

LAO CAI PEOPLE'S COMMITTEE

2016

LAO CAI PROJECT MANAGEMENT UNIT



**MEDIUM CITIES DEVELOPMENT PROJECT
LAO CAI CITY SUBPROJECT
ADDITIONAL FINANCING**

**RESETTLEMENT PLAN
(RP)**



ORIENT CONSULTANT AND INVESTMENT FOR INFRASTRUCTURE DEVELOPMENT JSC

**LAO CAI PEOPLE'S COMMITTEE
LAO CAI PROJECT MANAGEMENT UNIT**

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REPRESENTATIVE OF INVESTOR

CONSULTATION UNIT

LAO CAI - 2016

LIST OF ABBREVIATION

AH	Affected Household
BQLDA (PMU)	Project Management Unit
EMDP	Ethnic Minorities Development Plan
EM	Ethnic minorities
DTTS	Ethnic Minorities
DP	Dislocated people
FS	Feasibility Study
HH	Household
NHTG (WB)	World Bank
ODA	Official Development Assistance
UBND	People's committee
UBNDTP	City People's Committee
RP	Resettlement Plan
RAP	Resettlement Action Plan
RPF	Resettlement Plan Framework
PAH	Project Affected Household
PAP	Project-affected people
Ha	Hectare
m	Metter
m2	Square metter
m3	Cubic metter
Km	Kilometter

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DEFINITION OF TERMS

Cut-off date

means the date of the project announcement publicly. Displaced Persons and local communities will be informed of the cut-off date for each Project component, and that anyone moving into the Project Component Areas after that date will not be entitled to compensation and assistance under the Project.

Eligibility

any person who at the cut-off-date was located within the area affected by the project, its sub-components, or other subproject parts thereof, and would: (i) have formal legal rights to land (including customary and traditional rights recognized under the laws of the country); or (ii) not have formal legal rights to land at the time the census begins but have a claim to such land or assets – provided that such claims are recognized under the laws of the country or become recognized through process identified in the resettlement plan; (iii) not have legal nor recognizable by laws rights to the land they are occupying they live or/and have properties/assets within the project areas before the cut-off date. Persons covered under (i) and (ii) are provided compensation for the land they lose and other assistance at full replacement cost. Persons covered under (iii) are provided resettlement assistance in lieu of compensation for the land they occupy, and other assistance, as necessary, to achieve the objectives set in this RPF, if they occupy the project area prior to a cut-off date. Persons who encroach on the area after the cut-off date are not entitled to compensation or any other form of resettlement assistance.

Replacement cost

is the concept (OP 4.12, footnote 11) used to calculate the compensation amount for an asset and involves using current market value plus the transaction costs which may include taxes, fees, transportation, labor, etc. The market value is determined by the PMU confirmed by local authorities in consultation with the DPs. The methods of estimation of prevailing market value should evolve over time to achieve good practice. The final RAP should be determined with the

	most recent information once the final details are known about the circumstances of displacement.
Resettlement	is the general term related to land acquisition and compensation for loss of asset whether it involves actual relocation, loss of land, shelter, assets or other means of livelihood.
PAP	refers to all individuals or organizations, business facilities suffering direct socio-economic impacts by projects financed by the Bank, caused by mandatory acquisition of land and other properties, leading to (i) remove or loss of residential land; (ii) loss of properties or access to properties; or (iii) loss of income sources or means of living, whether the affected people have to move to other place or not. The mandatory land acquisition includes the land ownership when the owner allows and is benefited from ownership/residence in other area. In addition, affected people include those whose livelihoods are negatively affected by mandatory restriction of access to legally designated areas and protected areas; however, this classified type of people is unlikely present in urban area.
Vulnerable groups	refers to separate groups of people who may be affected by resettlement more severely or who are exposed to the risk of being far from development process of the society due to impacts of resettlement and include the following specific groups: (i) female householders (widows, whose husband is invalid or lack of labor ability, whose family includes the old or children), (ii) invalids or elderly and lonely people, (iii) the poor (whose living standards are under property threshold), (iv) people without land and (v) ethnic minorities.
Indigenous people	(equivalent to the concept of ethnic minority people in Vietnam) means a separate, vulnerable group of people with separate social and cultural characteristics, having the following features, at various levels: (i) identifying themselves as members of a separate indigenous cultural

group and this feature is recognized by other cultural groups; (ii) living in groups in separately geographical areas or in lands inherited from the ascendants in the project area and living closely with natural resources in that residential area and territory; (iii) having separate cultural, social, economic and political institutions compared with similar institutions of the prevailing society and culture, and (iv) having a unique native language, usually different from official language of the nation or region.

SUMMARY

Introduction

While population at cities in Vietnam is rapidly increasing, the provision of infrastructure, especially urban roads, has not kept up with the process of urbanization. This causes adverse impacts on living conditions of the urban residents and hinders economic development of cities. Besides, people living in the cities are facing difficulties in looking for opportunities to increase their incomes due to the lack of linking roads.

The Medium Cities Development Project in Vietnam (MCDP) was approved by the Minister of the Vietnamese Government at the document No. 602/TTg-QHQT dated 16 April 2010. On 12 January 2012, the Credit Agreement No. 5031-VN was signed between the Vietnamese Government and World Bank. The project used IDA from the WB and counterpart fund from the provincial budget/the assisting fund from the Central government. Objective of the original MCDP is to increase access to improved urban infrastructure services in Lao Cai City, Phu Ly City, and Vinh City in a sustainable and efficient manner.

On implementation since 2012, the project is on the right track and steps by steps achieve development indicators. The World Bank has agreed that Lao Cai province can research and propose additional financing for the period 2017-2019. Therefore, the plan for the Lao Cai Subproject: Additional financing is built. One of the proposed components of the Subproject related to land acquisition, therefore a Resettlement Plan is required.

Resettlement Plan

Resettlement (RP) for the Subproject is built during the feasibility studies, includes: legal framework and entitlements; assesses, socio-economical characteristics, category of PAPs; estimation of affected assesses; community consultation and activities with people's participation; plan for monitoring and implementation including grievance redress mechanism; timeline; and budget.

The RP will guide all activities of compensation, facilitate land acquisition and resettlement so that the Subproject can be implemented smoothly, ensuring that all the PAPs will be given compensation and/or assistance for their lost assesses and are supplied assistance in order to improve their living conditions or at least maintain their previous living standards and be able to generate income like before the project.

Scope of land acquisition and resettlement impacts

Resettlement Plan (RP)

The total area of land acquisition for the Component I of the Subproject will be around 9,5ha (94,097m²) which accounts for 7.3 % of the total area of the four villages in Van Hoa commune where 09 urban roads will cover.

- Permanently occupied land:

Residential land: 7,992.7m²

Agricultural land: 72,894.5m²

Public land: 13,211m²

From preliminary survey, there are 117 households (HHs) with 454 people will be affected. Among these affected households, there are 61 HHs, who will be affected by residential land acquisition; of which 25 will have to relocate due to majority of the residential land will be acquired. All 117 HHs will be affected by losing 20% or more (10% or more for vulnerable groups) of their agricultural landholding; 09 HHs will be affected by business, of which 3 HHs will be relocated and the rest of six businesses will only be temporarily affected during the construction work; and 33 HHs are of the vulnerable group.

Linked projects

The screening results showed that there are no linked projects for MCDP-AF under OP4.12 criteria.

Issues of the vulnerable group

In the affected area of the Subproject, there are 18 households are of ethnic minorities and 15 households of the vulnerable subjects since they fall into one of these following types: (i) households with female owner who have dependent(s), (ii) households with handicapped person, (iii) poor households, and (iv) households under State sponsor.

These households of the vulnerable group will receive special support and/or participate in programs for livelihood restoration of the Subproject. During the implementation of the RP, these households will be approached to determine and respond to their specific demand, making sure that the restoration or improvement of their socio-economical conditions is carefully monitored.

Socio-economical survey

Research has been conducted to understand affected household's socio-economical situation. Two types of impact are identified, including those households whose residential land and agricultural land will be affected and whose only agricultural land

Resettlement Plan (RP)

will be affected. Research findings are foundations for calculating demand of relocation, expenses for resettlement, as well as for assistance and income restoration.

Legal framework and policy on entitlements

The legal framework and policy on entitlements for the creation and implementation of the RP are defined by relating laws, decrees, decisions, circulars of the Vietnamese Government regarding land acquisition, and Involuntary Resettlement policy (OP 4.12) of the WB. These are foundations for the report to propose a specific policy for this project.

The main principles applied for the RP are that the PAPs will be fully assisted so that they will have the living standards, income capacity and the level of production which are better than or at least equivalent to before the project. All the PAPs who are living within the project site before the cut-off date are entitled to get compensation/assistance for their losses and to receive assistance to economic restoration. The lack of legal foundation for the land use does not prevent AHs from receiving compensation and assistance. Assets are compensated on the basis of replacement cost.

Implementation

The task of making compensation, assistance, and resettlement of the Project is directly implemented by the PMU and the Board of compensation, Assistance, and Resettlement. During the implementation, established units need to have close collaboration with the local authorities and the community to make sure that the compensation and land acquisition are transparent, on schedule, and closely follow up the approved RP.

Consultation and Participation

The RP has been built with close collaboration of the local authorities, representatives of the local communities, and the affected people. These are consulted through different ways including meeting and community consultation, survey with all households using questionnaire. Collected data are foundation for the establishment of the policy on resettlement of the Subproject, including measures of compensation, assistance, and income restoration.

Grievance and Grievance Redress Mechanism

The Independent Board for grievance redress established by the parent project (MCDP) will continue the process of grievance redress as well as the monitoring of result of the interference of the project. Mechanism for grievance redress is established to help the affected people to file their complaint and will be resolved

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according to the policy framework of the Subproject. A specialist from PMU will directly work with the PAHs to unofficially gather information and opinions. This person will also assist the illiterate and /or vulnerable as they explain their complaint.

The affected people who file the complaint will not have to pay any fees.

Monitoring and Evaluation

The implementation of the detailed RP will be examined, evaluated and monitored internally. At the same time, an organization with sufficient capacity will be hired by the PMU to carry out independent monitoring of the RP implementation. This organization will be watched by the WB. Difficulties and arising issues will be indicated and timely resolved.

Plan for implementation

The RP will be implemented during the project implementation. The site clearance will be estimatedly implemented from 5 to 7 months, since April 2017.

The site clearance must be completed before the contractors implement the construction activities.

Budget and expenses

The budget for the Component I of the Subproject is estimated at: **72,017,000,000VND**, equivalent to **3,186,593 USD** (rate exchange at 1 USD= 22,600VND).

Fund for the site clearance, resettlement, compensation, and assistance will be from the counterpart fund.

The budget includes expenses for compensation/assistance for land, assets, and architectural works affected by the project, income restoration program, assistance for transition, management of implementation, and grievance redress. The budget for the implementation of the RP will be updated at the time of land acquisition.

CHAPTER I: INTRODUCTION

1.1. OVERVIEW

Overview of the project context: While population at cities in Vietnam is rapidly increasing, the provision of infrastructure, especially urban roads, has not kept up with the process of urbanization. This causes adverse impacts on living conditions of the urban residents and hinders economic development of cities. Besides, people living in the cities are facing difficulties in looking for opportunities to increase their incomes due to the lack of linking roads.

The Vietnamese government requested the WB to finance a Medium Cities Development Project (MDCP) in order to facilitate development at three cities of Lào Cai (Lào Cai province), Phủ Lý (Hà Nam province) and Vinh (Nghệ An province).

The development objective of the project is to increase access to improved urban infrastructure services in Lao Cai City, Phu Ly City, and Vinh City in a sustainable and efficient manner.

Brief overview of the MCDP: The project is implemented in three cities, including Vinh, Phủ Lý and Lào Cai. In Lao Cai city, the Project is implemented with four components: Component 1: Urban Basic Infrastructure Upgrading and Services Improvements; Component 2: Urban Water Supply and Environmental Sanitation; Component 3: Urban roads and bridge; Component 4: Project management support and technical assistance.

On implementation since 2012, the MDCP is right on track and steps by steps achieve its developing goals. The MDCP's work items were and are being invested and brought about great economic outcomes, upgraded people's living conditions, created momentum for infrastructure development, changed the interface of cities, and gradually improved city life in terms of beauty and sustainable development.

However, due to the lack of IDA, a number of important invested items of the MCDP in Phu Ly and Lao Cai have not been implemented, causing impacts on the achievement of the Subproject's objectives. Besides, limitation in the distribution of funds resulted in the fact that some essential components of the Subproject in Lao Cai and Phu Ly have not been included in the MCDP. Lao Cai and Phu Ly proposed the additional financing for IDA to fill in the deduction caused by rate exchange and to boost effects of investments in key components. Phu Ly and Lao Cai asked the WB to continue to provide additional fund to implement these components.

The WB has agreed that Hà Nam and Lào Cai provinces can conduct feasibility studies and propose for additional financing for the period 2017-2019. Therefore, the

Lao Cai Subproject: Additional items are planned for feasibility studies and implementation.

1.2. INFORMATION OF THE SUBPROJECT: ADDITIONAL FINANCING

The Lao Cai Subproject: Additional financing has the overall anticipated funding of investment at 36.1 millions USD, including WB's IDA and IBRD and the Vietnam's counterpart fund.

Source for counterpart fund: Lao Cai is the province under the State's additional funding plan in the balance of 70%. Based on regulations at item 2 session IV regarding principles, criteria and the quota in distribution of the State's fund for development investment period 2016-2020, issued with the Decision No. 40/2015/QĐ-TTg dated 14/9/2015 by the Prime Minister, Lao Cai province asked the Central government to support at 70% of the total counterpart fund for the IDA. For the counterpart fund for IBRD, the province will take from the local budget.

The Subproject will be implemented at Lao Cai city of the Lao Cai province. It's scope includes: Van Hoa and districts of (1) Lào Cai, (2) Phố Mới, (3) Duyên Hải, (4) Cốc Lều, (5) Kim Tân, (6) Bình Minh, (7) Bắc Cường, (8) Nam Cường, (9) Bắc Lệnh, and (10) Pom Hán.

It consists of four components that are equivalent with the MDCP, including:

Component 1: Urban Basis Infrastructure Upgrading and Services Improvements

- Renovate and invest on infrastructure in Van Hoa (roads, water supply, electric supply, water drainage)

Component 2: Urban Water Supply and Sanitation

Main activities will include:

- Renovate the Lao Cai central lake;
- Renovate the drainage system

Component 3: Urban roads and bridge

- Build a bridge over the Ngòi Dum creek

Component 4: Project management support and technical assistance

This component will include expenses for consultation, monitoring the construction, support for procurement, management of contracts, monitoring environment safety, independent auditing, and expenses for the PMU's operation.

Detailed proposed work items of **the Component I** include:

- Upgrade and improve services for tertiary infrastructures at communities belong to the 40% of the lowest-income population; narrow the gap in infrastructure with other developed areas of the city.
- Construct infrastructure for Van Hoa urban area of the Lao Cai city in order to stabilize and upgrade living conditions of the urban residents, contribute to city's unitary urban management, stability, and sustainable development.

In details, 09 main urban roads in the subproject area with the total length of 6,141m will be constructed, which will cause land acquisition. Roads are designed with $E_{yc} \geq 110\text{Mpa}$. The road surface will be made of asphalt concrete with fence and safety signal. The roads also come with the drainage system; the system of clean water supply; lighting; and green trees planted along the roads.

The construction of these urban roads of the Component I will relate to land acquisition and relocation. There are households who will lose all or a part of their residential and/or agricultural land and attached assets. Thus, this Resettlement Plan is built.

The RP for the affected people is regulated by the OP 4.12 of the WB. The residents at the project site are benefited from the improvement of the infrastructure, of the total planning, and the capacity building of the project. However, they are, at the same time, affected by land acquisition. The project's detailed policies and the action plan to mitigate potential impacts caused by land acquisition and resettlement have been specified in this RP.

1.3. POSITION OF THE COMPONENT I

The proposed construction site position of the component I will be as follows:

- Close to Hanoi-Lao Cai railway to the North East;
- Close to the dyke of the Red River to the South East;
- Hanoi-Lao Cai railway and the road to Pho Moi to the North West;
- Close to the dyke of the Red river to the South West.

