province

<sup>6</sup> According to the Announcement No. 426 / CB-SXD dated 27/3/2018, the price of building materials in Q1 2018 issued by the construction department, People's Committee of Ha Nam province.

<sup>7</sup> According to Decision No. 1623 / QD-UBND Hanam dated 06/12/2012, announced the price of construction works in Ha Nam province.

<sup>8</sup> According to the Decision No. 50/2014 / QD-UBND dated 19/12/2014 by the People's Committee of Ha Nam province

<sup>9</sup> According to the Decision No. 50/2014 / QD-UBND dated 19/12/2014 by the People's Committee of Ha Nam province

<sup>10</sup> According to Replacement cost proposed by the consultant

<sup>11</sup> According to Replacement cost proposed by the consultant

V	Income Restoration Program / Support for livelihood development (apply for the AHs who lost 10% or more of their total productive assets, divided into three levels: <30 %; 30 - 70%; > 70% and vulnerable AHs)				
5.1	For the AHs who lost > 70 % of their total productive assets	AP	25	3,600,000	90,000,000
5.2	For the AHs who lost 30 – 70 % of their total productive assets	AP	50	2,700,000	135,000,000
5.3	For the AHs who lost < 30 % of their total productive assets	AP	46	1,800,000	82,800,000
5.4	For the vulnerable AHs <sup>12</sup>	AP	11	1,800,000	19,800,000
	Total I + II + III+ IV+V:				26,214,685,000
VI	Administration Cost	2% (I + II + III+ IV+V)			524,293,700
VII	Cost of Cadastral Mapping for Land Acquisition (Cadastral Map: 1/2.000)				
	Cadastral Mapping <sup>13</sup> for Land Acquisition (1/2.000)	ha	16	1,563,000	25,008,000
	Cadastral measurements of the land plots (41 plots are currently owned by Ahs and government)	plot	18	3,336,000	60,048,000
	Total I + II + III+ IV + V +VI+VII:				26,824,034,700
VIII	Replacement Cost Appraiser (1% of total I, II, II, IV, V, VI, VII)				268,240,347
IX	TOTAL= I + II +III + IV + V + VI + VII + VIII+IX				27,092,275,047
X	Contingency cost (10%)				2,709,227,505
	GRAND TOTAL = (X) + (XI)				29,801,502,552
				USD	1,302,229

<sup>12</sup> 01 (02 APs) out of 09 vulnerable households (13 APs) is severely affected household also (10%-30%), therefore this household will not be counted as vulnerable household here.

<sup>13</sup> According to Decision No. 2419 / QD-Committee of Hanam Province in 2016 issued the "Service price of cadastral measurements and mapping

## **CHAPTER 11. INSTITUTIONAL ARRANGEMENTS**

111. Implementation of the Resettlement Plan requires the participation of relevant agencies from the Central to province, district, and commune level. The executing agency has the overall responsibility for implementation of the Resettlement Plan.

### **A. Ministry of Health**

112. The Ministry of Health (MOH) will be the Executing Agency (EA) for the Project with direct responsibility for the overall management and coordination of the proposed project and assigned Central Health Project Management Unit (CHPMU) as project Implementing Agency (IA). MOH has the following responsibilities:

- Providing overall planning, coordination, and supervision of the whole project including resettlement implementation;
- Instruct CHPMU to prepare Resettlement Framework as required by Land Law and obtain the approval from Prime Minister;
- Timely allocation of budget for land acquisition and resettlement;
- Co-ordinate with PPC to instruct relevant agencies in resettlement implementation.

### **B. Central Health Project Management Unit (CHPMU)**

113. With the role of Implementing Agency, during implementing compensation, assistance, resettlement, CHPMU has the following responsibilities:

- Prepare the Resettlement Framework as required by Land Law;
- Finalizing RP and obtaining PPC's concurrence and ADB's approval before implementing approved RP;
- Providing resettlement training to the staff of CARB and Task Force Team with the support of PSC;
- Co-ordinate with CARB and Task Force Team to implement resettlement activities in accordance with policy of the approved RP; and to timely and successfully resolve any shortcomings during RP implementation to ensure that the objectives of the RP are met;
- Coordinating with PPC and relevant stakeholders during periods of preparation, planning and implementation of the RP;
- Establishing procedures for internal monitoring, monitor and speed up implementation progress of land acquisition and compensation to meet the construction progress of the project, ensure implementation in compliance with project resettlement policies; establish database of APs for each campus, as well as for the Project as a whole;
- Establishing procedures for monitoring coordination between contractors and local communities and for ensuring prompt identification and compensation for impacts occurring during construction;
- Consolidate the progress reports from CARB and submit periodically (Semi-annual) Monitoring Report on resettlement implementation progress to the ADB.
- Prepare resettlement completion report and submit to ADB prior to commencement of civil works for any component.

### **C. HMU**

114. For land acquisition, HMU will:

- Ensure budget for implementation of land acquisition and timely allocate funds in accordance with demand of CARB.
- Assign staff to co-operate with staff of CHPMU in land acquisition implementation.

### **D. Ha Nam Provincial People's Committee**

115. Ha Nam Provincial People's Committee (PPC) is responsible for resettlement activities within its administrative jurisdiction. The main responsibilities of this PPC include:

- Concurrence with final RP;
- Assign Phu Ly City PC as implementation agency for land acquisition of project
- Issue decisions approving land valuations applied for compensation rates, allowances and other supports to APs, especially vulnerable groups, based on principles of RP;
- Direct and supervise Phu Ly city and provincial relevant departments to implement effectively the RP and update RP later.
- Direct the relevant agencies to settle APs' complaints, grievances related to compensation, assistance and resettlement according to their law-prescribed competence;
- Direct the relevant agencies to examine and handle the violations in the compensation, assistance and resettlement domain.

#### **E. Provincial Departments (DONRE, DOF, DOC, DARD, DOLISA)**

- Support Ha Nam PPC to appraise the replacement cost survey and submit to PPC for approval;
- Provide support and guidance to CHPMU and CARB in implementing IRP.

#### **F. People's Committee of Phu Ly City**

116. The Phu Ly City PC assigned by Ha Nam PPC to be involved directly in land acquisition implementation and will conduct following activities:

- Establish the Compensation, Assistance, and Resettlement Board (CARB) and Task Force Team for project to implement LAR as requirements in approved RP;
- Instruct CARB and Task Force Team to conduct project dissemination and public consultation with local community, affecte households as requested in approved RP;
- Assign CARB to coordinate with the CHPMU, to implement and monitor RP and IRP implementation.
- Direct CARB and relevant district departments and communes to prepare, appraise the detailed compensation, assistance and resettlement plans base on provisions and entitlements in approved RP;
- Recruit a qualified price survey/ appraisal company to perform the replacement cost survey. Submit the unit prices to the People's Committees of Ha Nam for appraisal and approval to complete the compensation plan;
- Issue decision for land acquisition in the same time with approved compensation plans;
- Approve adjusting LURC for households and individuals who have land/ house recovered, in accordance with authorized decisions;
- Resolve complaints and grievances of APs.

117. Members of CARB will include vice chairman of Phu Ly City PC, representatives of relevant divisions such as Division of Natural Resource and Environment, Division of Finance and Planning, Vice director of Nam Cao University Complex, Vice chairman of LFDC, Leaders of CPC, representatives of mass organizations of Phu Ly City (Father Land Front, Women Union).

118. Member of Task Force Team will be staffs of LFDC, cadastral officers of commune, representatives of Nam Cao PMB, village and affected households.

#### **G. CARB and Task Force Team**

119. Established for supporting Phu Ly City PC in implementing land acquisition and compensation, assistance payment, CARB and Task Force Team will do the following activities:

- Carry out the dissemination of resettlement information and public consultation with affected people;
- Conduct income restoration program (IRP) and coordinate with the concerned agencies in the implementation of the IRP;
- Provide the information of budget demand for compensation to CHPMU to ensure the fund allocated timely;
- Work directly with CHPMU, CPC in implementation of the resettlement plan: implement the DMS, establish AHS' database, prepare compensation plans, and payment of compensation, assistance and allowances;
- Implement the internal monitoring of the RP implementation and ensure that the resettlement activities are in compliance with the approved RP. Prepare periodic monitoring reports on the RP implementation to CHPMU.

#### **H. Land Fund Development Centre (LFDC)**

120. In Phu Ly City, the Centre for Land Fund Development (CLFD) was established under the DONRE and has the mandate to implement all resettlement activities. For this Project, Phu Ly City CLFD will assign staff to join in CARB and Task Force to work with CHPMU to prepare and implement the resettlement plan with other relevant institutions.

#### **I. Nam Cao University Complex**

121. Co-operate with local authority in procedure of land handed over to project in Nam Cao University Complex and assign staff to participate in CARB and Task Force Team.

#### **J. Commune People's Committees**

122. Communal People's Committees will be responsible for: (i) assigning commune officials/staffs in CARB and in Task Force Team to carry out all resettlement activities in its commune; (ii), the dissemination of Project information and facilitating public meetings and consultation with APs; (iii) assisting CARB, in census surveys, a replacement cost survey, DMS and other resettlement related activities (IRP implementation); (iv) checking and confirming the legal status of affected land, houses, structures and other assets/losses of organizations; (v) ensuring the DP's grievances redress mechanisms are appropriate and properly put in place; (vi) documenting grievances and maintaining records of all grievances, and assisting and advising APs with respect to the speedy redress of grievances.

#### **K. Construction Supervision Consultant for Resettlement**

123. A national resettlement consultant (2-person months) will be mobilized under the detailed engineering design firm to update the RP, to assess the need for capacity building for parties involved in land acquisition and resettlement, and brief the EA and resettlement implementing agencies on project resettlement policy. A second national resettlement consultant (6-person months, intermittent) will be mobilized as part of construction supervision consultants and will be assigned to assist the CHPMU in the implementation of the RP, ensuring that the findings and recommendations related to resettlement implementation are discussed with CHPMU and CARB to take action in time, and prepare semi-annual resettlement monitoring reports, and resettlement completion report(s).

### **CHAPTER 12. IMPLEMENTATION SCHEDULE**

124. The implementation schedule must ensure synchronized actions between the implementation of the Resettlement Plan and commencement of civil works. Compensation and assistance payments



must be completed, and rehabilitation measures should be in place and the site free of any encumbrances prior to the commencement of the civil works for any component of the Project.

125. The following activities are involved in RP preparation and implementation:

- (i) Detailed Measurement and Census Survey. Once the project boundaries and detailed design had been completed, DMS will be conducted by CARB and Task force team. The DMS survey will serve as a basis for finalizing the land acquisition and resettlement impacts and updating RP. The data will be computerized by the CHPMU; Details on how to carry out the DMS are provided in Annex 7.
- (ii) Updating Compensation Rates. During the detailed design process, the Phu Ly City PC will engage a consultant firm to conduct replacement cost study to identify the unit rates at replacement cost for all categories of loss; The results of replacement cost survey will be submitted to Ha Nam PPC for appraisal and approval as the basis for calculating compensation plans.
- (iii) Pricing and preparing detailed compensation plans to AHs. CARB will be responsible for calculating compensation amount based on the results of the replacement cost study. The draft compensation plans will be disclosed to AHs for comments and feedback;
- (iv) Updated RP will be prepared based on draft compensation plans and submitted to ADB for approval. The final compensation plans will be approved afterward and payment will be made to AHs.

126. The site clearance for the Project is expected to be in second quarter 2021 for handing over to the contractors by July 2021.

127. CHPMU shall ensure that civil works contractors are not issued a notice to proceed for civil work commencement in any component until CHPMU has confirmed in writing to ADB (via a resettlement completion report) that: (i) resettlement implementation and compensation and assistance payments satisfactorily completed, in accordance with the approved updated RP; and (ii) ensured that required rehabilitation assistance is in place and the area required for civil works is free of all encumbrances.

