

Draft Resettlement Due Diligence Report and Corrective Action Plan

March 2015

Multitranche Financing Facility Socialist Republic of Viet Nam: Power Transmission Investment Program

Tranche 3

Prepared by the Southern Vietnam Power Project Management Board for Asian Development Bank.

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Second Transformer Bank for 500 kV Cau Bong Substation

Multi-tranche Financing Facility
Socialist Republic of Viet Nam: Power Transmission
Investment Program

Prepared by the Southern Vietnam Power Project Management Board for Asian Development
Bank.

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ACRONYMS AND ABBREVIATIONS

ADB	-	Asian Development Bank
AP	-	affected person
CPC	-	Commune People's Committee
DCARB	-	District Compensation Assistance and Resettlement Board
EA	-	executing agency
EMA	-	external monitoring agency
DMS	-	detailed measurement survey
GOV	-	Government of Vietnam
HCMCPC	-	Ho Chi Minh City People's Committee
HHs	-	households
MFF	-	multi-tranche financing facility
NPT	-	National Power Transmission Corporation
OP	-	operational policy
PDMP VII	-	National Power Sector Development Master Plan VII
PPTA	-	project preparation technical assistance
PTIP	-	Power Transmission Investment Program
RAP	-	resettlement action plan
ROW	-	right-of-way
SPPMB	-	Southern Vietnam Power Project Management Board
SPS	-	Safeguard Policy Statement
SS	-	substation
TL	-	transmission line
VND	-	Vietnam Dong
WB	-	World Bank

EXECUTIVE SUMMARY

Project Background

1. The Asian Development Bank (ADB) on 16 December 2011 approved a multi-tranche financing facility (MFF) in the amount of \$730 million for the Power Transmission Investment Program (PTIP). The Vietnam Electricity National Power Transmission Corporation (NPT) is the executing agency (EA), while the Southern Power Project Management Board (SPPMB) is the implementing agency (IA). ADB approved Tranche 1 in December 2011 and Tranche 2 in November 2012. Preparations for Tranche 3 are being carried out under Project Preparation Technical Assistance (PPTA) No. 7742-VIE. Nine subprojects are proposed for inclusion in Tranche 3, namely, the installation of a second transformer bank each for the (i) 220 kV Duc Hoa Substation (SS), (ii) 500 kV Cau Bong SS, (iii) 220 kV Tra Vinh SS, (iv) 220 kV Uyen Hung SS, and (v) 220 kV Vung Tàu SS; construction of new transmission lines that include the 220 kV Binh Long – Tay Ninh Transmission Line (TL) and the 500 kV My Tho – Duc Hoa TL; and construction of new substations that include the 500 kV Chon Thanh SS and the 500 kV Duc Hoa SS and Connections.

Social Safeguard Documents Needed for the 9 Subprojects

2. **DDR and CAP.** With the exception of the 220 kV Vung Tàu SS, the installation of a second transformer bank in each of the 4 other substations (i.e., 220 kV Duc Hoa SS, 500 kV Cau Bong SS, 220 kV Tra Vinh SS, and 220 kV Uyen Hung SS) will not involve land acquisition; the second transformer banks will be installed inside the compound of these existing substations. Notwithstanding that no land acquisition will be involved in the installation of second transformer banks in the 4 existing substations, a due diligence review (DDR) of each of the 4 existing substations was carried out in March 2015. Per ADB safeguards policy, each existing substation is an “associated facility”¹ of the proposed subproject installation of a “Second Transformer Bank” thereat. The objectives of the DDR were to (i) look into how government carried out land acquisition when the substations were constructed, and (ii) prepare a corrective action plan (CAP), as needed, that outlines the remedial actions that government would undertake to make land acquisition carried earlier consistent with the resettlement policy of PTIP.² (See **Chapter IV** for a detailed discussion of the PTIP resettlement policy).