1.4. WORK ITEMS OF THE ROADS

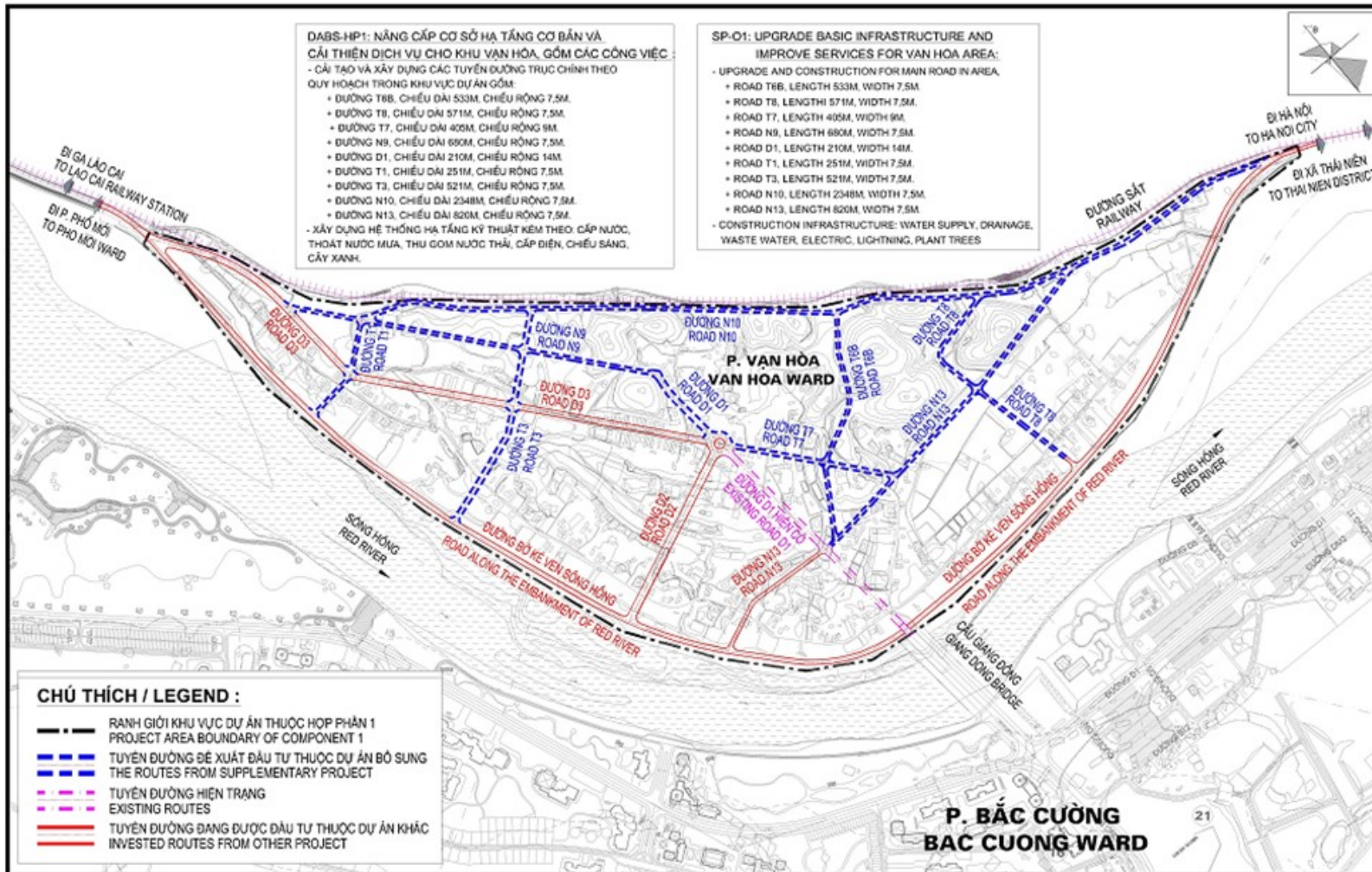
- Urban roads
- Grading
- Leveling

- Water Drainage system
- Water supply
- Electric supply
- Trees

1.5. LINKED PROJECTS

At the present, in Van Hoa, there are several projects under implementation, however according to the criteria set forth in the OP 4.12, they are not linked/related to this project (see more details in the project ESIA).

1.6. MAP OF THE PROPOSED CONSTRUCTION SITE



CHAPTER II: IMPACTS OF THE COMPONENT I OF THE SUBPROJECT

2.1. MITIGATION MEASURES ON LAND ACQUISITION

For the construction of urban roads in Van Hoa, land acquisition is unavoidable. To realize the principle of avoiding or minimizing impacts on land acquisition and relocation, optimized measures are chosen. During the preparation and design of the roads, position and area of work items have been thoroughly selected to minimize land acquisition from households. Mitigation measures are applied and suitable methods for compensation for affected households are proposed.

Impacts of land acquisition for the Component I of the Subproject affect 4 out of 11 villages in Van Hoa Commune. Group discussions between resettlement consultants, local authorities, and affected households were conducted to propose mitigation measures for the positive and adverse impacts of land acquisition and relocation.

The design of the 09 urban roads was carefully planned in order to minimize land acquisition, especially residential land.

For affected households and individuals, information distribution to the PAPs to help them understand location, benefits and impacts of the project, as well as mitigation measures to minimize adverse impacts. At this stage, the households are informed so they can prepare in terms of material and mental response for unexpected impacts. Consultants have consulted the whole area of the project to (i) disclose information of the project, and (ii) inform of some impacts of the land acquisition and measures for compensation and resettlement.

After being consulted and asked for opinion, people expressed their strong support for the project and hoped that the project would soon be implemented.

2.2. SCOPE OF LAND ACQUISITION AND PAPs

Work items of the Component I of the Subproject will take place within 4 villages of Van Hoa Commune. The 4 villages affected by land acquisition include: Canh Chin, Giang Dong, Giang Dong 2, and Canh Dong. From July to August 2016, surveys on social-economic conditions of most AHs were conducted. Surveys and investigation were conducted in conjunction with staffs of the local authorities. The gathered information acts as foundation for identifying impacts of the land acquisition and the suitable measures to assist the PAPs to restore their losses.

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Preliminary research reveals that there are 117 households will be affected at different level. Most of these households are affected in term of cultivated land. There are 61 households whose residential land is affected.

Preliminary research found that 7,992.7 m² of the residential land will be taken for the construction of the roads of the Component I. Many households will lose their houses and architectural items/structures.

Regarding the legal status of the land possession, most households have the legal ownership over their land.

Table 1. Legal status of household's land

No.	Legal status	Number of affected households
1	Land with certificate of ownership	114
2	Land without legal certificate of ownership but the owners are eligible to apply for it	2
3	Land without legal base to be granted the certificate of ownership	1
4	Long-term rent land from the State	0
	Total	117

Source: Data from socio-economical research July and August 2016

2.3. SCOPE OF PROJECT IMPACTS ON HOUSEHOLDS' LAND USE

Within the project area, there are 72,894.5m² agricultural land (including land for rice, crops, vegetable, planted forest, and garden), 7,992.7m² residential land, and 13,894.4m² of other types (including public land, land without ownership, and aquacultural land). The total area of the four affected villages Giang Đông, Giang Đông 2, Cánh Chín and Cánh Đông is about 130 hectares thus the land acquisition for the subproject would only account for 7.3%.

Table 2: Affected Land and Assets¹

Scope	Area (m2)	Quantity
1. Permanently occupied land	94,781.6	
- Residential land	7,992.7	
- Agricultural land	72,894.5	
- Other (public land, aquaculture, land without ownership)	13,894.4	
2. Affected assets		
House:	5,200	
Normal house (main and supplementary): 75	3,780	
Wood house: 5	520	
Three-storey house: 1	900	
Structures:		2,600
Cages, barns (m2)	1,160	
Fence (m2)	480	
Water container (m3)	760	
Well (m)	200	
- Perennial trees		5,450
- Crops (vegetable)	7,283.4	
- Aquaculture	3,226.5	
- Rice	30,801.2	
- Graves		5

Source: Socio-economical survey July-August 2016

Based on preliminary research², there are 117 households with 454 directly affected by the project. Within the project area, there are 25 households who will lose over 50% of their residential land, among them 09 HHs will lose almost 100% of the

¹. Investigation and assessment of impacts are preliminary, conducted at the time of making the report and not based on finalized detailed design and the setting of construction boundary lines. Details of impacts at household level will be assessed and updated during later stage of scaling and measuring.

². Final data are unavailable during the FS.

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residential land; all these HHs' remaining land is not enough to rebuild houses so relocation is required. Besides, there are 4 households whose residential land will be affected from 20% to less than 50% and 32 households whose residential land will be affected at less than 20%; all these HH's remaining land is enough to rebuild houses so relocation is not required. There are 18 HHs of ethnic minorities who are affected by acquisition of residential and/or agricultural land. For ethnic minorities households, an EMDP has been produced in a separated report and will be implemented with this RP. Table 3 show details of the PAPs.

Table 3: Affected households and people

Impact types	Quantity of AHs	Quantity of PAP
- Residential and cultivated land	117	454
- Over 20% cultivated land affected	117	454
- Vulnerable groups	33	122
- Crops and trees	117	454
- Households to be relocated	25	97
- Houses and structures	61	240
- Home business affected	09	20

For the construction of the 09 urban roads, the distribution of the PAPs is uneven. The village with largest number of PAPs is Cánh Đông, with 44 AHs and 178 PAPs and the village with least number is Giang Đông with 12 AHs and 35 PAPs.

Table 4: Distribution of the PAPs

Name of the component	Affected villages	Affected subject		
		Quantity of AHs	Quantity of PAPs	Percentage %
Component I: Upgrading infrastructure and improving services	Cánh Chín	32	127	28
	Giang Đông	12	35	7,7
	Giang Đông 2	29	114	25,1
	Cánh Đông	44	178	39,2
Total		117	454	100

2.4. RELATED PROJECTS

At the present, in Van Hoa, there are several projects under implementation, however according to the criteria set forth in the OP 4.12, they are not related to this project.

The mentioned above projects are:

1. Construction of the Dyke of the Red River.
2. Construction of the D2 urban road.
3. Construction of the Van Hoa's Resettlement site No. 2.

These projects are under different stages of implementation. However, according to OP 4.12's criteria, even these projects are not taking place, MCDP-AF Project still satisfies conditions required by the WB policies and achieves anticipated objectives. (See more information in the ESIA).

CHAPTER III. SOCIO-ECONOMICAL CONDITIONS OF THE AFFECTED HOUSEHOLDS

3.1. METHODS OF SOCIAL-ECONOMICAL INVESTIGATION

The methods of investigation of project impacts on households include participatory rapid appraisals and consultation, using techniques of site and household visits, public meetings, and the household socio-economic survey.

For survey sampling, "Convenience sample" was chosen. Preliminary study revealed 117 households to be affected. 100% affected households were approached and representatives of these households completed the survey in the form of a questionnaire. In-depth interviews were conducted with selected PAPs to evaluate levels of impacts, also for identifying potential issues from project implementation.

3.2. HOUSEHOLD DEMOGRAPHY

The approach of preliminary research is to enable community's participation during the preparation of the RP. The PAPs were interviewed, joined in groups discussions, and contributed their ideas to the project.

Research findings show that the total number of PAPs is 454, belonging to 117 households in which there are 213 men and 241 women. Average number of people in each family is almost 4 (3.88).

There are 69 households with male householders (59%) and 48 with female householders (41%). Among 18 EM households, the number of male householder doubles the number of female householders.

3.3. EDUCATIONAL LEVEL

The educational level of the PAPs is relatively low. This information reveals that the quality of the education of the labour at the Subproject's area is not really good, limits the competitiveness at the job market. The following table shows the education of the PAPs.

Table 6: Education of the PAPs

No.	Level	Quantity	Percentage (%)
1	Illiterate	4	0.88
2	Primary school	306	67.4
3	Secondary school	117	25.7
4	High school	22	4.85
5	Post High school	2	0.44
6	College	3	0.66
7	Post graduate	0	0
Total		454	100.0

Among the affected, 4 are illiterate, belonging to different ethnics and over 70 years old; those with highest percentage are holders of primary school qualification; only 3 obtained college or university qualifications.

Among interviewed families, children, no distinction being male or female, enjoy the equal opportunity to schooling.

3.4. JOB OF THE PAPs

For the PAPs in their working age, the structure of profession is as follow: there are 349 in their working age of which 205 are male accounting for 58.7% and 144 are female accounting for 41.3%. Within these, 213 accounting for 61% are working on farm. Those who see themselves as free workers are 79 accounting for 22.6%. These are those who work as seasonal hired labour, either as farmers or doing other jobs without permanent income. Some find their job as hired labour at the border or running small trade and send money home. This reflects the actual trend that the area of cultivated land is being narrowed. At the same time, many householders said they no longer had cultivated land because they sold it or changed the purpose of usage.

Those with permanent income are state cadres but only few. There are 09 households doing some kind of business at home, either running small convenient shops or producing food or beverage. Within these 09 households, 03 have to relocate while other 06 whose residential land is partly affected. One household turns their home into a hotel and it is operating now. Thus, doing business or providing services are one of activities to generate incomes.

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Among 61 asked households whose residential land is affected, 58% see themselves as having average income, 30% as having lower income while only 6.7% agreed that their income was good. Observation reveals that families do not invested dedicatedly on land surrounding their house. This suits the in-depth interviews since many households revealed that they did not expect from income from working on garden since the lack of water and it was hard to sell the product. At the same time, many households no longer have any land for planting rice and if they have, they do not consider that as the main source of income. Those households with high income often have one or more members who have good education and are working at well-paid offices or companies either within or without the locality.

Other details of the job of the PAPs can be seen in the following table:

Table 7: Distribution of job

No.	Types of job	Quantity	Percentage
1	Farming	213	61
2	Free workers	90	25.8
3	Trading or providing services	18	5.2
4	Cadre	7	2.0
5	Housewife	13	3.7
6	Driver	8	2.3
Total		349	100

3.5. HOUSEHOLDS' INCOMES

For all the AHs, their average income is 7,127,000VND per month. There is a difference between households with male holders (5,900,000 VND per month) and households with female holders (5,700,000VND per month). Average income of the majority Kinh households is at 7,400,000 VND per month, higher than the EM households who have 5,100,000VND per month.

Average income of each household member is 1,836,693 VND per month. Average income of the Kinh is 1,907,812 VND per month, higher than the EM who have 1,311,428 VND per month.

Table 8: Main incomes of the AHs

No.	Types of household members' incomes	Sources of income	Identification of the main source of income	Percentage of the main source of income
1	Salary	12	9	75
2	Pension	9	5	55
2	Wage for free workers/hired persons	53	31	58
3	Agricultural production	79	61	77.2
4	Business and services	9	9	100
5	Subsidy by State policy	15	2	13
6	Subsidy by children	6	6	100

Within 117 AHs, the majority have different sources of income at the same time thanked to different types of work. There are some households that no one participates in agricultural production because they have other preferred jobs or they are out of working age. Among 79 households that are doing agricultural work, 61 (77.2%) agreed that agricultural production brought them the main income. Among 53 households whose members are working as free workers or hired persons, 58% answered that this type of work generated the main income. Meanwhile, for households running home business, 100% agreed that this is their main source of income. Therefore, there are 61 out of 117 (over 50%) of the households whose main income is from agriculture; 26% have the main income from members working as free workers; 7,6% get the main income from doing home business.

According to the regulation of the poverty level set by the Vietnamese Government, these affected households can be divided into three groups. The first are poor households whose average income of each member is under 700,000VND per month. According to the data gathered from the interview, 3 households are under this category, account for 2,56%. The second group are near-poor households whose average income of each member is from 700,000VND to 1,000,000VND. 5 are under this category, takes for 4,2%. The rest is made up of 109 households, at 93,17% whose average income of each member is over 1,000,000VND per month.

3.6. OTHER SERVICES

- Regarding healthcare:

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The Commune's healthcare station has basic equipment and opens daily for the local people. National programs to improve community health such as HIV/AIDS, disease control, Vitamin A for kids, immunization, healthcare for mums and children, etc. are implemented regularly. EM women and children are all benefited from these programs.

However, many households do not seek services from the local healthcare station since the answer they often receive is “running out of medicine”. They choose to visit health centres in the city with better services and medicines are always available.

- Among 61 households whose residential land is affected, 25% agreed that all living conditions, including housing, travelling, social security, schooling for children, doing home business, healthcare, chance to get job are good; 65% agreed that everything was at average level; and the rest 10% asserted that their living conditions were low. Among all 117 AHs, 87% chose the average level for their living conditions; 6% see them as being low; and 19 agreed that they had good living conditions. Overall, the level of satisfaction with living conditions was average. This relates to the positive support to the Subproject since they expected that it would bring about improvement in all aspects of their life.

- Regarding energy and clean water:

(i) Energy: 100% of the AHs are using electricity for lighting. For cooking meals, most use gas, electricity, and wood.

(ii) Clean water: There is a low percentage of AHs who can use clean water for daily needs

Table 9: Energy and Water Usage

No.	Source of energy and water		Quantity of AHs	Percentage %
1	National electricity network		117	100
2	Water	Clean water supplied by state company	14	11.9
		Drilling-back wells	24	20.5
		Traditional wells	64	54.7
		Other sources	15	12.8
Total			117	100

Source: Socio-economical survey July-August 2016

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- Sanitation: Most of the AHs are using standard toilets (86%) yet some are still using temporary toilets (14%). Thus, there are a part of AHs are still using non-standard sanitary system and this negatively affects their health and life quality.

3.7. VULNERABLE GROUP

Different types of vulnerability are detected during the survey. These households are found in four affected villages and the common features are that in each of these households, there is at least one member who cannot work like ordinary people and they have low income. Besides, EM households are also listed in this group.