**Table 12: Schedule of Resettlement Plan Implementation**

Activities	Responsibility	Time
<b>Preparing RP</b>		
Conduct IOL, SES, RCS at the site	CHPMU/TRTA	3-6/2018
Conduct consultations with affected people, local community and CPC	CHPMU/TRTA/CPC	3 – 6/2018
Conduct consultations with relevant stakeholders	CHPMU/TRTA	3 - 6/2018
Prepare the Draft RP	CHPMU/TRTA	5 – 6/2018
Consultation draft RP with relevant stakeholders	CHPMU/TRTA	7/2018
Endorse final draft RP	PPC/ADB	9/2018
Disclose the approved RP on ADB website and disclose locally to APs and communes	CHPMU/TRTA	9/2018
<b>Implementing RP</b>		
Provide training on Project resettlement policy	Resettlement Consultant	12/2020
Detailed engineering and demarcation of land to be acquired	CHPMU/Design consultant	3-12/2020

Conduct Public consultation meeting with APs before DMS	CHPMU/CARB/Task Force Team/PSC	12/2020
Conduct RCS, DMS and prepare draft compensation plans	CARB/ Task Force Team/Appraiser Consultant	1-2/2021
Appraise and approve RCS	PPC	
Update the RP based on results of DMS, RCS and consultations	CHPMU/support consultant	2/2021
Approval for Updated RP	ADB/PPC	3/2021
Compensation plan approved and compensation and allowance provided to AHs	Phu Ly City PC	4-5/2021
Site Clearance and land handed over to contractor	CARB	5-6/2021
Developing IRP in detail and implementation	CARB/CHPMU	2/2021-6/2021
Issue notice for Commencing civil works	CHPMU	7/2021
<b>Monitoring</b>		
Internal monitoring on the implementation LAR and RP	CHPMU/CARB/support consultant	Begin 12/2020
Semi-annual social monitoring report to ADB	CHPMU/CARB/support consultant	6/2021 onwards

### CHAPTER 13. MONITORING AND REPORTING

128. Based on the level of impact, project is categorized as Cat B on Involuntary Resettlement, therefore only internal monitoring is required and no external monitoring agency is required and engaged according to ADB SPS 2009. CHPMU is directly responsible for internal monitoring of RP implementation. CHPMU will establish a program for internal monitoring and reporting with the following objectives:

- (i) To monitor and report that the RP has been implemented in an accurate and timely manner.
- (ii) To assess whether and to what degree RP objectives have been achieved.
- (iii) To identify problems or potential problems and methods of responding immediately to mitigate the problems.

129. The principal indicators for internal monitoring of resettlement activities include the following:

- (i) Payment of compensation to affected persons in various categories, according to the compensation policy agreed in the RP, with no discrimination against gender, or any other factor.
- (ii) Public information dissemination and consultation procedures;
- (iii) Support to vulnerable groups.
- (iv) Restoration of community facilities, including local roads, irrigation systems.
- (v) Grievances and appeals, the process and the results, including redress measures.
- (vi) Adherence to grievance procedures and identification of outstanding issues that require further attention and resolution.
- (vii) Coordination and completion of resettlement activities, award of civil works contracts and notice of possession of sites.
- (viii) Staffing, training, work schedule and working effectiveness of resettlement offices at all levels.

130. CHPMU will develop an internal monitoring framework to supervise the resettlement activities and will establish a database for the land recovery and resettlement, and will monitor the whole process of resettlement.

131. During implementation, the CARB will establish relevant section of the database and update them along with the resettlement progress for planning the resettlement work in their own area. CARB will also timely transfer ongoing activity records and report on implementation progress to CHPMU so that a continuous monitoring system can be realized.

132. Under the above internal monitoring system, a set of information tables will be developed so that detailed land recovery and resettlement data could be collected from communes to CARB and CHPMU. Data will be disaggregated by gender for presentation in the social monitoring reports.

133. The resettlement work will be periodically checked and inspected by CHPMU. It will prepare a semi-annual social monitoring report and submit it to ADB.

## ANNEXES

**Annex 1: Results of IOL and Impacts of LAR – HMU Campus Phase 1 in Ha Nam**

No	Name	Village	Acquire Agricultural Land area		% Land lost	Severely Ahs (1)	Number of HHs member	Single FHHs with dependents	HHs with disabled persons	Social policy HHs		Poor HHs
			Land for annual crops (rice)	Land for perennial trees						Invalids & Martyrs	Other social policy	
1	Phạm Văn Bường	Truc Son	3,060	0	77.3 %	1	3	0	0	0	0	0
2	Nguyễn Thị Ngân	Truc Son	1,972	0	44.2 %	0	1	1	0	0	0	0
3	Phạm Thị Huê	Truc Son	2,592	0	60.0 %	1	7	0	0	0	0	0
4	Phạm Bá Lân	Truc Son	2,484	0	89.6 %	0	2	0	0	0	0	0
5	Phạm Bá Thục	Truc Son	1,344	0	54.1 %	0	5	0	0	0	0	0
6	Phạm Bá Cường	Truc Son	1,480	0	22.8 %	0	3	0	0	0	0	0
7	Đoàn Thị Liên	Truc Son	191	0	4.6%	0	1	1	0	0	0	0
8	Phạm Thị Chử	Truc Son	283	0	5.5%	0	3	0	0	0	0	0
9	Đoàn Thị Nguyệt	Truc Son	246	0	4.3%	0	3	0	0	0	0	0
10	Phạm Văn Thảo	Truc Son	215	0	4.4%	0	5	0	0	0	0	0
11	Phạm Văn Toàn	Truc Son	173	0	4.1%	0	2	0	0	0	0	0
12	Ngô Thị Nhất	Truc Son	205	0	6.3%	0	4	0	0	0	0	0
13	Trần Đình Côn	Truc Son	125	0	4.9%	0	5	0	0	0	0	0
14	Lương Thị Hòa	Truc Son	205	0	12.4 %	1	5	0	0	0	0	0
15	Phạm Duy Thủy	Truc Son	143	0	4.5%	0	6	0	0	0	0	0

16	Trần Duy Sáng	Truc Son	212	0	4.1%	0	2	0	0	0	0	0
17	Phạm Văn Dương (Tỉnh)	Truc Son	151	0	4.4%	0	1	0	0	0	0	0
18	Phạm Thị Phúc	Truc Son	167	0	3.3%	0	5	0	0	0	0	0
19	Phạm Văn Vũ	Truc Son	212	0	4.2%	0	5	0	0	0	0	0
20	Phạm Thế Lực	Truc Son	264	0	4.3%	0	4	0	0	0	0	0
21	Phạm Danh Kiểm	Truc Son	104	0	0.9%	0	4	0	0	0	0	0
22	Nguyễn Văn Định	Truc Son	198	0	11.1 %	1	3	0	0	0	0	0
23	Phạm Văn Đạo (con ông Phạm Văn Toàn)	Truc Son	845	0	23.5 %	1	5	0	0	0	0	0
24	Trần Duy Tới (đã mất) (con trai: Trần Duy Thiệp)	Truc Son	1,836	0	34.9 %	1	7	0	0	0	0	0
25	Trần Thị Thanh	Truc Son	246	0	9.8%	0	3	0	1	0	0	0
26	Phạm Văn Côn	Truc Son	1,813	0	42.0 %	1	6	0	0	0	0	0
27	Phạm Văn Bật	Truc Son	260	0	3.5%	0	5	0	0	0	0	0
28	Phạm Duy Sùng	Truc Son	320	0	<b>6.8%</b>	0	4	0	0	0	0	0
29	Phạm Duy Lầy	Truc Son	175	0	<b>7.0%</b>	0	3	0	0	0	0	0
30	Phạm Trần Nghiên	Truc Son	241	0	8.9%	0	4	0	0	0	0	0
31	Trần Đình Nhâm (user)	Truc Son	179	0	7.0%	0	5	0	0	0	0	0
32	Trần Đình Thọ	Truc Son	209	0	6.5%	0	6	0	0	0	0	0

33	Trần Đình Thế	Truc Son	227	0	14.3%	0	1	1	0	0	0	1
34	Trần Thị Thu	Truc Son	269	0	6.1%	0	2	0	0	0	0	0
35	Phan Thị Trục	Truc Son	107	0	6.0%	0	4	0	0	0	0	0
36	Phạm Thị Quế	Truc Son	215	0	5.1%	0	3	0	0	0	0	0
37	Phạm Bá Quân	Truc Son	227	0	6.8%	0	6	0	0	0	0	0
38	Phạm Thị Tuyền	Truc Son	281	0	6.9%	0	2	0	0	0	0	0
39	Phạm Thị Hà	Truc Son	227	0	6.4%	0	4	0	0	0	0	0
40	Trần Hồng Phong	Truc Son	295	0	8.6%	0	3	0	0	0	0	0
41	Phạm Thị Ký	Truc Son	353	0	5.7%	0	1	1	0	0	0	0
42	Phạm Danh Tích	Truc Son	206	0	3.0%	0	3	0	0	0	0	0
43	Ngô Thị Nhâm	Truc Son	177	0	4.4%	0	4	0	0	0	0	0
44	Phạm Bá Lân	Truc Son	286	0	10.2%	1	3	0	0	0	0	0
45	Nguyễn Thị Nam	Truc Son	118	0	2.6%	0	4	0	0	0	0	0
46	Phạm Văn Anh	Truc Son	198	0	3.9%	0	3	0	0	0	0	0
47	Phạm Thị Chất	Truc Son	167	0	3.2%	0	2	0	0	0	0	0
48	Nguyễn Thị Phụng	Truc Son	133	0	4.3%	0	2	0	0	0	0	0
49	Phạm Hồng Tách (user) (Con trai bà Phạm Thị Phúc)	Truc Son	241	0	4.8%	0	3	0	0	0	0	0



50	Phạm Đức Huân (user) (Con trai bà Nguyễn Thị Linh)	Truc Son	156	0	4.4%	0	4	0	0	0	0	0
51	Phạm Thị Thạc	Truc Son	188	0	4.9%	0	3	0	0	0	0	0
52	Cao Đăng Địch	Truc Son	167	0	5.5%	0	5	0	0	0	0	0
53	Trần Đình Hữu	Truc Son	128	0	5.1%	0	4	0	0	0	0	0
54	Cao Đăng Tài	Truc Son	175	0	7.2%	0	4	0	0	0	0	0
55	Cao Đăng Đạt	Truc Son	266	0	7.3%	0	5	0	0	0	0	0
56	Phạm Văn Thận	Truc Son	174	0	4.2%	0	4	0	0	0	0	0
57	Cao Đăng Viện	Truc Son	217	0	6.6%	0	3	0	0	0	0	0
58	Phạm Thị Thắm	Truc Son	266	0	3.8%	0	3	0	0	0	0	0
59	Nguyễn Thị Đào	Truc Son	190	0	10.1%	0	3	0	0	0	0	0
60	Nguyễn Văn Cao (đã mất) (con trai: Nguyễn Văn Công)	Truc Son	449	0	10.7%	1	4	0	0	0	0	0
61	Phạm Văn Chính	Truc Son	180	0	7.1%	0	3	0	0	0	0	0
62	Phạm Văn Huyền	Truc Son	144	0	8.0%	0	3	0	0	0	0	0
63	Phạm Bá Dương (user) (Con trai ông Phạm Bá Cường)	Truc Son	350	0	5.7%	0	3	0	0	0	0	0
64	Phạm Thị Ân	Truc Son	388	0	81.0%	0	3	0	0	0	0	0

65	Trần Duy Tôn	Truc Son	260	0	6.2%	0	3	0	0	0	0	0
66	Nguyễn Thị Linh	Truc Son	139	0	4.0%	0	3	0	0	0	0	0
67	Đinh Thị Châm	Truc Son	262	0	5.7%	0	3	0	0	0	0	0
68	Cao Đăng Tình	Truc Son	266	0	5.1%	0	3	0	0	0	0	0
69	Phạm Thị Liên	Truc Son	192	0	5.2%	0	3	0	0	0	0	0
70	Ngô Thị Nhiên	Truc Son	235	0	5.2%	0	3	0	0	0	0	0
71	Phạm Đức Lai	Truc Son	94	0	3.0%	0	3	0	0	0	0	0
72	Phạm Thị Dinh	Truc Son	235	0	3.8%	0	3	0	0	0	0	0
73	Phạm Thị Nái	Truc Son	203	0	7.6%	0	3	0	0	0	0	0
74	Cao Đăng Tiến	Truc Son	138	0	6.7%	0	3	0	0	0	0	0
75	Trần Đức Hạnh	Truc Son	127	0	2.1%	0	3	0	0	0	0	0
76	Ngô Thị Bình	Mac	1,044	0	16.5%	0	6	0	0	0	0	0
77	Ngô Thị Xuân	Mac	1,769	0	44.0%	0	3	0	0	0	0	0
78	Hoàng Thị Hợi	Mac	2,088	0	43.3%	0	2	0	0	0	0	0
79	Ngô Văn Dương	Mac	2,074	0	51.9%	0	5	0	0	0	0	0
80	Nguyễn Thị Choan (son: Nguyễn Văn Quý)	Mac	791	0	33.6%	0	5	0	0	0	0	0
81	Lê Hồng Xuyên (Thụ)	Mac	1,561	0	23.6%	1	2	0	0	0	0	0