3. **RP/REMDP.** In the case of the 220 kV Vung Tàu SS, government has to prepare a resettlement plan (RP), even if the proposed subproject involves only the installation of a second transformer bank in Vung Tau SS. The reason for the RP lies on the fact that land acquisition for the site of the substation has not yet been completed and the construction of the substation has not yet started. The installation of a second transformer bank (as a subproject of PTIP Tranche 3) in the 220 kV Vung Tàu SS that NPT has yet to construct using government funds depends on the satisfactory implementation of the RP to be agreed by NPT and ADB. Moreover, a DDR has been prepared for the existing 220 kV Ba Ria – Vung Tau TL because this 14 km transmission line was primarily constructed (in 2009-2014) for the purpose of connecting the yet to be built 220 kV Vung Tàu SS to the Ba Ria Gas-Power-Fertilizer Plant located in Ba Ria City. In other words, the existing 220 kV Ba Ria – Vung Tau TL is an associated facility of the subproject Second Transformer Bank for 220 kV Vung Tàu Substation.

¹ The existing substations are regarded as an associated facility of the installation of a second transformer unit (i.e., the subproject under Tranche 3) thereat because the viability and existence of the existing substations depend largely on their upgrading with the installation of said second transformer units.

² Resettlement and Ethnic Minority Development Framework (REMDF), November 2011.

4. Land acquisition will be involved in the construction of the 220 kV Binh Long – Tay Ninh TL and the 500 kV My Tho – Duc Hoa TL, and in the construction of the 500 kV Chon Thanh SS and the 500 kV Duc Hoa SS and Connections. Therefore, an RP is required each for the 500 kV My Tho – Duc Hoa TL, the 500 kV Chon Thanh SS, and the 500 kV Duc Hoa SS and Connections. A resettlement and ethnic minority development plan (REMDP) is required for the 220 kV Binh Long – Tay Ninh TL because ethnic minority households are affected by this subproject. This DDR has been prepared for the 500 kV Cau Bong SS.

Highlights of the Findings of the DDR on the 220 kV Duc Hoa Substation

5. **Construction of the facility.** In 2012, the World Bank (WB) funded the construction of the Cau Bong SS, consisting of a 500 kV facility and a 110 facility, located in Tan Phu Trung Commune, Cu Chi District, Ho Chi Minh City. Included in that project was construction of a transmission line (TL) that connects the 500 kV Cau Bong SS with Phu Lam TL and with Dak Nong TL. Land required for the substation and its connecting TL has all been acquired³ and the SS has been in operation since May 2014.

6. **Adverse social impacts.** The construction of the SS required the permanent acquisition of 185,721.74 m² of land, in addition to the restricted use of 53,753.43 m² in the power TL's right-of-way (ROW). A total of 120 households, a private hospital and the Tan Phu Trung Commune People's Committee (CPC) were adversely affected by the permanent loss of land. The affected lands of the households and the hospital were all agricultural, while the affected land of the CPC was a roadway and a waterway. In addition, 38 households, whose farmlands were within the ROW of the TL, were adversely affected by restrictions imposed on the use of their affected properties for safety reasons. No house was affected by the project.

7. **Documentation of impacts and resettlement plan prepared.** A working group spearheaded by Cu Chi District Compensation Assistance and Resettlement Board (DCARB) carried out in March to September 2012 the detailed measurement survey (DMS) of affected assets. Other members of the DMS working group included representatives of SPPMB, the cadastral office of Tan Phu Trung Commune People's Committee (CPC), and the AHs. In 2012, a resettlement action plan (RAP) was prepared for the project based on relevant laws of Vietnam and the social safeguard requirements of WB (OP 4.12 on Involuntary Resettlement).

8. **Compensation and allowances provided.** Payment of compensation and cash assistance was done in seven installments, starting in January 2013 until April 2014. A total of VND 81,578,241,687 were paid in compensation and cash assistance to the 120 AHs and 1 private hospital affected by the permanent acquisition of their properties and the 38 AHs affected by the restricted use of their farmlands inside the transmission line's right-of-way (ROW). In addition, cash assistance provided to 69 entitled AHs amounted to VND 37,171,889,516.

9. **Conclusion.** It is the view of this DDR that the manner in which land acquisition was carried out in 2012-2014 for the 500 kV Cau Bong SS was generally consistent with the resettlement policy of PTIP. The due diligence review, however, has identified some shortcomings. Corrective actions are proposed in this DDR to make land acquisition and compensation carried out in 2012-2014 consistent with the resettlement policy of PTIP.