There are total 33 households of the vulnerable group. They account for 28% of the total 117 AHs.

Table 10: Vulnerable households affected

Category	Quantity of AH	PAPs	Percentage	Severely-affected agricultural land	Relocation required
EM	18	70	15.4	18	5
State sponsored (war invalid, war dead; contributors to the Revolution)	6	25	5.1	6	1
Poor (with certificate issued by the local authorities)	1	4	0.8	1	0
Female householders with dependents	5	15	4.2	5	2
With member as an Orange agent	1	3	0.7	1	0
With a handicapped member	2	6	1.7	2	1
Total	33	123	28	33	9

Source: Socio-economical survey July-August 2016

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Among 18 EM affected households, there are 09 whose residential and/or agricultural lands are affected and 09 only have their agricultural land affected. Among 09 AHs whose residential land affected, 03 lose 100% and other 2 have over 50% of their land affected, thus must be relocated.

Among 06 households under State sponsor policy, 01 household have to relocate while other 5 only have parts of their agricultural land affected. Among 02 households with handicapped persons, one has to relocate. Among households whose female holders have dependents, 02 will be relocated while other 03 only have parts of their agricultural land affected.

These are households that need special care and should be given priority in programs designed for income restoration, additional support, and relocation demand.

CHAPTER IV. LEGAL FRAMEWORK

4.1. THE VIETNAMESE GOVERNMENT’S LEGAL FRAMEWORK

4.1.1 Policy on land acquisition

The legal framework of the Vietnamese government here refers to laws, decrees, decisions on land acquisition, compensation and resettlement and regulations of each province/city, including:

- Land Law No. 45/2013/QH13 approved by the 13th National Congress of the Socialist Republic of Vietnam on 29 November 2013;
- Law on construction No. 50/2014/QH13 approved by the 13th National Congress of the Socialist Republic of Vietnam on 18 June 2014;
- Decree No. 47/2014/NĐ-CP, issued on 15 May 2014 stipulates on compensation, assistance, resettlement when the State implements land acquisition;
- Circular No. 30/2014/TT-BTNMT, issued on 15 May 2014 on regulations of profile in land allocation, transfer, rent, change in purpose of land use and land acquisition;
- Decree No. 44/2014/NĐ-CP, issued on 15 May 2014 by the Government on land price.
- Decree No. 84/2007/NĐ-CP, issued on 25 May 2007 on additional regulations on providing certificate of land possession, land acquisition, procedures and order on compensation and resettlement when the State implements land acquisition and grievance redress on land;
- Law on grievance passed by the National Assembly on 15 June 2004.

A number of Decision and policy issued by the Lao Cai People’s committee:

- Decision No. 13/2015/QĐ-UBND on 09 April 2015 by the Lao Cai People’s committee on regulations of some contents in compensation, assistance, resettlement when the State implements land acquisition in Lao Cai province;
- Decision No. 17/2015/QĐ-UBND on 22 April 2015 by the Lao Cai People’s committee on regulations on compensation price of affected house and architectural items when the State implements land acquisition in Lao Cai province;
- Decision No. 19/2015/QĐ-UBND on 25 April 2015 by Lao Cai People’s committee on compensation price for affected crops and aquaculture when the state implements land acquisition in Lao Cai province;

- Decision No. 3175/QĐ-UBND on 06 November 2012 by Lao Cai People's committee on approval of alternative price applied in compensation, site clearance of the MDCP- Lao Cai Subproject using WB's loan;
- Decision No. 11/2016/QĐ-UBND on 02 March by Lao Cai People's committee stipulates on adjustment of coefficient on land price in 2016 in Lao Cai province;

Generally speaking, Land law 2013 and new decrees by Vietnam on compensation, assistance and resettlement when the state implements land acquisition have met most policy objectives of the WB on involuntary resettlement.

4.1.2. The Vietnamese Government's policy on the EM

For the EM, the Vietnamese Government's policy has been built on the basis of respect, equality, unity and mutual assistance among different ethnics. The application of socio-economical policies for each region or ethnic with consideration on the EM's needs is required. Plans and strategies for socio-economical development in Vietnam are integrated with special consideration on the EM. Large-scaled programs are designated for the EM such as Program 135 (infrastructure for poor, rural and remote areas), Program 134 (eradication of temporary houses). Besides, there are policies on education and healthcare for the EM.

4.2. THE WB'S POLICY ON INVOLUNTARY RESETTLEMENT (OP 4.12) AND INDIGENOUS PEOPLE (OP 4.10)

4.2.1. Involuntary Resettlement (OP 4.12)

The main objective of the WB policy is to make the most use of alternative measures to avoid or mitigate involuntary resettlement. When resettlement is unavoidable, living conditions of the relocated people have to be restored or improved in comparison to the conditions prior to the project. Applied policy on land acquisition and other assets which cause loss of residential place, the loss of parts of or all the materials for production, or assess into these, and the loss of incomes as well as other types of livelihood.

The World Bank's experiences indicate that involuntary resettlement caused by development projects if unmitigated often causes severe economic social and environmental risks. Production systems are broken; people face the impoverishment when their productive assets or income sources are lost; people are relocated to new environments where their productive skills may be less applicable and the competition for resources is greater; community institutions and social networks are weakened; kin groups are dispersed; cultural identity, traditional authority, and the potential for

mutual help are diminished or lost. Thus the World Bank's policy regulated by OP 4.12 includes safeguards to address and mitigate these impoverishment risks.

The basic guiding principles of the World Bank resettlement policy are:

- (a) Involuntary resettlement should be avoided as much as possible or minimized by bringing out optional measures in the process of technical design;
- (b) Wherever involuntary resettlement is unavoidable, resettlement activities should be aware of and executed as sustainable programs, necessary to supply enough investment sources to help adversely affected persons to share project's benefits. Directly or indirectly affected persons must be consulted and participated in the process of planning and implementing resettlement programs;
- (c) DPs' efforts must be assisted to improve their living condition and income, or at least to recover as same as their previous living standard before the Project is implemented.

4.2.2. Policy on indigenous people (OP 4.10)

According to the OP4.10:

- “The overall objectives of the Bank for ethnic minorities as well as for all residents of member countries are to ensure that the development process fully respects dignity, human rights and their cultural characters. Specifically, the key objective of this guideline is to ensure that the ethnic minority is not to suffer from adverse impacts of development process; especially impacts of the projects funded by WB and ensure that they shall enjoy fair socio-economical benefits and cultural benefits”;
- WB’s policy is that the strategy on handling ethnic minority-related issues must be based on willingness of such ethnic minority groups. Therefore, determining priorities of locality through direct consultation, integrating local knowledge into project development and utilization right from the beginning by experienced experts are the core activities of any project which may affect ethnic minorities and their benefits for natural resources and economics."

The term Indigenous Peoples refers to a distinct, vulnerable, social and cultural group possessing the following characteristics in *varying degrees*:

- Self-identification and identification by others;
- Collective attachment to land and natural resources;

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- Customary cultural, economic, social or political institutions that are separate from those of the dominant society and culture; and
- Indigenous language is often different to the mainstream language of the region or the country.

As a prerequisite condition to approve projects, OP 4.10 asks the borrowers to implement consultation and information distribution to the EM who may be affected and establishes a larger community assistance model for projects and its objectives. The important thing to note is that OP 4.10 mentions social groups and community, not the individual. Main objectives of the OP 4.10 are:

- To make sure these groups are provided opportunities to participate in the project's action plan which has impacts on them;
- To make sure that these groups have opportunity to receive relevant cultural benefits; and
- To avoid adverse impacts of the project, if not to mitigate and minimize those impacts.

In this project's context, EM groups in the affected areas are able to receive long-term benefits via improvements of the infrastructure, overall planning, and capacity building, yet they may also be adversely affected by land acquisition or displacement. Specific policy and action plans to mitigate potential impacts from land acquisition and resettlement will be resolved through the preparation of this RP.

4.3. COMPARISON OF THE APPROACHES BY VIETNAMESE GOVERNMENT AND BY THE WB

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

Comparison of Vietnamese Government's and WB's policies on compensation, assistance and resettlement and proposed policies for Lao Cai city sub-project

Subjects	World Bank's OP 4.12	Government of Vietnam	Approach/Project Measures
Land Property			
Objectives	PAPs (Project Affected Persons) should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher	<p>Not mentioned.</p> <p>However, there is a provision of support to be considered by PPC to ensure they have a place to live, to stabilize their living and production. (Article 25 of Decree 47).</p> <p>In case the amount of compensation/support is not enough for resettled people to buy a minimum resettlement plot/apartment, they will be financially supported to be able to buy a minimum resettlement plot/apartment (Article 86.4 of Land Law 2013 and Article 27 of Decree 47)</p>	Livelihoods and income sources will be restored in real terms, at least, to the pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.

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Subjects	World Bank's OP 4.12	Government of Vietnam	Approach/Project Measures
Support for affected households who have no recognizable legal right or claim to the land they are occupying	Financial assistance to all project affected persons to achieve the policy objective (to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher)	Only agricultural land used before July 1, 2004 is eligible for compensation. Other cases may be considered for assistance by PPC if needed.	Only agricultural land used before July 1, 2004 is eligible for compensation. Other cases will be assisted at 60% of replacement cost
Compensation for illegal structures	Compensation at full cost for all structures regardless of legal status of the PAP's land and structure	PPC considers the Article 25, Decree 47.	Compensation at full replacement cost will be given for all structures affected, regardless of legal status of the land and structures

Subjects	World Bank's OP 4.12	Government of Vietnam	Approach/Project Measures
Compensation and supports			
Methods for determining compensation rates	Compensation for lost land and other assets should be paid at full replacement costs.	Compensation for lost assets is calculated at price close to transferring the assets in local markets or the cost of newly-built structures. Provincial People's Committees are granted to identify Compensation rates for different categories of assets. Independent land valuator can be used to determine land prices, which will be appraised by land appraisal board before Provincial People's Committee approval, etc.	Independent appraiser identifies replacement costs for all types of affected land, which are appraised by land appraisal board and approved by Provincial People's Committees to ensure full replacement costs.
Compensation for loss of income sources or means of livelihood	Loss of income sources should be compensated (whether or not the affected persons must move to another location)	In article 88 of the Land Law 2013, only support for registered business households losing income. In addition, income restoration measures will also be provided (Article 19, 20, 21, Decree 47)	All income losses are to be compensated and, where necessary to achieve the objectives of the policy, development assistance in addition to compensation will be provided.

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Subjects	World Bank's OP 4.12	Government of Vietnam	Approach/Project Measures
Compensation for indirect impact caused by land or structures taking	It is good practice for the borrower to undertake a social assessment and implement measures to minimize and mitigate adverse economic and social impacts, particularly upon poor and vulnerable groups.	The provision of Article 88, Land Law 2013; Article 19,20,21,22,23,24,25 of Decree 47.	Social assessment has been undertaken and measures identified and being implemented to minimize and mitigate adverse impacts, particularly upon poor and vulnerable groups.
Livelihood restoration and assistance	Provision of livelihood restoration and assistance to achieve the policy objectives	Livelihood restoration and assistance measures are provided (Article 19,20, 21, 22, 23, 24, 25 of Decree 47) No follow-up for full livelihood restoration after resettlement completion	Provision of livelihood restoration and assistance measures to achieve the policy objectives. These will be monitored as detailed in the RAP
Public consultation and information disclosure			

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Subjects	World Bank's OP 4.12	Government of Vietnam	Approach/Project Measures
	Participation in planning and implementation, specially confirming the eligibility criteria for compensation and assistance, and access to Grievances Redress Mechanisms	Focus mostly on consultation during planning (consultation on draft plan of compensation, assistance and resettlement and plan for training, career change and facilitating job searching); information sharing and disclosure.	Consultation and participation incorporated into RAP design, along with information sharing with PAPs and stakeholders.
Grievance redress mechanism			
	Grievance redress mechanism should be independent.	The same governmental body makes decisions on compensation and resettlement, and also handles grievances at the first step. However, complainants can go to court at any steps as PAP wishes.	More effective Grievance and Redress mechanisms are to be established, built on the existing governmental system, with monitoring by an independent monitor.
Monitoring & Evaluation			

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Subjects	World Bank's OP 4.12	Government of Vietnam	Approach/Project Measures
	Internal and independent monitoring are required	<p>Citizens are allowed to supervise and report on breaches in land use and management on their own (or through representative organizations), including land recovery, compensation, assistance and resettlement (Article 199, Land Law 2013).</p> <p>There are no explicit requirements on monitoring of the resettlement works, including both internal and independent (external) monitoring.</p>	<p>Both internal and external (independent) monitoring is to be regularly maintained (on a monthly basis for internal and biannual basis for independent monitoring).</p> <p>An end-of-project report will be done to assess compliance of the policies set forth in RP and to confirm whether the objectives of OP 4.12 have been achieved or not.</p>

Vietnam is a country member of the World Bank, the Government of Vietnam has committed that should the international agreements signed or acceded to by Vietnam and the World Bank contains provisions different from those in the existing resettlement legal framework in Vietnam, the provisions of the international agreements with World Bank shall prevail. According to Clause 2, Article 87 of the Land Law 2013: "For projects using loans from international or foreign organizations for which Vietnam has committed to a policy framework for compensation, assistance and resettlement that framework policy shall prevail." The waiver provisions were pre-described in Article 46, paragraph 1 of the Decree No. 38/2013/ND-CP.

Resettlement policy framework confirms that in approving this instrument, the Government of Vietnam and Lao Cai Provincial People's Committee grant the waivers to the relevant provisions of the Vietnam law that contradict or are not consistent with the objectives set forth in the Resettlement Policy Framework. The measures taken to resolve these differences and compliance with the WB's policy on involuntary resettlement are addressed under RPF and applied to this RP.

4.4. THE PROJECT'S POLICY

4.4.1. Objectives of the policy

The overall objective of the compensation and entitlement policy of the Subproject is to ensure that all project affected people can restore their living conditions as before the project is implemented. The compensation will be made based on the principle of replacement costs while the form of additional assistance will also be provided, depending on the level of impact.

4.4.2. The PAPs

The PAPs are:

- a. Those whose house and/or assets are affected partly or entirely by the project;
- b. Those whose agricultural land and/or residential land are affected partly or entirely affected (permanently or temporarily) by the project;
- c. Those whose trees and crops (annual or perennial) are partly or entirely affected by the project;
- d. Affected people due to land acquisition for building resettlement site for the DPs of the project.

Ineligible PAPs are those who move to reside in the project site after the cut-off date.

PAPs are classified into two groups: the marginally affected and the severely affected. The severely affected are households or persons who: (i) lose 20% or more (10% or more for vulnerable group) of their total agricultural landholding; (ii) have to relocate;

and/or (iii) business affected. Severely-affected households and persons and those belong to the vulnerable group will need special assistance to achieve the objectives of the RP.

4.4.3. Principles for Resettlement Policy

These principles will apply for this project:

- (a) The land acquisition and asset impacts as well as resettlement of DPs must be minimized as much as possible;
- (b) All PAPs residing, working, doing business or doing farming on land, which will be acquired by the Subproject, before the cut-off-date are entitled to rehabilitation measures sufficient enough for them to improve or at least maintain their pre-project living standards, income earning capacity and production levels. Lack of legal rights to acquired land will not bar PAPs from the entitlement to access such rehabilitation measures;
- (c) The rehabilitation measures to be provided are: (i) compensation at replacement costs without deduction for depreciation or salvage materials for houses and other structures; (ii) agricultural land will be compensated with land with equal value, but not exceed the acquired land, acceptable to the PAPs and the types of trees or plants; (iii) replace the residential land (if available) with the same scope, and acceptable to the PAPs; (iv) assistance for relocation and living conditions, and (v) assistance to restore income or livelihood.
- (d) Replacement residential and agricultural land will be as nearby affected land as possible and acceptable to PAPs. In case acquired land includes minor fractions of land (i) less than 20% of total agricultural land of a land-based households and in case of vulnerable peoples -less than 10% (ii) smaller than the standard area for residential to be resettled, cash compensation may be applied at the choice of PAPs or if there is not available land for "land-for-land" compensation;
- (e) The resettlement transition period should be minimized and the rehabilitation means shall be provided to PAPs no later than one month prior to the expected start-up date of works in the respective project site;
- (f) Plans for land acquisition and other assets and provision of rehabilitation measures must be carried out in consultation with PAPs to ensure minimal disturbance. Entitlements shall be provided to PAPs no later than one month prior to the expected start-up of works at the respective project site;
- (g) The previous level of public services and resources shall be maintained or improved;
- (h) Budget for land acquisition, resettlement and rehabilitation shall be available in the project implementation stages. Physical resources for

resettlement and rehabilitation shall be available when there is requirement of resettlement and rehabilitation.

- (i) The WB shall not approve any construction contracts for any subprojects financed by the WB loans unless the Government satisfactorily completes and abided by clauses of approved RP for compensation payment of such subprojects and ensures that compensations and rehabilitation assistance funds are available prior to the starting of civil works. Entitlements will be provided to PAPs no later than one month prior to expected start-up of works at the respective project site.
- (j) Institutional arrangements must ensure the effective and timely design, planning, consultation and implementation of the Resettlement Plans (RP).
- (k) Appropriate reporting, monitoring and evaluation mechanisms shall be identified and set in place as part of the resettlement management system. Evaluation of the land acquisition process and the final outcome will be conducted independently by the executing agencies.