82	Nguyễn Thị Nụ (Cháu: Ngô Thị Duyệt)	Mac	256	0	10.7 %	1	5	0	0	0	0	0
83	Nguyễn Văn Quý	Mac	864	0	60.0 %	1	4	0	0	0	0	0
84	Ngô Thị Thưa	Mac	172	0	4.8 %	0	5	0	0	0	0	0
85	Nguyễn Văn Mẫn (vợ Ngô Thị Thoa)	Mac	1,714	0	47.6 %	0	3	0	0	0	0	0
86	Nguyễn Văn Bằng	Mac	5,109	0	78.8 %	0	3	0	0	0	0	0
87	Nguyễn Thị Luân	Mac	2,484	0	92.0 %	1	6	0	0	0	0	0
88	Nguyễn Thị Mai	Mac	1,530	0	50.0 %	1	2	0	0	0	0	0
89	Tạ Thị Sánh	Mac	404	0	44.9 %	0	1	1	0	0	0	0
90	Nguyễn Tiến Vân	Mac	640	0	25.0 %	0	2	0	0	0	0	0
91	Nguyễn Thị Oanh	Mac	1,102	0	41.1 %	1	3	0	0	0	0	0
92	Nguyễn Văn Kỳ	Mac	944	0	45.1 %	0	5	0	0	0	0	0
93	Đỗ Thị Tịnh (Chồng: Nguyễn Văn Quang)	Mac	1,530	0	68.1 %	1	3	0	0	0	0	0
94	Nguyễn Xuân Vinh	Mac	1,297	0	72.1 %	1	3	0	0	0	0	0
95	Nguyễn Thị Liên (con gái: Nguyễn Thị Liên)	Mac	414	0	14.4 %	1	2	0	0	0	0	0
96	Nguyễn Luân Đáng (user) (Con trai bà Nguyễn Thị Săm (died))	Mac	1,106	0	38.4 %	0	3	0	0	0	0	0
97	Nguyễn Thị Nga (chồng: ông Vũ Văn Ngọc)	Mac	2,448	0	97.1 %	1	2	0	0	0	0	0

98	Nguyễn Thị Tề	Mac	1,088	0	37.3 %	0	2	0	0	0	0	0
99	Nguyễn Văn Nghiệp (Vợ là Hiên)	Mac	2,229	0	100.0%	0	3	0	0	0	0	0
100	Nguyễn Thị Thắm	Mac	432	0	21.8 %	0	2	0	0	0	0	0
101	Ngô Văn Tuyển	Mac	566	0	44.1 %	1	6	0	0	0	0	0
102	Nguyễn Văn Sơn	Mac	928	0	30.0 %	0	3	0	0	0	0	0
103	Phạm Văn Nghĩa	Mac	276	0	5.1%	1	3	0	0	0	0	0
104	Nguyễn Thị Lâm	Mac	323	0	35.9 %	0	1	1	0	0	0	1
105	Nguyễn Thị Đán (con trai là Ngô Văn Thành)	Mac	404	0	18.9 %	1	3	0	0	0	0	0
106	Ngô Tăng Dân( mẹ: Nguyễn Thị Thu died)	Mac	203	0	12.8 %	1	4	0	0	0	0	0
107	Phạm Thị Hiên	Mac	2,021	0	54.0 %	1	5	0	0	0	0	0
108	Nguyễn Thị Nguyên (đã chết) (transferred land to Nguyễn Thị Duyên)	Mac	710	0	100.0%	0	3	0	0	0	0	0
109	Nguyễn Thị Chắt	Mac	151	0	21.0 %	0	2	0	0	0	0	0
110	Bùi Ngọc Huy	Mac	995	0	34.5 %	1	3	0	0	0	0	0
111	Nguyễn Văn Bảo	Mac	1,746	0	95.1 %	0	2	0	0	1	0	0
112	Bùi Văn Khảo (con trai: Bùi Văn Toán)	Mac	2,334	0	100.0%	1	6	0	0	0	0	0

11 3	Nguyễn Thị Hà (chồng: Ngô Văn Đệ)	Mac	1,908	0	84.1 %	0	2	0	0	0	0	0
11 4	Nguyễn Đức Hạnh	Mac	2,160	0	54.5 %	0	3	0	0	0	0	0
11 5	Ngô Thị Toan (con trai là Nguyễn Văn Quý)	Mac	4,800	0	96.6 %	0	6	0	0	0	0	0
11 6	Trần Thị Hường	Mac	2,556	0	88.8 %	0	5	0	0	0	0	0
11 7	Nguyễn Thị Đán (con trai là Ngô Văn Thành)	Mac	42	0	2.0%	0	3	0	0	0	0	0
11 8	Ngô Thị Linh (User: Phạm Hà Phúc, con trai)	Mac	140	0	6.5%	0	4	0	0	0	0	0
11 9	Nguyễn Thị Bắc	Mac	850	0	19.7 %	1	4	0	0	0	0	0
12 0	Nguyễn Thị Hà (chồng: Khánh)	Mac	1,419	0	24.4 %	0	2	0	0	0	0	0
12 1	Nguyễn Thị Quế	Mac	2,052	0	100. 0%	1	5	0	0	0	0	0
12 2	Tạ Thị Miên	Mac	1,307	0	24.2 %	1	2	0	0	0	0	0
12 3	Ngô Văn Lễ	Mac	1,908	0	35.3 %	1	2	0	0	0	0	0
12 4	Nguyễn Thị Tuyên	Mac	2,520	0	35.0 %	0	2	0	0	0	0	0
12 5	Phạm Thị Đôn	Mac	2,135	0	28.6 %	1	3	0	0	0	0	0
			101,010	0		31	430	6	1	1	0	2

**Annex 2: SES form and Survey Data**

**Annex 2: SES form and surveyed data**

**“Health Human Resources Sector Development Program II – Feasibility study”**

**Household damage and socio-economic questionnaire**

**I. BASIC INFORMATION**

1. Full name of interviewee : ..... Relationship with the household:

.....

Phone number: .....

a. Address : Village Trúc Sơn  Mạc  Phú Thứ

b. Age:.....Gender: Male  Female

c. Education:

[ ] (1=Illiteracy; 2=Primary; 3=Secondary ; 4= not graduated high school; 5=high school; 6= Graduated vocational school; 7= university; 8= Other.....)

d. Job:

[ ] (1= Cultivation; 2=Husbandry; 3= Small bussiness; 4= Restaurant ; 5= Worker; 6= State officials; 7= work at private company; 8= work in transportation; 9=Driver; 10= Get economic support from Vietnam; 11= Get economic support from foreign; 12= Housework; 13=Other)

2. Kind of affected household:

[ ] (Households are headed by women =1; Ethnic minority =2; Disable =3; poor =4; Social policy household =5)

3. Monthly income of head of household and the household

Income	Income source	Amount of money (VNĐ/month)
Monthly income of head of household	1)	
	2)	
Total income of the household	1)	
	2)	
	3)	

4. Average monthly expenditure of households: :..... VNĐ/month;

5. The member of the household (including the head of household)

Number	Full name	Gender	Relationship with the household	Age	Main job	Education (from 7 years old and above)
		1=Male 2=Female	0= head of HH 1=husband/wife 2=Parent 3=Son/daughter 4= Son/daughter in law		1= Cultivation; 2=Husbandry; 3= Small bussiness; 4= Restaurant ; 5= Worker; 6= State officials; 7= work at private company; 8= work in transportation; 9=Driver; 10= Get economic support	0=Illiteracy 1= Primary 2= Secondary 3= High school 4=Cao đẳng/Đào tạo nghề 5= University 6=Trên đại học 7= Other
1						
2						

3					
4					
5					

## II. THE STATUS OF FAMILY ASSETS

6. Total area of current residential land of the household:..... m<sup>2</sup>

7. Total area of current agricultural land of the household:.....m<sup>2</sup>

Include:

The area of cultivated agricultural land is: .....m<sup>2</sup>

The area of hired/ uninhibited agricultural land is :.....m<sup>2</sup>

8. Total land area of the project area will be recovered:

Kind of land	Cultivated (m <sup>2</sup> )	Uninhibited (m <sup>2</sup> )	Hired (m <sup>2</sup> )	Other (m <sup>2</sup> )	Total area (m <sup>2</sup> )	Legal status (*)
Residential land						
Agricultural land						
Other (specify)						

(\*) 1= Land use rights certificate; 2= The land use rights certificate is not available but have the legal condition to make; 3= Not eligible for land use right certificate; 4= Located in the planning area of the government; 5= Rent long-term land of the government; 6= Rent of private land

9. Statistics on existing assets on land is recovered by the project:

Kind of asset	Amount	Productivity/year	Into money
Rice	..... ....		
Farm products	..... ....		
Canals by contributed households	..... ....		
.....	..... ....		
Others:.....( specify)			

10. Statistics currently assets of household:

Asset	Amount	Status of use
Car		
Motobike, bike		
TV, DVD...		
Fridge		
Washing-machine		
Mobile phone		
Water heater		
Other:.....( Specify)		



**III. QUESTION OF CONSULTATION:**

**11. Choice of compensation plan:**

If the household is affected/ recovered agricultural land or other productive land, which compensation plan will you choice?

- a. Want to receive land-for-land (if there is substitute land in the commune) of the same land type and area / land equivalent [ ]
- b. Want to get cash [ ]
- c. No decision [ ]

**12. How do you plan to use land compensation?**

- a. Build or rebuild the house [ ]
- b. Buy new land [ ]
- c. Buy other assets [ ] ; Which assets? \_\_\_\_\_
- d. Invest in small business [ ]
- e. Save money in the bank [ ]
- f. Spend on children's education [ ]
- g. Other [ ] ; Describe \_\_\_\_\_

**13. Does the family currently plan to replace the production / income from agricultural land and / or restore livelihoods due to project construction?**

- 1. No: †
  - 2. Yes: †
- If yes, what :

- 
- a. Buy new agricultural land to produce [ ]
  - b. Trade [ ]
  - c. Open small stores [ ]
  - d. Handicraft [ ]
  - e. Find the new job [ ]
  - f. Other [ ] Describe \_\_\_\_\_

**14. What will you do to recover your income (income restoration measure)**

- 1- Be trained job
- 2- Loan support
- 3- Support animals, plants
- 4- Support for agricultural technical training (training, visiting ...)
- 5- Other (Specify).....

**15. What suggestions do you propose to your project / investor / local authority?.....**

.....

.....

.....

.....