³ With the exception of 1 household, all affected households, including a hospital, have already received their compensation money. Legal ownership over an affected land is the reason why 1 household has not yet received its compensation money. The People's Court has yet to resolve the case.

I. INTRODUCTION

A. Overview of the Sub-project

1. Recognizing the need to overcome current constraints in the power sector to ensure that the rapidly growing electricity demand could be met in an economically and environmentally sustainable manner, the Government of Viet Nam (GOV) approved in 2011 the National Power Sector Development Master Plan VII (PDMP VII). Under PDMP VII, the government approved multiple power generation and transmission projects to be implemented during 2011-2020.

2. The Asian Development Bank (ADB) on 16 December 2011 approved a multi-tranche financing facility (MFF) in the amount of \$730 million for the Power Transmission Investment Program (PTIP). The Executing Agency (EA) is the National Power Transmission Corporation (NPT), Vietnam's state-owned electricity transmission company that is responsible for the planning and nationwide distribution of electricity. The Southern Power Project Management Board (SPPMB), responsible for the operation of the power system in central Vietnam, is the Implementing Agency (IA). PTIP is consistent with PDMP VII's objective of addressing the growing electricity demand of industrial, commercial, and residential consumers throughout Viet Nam, in addition to improving the operational effectiveness and efficiency of NPT. One component of the investment program is to expand Viet Nam's power transmission network by financing the construction of 500 kV and 220 kV transmission lines and associated substations. PTIP is anticipated to consist of four financing tranches. ADB approved Tranche 1 in December 2011 and Tranche 2 in November 2012. Tranche 3 is currently being prepared under Project Preparation Technical Assistance (PPTA) No. 7742-VIE.

3. The installation of a second transformer bank for the existing 500 kV Cau Bong SS is one of 9 subprojects being proposed for inclusion in Tranche 3. The substation is located in the rural area of Tan Phu Trung Commune, Cu Chi District, Ho Chi Minh City, and is surrounded by rice fields. The second transformer bank will be installed in the existing compound of the substation. No land acquisition will occur, therefore, a resettlement plan (RP) is not required. Notwithstanding, ADB safeguards policy considers the existing 500 kV Cau Bong SS as an associated facility of the proposed subproject "Second Transformer Bank for 500 kV Cau Bong Substation" under PTIP3. Thus, a due diligence review (DDR) of the 500 kV Cau Bong SS is required.

B. Purpose and Methodology of Due Diligence Review

1. Purpose of due diligence

4. According to ADB's safeguard policies, when a project to be funded by ADB is associated with another project, the bank requires a due diligence review of how land acquisition for the latter was carried out and to identify corrective actions, as needed, to make the same consistent with the agreed resettlement policy of the ADB-assisted project. Specifically, the objectives of the due diligence review were to:

- a. Determine if the procedures of land acquisition undertaken by SPPMB in 2012-2014 in connection with the construction of the 500 kV Cau Bong SS was consistent with the agreed resettlement policy of PTIP (see **Chapter IV** for a detailed discussion of the PTIP resettlement policy);

- b. Propose corrective actions for any shortcomings in the way SPPMB carried out land acquisition vis-à-vis the agreed resettlement policy of PTIP.