4.4.4. Eligibility

The cut-off-date means the date of the project announcement publicly.

Any person who at the cut-off-date was located within the area affected by the project, its sub-components, or other subproject parts thereof, and would: (i) have formal legal rights to land (including customary and traditional rights recognized under the laws of the country); or (ii) not have formal legal rights to land at the time the census begins but have a claim to such land or assets – provided that such claims are recognized under the laws of the country or become recognized through process identified in the resettlement plan; (iii) not have legal nor recognizable by laws rights to the land they are occupying they live or/and have properties/assets within the project areas before the cut-off date. Persons covered under (i) and (ii) are provided compensation for the land they lose and other assistance at full replacement cost. Persons covered under (iii) are provided resettlement assistance in lieu of compensation for the land they occupy, and other assistance, as necessary, to achieve the objectives set in this RP. Persons who encroach on the area after the cut-off date are not entitled to compensation or any other form of resettlement assistance.

4.4.5. Policy applied for this project

Policy on entitlements applied for the PAPs because of land acquisition and impacts on houses and other assets of the MCDP-Lao Cai Subproject: additional items sponsored by the WB will follow the Resettlement policy framework of the project approved by the Vietnamese Government at Document No. dated . This framework also applies for other activities relating to resettlement that is (a) directed related to the

Subproject; (b) necessary to achieve the objectives of the Subproject; and (c) has been implemented or has a plan to run in parallel with the Subproject.

CHAPTER V: PRINCIPLES AND POLICIES ON COMPENSATION, ASSISTANCE, AND RESETTLEMENT

5.1. COMPENSATION PRINCIPLES AND POLICY

5.1.1. Entitlements

PAPs with eligibility to receive compensation and assistance include:

- a. Those with legal ownership on land or other assets;
- b. Current PAPs who have not the legal ownership on land or other assets but have foundations to ask for legalization of this legal right according to Vietnam's laws, basing on the storage of related documents such as bills of tax on land, certificate of residency or the permission issued by the local authorities on possession or use of the project-affected land; and
- c. Those without legal ownership or foundations to ask for legal ownership on the land that they are using.

PAPs of the (a) and (b) will receive compensation for affected land and other assets and other forms of assistance. Those under the (c) category will receive assistance for resettlement in stead of official compensation for their cultivating land and assets, if necessary, to ensure the objectives of the Policy set above, if they use land and assets before the cut-off date.

All the PAPs with assets or live in the area occupied by the construction before the cut-off date will be entitled to compensation for losses. Those who lose income and/or livelihood will be fully eligible to receive assistance for livelihood restoration according to eligibility set forth by the Project, with consultation with the PAPs.

Specific entitlements:

- a) Levels of compensation will be identified on time and with consultation based on independent evaluation of land/assets attached to land. All fees and tax regarding land transfer and/or house will be exempted, or will be located in the compensation packet for land and structure and/or house or business. The local authorities will ensure that the PAPs who relocate by themselves will receive the right to ownership of assets and other certificates according to the same regulations as compensation packet for those who choose to relocate to the resettlement site proposed by the project without paying for any arising fees.
- b) Land will be provided in the Resettlement site for those who have to be relocated or cash compensation at the choice of the PAPs whenever possible. Those who lose more than 20% of the cultivated land may need additional assistance to restore their livelihood. These principles will also apply for the poor and people of the vulnerable group who lose 10% or more than 10% of

their cultivated land.

- c) PAPs who choose to receive land in the Resettlement site will be assigned a standard slot that is near their previous place and the sum of adjustment in cash for the uneven area of the lost land in comparison with the area of land in the Resettlement site. The resettlement site will be designed and built on the basis of consultation with the DPs. All the basic infrastructure such as water drainage system, clean water, electric and telephone wire will be supplied.
- d) PAPs who choose to the cash compensation method will be compensated in cash at replacement cost. They will be assisted for livelihood restoration and for self-help relocation.
- e) The level of compensation for houses, commercial structure, or other structures will be calculated according to replacement cost without the discount and the reusable materials. Price of all the structures will be separately set. If the level of compensation is determined according to the type of structures, the highest price of that type will be used (not the lowest one).
- f) AHs whose houses are affected and have to relocate (moving out of the previous residential area because the remained land is not enough to rebuild the house according to the Law on construction or their residential land is entirely acquired), the local Board of compensation for Resettlement need to conduct consultation on the assistance measure to find or arrange new residential place for the AHs.
- g) AHs whose houses are affected but they can rearrange their house on the remained land, acceptable to the local authorities' regulations (relocation is not required), the common policy of the project, as seen in the approved entitlement matrix, will be applied.
- h) PAPs will be fully assisted (including allowance for moving) to move their facilities and personal property beside the compensation on replacement expenses for house, land, and other assets.
- i) The compensation and assistance for restoration for the PAPs have to be implemented 30 days prior to land acquisition for those who do not need to relocate and 60 days for those who have to relocate. Exception may apply to people of vulnerable group, because they may need more time before they are affected in terms of livelihood or residential place.
- j) If at the time when the project is about to finish the PAPs' livelihood has not been restored as prior to the project, additional measures will be considered in order to achieve the objectives of the policy.
- k) Other assistance such as income restoration and training will be supplied for the PAPs who lose their income, especially the vulnerable group, to enhance the capacity to restore and improve income.

5.1.2. Entitlement Matrix

No.	TYPE OF LOSS	APPLICATION	DEFINITION OF ENTITLED PERSON	COMPENSATION POLICY	IMPLEMENTATION ISSUES
1	Permanent loss of cultivated land	Less than 20% of household's total land holding. Marginal impact on household income and living standards.	Land users with legal or legalizable rights to use the affected land.	PAPs will be entitled to: (i) Cash compensation at 100% replacement cost; and ii) Cash compensaiton for crops and trees at market price.	If the viability of the remaining land is less than the minimum viable economic unit, then the entire piece of land would be acquired and the PAPs would fall under the next category.
			Land users with temporary or leased rights to use land that cannot be legalized as long-term land user	(i) Cash compensation for acquired land equivalent to remained investment put on the land; or equivalent to 30% of replacement cost, and (ii) Cash compensation for loss of crops and trees at market price.	If the viability of the remaining land is more than 30% of the replacement cost, the Committee for Compensation will issue relevant adjustments.
			Land users without legal rights to use the land	(i) In lieu of compensation for land, a cash equivalent to 60% of replacement cost of the land; (ii) Cash compensation for crops and trees at 100% market price.	In case the PAPs casually utilize the public land for growing crops/trees, which is subjecting acquisition by the project, then she/he will not be compensated for land, but will be compensated for crops and trees at market price.

Resettlement Plan (RP)

		<p>More than 20% of household's total land holding lost.</p> <p>Severe impact on household income and living standards.</p>	<p>Land users with legal or legalizable rights to use the affected land.</p>	<p>(i) Cash compensation for the lost land at 100% of replacement cost plus assistance:</p> <p>- Assistance for rehabilitation and production: AHs whose 20% or more of agricultural land is affected (10% for vulnerable AHs) will be entitled to support by cash equivalent to 30 kg rice or 600,000 VND per person per month within 6 months if not to be relocated and within 12 months if relocated. In case more than 70% agricultural land acquired, the users will be supported within 12 months if not to be relocated and within 24 months if relocation is required;</p> <p>- Assistance for vocational training and job orientation: The minimum support will be three times of agricultural land price for the whole acquired area (the land for annual tree only); In case households need a vocational training, they will be admitted to a vocational center in the province and are exempted from tuition fees for such training course (including level of primary, secondary training and vocational college) for those in the working age (not applicable for those who enroll for a vocational training outside the province);</p> <p>(ii) Compensation for loss of trees and crops at full replacement cost.</p>	<p>Rehabilitation assistance will be applied in case if the option "land for land" cannot be available.</p> <p>The forms of assistance should be consulted closely with the entitled PAPs to ensure appropriate and effective measures assisting the PAPs to restore their income generating capacity and income levels.</p> <p>Cash assistance combines with agricultural support to help the poor AHs and AHs with difficulty to improve their production capacity.</p> <p>If the remaining land is less than the viable unit, it will be acquired.</p>
			<p>Land users with temporary or leased rights to use land that cannot be legalized as long-term land use.</p>	<p>(i) Cash compensation equal to remained investment put on the land or 30% of replacement cost; and,</p> <p>(ii) Cash compensation for loss of crops and trees at market price.</p>	<p>If the remaining land is less than the viable unit, it will be acquired.</p>

Resettlement Plan (RP)

			Illegal land users	<p>(i) In lieu of compensation for land, the PAPs will receive assistance corresponding 60% of land replacement cost;</p> <p>(ii) For the poor and vulnerable, severely affected, including the landless, in addition to above, a package of vocational training and job creation will be two times in minimum of agricultural land price for the whole acquired area (the land for annual tree only). In case households need a vocational training, they will be admitted to a vocational center in the province and are exempted from tuition fees for such training course (including level of primary, secondary training and vocational college) for those in the working age (not applicable for those who enroll for a vocational training outside the province);</p> <p>(iii) Cash compensation for loss of crops and trees at market price.</p>	<p>In case the PAPs casually utilize the public land for growing crops/trees, which is subjecting acquisition by the project, then she/he will not be compensated for land, but will be compensated for crops and trees at replacement cost.</p> <p>Rehabilitation assistance will be provided to the poor and disadvantaged PAPs if the cash compensation option will be applied.</p>
2	Loss of residential land	Land acquired without structures built therein. Marginal impact	Land user	Cash compensation for land at (i) 100% of replacement cost of the land acquired to the legal/legalizable users; (ii) cash compensation equivalent to the remaining values invested in such lands, or equivalent to 50% of replacement prices of land to the users having no legal land use rights.	

Resettlement Plan (RP)

		<p>Land acquired with structures built therein and the remaining land is sufficient to rebuild on</p> <p>Marginal or severe impacts</p>	<p>Reorganizing PAPs</p>	<p>(i) Cash compensation for acquired land at 100% of replacement cost to the legal/legalizable users; or support by cash equivalent to the remaining values invested in such lands, equivalent to 50% of replacement cost to the users having no legal land use rights.</p> <p>(ii) Compensation for affected structures at replacement cost; and,</p> <p>(iii) If house/structure is partially affected, house users will be compensated at additional cost for repairing and restoring their structures as before or even better (equivalent to 20% of the total values of affected structures).</p> <p>(iv) If the PAPs have to rebuild their main house (relocation to new place not required), they will receive following allowance:</p> <ul style="list-style-type: none"> - House renting during the time for rebuilding the house: AHs will receive allowance for renting house at 2,000,000VND/household/a month in 6 months - Allowance for transportation: AHs who move to new temporary place within the province will be paid the maximum amount of 5,000,000/a household and 8,000,000VND for household to move to new place outside the province. 	<p>At the time of compensation, allowances will be adjusted to account for inflation.</p>
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Resettlement Plan (RP)

		<p>Land acquired with structures built therein and the remaining land is not sufficient to rebuild on.</p> <p>Severe impact</p>	Relocating PAPs	<p>(i) Compensation for residential land:</p> <p>(a) <i>The PAPs, who have legal or legalizable rights to the affected land, can opt to one of the followings:</i> Cash compensation and allocation of the residential land of equivalent quality at the project resettlement site with completed infrastructure, acceptable to the household; Or at the household's option, cash compensation for land with replacement cost and an amount of cash for building infrastructure so they can arrange the new location. If the amount of cash compensation for land is not enough for purchase of the minimum slot at the resettlement site, the different portion will be compensated.</p> <p>(b) <i>The PAPs, who do not have legal or legalizable rights to the affected land:</i></p> <ul style="list-style-type: none"> - Regarding the PAPs who already have residence somewhere else in the same affected village/commune, the project will provide an assistance amount corresponding the remained investment on the land, or equal to 50% of replacement cost of the land; - Regarding the AHs without residential land, the project will: (i) compensate 50% of the value of the land and assign a slot at minimum size at the resettlement site with all legal right and the AHs have to pay for that. If the AHs do not have enough money to pay, they will be considered to pay in instalment in 05 years. If the AHs are of ethnic minorities or the poor, they can pay in instalment in 05 year and enjoy deduction of 50% of the land-use fee; 	<p>At the time of compensation, allowances will be adjusted to account for inflation.</p>
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Resettlement Plan (RP)

				(ii) Or, at the PAPs' option when they are fully informed, the project will provide a sum that is equivalent to 60% of the replacement value of the acquired land, plus the expenses for infrastructure and the PAPs organize their own relocation.	
3	House/structures and graves	Houses/structures located in the project recovered area	Owners of Project affected structures.	(i) Compensation at 100% of replacement cost of the affected houses/structures. No deduction will be made for depreciation or salvageable materials; (ii) in addition, a repairing cost, if house/structure is partially affected, to restore it to former or better conditions, equivalent to 20% of the compensation for the house/structure.	The calculation of rates will be based on the actual affected area and not the useable area.
		Graves located in the affected areas.	Owners of graves.	DPs are entitled to cash compensation for all costs of excavation, movement, and reburial.	For ownerless affected graves, compensation will be given to local PC to relocate them to new site
4	Loss of standing crops and trees	Crops affected	Owners of affected crops	PAPs are entitled to compensation for affected crops in cash at market price.	PAPs will be given notice several months in advance regarding evacuation. Crops grown after issuance of the deadline will not be compensated.
		Trees affected	Owners of affected trees	PAPs are entitled to compensation in cash at market value on the basis of type, age, and productive value	

Resettlement Plan (RP)

5	Loss of income and business/productive assets	Loss of income and business/other productive assets	PAPS who lose income/Owner of the affected business/other productive assets.	<p>(i) For registered business; For relocating households, compensation applied for income during transitional period, equivalent average monthly net income at least for six months; For non-registered business, a one-time-only cash compensation of 5,000,000 VND is applied.</p> <p>(ii) Compensation for structure at full replacement cost. No deduction shall be made for depreciation or salvageable materials.</p> <p>(iii) If AHs have to remove to new residential place, cash compensation applied for affected business area at replacement cost, plus allowance to transport movable assets to the new place.</p>	PAPs will be given priority for business relocation along highway, communal roads and along canals near the bridges or footbridges in order to maximize their benefit from business opportunities. At the time of compensation, allowances will be adjusted to account for inflation.
6	Temporary impact during construction	Temporary loss of agricultural land	Users of affected land	<p>(i) Compensation for one harvest of crops/trees at market price;</p> <p>(ii) Compensation for loss of net income from subsequent crops that cannot be planted for the duration of project temporary use; and</p> <p>(iii) Restoration of land to its previous or better quality by providing measures to improve land quality in cases of land being adversely affected or acidified, and</p> <p>(iv) If the duration of project's use the land exceed more than two years, then the PAPs have option to: 1) Continue to use land, or, 2) Give it to the Project and be compensated as permanent loss.</p>	If the quality of land will be radically changed when return to PAPs, requiring PAPs to change in the types of land use, then PAPs should be compensated for all envisaged cost of losses
		Temporary loss of residential land	Users of affected land	<p>(i) Compensation for affected assets at replacement cost; (ii) restoration of land to former conditions</p>	

Resettlement Plan (RP)

		Temporary impact on business	Owner of business (only applied for registered business)	(i) Compensation for loss of income during transition period for the actual affected time; (ii) Compensation for affected assets at replacement cost (iii) restoration of land to former conditions	
		Damages by contractors to private or public structures or land	Owner or person with use rights	(i) The contractor will be required to pay compensation immediately to affected families, groups, communities or government agencies; (ii) Damaged property will be restored immediately to its former condition.	
7	Loss of community assets	Community buildings, structures, community forest/grazing/or other land/ irrigation systems affected by temporary or permanent land acquisition or spoil disposal.	Village, Ward, Government Unit.	(i) Restoration of affected community buildings and structures to at least previous condition; or (ii) Replacement in areas identified in consultation with affected communities and relevant authorities; or (iii) Compensation at replacement cost for affected community land and assets.	If income loss is expected (e.g. irrigation, community forest, community grazing land), the village is entitled to compensation for the total production loss this compensation should be used collectively for income restoration measures and/or new infrastructure.