**The surveyor**

**Representative of household**

**Annex 2: Table 1: Impacts on Households of HMU Phase 1**

No.	Village/Commune	No. of AHs	No. of APs	No. of Severely AHs		Vulnerable AHs	
				No. of AHs	No. of APs	No. of AHs	<sup>74</sup> No. of APs
1	Truc Son Village	75	264	9	43	5	7

	(Tien Tan commune)						
2	Mac Village (Tien Tan commune)	50	166	22	78	4	6
	<b>Total</b>	<b>125</b>	<b>430</b>	<b>31</b>	<b>121</b>	<b>9</b>	<b>13</b>

**Annex 2: Table 2: Summary of Impacts on Land for HMU Phase 1**

No.	Village	AHs	APs	Agricultural land of households (m <sup>2</sup> )	Agricultural land managed by CPC (m <sup>2</sup> )	Transport / Irrigation land (m <sup>2</sup> )	Total land acquired (m <sup>2</sup> )
1	Truc Son Village (Tien Tan commune)	75	264	31,466	3,187	15,163	50,155
2	Mac Village (Tien Tan commune)	50	166	69,544	9,095	33,434	112,289
	<b>Total</b>	<b>125</b>	<b>430</b>	<b>101,010</b>	<b>12,282</b>	<b>48,597</b>	<b>162,444</b>

**Annex 2: Table 3: Summary of Impact on Crops**

Village/Commune	Rice (m <sup>2</sup> )	Number of AHs
Truc Son Village (Tien Tan commune)	31,466	75
Mac Village (Tien Tan commune)	69,544	50
<b>Total</b>	<b>101,010</b>	<b>125</b>

**Annex 2: Table 4: Summary of Impact on public assets**

No.	Commune / Village	Concrete culvert			Class 2 canal (m)	Class 3 canal (m)	On-farm canal (m)	Trails (m <sup>2</sup> )	Accretion of land for canal and road on farm (m <sup>3</sup> )
		D	No	Length					
1	Truc Son Village (Tien Tan commune)	3D80, 4D60	7	27	0	329.9	893.3	-	-
2	Mac Village (Tien Tan commune)	D40	12	36	352.4	858.4	948.7	-	-
	<b>Total</b>		<b>19</b>	<b>63</b>	<b>352.4</b>	<b>1,188.3</b>	<b>1,842.0</b>	<b>30,524</b>	<b>42,828</b>

**Annex 2: Table 5: Impacts on livelihood of affected households by severity**

No.	Commune/ village	Severity of impacts on agricultural land (losing 10% and more of total production land holding of households who are cultivating on land)							
		10% - < 30%		30% - 70%		> 70%		Total	
		No. of AHs	No. of APs	No. of AHs	No. of APs	No. of AHs	No. of APs	No. of AHs	No. of APs
1	Truc Son Village (Tien Tan commune)	7	29	4	20	2	6	13	<sup>75</sup> <sub>55</sub>

2	Mac Village (Tien Tan commune)	5	17	9	30	4	19	18	66
	<b>Total</b>	<b>12</b>	<b>46</b>	<b>13</b>	<b>50</b>	<b>6</b>	<b>25</b>	<b>31</b>	<b>121</b>

**Annex 2: Table 6: Vulnerable households**

Village/Commune	Poor Household	Other vulnerable households	Total Vunerable AHs
Truc Son Village (Tien Tan commune)	1	4	5
Mac Village (Tien Tan commune)	1	3	4
<b>Total</b>	<b>2</b>	<b>7</b>	<b>9</b>

**Annex 2: Table 7: Gender of household heads and household size**

No.	Commune / Village	No. of AHs	Head of the surveyed AHs		Members of the surveyed AHs			Average Household Size
			Male	Female	Male	Female	Total	
1	Mac village	50	24	26	99	67	166	3.32
2	Truc Son village	75	45	30	158	106	264	3.52
	<b>Total</b>	<b>125</b>	<b>69</b>	<b>56</b>	<b>257</b>	<b>173</b>	<b>430</b>	<b>3.44</b>

**Annex 2: Table 8. Demographics age of heads of affected households**

HMU Phase 1 Project	<18 years old	18-30	31-50	51-60	> 60 years old	Total
Mac village	0	0	6	11	31	48
Truc Son village	0	0	7	43	18	68
<b>Total</b>	<b>0</b>	<b>0</b>	<b>13</b>	<b>54</b>	<b>49</b>	<b>116</b>

**Annex 2: Table 9: Demographics age of members of affected households**

HMU Phase 1 Project	<18 years old	18-30	31-50	51-60	> 60 years old	Total
Mac village	31	19	18	32	66	166
Truc Son village	42	37	51	60	74	264
<b>Total</b>	<b>73</b>	<b>56</b>	<b>69</b>	<b>92</b>	<b>140</b>	<b>430</b>

**Annex2: Table 9a: Demographics age of members of affected households**

HMU Phase 1 Project	<18 years old	18-30	31-50	51-60	> 60 years old	Total
Mac village	31	19	18	32	66	166
Truc Son village	42	37	51	60	74	264
<b>Total</b>	<b>73</b>	<b>56</b>	<b>69</b>	<b>92</b>	<b>140</b>	<b>430</b>

**Annex 2 . Table 10 Occupation of Head of Households and other members to be affected**

Occupation	AH Head		AH member	
	Quantity	%	Quantity	% <sup>76</sup>
Cultivation, livestock and husbandry	53	42%	68	22%
Contract workers (IZs, others)	8	6%	55	18%

Occupation	AH Head		AH member	
	Quantity	%	Quantity	%
Small businesses (grocery stores, others)	9	7%	24	8%
Independent workers / free labour	23	18%	56	18%
Others (housewives, retired, others)	32	26%	102	33%
<b>Total</b>	<b>125</b>	<b>100%</b>	<b>305</b>	<b>100%</b>

**Annex 2. Table 11: Distribution of Affected Households by annual estimated income**

	Number of affected households					Total
	< 20 Mil.	20 – 30 Mil.	31 – 49 Mil.	49 – 60 Mil.	> 60 Mil.	
HMU Phase 1	5	19	31	8	62	125

**Annex2. Table 12 Distribution of households head in terms of education**

Village	Illiteracy	Primary school	Secondary school	High school	University (including intermediate, college and vocational training etc.)	Total
Truc Son village	1	13	57	4	0	75
Mac village	1	11	30	7	1	50
Total	1	24	87	11	1	125

**Annex2. Table 13 Possession and Use of Other Assets**

Type of Assets	Quantity	%
Bike	125	100%
Electric bike	44	35%
Motorbike	110	88%
Car/truck	0	0%
TV	125	100%
DVD/CD player	33	26%
Audio system	24	19%
Refrigerator	103	82%
Electric cooker	125	100%
Phone/Mobile	125	100%

**Annex 3: Project Information Booklet**

## **Annex 3: Public information booklet**

### ***1/ What is the Second Human Health Resources Development Project?***

The proposed Second Health Human Resources Development Project (SHHRDP) will assist Viet Nam achieve universal health coverage (UHC) and progress toward meeting health-related sustainable development goals (SDGs) through increased supply of health workforce skilled to provide quality services at the local health care level. The proposed project has three main outputs as follows.

- Output 1: Health education facilities in Ha Noi Medicine University and Ho Chi Minh City University of Medicine and Pharmacy campuses constructed.
- Output 2: Responsiveness of health professionals to community needs strengthened.
- Output 3: Quality of health graduates and local level health workforce enhanced.

The construction of health facilities as part of the second campus for the Hanoi Medical University is proposed under Output 1. The proposed site is located within Nam Cao University Urban Area, Phu Ly city, Hanam province.

### ***2/- What is the scope of land acquisition and resettlement?***

Output 1 will have land acquisition and involuntary resettlement. Based on the preliminary inventory of loss, the project will need approximately 16 ha of land (including agricultural land and land for transport and irrigation). It is estimated that around 125 households may be affected by land acquisition. The land acquisition and resettlement impacts of the project will be finalized early during Project implementation as part of updating of the Resettlement Plan.

### ***3/- Affected Person/ Affected Household (AP/AH), Who are they?***

“Affected Person/ Affected Household (AP/AH)”: refer 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, water resources or any other moveable or 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 displacement.

The cut-off date is the date on which decision on land recovery is issued by Dong Nai Peoples Committee and published broadly by the City Peoples Committee to local communities and displaced persons.

### ***4/- When the project building?***

If approved, the project may start construction by the end of 2019. Communities will be consulted closely regarding the actual date of implementation of the Project.

### ***5/- What is The Resettlement Plan (RP)?***

The Project Resettlement Plan (RP) during feasibility study stage was prepared to identify project land acquisition and resettlement impacts and mitigation measures to improve or at least restore the livelihoods of all affected households and to improve the living standards of severely affected and vulnerable groups. The RP prepared during feasibility study stage will be updated as needed once the project owner has finalized the exact location and design of the campus site.

Local communities will be informed before the conduct of surveys and other activities for updating the RP. The project encourages communities and individuals to participate in all RP activities.

### ***6/- How will your affected land be compensated by The project?***

Those who already have LURCs or are eligible for issuance of LURCs but have not been issued, will be compensated for affected land based on the principle of replacement cost. The calculation of full replacement cost covers fair market value and transaction costs (taxes, cost of LURC adjustment, etc.). Affected households without title or any recognizable legal rights to land are eligible for

compensation for affected non-land assets at replacement cost

**7/- How will affected structures, plants and other non-land assets be compensated?**

Structures will be compensated through cash compensation at replacement cost for materials and labor for affected portion with no deduction for depreciation or salvageable materials. If standing crops are ripening and cannot be harvested, AH will receive cash compensation of un-harvested crops at market values based on the average production over past 3 years. For loss of perennial crops, and trees, cash compensation at current market prices given the type, age and productive value of the affected crops and or trees.

**8/- What purpose and household will gain from consultations and information disclosure?**

Consultations and other information disclosure activities are a way for affected households and other community members to learn about the project implementation, and also provide opportunity for households and communities to express their views, concerns, and proposals. Consultations have been conducted during preparation of the resettlement plan at feasibility study stage, and will continue during RP updating and implementation.

**9/- If you have questions and comments about land acquisition, compensation, support or other questions about RP, what do you do?**

A general grievance redress mechanism is established based on Complaint Law No. 2/2011/QH13 and Decree No.75/2011/ND-CP guiding implementation the complaint law as follows:

- First Stage: Commune Peoples' Committee (CPC) - 30 - 45 days to resolve
- Second Stage: District/Town People's Committee (DPC) - 30 - 70 days to resolve
- Third Stage: Provincial People's Committee (PPC) - 30 - 70 days to resolve
- Final Stage: People's Court - .

If an acceptable solution is not arrived at through the Project Grievance Redress Mechanism, a group of at least two affected persons may lodge a complaint directly to the Southeast Asia Department via Vietnam Resident Mission Office in Hanoi. In line with the ADB Accountability Mechanism (2012), if the affected persons are still not satisfied with the Southeast Asia Department's response, the affected persons may lodge a complaint to the Office of the Special Project Facilitator through the office of Vietnam Resident Mission in Hanoi.

**10/- How do we get updates on the project?**

We will continue to announce information on the progress of the project through the public media such as billboards, radio, television, project information brochures, etc. Project documents will be posted at your village/commune office. For more information, you can also reach us through:

• **Central Health Project Management Unit under MOH:**

Address: No. 138A Giang Vo, Ba Dinh, Hanoi  
Phone: 024.37368994

• **Hanoi Medical University**

Address :No. 01 Ton That Tung, Dong Da, Hanoi  
Tel: 04.3852 3798

• **ADB Southeast Asia Department via Vietnam Resident Mission Office in Hanoi**

Address: 3rd Floor, No.16, Phan Chu Trinh Street, Hoan Kiem District, Ha Noi  
Tel: 024.39331374

The affected household may access ADB's Accountability Mechanism:  
<https://www.adb.org/site/accountability-mechanism/main>

• **People's Committee of Phu Ly City** (Compensation Board, Second Human Health Resources Development Project)

Address: Luong Khanh Thien Ward, Phu Ly city, Ha Nam province. Tel: 0226.3.851098

### **Annex 3: Tờ thông tin dự án**

#### **1/ Dự án Phát triển nguồn nhân lực y tế giai đoạn 2 là gì?**

Dự án phát triển nguồn nhân lực y tế giai đoạn hai được đề xuất sẽ hỗ trợ Việt Nam đạt được Bảo hiểm Y tế Toàn cầu (UHC) và tiến tới đáp ứng các mục tiêu phát triển bền vững về sức khỏe (SDGs) thông qua việc tăng cường nguồn nhân lực y tế có tay nghề cao nhằm cung cấp các dịch vụ chất lượng về chăm sóc sức khỏe ban đầu ở cấp cơ sở. Dự án được đề xuất có ba đầu ra chính như sau:

- Kết quả đầu ra 1: Các cơ sở giáo dục y tế tại Đại học Y Hà Nội và Đại học Y Dược thành phố Hồ Chí Minh được xây dựng.
- Kết quả đầu ra 2: Khả năng đáp ứng của các chuyên gia y tế đối với nhu cầu cộng đồng được tăng cường.
- Kết quả đầu ra 3: Chất lượng của sinh viên tốt nghiệp ngành Y và lực lượng lao động y tế cấp địa phương được nâng cao.

Việc xây dựng các cơ sở y tế là một phần của xây dựng cơ sở 2 cho Đại học Y Hà Nội được đề xuất theo Đầu ra 1. Địa điểm xây dựng được đề xuất nằm trong Khu đô thị đại học Nam Cao, thành phố Phủ Lý, tỉnh Hà Nam.