2. Methodology of due diligence

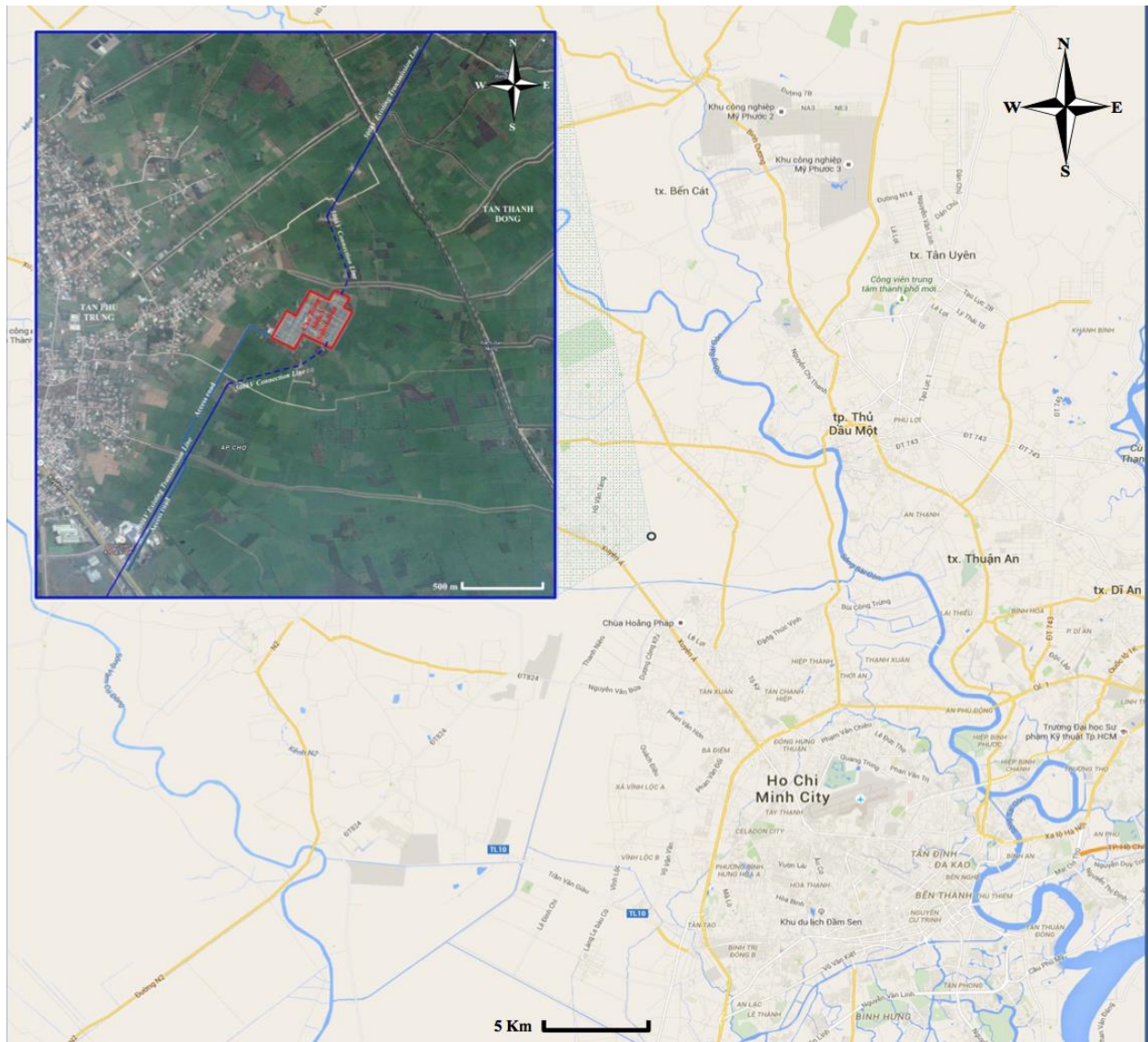
5. PPTA consultants hired by ADB conducted the due diligence review in March 2015. The following activities were carried out in the DDR:

- c. Desk study: reviewed available documents that included (i) the resettlement action plan (RAP) for the 500 kV Cau Bong SS plus connecting transmission line (TL) and 110 kV Cau Bong SS Project; (ii) DMS records; (iii) laws applied in the project; (iv) minutes of information disclosure and public consultations held; and (v) records of complaints received. (See Appendix 3 for a list of documents reviewed).
- d. Field visits were carried out in March 2015. Interviewed during the site visits included members of the SPPMB compensation staff; members of the Cu Chi District Compensation Assistance and Resettlement Board (DCARB); commune leaders; and an affected person (AP). The objectives of the interview of the aforementioned were to verify if (i) there were project disclosure and public consultations undertaken; (ii) the APs were informed of their rights; (iii) the APs were consulted on their compensation; and (iv) if there were any outstanding issues related to APs' complaints and queries. (See **Appendix 2** for a list of persons met in the field and **Appendix 3** for pictures taken during the site visit).