Resettlement Plan (RP)

8	Assistance for Restoration	Transportation allowance	Relocating DPs and the DPs who have to rebuild main house on their remaining land	<p>(i) For households who move to other residential areas within the province:</p> <p>- 5,000,000 VND/household for household with upto 4 members; households with more than 4 members, add 1,000,000 VND for each extra member but the total amount will not exceed 8,000,00VND/household;</p> <p>(ii) Move to other provinces: maximum support is: 9,000,000VND/household.</p> <p>(iii) Households who rebuild main house on their remaining land will be compensated at 50% of the above mentioned price.</p>	At the time of compensation, allowances will be adjusted to account for inflation.
		House Renting	Relocating AHs and the AHs who have to rebuild main house on their remaining land	<p>House Renting during house construction: Those who have houses on recovered land are eligible for resettlement allocation will be supported for house rent of 2,000,000 VND/household/month during 06 months.</p> <p>If after 06 months the authorized agency has not arranged new locations of resettlement, the City People's Committees decided to support renting house for DPs till they receive the slot at the resettlement, plus 06 months for building the new house.</p>	
		Rehabilitation assistance	Severely affected AHs who lose 20% or more of total agricultural land (10% for the vulnerable AHs)	Assistance equivalent to 30kg rice or 600,000VND/a month for each PAP in 6 months if relocation is not required and in 12 months if relocation is required. If the using agricultural land is acquired more than 70%, the AHs will receive rehabilitation assistance in 12 months if relocation is not required and 24 months if relocation is required.	Details of assistance will be intensively consulted with the farmers to meet their actual needs, assisting them able to restore or improve their earning capacity and income

Medium Cities Development Project – Lao Cai Subproject: Additional financing

Resettlement Plan (RP)

		Restoration Assistance	Vocational Training and Job creation for all AHs whose agricultural land is affected	The minimum support will be 3 times of agricultural land price for the whole acquired area (the land for annual crops). In case households need a vocational training, they will be admitted to a vocational centre in the province and are exempted from tuition fees for such training course (including level of primary, secondary training and vocational college) for those in the working age (not applicable for those who enroll for a vocational training outside the province).	Specific assistance will be identified after consultation is done with the AHs, in order to effectively assist them to restore their income
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5.1.3 Compensation policy

Hereunders are specific policies applied in this project:

a) Compensation Policy for Loss of Agricultural Land

- Users with legal and legalizable ownership to land:

Reserved land for agriculture in villages is not available, thus compensation will be in cash.

Cash compensation applies:

- (i). Compensation: the AHs entitle to receive cash compensation for the area of land acquired and for crops affected, at 100% of the replacement price, and
- (ii). Assistance: Beside cash compensation at 100% of the replacement price for affected area (or for the whole area of affected land if the remaining portion is not economically viable), AHs who are severely affected due to the loss of more than 20% of the total agricultural land area (10% for the AHs of the vulnerable group) will be assisted for income restoration.

- Users with temporary or leased rights to use land:

- (i) if the portion of the land to be lost represents less than 20% of the total area of the land currently used by the AHs, they will be compensated at the amount corresponding to the remained investment in the land or 30% of land replacement cost;
- (ii) if 20% or more of the land area currently used by the AHs is acquired, then the priority is to compensate by other land of temporary use rights, or, at the AHs request, the cash compensation will be applied at the amount corresponding to the remained investment in the land or 30% of land replacement cost. If the value of remained investment is greater than 30% of its replacement cost, the Resettlement Committee will review case by case and adjust accordingly.

- Users without recognized rights to use land:

- (i) In lieu of compensation for land, the PAPs will receive assistance corresponding 60% of replacement cost of the land acquired;
- (ii) For the poor and vulnerable households, in addition to the above assistance, a package of vocational training and job creation will be two times in minimum of agricultural land price for the whole acquired area (the land for annual crops only). In case, households need a vocational training, they will be admitted to a vocational center in the province and are exempted from tuition fees for such training course (including level of primary, secondary training and vocational

college) for those in the working age (not applicable for those who enroll for a vocational training outside the province).

(iii) In case when the affected persons utilize the public land (of right of way or in protection areas of hydraulic works), that subjects to be acquired under the project, with conditions to return, on request, the land to the Government, they (PAPs) will not be compensated for this public land, but will be compensated for crops and trees at full market prices.

(iv) PAPs will be compensated for the loss of standing crops, perennial trees or industrial trees at market price. Productive trees will be compensated at replacement cost.

b) Compensation Policy for Loss of Residential Land

- PAPs losing residential land without structures:

(i) Compensation for loss of land in cash at 100% replacement cost to the legal and legalizable land users; (ii) Assistance by cash equivalent to the remaining values invested in such lands, or equivalent to 50% of replacement cost of land to the users who have no legal land-use rights.

- PAPs losing residential land with structures built thereon and the remaining land is sufficient to rebuild on (reorganizing PAP): PAPs will be compensated on cash as follows: Compensation for loss of land in cash: (i) at 100% replacement cost to the legal land users; (ii) the amount corresponding the remained investment on the land to the users who have no legal land-use rights, equivalent to 50% of replacement cost.

- DPs losing residential land with structures built thereon and without remaining land sufficient to rebuild on (relocating DP):

(i) The DPs, who have legal or legalizable rights to the affected land, can opt to one of the followings:

- DP will be compensated in cash at 100% replacement cost and provided a plot of residential land at the resettlement site and the DP have to pay for the land;
- Cash compensation for entire residential land at 100% replacement cost, with additional cost for basic infrastructure development, and the PAPs have to relocate by themselves.

If the amount of cash compensation is not enough to pay for the minimum land plot at the resettlement site, the PAPs will be assisted in form of cash for the uneven portion in both of the options.

(ii) The PAPs, who do not have legal or legalizable rights to the affected land, are entitled to the followings:

- Regarding the AHs who already have a residential place somewhere else in the same affected ward/commune, the project will provide an assistance amount in cash corresponding to the remained investment on the land, or equal to 50% of the replacement cost.
- Regarding the AHs without residential land, the project will: (i) compensate 50% of the value of the land and assign a slot at minimum size at the resettlement site with all legal right and the AHs have to pay for that. If the AHs do not have enough money to pay, they will be considered to pay in instalment in 05 years. If the AHs are of ethnic minorities or the poor, they can pay in instalment in 05 year and enjoy deduction of 50% of the land-use fee; (ii) Or, at the PAPs' option when they are fully informed, the project will provide a sum that is equivalent to 50% of the replacement value of the acquired land, plus the expenses for infrastructure and the PAPs organize their own relocation.

c) Compensation Policy for Loss of House/Structures

- *For affected house and structures:* Those whose structures are affected will be entitled to the following: (i) Compensation in cash for all affected structures will be provided at 100% replacement cost for materials and labour, regardless of whether or not they have title to the affected land or permit to build the affected structure. The amount will be sufficient to rebuild a structure the same as the former one at current market prices; (ii) If house/structure is partially affected, the project will provide additionally house/structure repairing cost, in addition to 100% replacement cost for affected structures, to AHs to restore it to former or better conditions, equivalent to 20% of the total values of affected structures); (iii) Compensation and assistance will be provided in the form of cash. No deductions will be made for depreciation or salvageable materials; (iv) The calculation of rates will be based on the actual affected area and not the useable area.

- *For affected graves:* The level of compensation for the removal of graves will be for all costs of excavation, relocation, reburial, spiritual performance and other related costs. Compensation in cash will be paid to each affected household. AHs will be consulted for place and time to remove the affected grave(s).

d) Compensation Policy for Loss of Crops and Trees

For annual and perennial standing crops, regardless of the legal status of the land, compensation will be paid to households who cultivate the land, according to the full

market price of the affected crops and/or at replacement cost for affected perennial trees.

e) Compensation Policy for Loss of Income and/or Business/Productive Assets

(i) For AHs with registration with the tax office (registered business), compensation for loss of income during transition period, equivalent the average monthly net income at least for six months; for AHs without registration (non-registered business) with the tax office, they are compensated one-time-only at 5,000,000VND per household.

(ii) Compensation for structures at full replacement cost. No deduction shall be made for depreciation or salvageable materials.

(iii) If AHs have to remove to a new location, they should be allocated an advantageous position so that they may continue their business, or in cash for business affected area at replacement cost, plus transportation allowance to remove movable attached assets to the new location.

(iv) If the affected households whose main source of income is doing home business, members are eligible to enroll vocational courses and do not have to pay for those courses (only applicable for courses organized within Lao Cai province).

f) Compensation for Temporary Impacts during Construction Stage

- For temporary loss of cultivated land:

(i) Compensation for one harvest of crops/trees at full market prices or replacement cost;

(ii) Compensation for loss of net income from subsequent crops that cannot be planted for the duration of project temporary use; and

(iii) Restoration of land to its previous or better quality than before the project and;

(iv) If the duration of project's use the land exceed more than two years, then the PAPs have option to: 1) Continue using land, or, 2) Give it to the Project and be compensated as permanent loss.'

- For temporary loss of residential land:

(i) Compensation for all affected movable properties at full replacement cost;

(ii) Restoration of land to its previous or better quality.

- For temporary impacts on land for business and service, applied for registered business only:

- (i) Compensation for loss of income equivalent to net monthly average income, for 3 months;
- (ii) Cash compensation at replacement cost for affected properties;
- (iii) Restoration of land to its previous or better quality.

g) For damages caused by contractors to private or public structures:

- (i) Damaged property will be restored by contractors immediately, after completion of civil works, to its former condition;
- (ii) Under their contract specifications, the contractors will be required to take extreme care to avoid damaging property during their construction activities. Where damages do occur, the contractor will be required to pay compensation immediately to affected families, groups, communities, or government agencies at the same compensation rates that shall be applied to all other assets affected by the Project. In addition, damaged property will be restored immediately to its former condition.

h) Compensation for Affected Public Utilities

In cases where community infrastructure such as schools, bridges, factories, water sources, roads, sewage systems is damaged, City PCs and PMU will ensure that these would be restored or repaired as the case may be, at no cost to the community.

k) Other Allowance and Assistance in Transition Period

- For PAPs whose agriculture land affected: in addition to aforementioned compensation payment, the Project will provide rehabilitation allowances including:

- (i) Rehabilitation: households whose 20% or more of agricultural land affected (10% for the households of vulnerable group) will be entitled to compensate by cash equivalent to 30kg of rice or 600,000VND per month per person for duration of 6 months if not relocated and for 12 months if relocated;
- (ii) Vocational training and job creation for all the households whose agricultural land is affected: The minimum support will be three times of the whole area of the agricultural land acquired. In case households need a vocational training, they will be admitted to a vocational center in the province and are exempted from tuition fees for such training course (including level of primary, secondary training and vocational college) for those in the working age (not applicable for those who enroll for a vocational training outside the province).
- (iii) The further forms of assistance for vocational training should be consulted closely with the entitled PAPs to ensure appropriate and effective measures assisting the PAPs to restore their production capacity and the income level,

especially for the households whose business is affected. Cash compensation has to be in combination with extension/relevant technical assistance to help the poor and disadvantaged farmers to improve their farming productivity/production capacity;

- *For PAPs whose residential land affected and have to relocate:* in addition to aforementioned compensation payment, the Project will provide rehabilitation allowances including:

(i) Transportation Allowance:

- Households who move to other residential area within Lao Cai province: (a) Households with upto four members will receive: (i) 5,000,000 VND/household; (b) Household with over 4 members will receive 5,000,000 and add 1,000,000VND for each extra member but the total amount will not exceed 8,000,000VND/household. The number of household members who are eligible for transportation allowance is the number of permanent members whose names are listed in the household book at the time of land acquisition.

- Households who move to other provinces, the maximum support is: 9,000,000VND/household.

(ii) House renting during construction of the new house: Allowance of 2,000,000 VND/household/month during 06 months. If after 06 months the authorized agency has not arranged new locations of resettlement, the City People's Committees decided to support for house renting for DPs till they receive locations of resettlement.

(iii) If the PAPs have to rebuild their main house (relocation may not require), they will receive 50% of allowance as stated in (ii).

- *Allowance for moving facilities:* The purpose is to assist the reorganization or relocation, including clean water system, remaking wells, moving telephone wires, cable television, and electricity wire.

a) For moving the clean water system (not the system provided by the Lao Cai Clean Water company): 2,000,000VND/household;

b) Electricity: 3,000,000VND/household;

c) Telephone wire, cable TV: 2,000,000VND/household.

- *Bonus:* Land user, who comply with the relocating their assets, crops, handing over the land in time and meet the requirements of subproject owner will be awarded depending on the type of architecture, but not exceeding 3,000,000 VND per household.

- *Vulnerable groups*: The households under State's sponsorship policy (with certificate issued by relevant authorities) whose land is acquired and have to relocate, besides having aforementioned entitlements for compensation, assistance, and rehabilitation, will additionally assisted as follows:

- a) Households with Vietnamese heroic mother, a hero of the People armed force, a hero of labour, war dead soldiers (father, mother, wifer, husband, son or daughter), war invalids and ill soldiers who lose more than 81% of their health will receive 5,000,000 VND/household;
- b) Households who have recognized contribution to the Revolution or with ill soldiers who lose from 21% to 81% of their health will receive 3,000,000/household.
- c) If belong to the aforementioned a) and b) but the household has more than one member under state sponsor policy, only the highest level of allowance is applied.
- (i) The poor (identified by local authorities) will receive 8,000,000 VND per household.

5.2. INCOME RESTORATION MEASURES

Van Hoa is in its urbanization. The shift from an agriculture-based commune to an urban area of the Lao Cai city will cause a part of the population lose their land and have to seek alternative jobs. Basing on the PAPs' socio-economical characteristics and structure of job, income restoration measures will need to rely on strength and strategic development of Van Hoa.

For the socio-economical characteristics of the residents in four affected villages of Van Hoa as mentioned above, beside compensation and assistance policy as stipulated in the above sections, specific forms of assistance and income restoration are necessary to meet the PAPs' requests. Restoration measures will include:

5.2.1. Assistance for position, market and finance for provision of services and business at resettlement sites

Providing services and running business bring permanent income for the households. Results of consultation show that within resettlement sites, it is necessary to design some slots for providing services at small size. After relocation, the resettlement sites will be populated and urban life is followed, thus there will be an increase in demand of social services.

The opening of services and business at the populated resettlement sites is a good way to restore income. PMU will consider to reasonably allocate advantageous positions of the land slot at the resettlement site for the PAPs.

To ensure that PAPs with services and business activities can approach the market and generate income, there need to be additional assistance such as: (i) training

skills necessary for new fields in providing service and running business; and (ii) assistance of initial loan credit with low interest rate so the people can invest in new business opportunity.

5.2.2. Increase training opportunity and develop skills

Preliminary research shows that measures for income restoration and assistance need to closely meet the PAPs' demand. The following table shows their specific demand.

Table 11: Percentage of Households chosen additional assisting programs

No.	Category	Households	Percentage (%)
1	Job training	36	30
2	Providing seed plants/breeding stocks	35	29.2
3	Training skills for raising cattle/poultry	34	28.3
4	Cultivating skills training	31	25.8
5	Loan	31	25.8

According to the Table 11, 30% of the representative of the affected households chose participation in vocational courses. This shows a big concern in job change and the need to restructure sources of income. The same percentage is for those who need to develop their income by raising cattle and poultry or farming but training for better skills is a must. Some household expressed their demand in getting loan credit at preferred rate to invest in raising cattle or running business.

Measures to increase opportunity and skills development will be directly attached with programs of resettlement. However, a part of the affected people did not choose these measures since many who were trained as assistance of previous projects did not succeed in getting a job. The reasons were the contents of training did not match the real labour demand at the locality. Besides, the courses were said to be too short, did not provide sufficient time for obtaining new skills. Therefore, training courses should target not only the people' demand but also the actual labour demand in the locality.

Thus, surveys by officials of PMU or trainers of the courses on labour demand from local organizations or companies have to be implemented. This is the effective way to identify the actual demand. This will lead to the design of relevant and practical measures to increase training opportunity and skills development for the people. Vocational programs and courses should be designed and implemented

basing on results of such surveys. If this is carried out properly, the measure to increase opportunity in education and training for the PAPs will achieve positive effects in reality.

5.2.3. Assistance in job seeking

Experience shows that education and training for the PAPs in response to the local labour demand will result in good opportunity to job placement in offices and businesses. Lao Cai at the present is the city that is attractive to many investors who build large sized industrial zones. The Subproject can provide job opportunity for the PAPs in the fields that do not ask for high skills. Training programs can be built according to detailed items of the Subproject or on the most suitable time with labour demand of the recruiting companies. Vocational training and assistance in job finding will need to work together to make sure that after the training completes, the trainees can get a job or have capacity to compete in the job market.

Other forms of assistance need to be based on good investigation of reality. The search for providers of seeds and breeding stocks for the PAPs needs to consider factors such as local climate, progress of the construction, and capacity of production consumption. For training courses of cultivating skills and raising cattle, it is necessary to choose and introduce to the PAPs those experienced and competent organizations. For PAHs who need capital to start or expand their business, PMU will, via the Provincial People's Committee, to enable them to approach low-interest loans at the State Bank for Social Policy like people who are eligible to enjoy State's social policy.

5.2.4. Assistance for the vulnerable groups

Within the affected area of the project, it is unavoidable that there are some people who are more vulnerable than others. They are often households with female holders and having dependents; households with handicapped persons; poor families; households without land, and the EM. These are the most vulnerable people because of land acquisition. They can also be persons who have difficulties in competing in the job market when their livelihood heavily depends on available land they possess. Actually, in the affected area, it is almost impossible to implement the "land for land" measure. Thus, there needs to be additional programs and special assistance with priority for these groups. These programs may be overlap with assisting programs planned for the whole project yet vulnerable group still needs priority.