#### **2/- Phạm vi thu hồi đất và tái định cư là gì ?**

Với đầu ra 1 sẽ có thu hồi đất và tái định cư không tự nguyện. Căn cứ vào kiểm kê tổn thất sơ bộ, dự án sẽ cần khoảng 16 ha đất (bao gồm đất nông nghiệp, đất giao thông thủy lợi). Ước tính có khoảng 125 hộ gia đình có thể bị ảnh hưởng bởi việc thu hồi đất. Việc đánh giá các tác động thu hồi đất và tái định cư được hoàn thành sớm trong quá trình thực hiện dự án là một phần của việc cập nhật Kế hoạch Tái định cư.

#### **3/- Ai là những Người bị ảnh hưởng / Hộ gia đình bị ảnh hưởng ?**

“Người bị ảnh hưởng/Hộ gia đình bị ảnh hưởng” là bất kỳ người hoặc nhóm người, hộ gia đình, công ty, tổ chức công hoặc tư, có những thay đổi do bị ảnh hưởng từ Dự án ở các khía cạnh như (i) mức sống bị tác động tiêu cực; (ii) quyền, sở hữu hoặc lợi ích về nhà cửa, đất đai, nguồn nước hoặc bất kỳ tài sản cố định hoặc tài sản có thể di chuyển khác, thuộc quyền sở hữu, bị hạn chế hoặc bị ảnh hưởng tiêu cực, một phần hoặc toàn bộ, vĩnh viễn hoặc tạm thời, và/hoặc (iii) việc kinh doanh, nghề nghiệp, nơi làm việc hoặc nơi ở hoặc nơi cư trú bị ảnh hưởng tiêu cực, cho dù phải di chuyển hoặc không phải di chuyển chỗ ở.

#### **4/- Khi nào dự án được xây dựng?**

Nếu được phê duyệt, dự án có thể bắt đầu xây dựng vào năm cuối năm 2019. Cộng đồng địa phương sẽ được tham vấn kỹ lưỡng về ngày thực tế thực hiện dự án.

#### **5/- Kế hoạch tái định cư là gì?**

Kế hoạch tái định cư (TĐC) của dự án trong giai đoạn nghiên cứu khả thi đã được chuẩn bị để xác định các tác động của dự án về thu hồi đất và tái định cư và các biện pháp giảm thiểu nhằm cải thiện hoặc ít nhất là phục hồi sinh kế của tất cả các hộ bị ảnh hưởng và cải thiện mức sống của các nhóm bị ảnh hưởng nặng và dễ bị tổn thương. Kế hoạch TĐC được chuẩn bị trong giai đoạn nghiên cứu khả thi sẽ được cập nhật khi cần thiết khi mà chủ dự án đã hoàn thành tất việc chọn vị trí và thiết kế chính xác khuôn viên của trường.

Các cộng đồng địa phương sẽ được thông báo trước khi tiến hành các khảo sát và các hoạt động khác để cập nhật kế hoạch TĐC. Dự án khuyến khích các cộng đồng và cá nhân tham gia vào tất cả các hoạt động tái định cư.

#### **6/- Đất bị ảnh hưởng của bạn sẽ được dự án đền bù như thế nào?**

Những người đã có Giấy chứng nhận quyền sử dụng đất (GCN QSDĐ) hoặc đủ điều kiện cấp GCN



QSDĐ nhưng chưa được cấp, sẽ được bồi thường cho đất bị ảnh hưởng dựa trên nguyên tắc chi phí thay thế. Việc tính toán chi phí thay thế đầy đủ bao gồm cả giá trị thị trường hợp lý và chi phí giao dịch (các khoản thuế, chi phí điều chỉnh GCN QSDĐ, v.v). Các hộ gia đình bị ảnh hưởng không có quyền sở hữu hoặc bất kỳ quyền hợp pháp nào về sử dụng đất đều được bồi thường cho các tài sản trên đất bị ảnh hưởng với chi phí thay thế.

**7/- Các vật kiến trúc, cây trồng và các tài sản phi đất khác bị ảnh hưởng sẽ được đền bù như thế nào?**

Các vật kiến trúc sẽ được bồi thường thông qua bồi thường bằng tiền mặt với chi phí thay thế về vật liệu và công lao động cho hạng mục bị ảnh hưởng mà không khấu trừ khấu hao hoặc các vật liệu vẫn còn sử dụng được. Nếu hoa màu vào độ thu hoạch mà không thể thu hoạch thì các hộ bị ảnh hưởng sẽ nhận bồi thường bằng tiền mặt về cây trồng chưa thu hoạch theo giá thị trường dựa trên sản lượng trung bình trong 3 năm qua. Đối với các thiệt hại về cây lâu năm và cây xanh, việc bồi thường bằng tiền mặt theo giá thị trường hiện tại được tính theo loại cây, tuổi cây và giá trị sản xuất của các cây trồng bị ảnh hưởng.

**8/- Mục đích của tham vấn và các hộ gia đình sẽ có lợi gì từ các cuộc tham vấn và công bố thông tin?**

Các cuộc tham vấn và hoạt động công bố thông tin khác là cách để các hộ bị ảnh hưởng và các thành viên khác trong cộng đồng tìm hiểu về việc thực hiện dự án, đồng thời tạo cơ hội cho các hộ gia đình và cộng đồng thể hiện quan điểm, mối quan tâm và các đề xuất của họ. Các cuộc tham vấn đã được tiến hành trong quá trình chuẩn bị kế hoạch TĐC ở giai đoạn nghiên cứu khả thi và sẽ tiếp tục trong quá trình cập nhật và thực hiện tái định cư.

**9/- Nếu bạn có các câu hỏi và ý kiến về thu hồi đất, bồi thường, hỗ trợ hoặc các câu hỏi khác về kế hoạch tái định cư, bạn sẽ làm gì?**

Cơ chế giải quyết khiếu nại chung được thiết lập dựa trên Luật Khiếu nại số 2/2011 / QH13 và Nghị định số 75/2011/NĐ-CP hướng dẫn thi hành Luật khiếu nại như sau:

- Giai đoạn 1: Ủy ban nhân dân xã (UBND) – giải quyết trong vòng 30 - 45 ngày
- Giai đoạn 2: UBND huyện / thị xã - giải quyết trong 30 - 70 ngày
- Giai đoạn 3: UBND tỉnh - giải quyết trong 30 - 70 ngày
- Giai đoạn cuối cùng: Tòa án nhân dân

Nếu một giải pháp có thể chấp nhận mà không được thông qua Cơ chế giải quyết khiếu nại của dự án thì một nhóm ít nhất hai người bị ảnh hưởng có thể khiếu nại trực tiếp đến Vụ Đông Nam Á thông qua Văn phòng thường trú Việt Nam tại Hà Nội.

Để phù hợp với Cơ chế Trách nhiệm của ADB (2012), nếu những người bị ảnh hưởng vẫn không hài lòng với phản hồi của Vụ Đông Nam Á thì họ có thể khiếu nại lên Văn phòng Trợ lý Dự án Đặc biệt thông qua văn phòng Phái đoàn Thường trú Việt Nam tại Hà Nội .

**10/- Chúng tôi thực hiện việc cập nhật thông tin dự án như thế nào?**

Chúng tôi sẽ tiếp tục công bố thông tin về tiến độ của dự án thông qua các phương tiện truyền thông đại chúng như biển quảng cáo, đài phát thanh, truyền hình, tài liệu thông tin dự án, v.v. Tài liệu dự án sẽ được đăng tại văn phòng thôn / xã của bạn. Để biết thêm thông tin, bạn cũng có thể liên hệ với chúng tôi qua:

- **Ban quản lý dự án y tế trung ương trực thuộc Bộ Y tế:**  
Địa chỉ: số 138A Giảng Võ, Ba Đình, Hà Nội  
Điện thoại: 024.3736 8994
- **Trường Đại học Y Hà Nội**  
- Địa chỉ: Khổng. 01 Tôn Thất Tùng, Đống Đa, Hà Nội  
- Điện thoại: 04.3852 3798
- **Vụ Đông Nam Á của ADB thông qua Phái đoàn Thường trú Việt Nam tại Hà Nội**

Địa chỉ: Tầng 3, Số 16, Phố Phan Chu Trinh, Quận Hoàn Kiếm, Hà Nội

Điện thoại: 024.39331374

Hộ gia đình bị ảnh hưởng có thể truy cập Cơ chế trách nhiệm giải trình của ADB tại:

<https://www.adb.org/site/accountability-mechanism/main>

- **UBND thành phố Phủ Lý (Hội đồng bồi thường, Dự án phát triển nguồn nhân lực y tế giai đoạn hai, Đại học Y Hà Nội)**

Địa chỉ: Đường Biên Hòa, Phường Lương Khánh Thiện, TP. Phủ Lý, Tỉnh Hà Nam

Điện thoại: 0226.3.851098

**Annex 4: Minutes of consultation meetings**

Dự án: "Phát triển nguồn nhân lực xã, giai đoạn 2"

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

BIÊN BẢN HỌP THAM VẤN VỀ DỰ THẢO KẾ HOẠCH TÀI ĐỊNH CƯ

Ngày: Thứ sáu ngày 06/07/2018 Địa điểm: UBND xã Tân Tân  
Quận/huyện: tp. Cần Thơ Tỉnh thành phố: Hồ Chí Minh

I. Thành phần tham dự

Ông/Bà: Lê Quốc Khanh Chức vụ: Cán bộ Ban QLDA  
Ông/Bà: Ngô Huỳnh Công Chức vụ: Tiểu ban X. LA A/B  
Ông/Bà: Bùi Thị Thuý Chức vụ: Tiểu ban X. LA A/B  
Ông/Bà: Nguyễn Đức Thành Chức vụ: Chủ tịch UBND xã  
Ông/Bà: Chức vụ:  
Ông/Bà: Chức vụ:

(chi tiết tại danh sách kèm theo).

II. Nội dung tham vấn

Tư vấn thiết kế giới thiệu về: Mục tiêu, vị trí xây dựng, các hạng mục đầu tư lắp đặt, xây dựng của dự án Phát triển nguồn nhân lực y tế, giai đoạn 2.

Tư vấn xã hội/tài định cư trình bày về: dự thảo kế hoạch tài định cư của dự án, bao gồm: những tác động khi thu hồi đất và các tài sản trên đất; những chính sách liên quan đến bồi thường, hỗ trợ và tái định cư của Chính phủ nước Cộng hòa xã hội chủ nghĩa Việt Nam, của ADB và của tỉnh và chính sách đề xuất của dự án trong vấn đề bồi thường thiệt hại khi thu hồi đất đai và các tài sản trên đất; chiến lược phục hồi thu nhập, cơ chế tham vấn, tham gia và cơ chế khiếu kiện khiếu nại, tổ chức thực hiện, kế hoạch thực hiện và giám sát đánh giá (như trong dự thảo RP).