II. FEATURES OF THE EXISTING CAU BONG SS

6. The construction of the 500 kV Cau Bong SS was financed by the World Bank in 2012 under Agreement for Credit 4107-VN which aimed to (i) meet the growing load demand of the southern power system, especially Ho Chi Minh City; (ii) ensure the stability and safety of power supply; and (iii) enhance the grid connection capability of southern power system in accordance with the National Power Development Plan. The Cau Bong SS with 550 kV and 220 kV switchyards became operational in May 2014.

Figure 1: Location of the 500/200 kV Cau Bong SS



7. Features of the 500 kV Cau Bong SS and associated facilities are summarized in table below.

Table 1: Salient features of the WB-funded 500 kV Cau Bong SS

I. 500 kV Cau Bong SS	
Location	Tan Phu Trung Commune, Cu Chi District, Ho Chi Minh City.
Proposed land acquisition area for construction of a 500 kV Cau Bong SS	163,718.33 m ² including: <ul style="list-style-type: none"> - Area for construction of a SS: 113,814 m² - Area for construction of an access road: 32,279 m² - Area for construction of an irrigation canal: 17,625.33 m²
Voltage level	500 kV
Capacity	500/220 kV transformer: 2 x (3x200) MVA (installation of 1 x (3x200) MVA in stage 1). 220/110 kV transformer: 3x250 MVA (installation of 2x250 MVA in stage 1).
II. 500 kV connection TL	
Voltage level	500 kV
Number of circuits	02
Number of sections of connection line	02
Starting point	500 kV Cau Bong SS
Ending point to Phu Lam	ĐN1.1 – between towers 1115 and 1116 of the existing two-circuit 500 kV Tan Dinh – Phu Lam TL. ĐN1.2 – between towers 3370 and 3371 of the existing one-circuit 500 kV Pleiku – Phu Lam TL.
Ending point to Tan Dinh and Dak Nong	ĐN2.1 – between towers 1112 and 1113 of the existing two-circuit 500 kV Tan Dinh – Phu Lam TL. ĐN2.2 – between towers 3367 and 33681 of the existing one-circuit 500 kV Pleiku – Phu Lam TL.
Length of the route	1.41 km including: <ul style="list-style-type: none"> - Cau Bong- Phu Lam connection: 0.74km - Cau Bong- Tan Dinh and DakNong connection: 0.67km
III. 110 kV Cau Bong SS	
Land area for 110kV Cau Bong substation	2,207.34 m ² including: <ul style="list-style-type: none"> - Area for construction of the SS: 1,697 m² - Area for construction of the 24 kV outgoing feeders: 510 m²
Voltage level	110/22-15 kV
Capacity	02x63MVA = 126 MVA.
110 kV side	The main electrical diagram on 110 kV side of 500 kV Cau Bong SS is the one with 2 bus-bars and bus coupler and 14 bays (11 bays are installed in the first stage). The two 110kV bays for 110/22-15 kV power transformer of 110 kV Cau Bong SS are two stand-by bays of 110 kV switchgear.
22kV side	The electrical diagram is the one with 1 bus-bar and bus coupler and 18 cubicles of 24 kV installed in house.
15 kV side	The electrical diagram is the one with 1 bus-bar and bus coupler, including 14 cubicles of 24 kV (operated at 25 kV level) installed in house.

Source: Resettlement Plan of 500 kV Cau Bong SS and 500 kV TL and 110 kV Cau Bong SS, 2012.

III. FINDINGS OF THE DUE DILIGENCE REVIEW

A. DMS Process

8. Land acquisition for the Cau Bong SS and safety restrictions imposed on the continued use of land within the connecting transmission line's ROW occurred only in Tan Phu Trung Commune in Cu Chi District, Ho Chi Minh City. A working group spearheaded by Cu Chi District Compensation Assistance and Resettlement Board (DCARB) carried out in March to September 2012 the detailed measurement survey (DMS) of affected assets. Other members of the DMS working group included representatives of SPPMB, the cadastral office of Tan Phu Trung Commune People's Committee (CPC), and the AHs. The DMS forms included details of the type and area of affected land and other assets, and bore the signatures of members of the DMS working group and representatives of the AHs. ***DMS records reviewed did not contain socioeconomic information on the AHs, and neither were the vulnerable AHs (e.g., woman-headed with dependents; headed by the elderly or person with disability; and poor households) identified in the DMS.*** (See Section V for corrective action).