To implement effective income restoration for these groups, it is necessary to have specific solutions, basing on their actual capacity. Specific policies may include:

- Priority in vocational courses and job placement;
- Assistance in terms of food or materials for the households who are extremely

in difficult situation and have no ability to work (in combination with the local authorities' social welfare policy).

The assessment of the income restoration programs is necessary to: summarize what have been achieved; determine that if additional interference is needed; and provide lessons and analytic information.

5.3. RESETTLEMENT DEMAND

According to the preliminary research, 25 households will have to relocate due to large portion of land acquired. 100% asked householders agreed to relocate and take the slot at the Resettlement sites Dong Ha or Soi Lan of the MCDP.

Table 12: Resettlement demand

Quantity of households need to relocate	Quantity of households will take a resettlement slot	Quantity of households who will arrange their own new residential place
25	25	0

The PAPs' resettlement demand has variation due to differences in age, educational level, working skills, or specific features of social group they belong to. Most DPs are aware of the urban lifestyle at the resettlement sites. However, the allocation of resettlement slots needs to pay attention to the features of the social groups such as: Those PAPs who still have agricultural land along the river (in Cánh Chín, Cánh Đông, Giang Đông villages) want to be located as close to their cultivating land as possible. For those who wish to relocate on their own land left, it is because of the living habits associated with residential position, kinship relations and neighbourhood plus the big concern of disturbance as moving to live in new place. Those households who are running home business would want to be relocated somewhere closer to the main roads that is convenient for their familiar livelihood.

For the commercial slots designated within the Resettlement sites, there is an opinion of a favor set for the DPs in Van Hoa when they take part in bidding process. If not, they will surely lose the winning opportunity because there are many rich non-local investors who seek investment or opening business at the Resettlement sites of the MCDP.

5.4. ARRANGEMENT OF RESETTLEMENT SITE(S)

The people are well aware of the position of the resettlement sites as receiving information of the project. Interviews at households show that asked PAPs all know

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about two resettlement sites, namely Dong Ha and Soi Lan, built by the Lao Cai MCDP which are 2kms away from Van Hoa. They are ready to transfer affected residential land for the project.

The project's plan is to relocate 25 severely-affected households in 2 resettlement sites Dong Ha and Soi Lan built by the MCDP. These are two newly built sites with unitary system of infrastructure including: roads, water drainage, water supply, electricity supply, and trees. Besides slots for relocation, land for public works, service land, land for road and trees have been planned. The total number of relocating slots is 800 and at the moment the number of available and unoccupied slots is around 400.

Besides, if the DPs want to stay in Van Hoa, they will be considered to relocated in the available resettlement site designed for the commune by the city. Policies in resettlement will equally applied as if they relocate to 2 resettlement sites Dong Ha and Soi Lan as mentioned above.

CHAPTER VI: COMMUNITY CONSULTATION AND INFORMATION DISCLOSURE

6.1. OBJECTIVES

Information disclosure, consultation and participation of the PAPs and involved agencies will:

- Mitigate potential conflicts
- Minimize risks of project suspension
- To enable the project to design a resettlement and rehabilitation program as a general development program, in accordance with the needs and priorities of the PAPs and therefore, maximizes economic and social efficiency of investment; and to make sure that the RP is implemented in transparency.

Information disclosure is not only requirement of the international sponsor but also stipulated by the Vietnamese Government as can be seen in Land Law (2013) and Resolution No.47/2014/ND-CP issued on 15 May 2014 regarding compensation, assistance, and resettlement when the state acquires land.

Main principles are:

- a. To share main information of the project for the PAPs, the local authorities and other related agencies (context of the project, objectives, measures studied, issues in environment and relocation, etc.)
- b. To collect information on needs and priorities of the PAPs, local community, local authorities, local NGOs and receive their responses on planned policies on compensation, assistance and resettlement as well as other related activities.
- c. To obtain collaboration and participation of the PAPs and involved agencies during planning, site clearing, and relocating processes
- d. Ensure the transparency in all activities related to land acquisition, compensation, resettlement and restoration.
- e. Participation in providing opportunity and the process whereby related agencies have actions and responsibility for motivation for development and decisions which will affect them. Via full and active participation, needs and wants of the local people will be discussed and recognized.
- f. Information disclosure, consultation, and participation will be carried out during the preparation of the Resettlement Action Plan and continue during the implementation of the RP. Consultation and participation will take place through many channels and different tools, including organizing community meetings with

leaders of the province, district, commune and villages and representatives from different local authorities to study compensation and relocation policies of the city and province: principles in calculating compensation price, programs for income restoration and job seeking at the locality.

6.2. METHODS OF COMMUNITY CONSULTATION

Main methods used in community consultations during project preparation including two steps, as follow:

1. Community consultation

- Local authorities and people are informed of the dates of community consultation and community meeting in advance by consultation unit and the PMU;
- Community meetings were held at the commune hall of the People's committee;
- Consultation was illustrated with map and information of project impacts;
- Social specialists carried out consultation with assistance of the commune staffs;

Consultations focussed on

- Attract concerns and opinions of the participants to the building of the RP; Community meetings were hosted all the PAHs;
- Investigate socio-economical conditions and affected assets of the PAPs; consult the PAPs of the measures for compensation, such as allocation of a land plot at the resettlement site or cash compensation, creative ideas for income restoration, as well as concerns of different groups of PAPs.

2. Direct consultation at affected family and visit the project affected area.

- Introduce about project and its components;
- Survey of HHs' support for the project implementation;
- Inform HHs of project policy on compensation;
- Inform HHs of positive and adverse impacts on environment and society as project being implemented.

6.3. RESULTS OF COMMUNITY CONSULTATION DURING PROJECT PREPARATION

During meetings, the most concerned issue is the level of project impacts on people's life. Many opinions were proposed in order to mitigate impacts. Generally speaking, participants are well aware of positive impacts then they support the project. All representatives invited to the meetings expressed their support for the construction of urban road when the project is approved.

Opinions from the PAPs are summarized as follows:

Issue 1: Progress of the project implementation: As the project approved, it has to be implemented strictly with the schedule. A suspended project causes great inconvenience to the local people.

Consultant's response: The project will establish a Community Monitoring Board with representatives from local commune leaders and affected people. This Board will watch and monitor progress of the project, and timely report to the PMU. If the project is prolonged, affected people must be compensated for such impacts.

Issue 2: Compensation rate. Some attendants questioned of method for identification of eligible PAPs and compensation rate applied for assets. They said that the rate as they saw in previous projects in the commune, especially for residential and cultivating land were low. For residential land, the market price was said to double the compensation rate seen in previous projects. For cultivating land, the rate was seen as low because they would be compensated just once and lose their land forever. Some HHs asked about rate for land that is still unable to prove the legality.

Consultant's response: If the project is approved, at the time for site clearance, the PMU will hire an independent unit for compensation rate to make sure the rate is updated with the real market.

Issue 3: Relocating HHs with business wanted to have a position at the resettlement site that is advantageous for doing business. There is also idea of forming a reasonable policy for the local HHs with business. One idea is that there needs to be limitation for people from other localities who participate in bidding land plot for services or business at the resettlement site.

Consultant's response: PMU will try its best to provide advantageous position for relocating HHs with business so that they can continue their business at the new place. Regarding local people who join bidding for land plots that are suitable for doing business, PMU will work with the Bidding committee to make sure they are given preference over the people from other localities.

Issue 4: Regarding resettlement. This is among most concerning issue. There were concerns of the availability of the resettlement sites, also the condition to relocate. Land acquisition need to be implemented transparently, quickly and publicly.

Consultant's response: At the present, Resettlement sites for the project are ready in terms of infrastructure. The number of available plots at Đông Hà and Soi Làn of the MCDP is 400. The disclosure of land acquisition and related procedures will be done by the PMU under watch of the Community Monitoring Board.

Issue 5: Sustainability of the assistant policy. The PAPs suggested to have relevant policy to assist income restoration and rehabilitation sustainably. One of the issues to avoid is organizing vocational courses such as motorbike maintenance or tailoring yet actually learners would not find a job in the locality.

Consultant's response: PMU will work with the PAPs to evaluate capacity and demands in vocational training, as well as real demands in the job market. These are foundations for assisting the PAPs to attend the most relevant courses.

Issue 6: Regarding unexpected impacts. The PAPs asked that PMU should consider unexpected impacts during construction on land and environment. For example, the presence of the strangers as workers in the area, temporary labour in the commune might cause emerging social issues; insecurity and social disorder; construction would cause pollution in terms of noise, dust, or the construction activities take place during night, after 9 pm.

Consultant's response: PMU will work with the local authorities and the contractor to inform the local people in advance of potential impacts during project implementation, to have proactive plans to deal with arising issues as indicated in ESIA, as well as mitigation of impacts (ESMP).

6.4. CONSULTATION DURING SUBPROJECT'S IMPLEMENTATION

During the project implementation, the PMU, with the support of the project consultants, will ensure the following tasks:

(i) Materials to disclose:

RP and EMDP need to be summarized and disclose to AHs in different forms.

For the city level: RAP documents need to be sent to CPC, the Board for site clearance, Department for ethnics, all in Vietnamese.

For the commune: summaries of RAP will be distributed to house of the head of the villages in Vietnamese.

(ii) Language of the documents

Language of the used documents is in Vietnamese with clear print, and understandable to the people.

(iii) Steps of consultation and forms of consultation

- Consultation needs to be carried out in forms of flyers, propaganda through radio system on information of the project prior to DMS;
- Community meetings need to organize during the project.

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- Display of DMS results and compensation price before payment; households to be provided the copy of DMS and compensation measures;
- Consultation and information disclosure in forms of propaganda and mobilization need to be done as resolving grievance and complaints.

CHAPTER VII: GRIEVANCE AND GRIEVANCE REDRESS MECHANISM

PAPs are entitled to the complaints relating to their interests and responsibilities in the project implementation: Entitlement to compensation, compensation policy and unit price, land acquisition, resettlement and other interests relating to the support program of rebuilding. The PAPs' complaints should be presented in written documents. DPs can report their complaints in the PMU and PCs of commune/villages, urban district free of charges.

The MCDP Subproject established an Independent Board or Grievances Redress with these following components: leaders of the city, specialists in social safeguard of the PMU (1-2 persons), civil organizations/CBO/NGO (1-2 persons), bar federation, and representatives of the PAPs to ensure equality during the resolvment of the grievances. The Board operates in multitasking mechanism, with subsidy taken from 2% of the total budget for compensation, site clearance of the project. PMU will report monthly of the compensation, site clearance activities and complaints from the PAPs (if any) for the Board to enable its monitoring of the grievances and grievance redress. According to the mentioned-above structure, an aggrieved affected household can carry out these following stages:

First stage, an aggrieved PAP who is unsatisfied with any issue of the rehabilitation program and resettlement plan can express his or her complaint, in verbal or written forms, to the Independent Board for Grievances Redress. The Board has the responsibility to resolve the complaint within 15 days.

The Board will (first step) organize community consultation and/or directly discuss with the complainant; if the first step is not effectively done, the Board will apply the second step by proposing and consulting the City People's Committee to resolve grievances relating land acquisition and site clearance.

Second stage, if the complainant is unsatisfied with the decision at the city level, he or she can elevate the complaint to the Provincial People's Committee within 15 days since receiving decision at the first stage. The Provincial People's Committee will issue decision regarding the complaint within 15 days.

Third Stage, if the complainant is unsatisfied with the decision of any stage, he or she can elevate his/her complaint to City Court of law arbitrates within 15 days since receiving decision at the previous stage.

The complainant who files his/her case will not be charged for their administrative fee or fee for logging a complaint.

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A person from PMU will be assigned to directly work with the PAPs at the first stage to unofficially receive opinions. This person will help the illiterate/vulnerable to express their complains.

Besides, a deposit account to pay for resettlement will be used if the grievances redress is prolonged to avoid slow progress of the project, at the same time ensure the compensation is implemented after the complain is resolved.

All complains, questions, suggestions will be archived and stored, then sent to the PMU and authorities on monthly basis. Expenses for establishment and maintainance of the Board will be included in the expenses for the project.

This grievance redress mechanism will also be applied to resolve other issues such as impacts caused by dust, temporarily-occupied land, and temporary impacts on doing business.

Besides, to ensure everyone can properly carry out their right to grievance, the PMU will provide special assistance for the PAPs who are limited in the ability to pursuit their entitlements. They may be persons who cannot write, or persons with defect on body which prevents them from expressing their complaint. Thus, the PAPs can express their complaint verbally and the staff of the Independent Board for Grievance Redress has the responsibility to translate their verbal complaint into text.

The Independent Board for Grievance Redress of the MCDP was established and this Board will continue until this project for additional items finishes.

CHAPTER VIII: IMPLEMENTATION

The implementation of resettlement activities requires the involvement of agencies at the national, provincial, district and commune level. Each provincial people's committee will take general responsible for the implementation of the general policy framework and specific resettlement plan of the subproject of that province. The provisions and policies of the RP will term the legal basis for the implementation of compensation and resettlement activities in the Medium Cities Development Project in Vietnam.

8.1. PROVINCIAL PEOPLE’S COMMITTEE (PPC)

The PPC in each involved province is responsible or authorize city PC to set up and direct a provincial resettlement appraisal council in accordance to the needs of the project. The PPCs or authorized city PC will take overall responsibility as follows:

- Evaluate and approve the resettlement plans after the final drafts are approved by the Bank;
- Approve the land acquisition and allocation in the Project;
- Make final decision and release unit prices for the compensation and assistance levels, and support policies for affected persons and vulnerable groups based on this Policy Framework and the approved RP;
- Direct the coordination among the concerned agencies and the provincial departments to implement the compensation, assistance and resettlement in accordance with the approved RP;
- Provide full budget for the resettlement activities;
- Ensure that the resettlement activities of the sub-project are in accordance with the Policy Framework and the approved RP.

8.2. CITY PEOPLE’S COMMITTEE (CPC)

City People's Committee is responsible for determining legal rights to land and structures on land, land acquisition, land allocation (residential land), appointing member of the Board/council of resettlement of the city.

City's Resettlement Committees (CRC)

The compensation and resettlement committee/council (CRC) of the city is responsible for:

- (i) Planning and implement all daily RP activities within the city;
- (ii) Directing and monitoring the Resettlement specialist in charge of inventory of land acquisition, completion of compensation plans, review of the compensation plans to submit the PCs of provinces or cities (if authorized) for approval and coordinate with the PMU; and to pay compensation directly to each affected persons after receiving compensation fund;
- (iii) Coordinating with relevant units for conciliation and resolution of DP complaints by project affected people on compensation policy and compensation rights;
- (iv) Establishing, if necessary, the commune/village CRCs and guide them on implementing activities involved in the RP;
- (v) Taking into account the needs and aspirations and demands of the particular groups of people (ethnic minorities) and the vulnerable people (children, the elderly, the female and single householders);
- (vi) Cooperating closely with the independent monitoring agencies, and independent price appraiser.

8.3. PROJECT MANAGEMENT UNIT (PMU)

The Project Management Unit (PMU) will be established by the project owners for their Subprojects. The Project Management Unit is a permanent agency responsible for the implementation of resettlement plan of the project. It is agreed that experienced qualified PMU staffs will be selected to respond to the project social -environmental safeguards. They need to comply with established procedures from the first stage. Staff's and their professional profile and training content will be agreed with WB. The PMU responsibilities are:

- a) On behalf of the project owner or the city, implement and monitor all resettlement activities within the project, under the management of the PPC or the city PC (If they are not capacity enough, they can contract to perform a number of works for site clearance and resettlement);
- b) To prepare plan, coordinate and monitor the RP in general;
- c) To update and/or prepare RPs in accordance with the approved Resettlement Policy Framework and submit them to the PPC/city PC and WB for approval before deploying these approved RP;
- d) To guide all RP activities of the city and villages/communes, following the policies and guidelines of the Subproject Resettlement Plan;

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- e) To establish model procedures/processes regarding information campaigns and the relevant consultation organizations such as sending monthly letters to the communities on the Project activities. To coordinate with other components and other agencies involved in the RP, implement and monitor the resettlement;
- f) To check and advise the PPC on the compensation prices of land and other properties, in coordination with other related government departments, agencies of the province, based on the principles of this RP;
- g) To coordinate, supervise, and monitor the implementation of the PR;
- h) To advise the city People's Committee, and the Resettlement Council for the establishment of a professional group in resettlement planning and implementation including: carrying out the inventory, census and economic assessment, elaborating compensation plans, preparing compensation summaries, and setting up the compensation and resettlement plans to submit the city Resettlement Council for approval. This professional group is directly under the instruction and monitoring of PMU and the city CRCs;
- i) Preparation and construction of resettlement sites and establishing procedures for land allocation for relocated households; management of resettlement sites to serve the resettlement for households and individual being relocated within the project site;
- j) To establish a contact mechanism to ensure that the technical assistance and logistics are suitable for the implementation of compensation and resettlement;
- k) To set up database and the eligibility criteria for affected components and subcomponents as well as for entire Project;
- l) To establish procedures for internal monitoring to supervise the compliance with the project policies;
- m) To establish procedures for monitoring coordination between contractors and local communities and ensure quick identification and compensation for impacts on public and private properties during the construction;
- n) To employ, monitor, and implement the recommendation of the independent monitoring agencies;
- o) To set procedures for quickly implementing necessary mechanism for complaints and grievances;
- p) To provide project employment related opportunities for affected persons;
- q) To take over land acquisition from households and transfer to contractor units;

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- r) To mobilize the independent land appraiser to conduct RCS which is basic for Lao Cai PC to define the compensation price at the market price for the project;
- s) To cooperate closely with the independent monitoring agencies; and independent price appraiser;
- t) To define reporting periodically system on resettlement activities to the WB.