III. Ý kiến thảo luận

1. Về các tác động thu hồi đất và biện pháp giảm thiểu:

Người: Xuân Trường - Kế toán UBND xã - về tài sản không được làm sạch bằng đất bồi đắp. Các kết cấu móng móng của tài sản bị rơi rớt phải được gỡ bỏ và phải phải bồi đắp lại. Về cơ chế tham vấn thu hồi đất phải có sự tham gia của người dân. Về vấn đề người dân sống bị mất sẽ chỉ bằng dự thảo xã và kế hoạch chi án  
- Từ vấn đề UBND xã cần có sự ghi nhận về ý kiến của dân chúng xã người dân

2. Về quy trình thực hiện:

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2. Các ý kiến liên quan khác:

Nguyên từ: Người dân phải khai và trả do chi trả cơ bản  
khai trong năm 2019, người dân và hệ thống đầu tư chi trả  
Chính quyền và người dân phải thay và sửa và  
vì các khác biệt giữa sách của APBD cũng như  
sách của tỉnh  
Đang đi nghị đồng bộ và hệ thống chi trả cho  
chính quyền và dân nam vùng, để nghị các cơ sở xa  
thời phí hợp hệ tư  
Các sách ngoài APBD người dân hoàn  
nghĩa và ngoài quy định của tỉnh sẽ thêm một số cơ  
hệ đặc thù của APBD cho người dân để người dân có  
thời như quyền lợi

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Dự án: "Phát triển nguồn nhân lực y tế, giai đoạn 2"

**DANH SÁCH THAM DỰ CUỘC HỌP THAM VẤN DỰ THẢO KẾ HOẠCH TÁI ĐỊNH CỬ**

(đính kèm biên bản họp ngày 06 tháng 07 năm 2018 tại UBND xã Tân - TP Phú Lễ)

Thời gian: Từ 14<sup>h</sup> 00 - 17<sup>h</sup> 00 ngày 06/07/2018

Địa điểm: UBND xã Tân - TP Phú Lễ tỉnh Hà Nam

TT	Họ và tên (Name)	Chức vụ (Position)	Cơ quan/địa chỉ (Organization /Address)	Chữ ký
1	Nguyễn Đức Hùng	Bí thư huyện		
2	Nguyễn Đức Hải	CT. UBND xã		
3	Nguyễn Tiến Đức	CB	BQL KĐH Nam Cao	
4	Trần Văn Dũng	Đoàn BHYT		
5	Lê Quốc Khánh	Ban QLĐA		
6	Phạm Ngọc Phương	Địa chính N2		
7	Phạm Chi Hòa Thu	Văn phòng UBND		
8	Bùi Thị Đình	Chủ tịch HĐND		
9	Đoàn Văn Tân	GA.HTX		
10	Ngô Xuân Đông	Trạm Truyền hình (Thị trấn)		
11	Ngô Văn Minh	BTCB thôn Mạc		
12	Nguyễn Xuân Kiên	Trường Tiểu Học		
13	Phạm Văn Nghĩa	Tôn Nhân		
14	Nguyễn Thị Châu	Chủ tịch PN		
15	Lê Thị Bích Liên	Chủ tịch MTTQ		
16	Nguyễn Thị Tâm	Phon Mạc		
17	Ngô Xuân Thuận	Dân		
18	Cao Đăng Phương	P'CT UBND xã		
19	Phạm Văn Đức	Trưởng Trạm	Trúc Sơn	
20	Nguyễn Hữu	CT. Hội CCB xã	Tân Tiến	
21	Phạm Đức Hải	BTCB Trúc Sơn		
22				
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**SOCIALIST REPUBLIC OF VIETNAM**  
**Independence - Freedom - Happiness**

**CONSULTATION MEETING MINUTES OF DRAFT REPORT ON RESETTLEMENT PLAN**  
PROJECT: HEALTH HUMAN RESOURCES DEVELOPMENT PROJECT - PHASE II  
FUNDING BY ASIAN DEVELOPMENT BANK (ADB)

**Location:** Tien Tan People's Committee

**Time:** July 6, 2018

**I. Participants**

- Mrs. Ngo Thuy Quynh – ADB Social consultant
- Mr. Le Quoc Khanh – CHPMU officer
- Mr. Nguyen Duc Hanh – Chairman of Commune PPC
- Ms. Bui Thi Thuy – Ecorem local consultant
- Representatives of affected household

**II. Content of meeting**

- The project preparatory consultant presented the purpose of the consultation meeting, the draft resettlement plan and the process of surveying the damage, socio-economic survey, consultation and replacement cost survey in the project area to prepare the resettlement plan.
- The participants expressed their opinions, discussed and agreed on contents.

**III. Discussions**

- Mr. Nguyen Xuan Tuat - Head of Mac village:

- Canals, ditches, ponds will be affected, the project should take priority to avoid and minimize the impact to irrigation system.

- Local residents:

- The current trenches have just been repaired. If project is executed and damaged to trenches, canals, it is recommended to the project owner to provide support financially to renovate them all.
- 100% of affected household agrees to support project development as well as project guidelines.

- Nguyen Duc Hung- and other affected households:

- Local people are interesting in this project progress (starting construction in 2019).
- Local people are fully support to the project
- Local people will understand the differences between ADB and provincial policies.
- Local people would like to have ADB mechanism and policy available on public place
- The project owner should inform the project development schedule to local authorities and commune, village officials to request for support.

- ADB consultant:

- Acknowledging the opinions of all participants

**IV. Conclusion**

khong thay

The minutes of this consultation meeting were held at the Tien Tan Commune at 17:00 on July 06, 2018. The minutes were re-read to the participants for agreement.

**REPRESENTATIVE OF PROJECT CONSULTANT**

Ngo Thuy Quynh (signed)

Bui Thi Thuy-Ecorem – AIEI Vietnam (signed)

**REPRESENTATIVE OF CHPMU**

Le Quoc Khanh(signed)

**REPRESENTATIVE OF TIEN TAN COMMUNE**

(signed)



**Minute of consultation meeting with Tien Tan communal officials and community, March 2018**

Dự án: "Phát triển nguồn nhân lực y tế, giai đoạn 2"

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

**BIÊN BẢN HỌP THAM VẤN CỘNG ĐỒNG VỀ ĐÁNH GIÁ  
MÔI TRƯỜNG VÀ XÃ HỘI/TÁI ĐỊNH CƯ**

Phường/xã: Tiên Tân..... Quận/huyện: .....

Tỉnh/thành phố: Hà Nam.....

**I. Thành phần tham dự**

Ông/Bà: Nguyễn Đức Hồng..... Chức vụ: .....

Ông/Bà: Nguyễn Đức Hồng..... Chức vụ: .....

Ông/Bà: Đoàn Văn Tân..... Chức vụ: .....

Ông/Bà: Nguyễn Văn Văn..... Chức vụ: .....

Ông/Bà: Phạm Văn Du..... Chức vụ: .....

Ông/Bà: Nguyễn Thị Hồng..... Chức vụ: .....

Đại diện của UBMTTQ xã, các tổ chức chính trị - xã hội, tổ chức xã hội nghề nghiệp, tổ dân phố và những hộ dân bị ảnh hưởng (chi tiết tại danh sách kèm theo).

**II. Nội dung tham vấn**

*Tư vấn thiết kế giới thiệu về:* Mục tiêu, vị trí xây dựng, các hạng mục đầu tư lắp đặt, xây dựng của dự án Phát triển nguồn nhân lực y tế, giai đoạn 2.

*Tư vấn môi trường trình bày về:* Chính sách môi trường của ADB, các quy định về môi trường trong xây dựng hạ tầng và đầu tư y tế của chính phủ Việt Nam; các tác động về môi trường và các biện pháp giảm thiểu tương ứng (như trong IEE); cơ chế khiếu nại khi có các vấn đề môi trường xảy ra.

*Tư vấn xã hội/tái định cư trình bày về:* kế hoạch tái định cư của ADB; những tác động khi thu hồi đất và các tài sản trên đất; những chính sách liên quan đến xã hội của Chính phủ nước Cộng hòa xã hội chủ nghĩa Việt Nam và địa phương; chính sách của dự án trong vấn đề bồi thường thiệt hại khi Nhà nước thu hồi đất đai và các tài sản trên đất; các tác động thu hồi đất/tái định cư dự kiến trên địa bàn; các phương án bồi thường đề xuất (Theo khung chính sách của dự án đã được phê duyệt).

**III. Ý kiến thảo luận**

1. Về các tác động môi trường và biện pháp giảm thiểu các tác động tiêu cực:

Dự án này... được... triển khai... ở... Hà Nội... 2... thực hiện... trên diện tích...  
... 80 ha... đất... xây... nghiệp... của xã... Tiên Tân... Tân Hiệp... huyện Duy Tân...  
... tỉnh Hà Nam... Các đánh giá... môi trường... cơ bản... cho thấy... các tác động...  
... môi trường... tiềm tàng... của dự án... không... chủ yếu... ở giai đoạn thi...  
... công... xây dựng... Các ảnh hưởng... liên quan... với dự án... là thể...  
... được... quan... lý... và... chuẩn... xây dựng... thực hành... và... hướng... dẫn...



Dự án: "Phát triển nguồn nhân lực y tế, giai đoạn 2"

quan lý... Hộ sinh... thu... nông, nghiệp... không... có... đồng... vật... hoang... dã... quý... hiếm... , sinh... cảnh... nguy... cấp

2. Về các tác động xã hội và chính sách:

Vấn... thu... hái... đất... nông, nghiệp... dân... đến... mất... , thu... về... làm... cho... mất... đi... diện... tích... rừng... trồng... lúa... Tuy... nhiên... sẽ... nảy... không... nhiều... thôn... lớn... (ai... hệ... chi... )... nông... lúa... của... chúng... mang... sinh... duy... trì... thì... không... muốn... trồng... tảo... nữa... vì... năng... suất... rất... thấp... vì... thời... gian... lao... động... Ngồi... ru... ruộng... nước... gần... đây... , nghề... trồng... tảo... này... cũng... vì... trồng... lúa... nên... năng... bị... mất... hưởng... nhiều... bị... thiên... tai... là... sự... cái... nghề... khác... như... làm... công... nhân... lao... động... bị... mất... hay... biến... bán... nhỏ... thì... về... trồng... lúa... cho... thu... nhập... thấp... nhất... Cái... hệ... có... sẵn... duy... trì... về... cảnh... đẹp... để... cho... thấy... đất... của... họ... vẫn... đang... làm... việc... lý... do... theo... quy... định... về... đất... nông... nghiệp... thì... 3... năm... lên... trụ... không... chủ... không... được... canh... tác... thì... sẽ... bị... như... nước... thu... hồi...

III. Kết luận

...chính... quyền... địa... phương... và... người... dân... mở... rộng... các... địa... điểm...  
...đầu... tư... vào... lĩnh... vực... nông... nghiệp... cho... người... dân... bị... thiên... tai...  
...đất... không... có... một... sớm... thì... được...  
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Biên bản cuộc họp tham vấn cộng đồng của Dự án .....  
kết thúc lúc ..... Nội dung biên bản đã được đọc lại cho mọi người cùng nghe và thông qua ý kiến.

ĐẠI DIỆN UBND XÃ  
  
*Nguyễn Đức Thành*  
CHỦ TỊCH

ĐẠI DIỆN CHỦ DỰ ÁN

ĐẠI DIỆN TƯ VẤN  
*Trần Thị Ngọc Nga*

ĐẠI DIỆN CỘNG ĐỒNG

Dự án: "Phát triển nguồn nhân lực y tế, giai đoạn 2"

**THAM VẤN CỘNG ĐỒNG VỀ ĐÁNH GIÁ MÔI TRƯỜNG VÀ XÃ HỘI/TÁI ĐỊNH CƯ DANH SÁCH NGƯỜI THAM DỰ**

Thời gian: .....

Địa điểm: .....

TT	Họ và tên (Name)	Chức vụ (Position)	Cơ quan/địa chỉ (Organization /Address)	Chữ ký
1	Nguyễn Thị Hằng	CBLĐTBXH	xã Liên Kiên	<i>[Signature]</i>
2	Phạm Thị Hoài Thu	CB VP-TK2	xã Liên Kiên	<i>[Signature]</i>
3	Lê Văn Chiến	CB TN - Môi trường	xã Liên Kiên	<i>[Signature]</i>
4	Cao Đăng Khánh	PCT HĐND xã	xã Liên Kiên	<i>[Signature]</i>
5	Nguyễn Ngọc Xuân	PCT UBND xã	xã Liên Kiên	<i>[Signature]</i>
6	Nguyễn Đức Thanh	CT UBND xã	xã Liên Kiên	<i>[Signature]</i>
7	Nguyễn Đức Hùng	Bí thư ĐU	xã Liên Kiên	<i>[Signature]</i>
8	Đào Văn Kiên	CT HĐND xã	xã Liên Kiên	<i>[Signature]</i>
9	Nguyễn Thị Khánh	CT Hội P.KU	xã Liên Kiên	<i>[Signature]</i>
10	Phạm Văn Vũ	Trưởng Hội T/Sở	xã Liên Kiên	<i>[Signature]</i>
11	Nguyễn Xuân Tuất	Trưởng Hội Mac	xã Liên Kiên	<i>[Signature]</i>
12	Phạm Thị Bình			<i>[Signature]</i>
13	Dinh Thị Đình			<i>[Signature]</i>
14	Lê Văn Đức			<i>[Signature]</i>
15	Nguyễn Văn Minh			<i>[Signature]</i>
16	Nguyễn Văn Bằng			<i>[Signature]</i>
17	Ngô Văn Đế	Vệ lư	Thôn Mac - xã TT	<i>[Signature]</i>
18	Đoàn Thị Phương	Nông dân	Thôn Mac - Xã Tân Lạc	<i>[Signature]</i>
19	Ngô Thị Đào	Nông dân	Thôn Mac - Xã Tân Lạc	<i>[Signature]</i>
20	Lê Thị Đào	Nông dân		<i>[Signature]</i>
21	Phạm Minh Quân			<i>[Signature]</i>



Dự án: "Phát triển nguồn nhân lực y tế, giai đoạn 2"

22	Hoàng Thị Hằng			Đông
23	Nguyễn Văn Anh			Mỹ
24	Phạm Văn Dũng			Đông
25	Nguyễn Văn Thắng			Đay
26	Nguyễn Đình Tuấn			Quảng
27	Nguyễn Thị Mùi		Mai	Mũi
28	Nguyễn Xuân Nga		Mai	Nga
29	Mai Thị Ngọc		Mai	Nhật
30	Nguyễn Thị Nga		Mai	Nga
31	Nguyễn Văn Giang		Mai	Đông
32	Trần Thị Sỹ		Trúc Sơn	Sỹ
33	Phạm Thị Ngọc		Trúc Sơn	Phúc
34	Phạm Văn Quang		Trúc Sơn	Quang
35	Trần Duy Hải		Trúc Sơn	Hải
36	Trần Đức Cường		Trúc Sơn	Đức
37	Phạm Nguyễn Quỳnh		Trúc Sơn	Quỳnh
38	Phạm Văn Quang		Trúc Sơn	Quang
39	Phạm Văn Lâm		Trúc Sơn	Lâm
40	Phạm Hồng Thái		Trúc Sơn	Thái

Tư vấn

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41 Phạm Mạnh Như

42 Trần Thị Sỹ

43 Phạm Đức Cường

44 Phạm Văn Mùi

45 Lê Thị Xuyên

46 Phạm Thị Giang

47 Phạm Đức Lợi

48 Lê Chí Minh

49 Nguyễn Văn Thế

50 Nguyễn Thị Hằng

51 Nguyễn Văn Đức

Như

Duy

Quang

Quỳnh

Giang

Đức

Cán bộ xã

## **Annex 5: Decisions relating to replacement cost**

The legal basis for the replacement cost includes:

- Decision No.38/2014/QD-UBND dated 12/09/2014 by the People's Committee of Ha Nam province stipulating regulations on compensation, support and resettlement when the State recovers the land;
- Decision No. 49/2014/QD-UBND dated 20/11/2014 by the People's Committee of Ha Nam province on compensation and support for plants and animals when the State recovers land;
- Decision No. 50/2014/QD-UBND dated 19/12/2014 by the People's Committee of Ha Nam province stipulating price frame for various types of land in Ha Nam province;  
<https://thuvienphapluat.vn/van-ban/Bat-dong-san/Quy-dinh-50-2014-QD-UBND-ban-hanh-guy-dinh-Bang-gia-cac-loai-dat-2015-2019-Ha-Nam-262175.aspx>
- Announcement No. 426/CB-SXD dated 27/3/2018, the price of building materials in Q1 2018 issued by the construction department, People's Committee of Ha Nam province;
- Decision No. 1623/QD-UBND Hanam dated 06/12/2012, announced the price of construction works in Ha Nam province;  
<https://vanbanphapluat.co/quyet-dinh-1623-qd-ubnd-2012-cong-bo-bo-don-gia-xay-dung-cong-trinh-ha-nam>
- Decision No. 48/2017/QD-UBND dated 18/12/2017 by the People's Committee of Ha Nam province on compensation for houses and structures when the State recovers land.  
<https://thuvienphapluat.vn/van-ban/Bat-dong-san/Quy-dinh-2419-QD-UBND-Phuong-an-gia-dich-vu-do-dac-lap-ban-do-dia-chinh-Ha-Nam-2016-339725.aspx>
- Announcement No. 426 / CB-SXD dated 27/3/2018, the price of building materials in Q1 2018 issued by the Department of Construction, People's Committee of Ha Nam province.
- Decision No. 2419 / QD-Committee of Hanam Province in 2016 issued the "Service price of cadastral measurements and mapping.

**Annex 6: Template of Internal Monitoring Report**

## **Annex 6: Internal monitoring report template**

1. The objectives of internal monitoring and evaluation is to assess:
  - i. Compliance with the agreed Resettlement;
  - ii. The availability of resources and the efficient, effective use of these resources to implement land acquisition and resettlement activities;
  - iii. That resettlement institutions are well-functioning during the course of project implementation;
  - iv. Resettlement activities are undertaken in accordance with the implementation schedule described in the RP;
  - v. To identify problems, if any, and remedial actions.
2. The primary responsibility for internal monitoring lies with the CPMU as the representative of the Project.
3. Executing Agency. The CPMU will establish procedures for ongoing internal monitoring and review of project level progress reports and for tracking compliance to project policies. The DCARB/LFDC will submit monthly progress reports to the CPMU. The CPMU will consolidate all provincial reports into the project performance monitoring system, which will be used to prepare regular progress reports to submit to ADB. All data will be gender disaggregated.
4. The CPMU will develop an internal monitoring schedule, indicators, procedures and reporting requirements for all subprojects. Internal monitoring indicators will include but not limited to:
  - i. Payment compensation to APs in accordance with the agreed Resettlement Policy Framework and RP;
  - ii. Coordination completion of land acquisition, compensation and, as required resettlement activities commencement of civil works;
  - iii. Adherence to public information dissemination consultation procedures, and report on activities; and,
  - iv. Adherence to grievance redress procedures, and report of activities. Sample indicators to be monitored regularly.
5. The internal monitoring report should be delivered quarterly and entail at least, but not limited to:

### **1) Introduction**

- 1.1 - Project background
- 1.2 - RP implementation status
- 1.3 – Institutional Arrangements
- 1.4 – RP Budget
- 1.5 – Monitoring Arrangements and Requirements

### **2) Internal Monitoring Implementation**

- 2.1 – Objective and Scope
- 2.2 – Monitoring Indicators
- 2.3 – Monitoring Methodology
- 2.4 – Period

### **3) – Monitoring results**

- 3.1 – Project Progress
- 3.2 – Affected Persons Status
- 3.2 – Permanent Land Acquisition Progress
- 3.3 - Compensation Disbursements (Payment of Land, Crops, Affected Structures, Trees, others)
- 3.4 – Allowances and Rehabilitation / Livelihood Restoration (Programmes)

### **4) – Consultation, Participation and Information Disclosure**

- 4.1 – Community Consultation methodology, date, place, people involved, others (Gender Disaggregated)
- 4.2 – Grievance Redress Mechanism and Complaints handling

### **5) – Main Identified Issues and Actions Required**



5.1 – Related to Project Progress

5.2 – From involved stakeholders

5.3 – Issues / Concerns about Resettlement Discussed during Consultation Meetings

5.4 – Gender Issues regarding the RP implementation (Decision making, Women mobility and

Livelihood restoration, others)

5.5 - Others

**6) – Future Work Plan**

**7) – Summary and Conclusions**

**8) - Annexes**

## Annex 7. Guidance on Detailed Measurement Survey (DMS)

Note: Based on the MANUAL FOR UPDATING AND IMPLEMENTING

### RESETTLEMENT PLAN (December 2012), published under ADB TA7245 VIE: Transport Connections in Northern Mountainous Provinces Project Dissemination of information on the schedule of the DMS

- The schedule of the DMS should be specific (date/month/year), and so should the places where the DMS will be carried out (villages).
- The schedule of the DMS should also include the schedule for disclosing the DMS results in each hamlet and village, in addition to the schedule for re-enumeration in each hamlet and village to resolve any questions or doubts that AHs may have on the veracity of the results of the DMS.
- The schedule of the DMS should include the names of the group of enumerators and the contact number of the head of the group.
- The schedule of the DMS should be agreed by the CPC, village leaders, representatives of mass organizations and the AHs during the meeting-consultation held prior to the conduct of the DMS. The agreed schedule of activities in connection with the DMS should be disseminated widely and announced over the village public address system. Women are encouraged to participate in the DMS process, such as during the enumeration of affected assets; in community meeting when the results of the DMS will be disclosed and the entitlements of those losing assets will be discussed and agreed on; etc.
- Below is a sample of a schedule of DMS:

Name of village / commune	Date of DMS	Date of disclosing DMS results at village	Date for re-enumeration at village	Name of the head of group of enumerators and contact number
..... .	..... .	..... .	..... .	..... .
..... .	..... .	..... .	..... .	..... ...

### Carrying out the detailed measurement survey

#### a. Principles governing DMS

- (i) The DMS should precisely enumerate the various types of affected assets and the severity of loss or impact to the affected assets in order to allow for an accurate calculation of compensation for replacing the same.
- (ii) It should be able to provide information on whether or not the loss of assets will severely impact the standards of living of the AHs.
- (iii) It should be conducted transparently and with the active participation of the AHs and local organizations other than the DCARB.
- (iv) The process should allow for the resolution of any questions and complaints that AHs may have on the veracity of the DMS results.

#### b. Steps in doing DMS

The enumerators group of the CARB and Task Force Team will go to the villages to conduct the DMS on the date agreed with the community and AHs.

- (i) For each of the AHs, carry out the DMS strictly following the **DMS form** prescribed at the end of this section. The conduct of the DMS should have the active participation (e.g., by assisting in the identification of affected assets, measuring of affected lands, and/or affixing their signatures to the accomplished DMS form as witnesses, etc.) of the AH heads, women members of the AHs, representatives of

- women's union in the villages, village leaders, cadastral officers, and representatives of the CPC.
- (ii) The enumerators group and the AH head or representative will discuss and agree on the enumerated affected assets, including the level of impacts for each type of affected assets. Once a consensus is reached, the accomplished DMS form is signed by the enumerators group members, the AH head and spouse, if married, and representatives of mass organizations, and the CPC.
  - (iii) Three (3) copies of the DMS form will be accomplished and signed. One copy will be kept by the AH for its own record and reference, while the enumerators group will keep 2 copies – one for posting at designated public places, and one to be used when collating the DMS results for all AHs and for the record of the CARB.
  - (iv) The enumerators group will collate the DMS results into the **Summary of DMS results of affected households** (refer to form at the end of this annex).
  - (v) The DMS results of the AHs (including the accomplished DMS Form and Summary of DMS Results of affected households) will be clearly and visibly posted in designated public places in the community and in the house of village leaders.
  - (vi) After the DMS results have been posted in the community, the enumerators group will return to the villages on the date agreed with the AHs during the meeting-consultation prior to the DMS. During their return to the villages, the enumerators groups will conduct verification or re-enumeration of affected assets for AHs that have questions on the results of their DMS.
  - (vii) The enumerators group will clearly and visibly post in designated public places in the community the results of any re-enumerations conducted.
  - (viii) The enumerators group will endeavor to explain and resolve any complaints and questions related to the DMS results.