8.4. THE PEOPLE'S COMMITTEE OF COMMUNE (PCC)

The People's Committee of the Commune will assign tasks for communal officials to support the RP activities in their villages:

- (i) Support other units, organizations such as the PMU for information dissemination and organization of community meetings and counseling affected persons' comments;
- (ii) Support other organizations and units, including the PMU, in the demographic survey, cost/replacement price survey, detail measurement and inventory survey, and other resettlement activities;
- (iii) Participate in all activities of land acquisition and allocation, resettlement, recovery support, and social development support;
- (iv) Support affected persons in all RP activities and living standard restoration. Notify the PAPs about the compensation schedule, monitor the compensation implementation and sign contracts of compensation with the PAPs;
- (v) Ensure the adequate implementation of mechanisms of resolving complaints to affected persons. Take notes all complaints and keep records of document on complaints. Support and advice affected persons to quickly resolve complaints;
- (vi) Certify the origin of land use of organizations, agencies, units and individuals, households affected by the project.

CHAPTER IX: MONITORING AND EVALUATION

9.1. OBJECTIVES

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

Monitoring includes 2 following purposes:

- (i) Verify whether the project activities complete efficiently or not, including quantity, quality and time.
- (ii) Assess whether these activities reach the objectives of the Policy or not, including volume, quality, and time.

The implementation agency (the PMU) as well as the independent monitoring agency (which is contracted with the PMU) shall monitor and supervise the RP implementation regularly.

9.2. INTERNAL MONITORING

Internal monitoring of the RP implementation of the Subproject is the main responsibility of the implementation agency with the support of the project consultants. The implementation agency will monitor the progress of RP preparation and implementation throughout the regular progress reports.

The criteria of internal monitoring include:

- (i) The total number of PAHs (RAP and in reality)
- (ii) The total number of PAPs (RAP and in reality)
- (iii) The PAHs whose more than 20% of agricultural land is affected (RAP and in reality)
- (iv) PAHs with less than 20% agricultural land affected (RAP and in reality)
- (v) The number of DPs:
 - The number of PAHs who are living in the renting house (RAP and in reality)
 - The number of main PAHs (RAP and in reality)

- The number of PAHs without sufficient conditions to receive compensation; the number of households take the land after the cut-off date.

(vi) Compensation payment for affected households for the different types of damage pursuant to the compensation policies described in the resettlement plans;

(vii) Implementation of technical assistance, relocation, allowance payment and relocation support;

(viii) Implementation of income restoration and entitlement to restoration support;

(ix) Dissemination of information and consultation procedures;

(x) Monitoring of complaint procedures, existing problems that require the manageable attention;

(xi) Prioritizing affected persons on the proposed selections;

(xii) In coordination to complete RP activities and award construction contract.

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

The PMU will submit an internal monitoring report on the RP implementation as a part of the quarterly report they are supposed to submit the WB. Such reports need to contain the following information:

(i) Number of affected persons according to types of effect and project component and the status of compensation, relocation and income recovery for each item.

(ii) The distributed costs for the activities or for compensation payment and disbursed cost for each activity.

(iii) Final result on resolving complaints and any outstanding issues that demand management agencies at all levels to resolve;

(iv) Arisen issues in the implementation process;

(v) RP schedule is actually updated.

9.3. INDEPENDENT MONITORING

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

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Responsible Agencies: In accordance with the WB requirements for consultant procurement, PMUs will hire one or up to three organizations for the independent monitoring and evaluation of RPs implementation. This organization is called the Independent Monitoring Organization (IMO) which expertise in social science and experiences in independent monitoring of RP. The IMO should start their work as soon as the updated RPs has been approved.

Monitoring and Evaluation Objectives: The following indicators will be monitored and evaluated by the IMO:

- (i) Payment of compensation will be as follows: a) full payment to be made to all affected persons sufficiently before land acquisition; (b) adequacy of payment to replace affected assets;
- (ii) Provision of technical assistance for house construction to PAPs who are rebuilding their structures on their remaining land, or building their own structures in new places as arranged by the project, or on newly assigned plots.
- (iii) Support for restoration of income sources;
- (iv) Public consultation and awareness of compensation policy: (a) PAPs should be fully informed and consulted about land acquisition, leasing and relocation activities; (b) the monitoring team should attend at least one public consultation meeting to monitor public consultation procedures, problems and issues that arise during the meetings, and solutions that are proposed; (c) public awareness of the compensation policy and entitlements will be assessed among the PAPs; and (d) assessment of awareness of various options available to PAPs as provided for in the RPs.
- (v) PAPs should be monitored regarding restoration of productive activities
- (vi) PAPs' satisfaction on various aspects of the RP will be monitoring and recorded. Operation of the complaint mechanism and speed of complaint settlement will be monitored.
- (vii) Through the implementation, trends on living standard will be observed and surveyed. Any potential issues in the recovering living standard are reported.

The main indicators during the implementation of internal and independent monitoring are the restoration of affected assets and living conditions.

Independent monitoring will be implemented under the WB's watch to make sure arising issues will be pointed out and timely resolved.

CHAPTER X: BUDGET AND EXPENSES

10.1. INVESTIGATION OF REPLACEMENT PRICE

Replacement price: is the sum of the amount of money or items needed to replace a property in its current conditions at the current market price and transaction costs (WB OP 4.12 Involuntary resettlement).

Replacement price for agriculture land: is the sum of the market price of the land having the same productivity or potential and located in the surrounding area of the affected one, the price for preparing land having the same/better productivity as/than the affected land, transference taxes and registration costs.

Replacement price for houses and public works: is the sum of the market price for purchase or new construction of a work with the same/better area or quality as/than the affected one or for repairing of part of the affected one, labour and contractor costs, registration costs and transference taxes³.

Replacement survey activities in areas affected by the project are carried out by the consultants in July and August 2016. These activities are implemented by:

- Directly contacting the affected households and those located near the affected areas to collect information about the prices of land, crops, houses and items on land.
- Working with the local authorities to identify the prices of different types of affected land, crops, houses and works and to collect legal documents forming local bases for determination of the unit prices for different types of land, crops and other properties.
- Contacting the local house & land office and tax agency to study information about real-estate transactions in the area of Lao Cai City and prices of successful real estate transactions in the city area.

Conclusion:

(i) Surveys, investigation and set the price for compensation for land acquisition and site clearance are updated and published annually by Lao Cai province.

3. It is not allowed to calculate depreciation of assets or values of reused materials as well as to deduct values of benefits created by the project for affected assets from replacement costs.

(ii) Since only few transactions happened at the site, the proposal of market price mentioned in this report only plays as a reference.

10.2. RECOMMENDATIONS

Consultants recommend the price for compensation of for residential and agricultural as in the following table:

Table 13: Recommendation of compensation rate

No.	Type of land	Rates as in Lao Cai Province's Decisions (VND/m2)	Recommended rate (VND/m2)
1	Residential land	3,000,000	4,500,000 (coefficient =1.5)
2	Land for rice	33,000	66,000 (coefficient =2)
3	Perennial planting land	23,000	46,000 (coefficient =2)
4	Annual crops	26,000	52,000 (coefficient =2)
5	Forest land	8,000	16,000 (coefficient =2)
6	Land for aquaculture	33,000	66,000 (coefficient =2)

Independent consultant to identify compensation rate will be hired by the PMU to evaluate replacement cost for land and assets of the AHs and the results will act as foundation for the Lao Cai Provincial People's Committee to issue decision on actual compensate rate when site clearance is implemented.

10.3. ESTIMATION OF TOTAL COST

Upto the time the report made, the total cost estimate for the site clearance of the project is about **72,017,000,000VND**, equivalent to **3,186,593 USD** (rate exchange at 1

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USD= 22,600VND). The cost estimate for site clearance and resettlement in this report has been updated with the latest regulations of the Lao Cai PPC regarding compensation; resettlement and the costs applied for relevant activities have been calculated sufficiently and properly.

Budget for implementation of the project will be updated at the time of land acquisition, based investigation results by independent consultants.

The total cost includes:

Table 14: Estimated Total cost for compensation, site clearance and resettlement

No.	Type of compensation, assistance		Unit	Quantity	Price (VND)	Sum (VND)
A	Land and assets					Sum
1	Land		m2			39,869,424,400
	Residential land		m2	7,992.7	4,500,000	35,967,150,000
	Annually cultivated land	Rice	m2	27,323.2+3,487	66,000	2,033,473,200
		Crops	m2	7,283.4	52,000	378,763,800
	Garden		m2	22,149.4	46,000	1,018,872,400
	Forest land		m2	16,138.5	16,000	258,216,000
	Aquaculture land		m2	3,226.5	66,000	212,949,000
2	Perennial trees, crops and aquaculture					1,128,557,000
	Annual crops		m2	56,756 (= 27,323.2 +7,283.4 + 22,149.4)	7,000	397,292,000
	Perennial trees		Plant	5,000	120,000	600,000,000
	Timber		Plant	450	220,000	99,000,000
	Aquaculture		m2	3,226.5	10,000	32,265,000
3	Affected Houses and structure					3,550,000,000
	Houses (main and supplementary)	m2	5,200	2,800,000	1,456,000,000	
	Graves	Item	5	6,000,000	30,000,000	

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	Barns and cages		m2	1,160	500,000	580,000,000
	Wells		M	200	700,000	140,000,000
	Water containers		m3	760	1,200,000	912,000,000
	Fence		m2	480	900,000	432,000,000
B	Restoration Assistance					9,872,506,800
	Job training assistance and vocational orientation		m2	34,606.6 (27,323.2+ 7,283.4)	66,000 x 3	6,852,106,800
	Assistance for Relocation		Household	25	9,000,000	225,000,000
	House renting during construction of new house		Household	25 (25x6 months)	2,000,000	400,000,000
	Assistance for Rehabilitation		person	454	600,000 x6	1,634,400,000
	For households with business	Temporarily affected	Household	06	4,000,000x3	72,000,000 (estimated)
		Relocated	Household	03	4,000,000x6	72,000,000 (estimated)
	Bonus for households which hand over the land on time		Household	117	3,000,000	351,000,000
	Poor household		Household	1	8,000,000	8,000,000
	Vulnerable households under state sponsor; with handicapped persons, etc.		Household	8	3,000,000	24,000,000
C	A+B					60,801,493,200
D	Management of implementation = (A+B) x 2% (including fee for grievance redress)					1,216,029,864
E	Contingency for price changes					10,000,000,000
Total sum						72,017,000,000

Table 15: Estimated of independent monitoring consultants support the implementation of site clearance and resettlement

TT	Content	Unit	Quantity	Unit price	Total
				(VND)	(VND)
1	Team leader salary	Month_ person	6	30,000,000	180.000.000
2	Specialist salary	Tháng/ người	6	20.000,000	120.000.000
3	Stationery	Monitoring period	8	10.000000	80.000.000
4	Office, communication	Monitoring period	12	10.000.000	120.000.000
	Total				500.000.000

APPENDIXES**APPENDIX 1: LIST OF HOUSEHOLDS AND TYPE OF LAND AFFECTED**

No.	PAPs	Address	Residential land (m2)		Agricultural land (m2)		Note
			Total	Affected	Total	More than 20% affected	
1.	Đoàn Thị Minh Tâm	Cánh Chín	158	x	0	X	Relocation required
2.	Phạm Văn Tùng	Cánh Chín	220	x	0	X	Relocation required
3.	Đỗ Ngọc Ba	Cánh Chín	200	x	0	X	EM
4.	Phạm Ngọc Chung	Cánh Chín	200	x	0	X	Relocation required
5.	Lý Thị Hồng	Cánh Chín	80		0	X	EM
6.	Lý A Hải	Cánh Chín	100		2686	X	EM
7.	Lý Thanh An	Cánh Chín	0		1472	X	EM
8.	Nguyễn Văn Hiền	Cánh Chín	200		800	X	
9.	Đào Văn Luyến	Cánh Chín	200		2160	X	
10.	Lý Văn Ngán	Cánh Chín	200		720	X	EM
11.	Trần Thị Phú	Cánh Chín	200		6680	X	
12.	Phan Thị Chanh	Cánh Chín	250		1000	X	
13.	Nguyễn Văn Lương	Cánh Chín	200		1080	X	
14.	Nông Văn Nùng	Cánh Chín	400		1050	X	EM
15.	Nguyễn Thị Chiên	Cánh Chín	200		360	X	

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16.	Đào Kim Quy	Cánh Chín	100		4000	X	
17.	Lưu Thị Dung	Cánh Chín	100		6500	X	
18.	Nguyễn Thị Mẫn	Cánh Chín	200		538	X	
19.	Phan Thị Lứu	Cánh Chín	200		720	X	
20.	Phạm Văn Hảo	Cánh Chín	200		8400	X	
21.	Nguyễn Thị Vương	Cánh Chín	200		2390	X	
22.	Đào Thị Lưu	Cánh Chín	1200		3547	X	
23.	Nguyễn Văn Sơn	Cánh Chín	200		380	Xx	
24.	Nguyễn Thị Thành	Cánh Chín	200		1800	X	
25.	Hoàng Thị Chinh	Cánh Chín	500		1080	X	
26.	Nguyễn Ánh Ngọc	Cánh Chín	100		6000	X	
27.	Lê Thị Thắm	Cánh Chín	200		7000	X	
28.	Nguyễn Thị Hiền	Cánh Chín	200		1440	X	
29.	Đặng Thị Hiền	Cánh Chín	200		5260	X	
30.	Nguyễn Thị Tuất	Cánh Chín	100		3460	X	Vulnerable
31.	Trần Văn Luyện	Cánh Chín	100		1466	X	Vulnerable
32.	Phan Thị Khu	Cánh Chín	290		2520	X	
33.	Hoàng Văn Đức	Cánh Chín	200		400	X	
34.	Vũ Ngọc Quang	Cánh Đông	240	x	4298	X	Relocation required
35.	Phạm Thị Bình	Cánh Đông	150	x	300	X	Relocation required
36.	Trịnh Thị Oanh	Cánh Đông	400	x	8000	X	Relocation required
37.	Vũ Di Niên/Trần Thị Thủy	Cánh Đông	100	x	2440	X	Relocation required

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38.	Phạm Văn Lộc	Cánh Đông	200	x	8500	X	Relocation required
39.	Hà Thị Tĩnh	Cánh Đông	300	x	200	X	Vulnerable
40.	Trần Hải Châm	Cánh Đông	200	x	0	X	Relocation required
41.	Đỗ Viết Hồng	Cánh Đông	400	x	3200	X	Relocation required
42.	Trịnh Thị Khoa	Cánh Đông	292	x	1572	X	Relocation required
43.	Nguyễn Văn Thân	Cánh Đông	150	x	0	X	
44.	Phan Lương Hùng	Cánh Đông	200	x	3252	X	Relocation required
45.	Nguyễn Văn Yên	Cánh Đông	150	x	1130	X	
46.	Nguyễn Thị Lộc	Cánh Đông	200	x	1750	X	Vulnerable
47.	Trần Văn Toàn	Cánh Đông	278	x	600	X	
48.	Phạm Văn Bình	Cánh Đông	400	x	0	X	Relocation required
49.	Nông Ánh Ngọc	Cánh Đông	200	x	0	X	EM
50.	Nông Văn Dịu	Cánh Đông	200	x	1386	X	EM
51.	Đỗ Viết Lưu	Cánh Đông	200	x	1552	X	Vulnerable
52.	Đỗ Quang Phong	Cánh Đông	138	x	460	X	
53.	Ngô Văn Thắng	Cánh Đông	200	x	2000	X	
54.	Phạm Thanh Điều	Cánh Đông	280	x	1332	X	Relocation required
55.	Ngô Văn Thát	Cánh Đông	400	x	800	X	Vulnerable
56.	Nguyễn Văn Toàn	Cánh Đông	200	x	3600	X	
57.	Phan Thị Thiếc	Cánh Đông	200	x	3700	X	Vulnerable; Relocation required

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58.	Ngô Văn Long	Cánh Đông	200	x	0	X	
59.	Trần Thị Nhiều	Cánh Đông	200	x	500	X	Vulnerable; Relocation required
60.	Phạm Văn Giang	Cánh Đông	200	x	0	X	Relocation required
61.	Ngô Thị Bích	Cánh Đông	200	x	9648	X	EM
62.	Đào Thế Giang	Cánh Đông	200		6364	X	
63.	Trần Thị Hoa	Cánh Đông	100	x	30	X	Vulnerable
64.	Hoàng Thị Quý	Cánh Đông	200	x	0	X	Vulnerable
65.	Hoàng Văn Chức	Cánh Đông	200	x	3834	X	
66.	Vũ Thị Thư	Cánh Đông	100	x	5720	X	EM
67.	Nông Văn Cun	Cánh Đông	200		288	X	EM
68.	Vũ Văn Tuấn	Cánh Đông	200		10000	X	
69.	Trần Thị Quát	Cánh Đông	200	x			
70.	Hoàng Thị Lựu	Cánh Đông	200		720	X	
71.	Nguyễn Quốc Bình	Giang Đông 2	200		3240	X	
72.	Nguyễn Văn Chính	Cánh Đông	200		932	X	
73.	Trịnh Văn Minh	Cánh Đông	200		2080	X	Vulnerable
74.	Đỗ Mạnh Hùng	Cánh Đông	120	x	0	X	Relocation required
75.	Nguyễn Văn Hải	Cánh Đông	200		5360	X	
76.	Nguyễn Văn Sáu	Cánh Đông	100		504	X	
77.	Trịnh Nam Thượng	Cánh Đông	200		5000	X	
78.	Vũ Thị Hà	Cánh Đông	200		720	X	
79.	Nguyễn Văn Vinh	Cánh Đông	200		712	X	

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80.	Phạm Ngọc Tiến	Giang Đông	0	x	4100	X	House built on garden land
81.	Phạm Thị Tân	Giang Đông	100	x	0	X	Relocation required
82.	Phạm Thái Hải	Giang Đông	100	x	500	X	
83.	Vương Quang Ninh	Giang Đông 2	200	x	1114	X	
84.	Nguyễn Văn Trường		350	x	3800	X	Relocation required
85.	Nguyễn Thị Hưng	Giang Đông 2	150		5108	X	
86.	Phạm Thị Hồng	Giang Đông 2	200		1788	X	
87.	Vũ Thị Lan	Giang Đông 2	200	x	0	X	Relocation required
88.	Ngô Quang Chiến	Giang Đông 2	200	x	1800	X	
89.	Lưu Thị Thuận	Giang Đông 2	150	x	0	X	
90.	Lưu Đức Trường	Giang Đông 2	100	x	70	X	
91.	Lưu Đức Khởi	Giang Đông 2	200	x	1000	X	
92.	Phạm Thị Xuyên	Giang Đông 2	120	x	3140	X	Relocation required
93.	Bạch Ngọc Sáng	Giang Đông 2	140	x	100	X	DTTS
94.	Hồ Mạnh Trường	Giang Đông 2	150	x	0	X	DTTS; Relocation required
95.	Hồ Thị Nhung	Giang Đông 2	200		1924	X	EM
96.	Hồ Văn Dũng	Giang Đông 2	200	x	3776	X	EM; Relocation required
97.	Nguyễn Thị Minh Hải	Giang Đông 2	200	x	200	X	
98.	Bùi Hoài Giang/Lâm Thị Thơ	Giang Đông 2	200	x	251	X	EM
99.	Nguyễn Trung Bồng	Giang Đông 2	182		3492	X	
100.	Lương Thị Bình	Giang Đông 2	100	x	300	X	Relocation

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							required
101.	Phạm Thị Chuyền	Giang Đông 2	100	x	677	X	Vulnerable; Relocation required
102.	Nguyễn Phúc Ninh	Giang Đông 2	150	x	1700	X	
103.	Bàn Thị Hằng	Giang Đông 2	200	x	0	X	EM; Relocation required
104.	Nguyễn Quang Cảnh	Giang Đông 2	150	x	0	X	
105.	Hoàng Thị Thanh Nhân	Giang Đông 2	120	x	0	X	
106.	Đào Văn Vuôn	Giang Đông 2	120	x	0	X	
107.	Trịnh Thị Phỉnh	Giang Đông 2	200		2080	X	
108.	Phạm Văn Thế	Giang Đông 2	200		17970	X	
109.	Phàn A La/Phàn A Sinh	Giang Đông 2	200		1260	X	EM
110.	Nông Văn Rủ	Giang Đông 2	200		1008	X	EM
111.	Vi Văn Phong	Giang Đông 2	200		864	X	EM
112.	Lưu Đức Phần	Giang Đông 2	200	x	5620	X	
113.	Trương Hữu Hảo	Giang Đông 2	100		720	X	
114.	Đỗ Thị Giang	Giang Đông 2	200		1080	X	
115.	Đào Chung Huân	Giang Đông 2	150		360	X	Vulnerable
116.	Phạm Thị Xuyên	Giang Đông 2	100		380	X	
117.	Phạm Văn Lưu	Giang Đông 2	200		11800	X	

APPENDIX 2: PHOTOS OF COMMUNITY CONSULTATION



APPENDIX 3: CONSULTATION MINUTES

<p style="text-align: center;">UBND THÀNH PHỐ LÀO CAI UBND XÃ VẠN HÒA Số 236 /CV-UBND</p>	<p style="text-align: center;">CỘNG HÒA XÃ HỘI CHỦ NGHĨA VIỆT NAM <u>Độc lập - Tự do - Hạnh phúc</u></p>
<p><i>V/v: Xác nhận kết quả tham vấn cộng đồng phục vụ lập Báo cáo đánh giá tác động môi trường và xã hội (ESIA) cho Dự án MCDP-Tiểu dự án TP Lào Cai – Các hạng mục bổ sung (AF)</i></p>	<p style="text-align: right;"><i>Lào Cai, ngày 01. tháng 01 năm 2016</i></p>
<p>Kính gửi: Ban quản lý dự án ODA tỉnh Lào Cai</p>	
<p>UBND xã Vạn Hòa đã nhận được công văn số 1116/BQL-MTXH của Quý Ban v/v Tham vấn cộng đồng để lập các báo cáo về an toàn môi trường và xã hội cho dự án Phát triển các đô thị loại vừa tại Việt Nam – Tiểu dự án TP Lào Cai đối với các hạng mục bổ sung (AF). Do ngân hàng thế giới (WB) tài trợ.</p>	
<p>Căn cứ quá trình trình bày, tham vấn, ghi nhận các ý kiến cộng đồng, khảo sát điều tra, phỏng vấn các hộ gia đình bị ảnh hưởng trực tiếp và gián tiếp của dự án do nhóm chuyên gia môi trường của Công ty CP Tư vấn & ĐTXDHT Phương Đông (OCI) thực hiện trong thời gian qua. Chúng tôi có ý kiến như sau:</p>	
<ul style="list-style-type: none">- Chính quyền địa phương và cộng đồng dân cư đồng ý với nội dung của Dự thảo Báo cáo đánh giá tác động môi trường và xã hội (ESIA) của dự án;- Cộng đồng dân cư, các hộ dân bị ảnh hưởng môi trường trực tiếp và gián tiếp trong quá trình xây dựng công trình thuộc dự án đã hiểu rõ những tác động tích cực và tiêu cực đến môi trường của dự án. Những tác động tiêu cực chỉ là tạm thời và chấp nhận được. Biện pháp giảm thiểu những tác động tiêu cực đến môi trường của dự án là hợp lý và khả thi, tuân thủ quy định hiện hành của Chính phủ Việt Nam và quy định của Ngân hàng Thế giới;- Chính quyền địa phương và cộng đồng dân cư bày tỏ sự ủng hộ và mong muốn sớm đầu tư xây dựng các tuyến đường giao thông và hạ tầng kỹ thuật kèm theo trong khu Vạn Hòa. Những hạng mục đầu tư này có ý nghĩa to lớn giúp hoàn thiện cơ sở hạ tầng đô thị, nâng cao điều kiện sống của người dân, góp phần phát triển kinh tế xã hội của địa phương.	
<p>(Các kết quả họp tham vấn cộng đồng được trình bày trong biên bản kèm theo).</p>	
<p>Trên đây là những ý kiến của chính quyền xã Vạn Hòa và cộng đồng dân cư liên quan đến dự án. Kính đề nghị Quý Ban cập nhật hồ sơ để dự án thực hiện các bước tiếp theo.</p>	
<p>Trân trọng cảm ơn!</p>	
<p>Nơi nhận: - Như trên; - Tư vấn OCI; - Lưu.</p>	<p>T.M UỶ BAN NHÂN DÂN CHỦ TỊCH</p> <div style="text-align: center;">  CHỦ TỊCH <i>Trần Quang Hanh</i></div>

DANH SÁCH HỌP THAM VẤN

Dự án: “Dự án phát triển các đô thị loại vừa tại Việt Nam (MCDP) –
 Tiêu dự án thành phố Lào Cai, tỉnh Lào Cai – Các hạng mục bổ sung”
 Địa điểm: Phường Vạn Hòa, TP Lào Cai

Thời gian: Ngày tháng năm 2016

Địa điểm: Xã Vạn Hòa

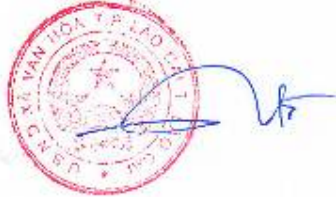
TT	Họ và tên	Chức vụ	Đơn vị	Ký tên
1	Phạm Văn Bình		Thôn Cảnh Đông	Phạm
2	Hồ Văn Dũng		Thôn Giảng Dữ 2	Dũng
3	Nguyễn Phúc Ninh		Thôn Giảng Dữ 2	Ninh
4	Đào Văn Xuân		Thôn Giảng Dữ 2	Xuân
5	Lưu Văn Hải		Thôn Giảng Dữ 2	Hải
6	Lưu Hải Lập		Thôn Giảng Dữ 2	Lập
7	Phạm Khắc Trọng		Cảnh Đông	Trọng
8	Phạm Lương Hùng		Cảnh Đông	Hùng
9	Hồ Mạnh Trường		Quang Đông	Trường
10	Đỗ Ngọc Ba		Thôn Cảnh Chấn	Ba
11	Nguyễn Thị Quát		Thôn Cảnh Chấn	Quát
12	Phạm Thị Kiên		Thôn Cảnh Chấn	Kiên
13	Ngô Thanh Hằng		Thôn Cảnh Chấn	Hằng
14	Vũ Thị Huyền Vân		Thôn Cảnh Chấn	Vân
15	Trịnh Thị Ngọc Xuân		Thôn Cảnh Chấn	Xuân
16	Trần Thị Nhàn		Thôn Cảnh Chấn	Nhàn
17	Hoàng Thị Quý		Thôn Cảnh Chấn	Quý
18	Phạm Văn Phóng		Thôn Cảnh Chấn	Phóng
19	Phạm Văn Hải		Thôn Cảnh Chấn	Hải

Resettlement Plan (RP)

TT	Họ và tên	Chức vụ	Đơn vị	Ký tên
20	Nguyễn Thị Lụa		Cảnh đông	Lụa
21	Phạm Tài Bình		Cảnh đông	Bình
22	Tô Ngọc Loan		Cảnh đông	Loan
23	Trần Thị Minh Tú		Cảnh đông	Tú
24	Vũ Phi Loan		giang sông 2	Loan
25	Ngô Thị Bích		Cảnh đông	Bích

Xác nhận của UBND Phường

Đại diện Tư vấn



CHỦ TỊCH
Trần Quang Thanh



DANH SÁCH HỌP THAM VẤN

Dự án: “Dự án phát triển các đô thị loại vừa tại Việt Nam (MCDP) –
Tiểu dự án thành phố Lào Cai, tỉnh Lào Cai – Các hạng mục bổ sung”
Địa điểm: Phường Vạn Hòa, TP Lào Cai

Thời gian: Ngày tháng năm 2016

Địa điểm: Xã Vạn Hòa

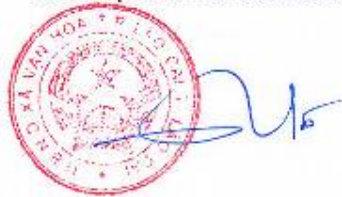
TT	Họ và tên	Chức vụ	Đơn vị	Ký tên
1	Hoàng Văn Ch�ế		Thôn Cảnh Đg	Chế
2	Nông Văn Diu		Thôn Cảnh Đg	Diu
3	Phạm Ngọc Tiên		Thôn Cảnh Đg 1	Tiên
4	Phạm Thủy Nga		Thôn Cảnh Đg	Nga
5	Bùi Thị Mỏ		Thôn Cảnh Đg	Mỏ
6	Phạm Thị Huyền		Thôn Cảnh Đg 1	Huyền
7	Phạm Thị Tân		Thôn Cảnh Đg 1	Tân
8	Phạm Thị Xuyên		Thôn Cảnh Đg 2	Xuyên
9	Đào Thị Giang		Cảnh Đg	Giang
10	Nguyễn Văn Tuấn		Cảnh Đg	Tuấn
11	Phạm Thị Chuyên		Giang Đg 2	Chuyên
12	Ngô Văn Thắng		Cảnh Đg	Thắng
13	Ngô Văn Long		Cảnh Đg	Long
14	Ngô Văn Thủy		Cảnh Đg	Thủy
15	Lưu Thị Tô Hiền		gung đg 2	Hiền
16	Lưu Khánh Hiền		gung đg 2	Hiền
17	Đỗ Việt Lân		Cảnh Đg	Lân
18	Trần Thị Thủy		Cảnh Đg	Thủy
19	Trần Văn Loan		Cảnh Đg	Loan

Resettlement Plan (RP)

TT	Họ và tên	Chức vụ	Đơn vị	Ký tên
20	Đỗ Văn Phúc		Thôn Giang Đông	Phúc
21	Đỗ Quang Phóng		Thôn Cánh Đông	Phóng
22	Đỗ Việt Lưu		Thôn Cánh Đông	Lưu
23	Đinh Thị Khoa		Thôn Cánh Đông	Khoa
24	Phạm Thị Thuê		Thôn Cánh Đông	Thuê
25	Đỗ Việt Hồng		Thôn Cánh Đông	Hồng

Xác nhận của UBND Phường

Đại diện Tư vấn



CHỦ TỊCH
Trần Dương Thanh

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

Dự án phát triển các đô thị loại vừa tại Việt Nam
Tiểu dự án thành phố Lào Cai– Các hạng mục bổ sung (AF)

BIÊN BẢN HỌP THAM VẤN CỘNG ĐỒNG DÂN CƯ
CHỊU TÁC ĐỘNG TRỰC TIẾP BỞI DỰ ÁN

1. Thời gian, địa điểm làm việc:

- Thời gian họp: 830 ngày 24/8/2016
- Địa chỉ họp: UBND xã Văn Hoa

2. Thành phần:

- Đơn vị tư vấn:
Tư vấn môi trường xã hội, tái định cư và chuyển đổi số
Đại diện Ban Quản lý Dự án ODA tỉnh Lào Cai
- Số lượng đại biểu tham dự: 69 trong đó: Nam: 31; Nữ: 38
- Thành phần:
Chủ tịch UBND xã, Cán bộ địa chính xã
Bí thư chi bộ thôn Cánh, Chín, Giảng, Giảng
Đông 2, Cánh Đông, Trưởng các thôn
Đại diện các hộ gia đình bị ảnh hưởng

3. Nội dung tham vấn:

Hội nghị đã triển khai các nội dung tham vấn như sau:

- Giới thiệu về nội dung, các hạng mục công trình của dự án
- Về sự đồng thuận đối với việc triển khai dự án
- Về các đối tượng bị ảnh hưởng và phạm vi ảnh hưởng
- Về tác động tích cực và tiêu cực của dự án đến môi trường, xã hội, đến vấn đề tái định cư và đến các cộng đồng dân tộc thiểu số
- Các kiến nghị của cộng đồng về các biện pháp giảm thiểu tác động của dự án

4. Các ý kiến thảo luận:

a. Về sự đồng thuận đối với việc triển khai dự án:

Tất cả các tác nhân được mời từ bây
giờ sẽ nhất trí và ủng hộ cao nên dự án
được phê duyệt triển khai ngay
Mong dự án sớm triển khai và hoàn thành
đúng tiến độ, không phải là dự án treo

b. Về các đối tượng bị ảnh hưởng và phạm vi ảnh hưởng:

Người dân nêu câu hỏi về đối tượng và mức
đất đai cho đất và tái sản xuất đất trong
tỉnh đang chưa có giấy sử dụng
Hộ đã kinh doanh mong có vị trí tái định
cư có thể thuận lợi cho kinh doanh.

c. Về các tác động của dự án:

- Tác động tích cực:

Dự án là một hạng mục quan trọng, thực
hiện thành công sẽ góp phần tái sản xuất
đất đai cho sản xuất nông nghiệp
Có nhiều hộ sẽ ở mặt đường lớn, thuận
tiện cho sinh hoạt, đi lại, và làm việc

- Tác động tiêu cực:

Sự xuất hiện người lạ là công nhân, lao
động tạm thời ở địa phương sẽ có thể gây
ảnh hưởng như xuất hiện cái tệ trộm cắp