**c. Scope of the DMS:**

- (i) Affected assets that need to be enumerated:
  - ✓ Land (residential land, productive land, ponds, etc.)
  - ✓ Trees and crops
  - ✓ Houses and other fixed structures
  - ✓ Public/community structures
  - ✓ Sources of income and livelihood
- (ii) Nature of impact on the affected assets needs to be defined as either:
  - ✓ Temporary (areas out of project boundary that are used for stockpile or access roads, etc.)
  - ✓ Permanent
- (iii) Total land area vis-à-vis affected area to determine severity of impact:
  - ✓ For residential land – measure the entire area of the residential land and compare this with the area of the affected portion of the residential land to determine whether or not the remaining unaffected area of the residential land is sufficient for the AH to rebuild its house.
  - ✓ For productive land – Find out (through cadastral records) the aggregate area of all productive landholdings of the AH within and outside the Project site boundary and find out what is the proportion of the area of the productive land being acquired vis-à-vis the area of the total productive landholdings of the AH. If the AH still is still directly cultivating on the land (and thus derives income from the land), and the area of the recovered productive land is equivalent to 10% or more of the aggregate productive landholdings of the AH, then the AH is considered as severely affected.
- (iv) For AHs that have businesses or stalls affected, the following information should be collected:
  - ✓ Business activities: type of business
  - ✓ Number of people who are gainfully employed in the affected business

- ✓ Monthly income from the business
- ✓ Plan to restore the business activities of the household after being affected.
- (v) Assets located adjacent to the land to be recovered but access to which or the use of it becomes restricted or impossible as a consequence of land recovery should be enumerated, such as:
  - ✓ The remaining unaffected portion of the residential land if determined by competent authorities as too small for the AH to rebuild its house.
  - ✓ The remaining unaffected portion of the productive land if determined by competent authorities as too small and not economically viable for the AH to continue to cultivate.
  - ✓ The unaffected portion of a building (e.g., house, warehouse, stand-alone kitchen and toilet, farmhouse, etc.) whose continued use is no longer viable because of such reason as (i) it is too small for continued use; (ii) it cannot be rebuilt due to limited space available for reconstructing; (iii) the AH has to relocate.
- (vi) Vulnerable AHs need to be enumerated which include:
  - ✓ Poor AH (with Poor Household Certificate at the time of DMS)
  - ✓ Ethnic minority AH
  - ✓ Female-headed AH
  - ✓ Elderly/ children/ disabled headed AH
  - ✓ Landless AH
- (vii) Total number of people living in each AH should be listed.
- (viii) AHs that need to relocate should be enumerated:
  - ✓ AH losing entire house but the unaffected portion of its residential land is sufficient to rebuild the house.
  - ✓ AH losing entire house and the unaffected portion of its residential land is not sufficient to rebuild, or the entire residential land is recovered.
  - ✓ AHs whose residential land and houses are not affected by land recovery, however these are located precariously on up-slopes and down-slopes of the road bench that will be cut or widened in the upgrading of the Project road.

**Settle questions/complaints on the DMS results in the community**

- (i) The results of the DMS for each household will have to be discussed and agreed by the enumerators groups and the AH, and the accomplished DMS form will need to be signed by all concerned. Following completion of the DMS in a village, the DMS results of all the households (i.e., accomplished DMS Form of each AH and the Summary of DMS results of affected households) will be clearly and visibly posted in designated public place(s) in the village and in the house of the village leader for at least 7 days.
- (ii) During the 7 days that the results of the DMS are displayed in the village center, AHs and any interested parties may review these to see if everything is in order.
- (iii) AHs or other interested parties that have questions on the results of the DMS need to inform the village leader about these. The village leader will take note of all the questions of the AHs and interested parties for on-site verification by the enumerators group when it returns to the hamlet/village on the date agreed during the meeting-consultation prior to the DMS.
- (iv) On-site verification (re-enumeration, if needed) on the date agreed during the meeting-consultation prior to the DMS will be conducted by the enumerators group to address and resolve any questions on the results of the DMS.
- (v) The results of the on-site DMS verification or re-enumeration should be clearly and visibly posted at designated places in the community.
- (vi) If any AH still has queries or complaints on the DMS results, the enumerators group will invite representatives of the CPC, cadastral officers, representatives of

commune mass organizations, village leaders and representative of village mass organizations to discuss and resolve with the AH its remaining queries/complaints.

- (vii) After all questions and complaints on the results of the DMS in the hamlets/villages have been satisfactorily resolved, the DMS results can officially be ratified by the CARB as final and the preparation of the detailed compensation plan (which includes calculation of compensation, among others) and updating of the resettlement plan (RP) can now proceed.

## Form for DMS for CARB

Province:.....  
...District.....Commune.....Village.....

### 1. Information on the affected household (AH)

- 1.1 Full name of AH head:.....ID number:.....
- 1.2 Sex of AH head: Male  Female
- 1.3 Age of AH head (or year of birth):.....
- 1.4 Main occupation of AH head (brings most of the income):.....
- 1.5 Main source of income of the AH (from which most of the AH income comes):.....
- 1.6 Average monthly household income:.....
- 1.7 Education level of AH head (specify the grade/year):.....  
Is AH head literate in reading Yes  No   
Is AH head literate in writing Yes  No
- 1.8 Ethnicity of AH head:.....
- 1.9 Communication skill of AH head in the national language: Fluent  Influent
- 1.10 Total members of the AH:....., of which: Male:.....Female:.....
- 1.11 Number of people in the AH of working age:.....
- 1.12 Socioeconomic characteristics of the AH:
  - Poor household (with certification) Yes  No
  - Woman-headed household Yes  No
  - Landless household Yes  No
  - Elderly/Children-headed household Yes  No
  - Ethnic minority household Yes  No

### 2. Affected residential land

- 2.1 Total area of the residential land.....m<sup>2</sup>. Plot number (if any).....
- 2.2 Since what year has this land been used as residential land? .....
- 2.3 Current legal status on the use of the affected residential land (with LURC or not? Or any document?).....
- 2.4 Is the land owned or rented by its present occupant?: .....
- 2.5 Affected area of the land as indicated by the demarcation:.....m<sup>2</sup>
- 2.6 Actual use of the affected area of the land: (specify).....
- 2.7 The remaining unaffected area of the residential land:.....m<sup>2</sup>

### 3. Affected Garden land

- 3.1 Total area of the garden land:.....m<sup>2</sup>. Plot number (if any).....
- 3.2 Since what year has this plot of land been used as garden land?.....
- 3.3 Current legal status on the use of the affected garden land (with LURC or not?).....
- 3.4 Is the land owned or rented by its present occupant?.....
- 3.5 Affected area of the land as indicated by the demarcation:.....m<sup>2</sup>
- 3.6 Actual use of the affected area of the garden land? (For example: what kind of trees are planted).....
- 3.7 Average annual income from the affected land: .....
- 3.8 The remaining unaffected area of the land:.....m<sup>2</sup>

*Note: if two or more plots of garden land are affected, the information above will be*

filled up for each of the plots

**4. Affected agricultural land**

- 4.1 Total area of the agricultural of land.....m<sup>2</sup>. Plot number (if any).....
- 4.2 Since what year has this land been used as agricultural land? .....
- 4.3 Current legal status on the use of the affected land (with LURC or not?).....
- 4.4 Is the land owned or rented by its present occupant?.....
- 4.5. Affected area of the land as indicated by the demarcation:.....m<sup>2</sup>
- 4.6. Category of the recovered agricultural land: (if not applicable, specify how many harvests per year).....
- 4.7. Crops grown on the affected land? .....
- 4.8. Average annual income from the affected agricultural land: .....
- 4.9 Remaining unaffected area of the agricultural land, including other plots of agricultural lands that the household owns:.....m<sup>2</sup>

*Note:*

- 1... If two or more plots of agricultural land are affected, the information above will be filled up for each of the plots
- 2... If the local government regulates that “**production land**” includes both **agricultural land** and **forest land**, this Item 4 (agricultural land) will be changed to “Production land” and the Item “Forest land” below will be deleted.

**5. Affected Forest land**

- 5.1 Total area of the forest land:.....m<sup>2</sup>. Plot number (if any).....
- 5.2 Since what year has this land been used as forest land?.....
- 5.3 Current legal status on the use of the affected land (with LURC or not?).....
- 5.4 Is the land owned, rented, or allocated to its present occupant?.....
- 5.5 Category of the recovered forest land (specify if production forest land or protective forest land or others) .....
- 5.6. Affected area of the forest land as indicated by the demarcation:..... m<sup>2</sup>.
- 5.7. Actual use of the affected forest land? (specify, for example: what kind of trees are grown).....
- 5.8. Average annual income from the affected forest land: .....
- 5.9 The remaining unaffected area of the forest land:..... m<sup>2</sup>

*Note: if two or more plots of forest land are affected, the information above will be filled up for each of the plots*

**6. Affected aquaculture land (pond)**

- 6.1 Total area of the aquaculture of land.....m<sup>2</sup>. Plot number (if any).....
- 6.2 Since what year has this land been used as aquaculture land?.....
- 6.3 Current legal status on the use of the affected land (with LURC or not or other documents?).....
- 6.4 Is the land owned or rented by its present occupant?.....
- 6.5 Affected area of the aquaculture land as indicated by the demarcation:..... m<sup>2</sup>
- 6.6 Actual use of the aquaculture land? .....
- 6.7. Average annual income from the affected aquaculture land: .....
- 6.8 The remaining unaffected area of the aquaculture land?..... m<sup>2</sup>

*Note: if two or more plots of aquaculture land are affected, the information above will be filled up for each of the plots*





**7. Houses and structures on the recovered land**

**7.1 Main structures**

Specify the primary use of the affected main structure (for residence, combination of residence and business, or purely for business): .....

(Note: other affected structures will be included in the category of secondary structures)

No	7.1.1 Primary use of the structure	7.1.2 Units	7.1.3 Detailed descriptions (built in which year and by what kind of materials, etc.)	7.1.4 Affected area (m <sup>2</sup> )	7.1.5 Amounts of materials affected (specified)	Notes: if the main house is affected, is the remaining unaffected area viable for continued use?
1						
2						
3						

**7.2 Secondary structures**

Specify the type of secondary structures (kitchen, toilet, yard, wall, outdoor altar, door, etc

No	7.2.1 Type of structure	7.2.1 Units	7.2.3 Detailed descriptions (built in which year and by what kind of materials, etc.)	7.2.4 Affected area (m2)	7.2.5 Amounts of materials affected	Note:
1						
2						
3						

**8. Crops**

Enumerate the affected crops (rice, potato, cassava, vegetables, fish, prawn, etc.)

No	8.1 Type of crop	8.2 Unit of measure	8.3 Count/Volume	Note
1				
2				
3				
4				
5				
6				
7				

**9. Trees**

No	9.1 Kind of tree	9.2 Unit (number of trees)	9.3. Diameter	9.4 Volume/ quantity	Note
1					
2					
3					
4					
5					
6					

**10. Other losses**

Enumerate other losses of the AH due to the road upgrading. Related information (if any) should be put in the Note column

No	Types of loss	Reasons for loss	Note
1			
2			
3			
4			

Date.....month.....year

**Composition of enumerators:**

- |                 |                |
|-----------------|----------------|
| 1. Mr/ Ms:..... | Position:..... |
| 2. Mr/ Ms:..... | Position:..... |
| 3. Mr/ Ms:..... | Position:..... |
| 4. Mr/ Ms:..... | Position:..... |
| 5. Mr/ Ms:..... | Position:..... |
| 6. Mr/ Ms:..... | Position:..... |

**Conclusion of the District Resettlement Committee:**

The District Resettlement Committee concurs with the detailed enumerations above.

The differences between this DMS form and the self-enumeration form are as follows:

.....  
 .....  
 .....

**The opinions of the AH:**

- The household totally agrees with the foregoing detailed enumerations by the group of enumerators and does not have any contrary opinions (specify: Agree or Disagree)
- The household does not agree with the detailed enumeration above because:

.....

.....  
.....  
.....  
Owner (Signature and full name)                      Wife/husband (Signature and full name)

**Representative of CPC**

**Representative of mass-organization**

**Representative of District Resettlement Committee**

**Representative of PPMU**

**Appendix 3: Form for Summarizing of DMS Results by Households**  
**RESULTS OF DMS (Lands)**

Village: ..... Commune..... District..... Province.....

	Name of AH Head	Plot number	Total area of the plot (m <sup>2</sup> )	Area to be recovered from the plot (m <sup>2</sup> )	Remaining unaffected area of the plot (m <sup>2</sup> )	Total landholdings of the AH (m <sup>2</sup> ) <sup>14</sup>	Area of recovered land (m <sup>2</sup> )	Percentage of loss (%)	Legal Status	Notes
<b>Production Land</b>										
1										
2										
3										
4										
4										
<b>Residential land</b>										
1										
2										

<sup>14</sup> For this column, sum up all the land plots that the household has (e.g., Production land: sum up all the production land plots that the household has)

**RESULT OF DMS (Structures)**

Village: ..... Commune..... District..... Province.....

	<b>Name of AH Head</b>	<b>Affected structures</b>	<b>Type of affected structures</b>	<b>Affected areas</b>	<b>Notes</b>
1					
2					
3					
4					
5					
6					

**RESULT OF DMS (Crops and Trees)**

Village: .....

Commune.....

District.....

Province.....

**A. Crops**

	Name of AH Head	Type of affected crops	Unit	Quantity	Note
1					
2					
3					
4					
5					
6					

**B. Trees**

No	Name of AH Head	Kind of trees	Unit	Diameter	Quantity	Note
4						
5						
6						
8						