B. Impacts of the 500 kV Cau Bong SS

9. A total of 120 households, consisting of 433 persons, one private organization (i.e., a hospital), and the Tan Phu Trung CPC were adversely affected by the permanent acquisition of their landholdings. Among the 120 affected households (AHs), 19 were not residents of Tan Phu Trung Commune but had registered addresses in adjoining communes. An addition of 38 AHs were adversely affected by safety restrictions imposed on the continued use of their farmlands in the TLs' ROW.⁴ Only agricultural lands were affected by the construction of Cau Bong SS and associated facilities.

10. Of the 239,474.17 m² of affected land, 185,721.74 m² were permanently acquired, while 53,753.43 m² were adversely affected because they are located within the TL's ROW and their continued use is regulated for safety reasons. Of the 185,721.74 m² permanently acquired land, 174,571.6 m² (94.0%) belonged to 120 AHs, while 735.5 m² (0.4%) belonged to a private hospital. The Tan Phu Trung CPC lost 10,414.64 m² (5.6%) of roadway and waterway. No houses were affected, but 3 secondary structures (i.e., cyclone wire fence and brick fence) and 2,742 trees of various species had to be acquired by the project.

Table 2: Scope of land Acquisition

AHs		Private Organization		Affected Public Land (m ²)	Other Structures	Trees/Timbers
Number	Affected Land (m ²)	Number	Affected Land (m ²)			
120	174,571.6	1	735.5	10,414.64	3	2,742

⁴ The two 500 kV transmission lines connecting Cau Bong SS to the 500 kV Tan Dinh – Phu Lam TL at Phu Lam and Dak Nong have an aggregate length of 1.41 km, consisting of six towers with a height 52 m to 63 m. The width of the ROW is 35 m (i.e., 17.5 m from the TL's centerline). The ROW is the area where the transmission cables will be installed above the ground. While land under the ROW will not be acquired, the activities of the landowners thereon will be restricted for safety reasons (i.e., from electro-magnetic shocks emanating from the high tension wires). Within the ROW, the vertical distance of the top of an object to any point of the TL cable must not be less than 6.0 m as prescribed by Decree No. 14/2014/ND-CP (previously Decree No. 106/2005/ND-CP). In addition, the construction of six towers required the permanent acquisition of land where the tower foundations were located. Rice and crops can be grown in the ROW, but not trees. Houses and similar structures are not allowed under the 500 kV TL.

C. Calculation of Compensation and Cash Assistance

11. The Ho Chi Minh City People’s Committee (HCMCPC) issued the price frame for computing compensation for affected land in Decision No. 35/2010/QĐ-UBND. A similar decision was also issued for the unit costs of other affected assets, such as crops and trees. The compensation unit price applied was established by the Department of Finance and then approved by HCMCPC. The appraisal of unit price at the time of commencement of the project was carried out by an independent inspection agency commissioned by the Department of Finance. The actual compensation rates applied for the Project were at market rates, or even higher than the rates proposed in the RAP. This was confirmed in the report of the external monitoring agency (EMA). Compensation for permanently acquired lands and other assets (e.g., trees and crops) was at full replacement cost. Compensation for agricultural lands affected by safety restrictions for being within the TL’s ROW was equivalent to 80% of the unit cost of farmlands. Cash assistance was also provided to AHs losing productive lands. One type of assistance was for changing job, and the amount given was equivalent to 2.98 times the replacement cost of the AH’s project-acquired land. Another type of assistance was for life stabilization wherein AHs affected by the loss of 30% to 70% of their agricultural landholdings (no relocation required) were each entitled to receive cash assistance equivalent to VND 300,000/person/month for 6 months, while those affected by the loss of more than 70% of their agricultural land (no relocation required) were each entitled to receive cash assistance equivalent to VND 300,000/person/month for 12 months. No assistance was provided to vulnerable AHs; vulnerability was not determined in the DMS. ***The DDR found two issues regarding the calculation of compensation and cash assistance, thus: (i) per PTIP resettlement policy, AHs that lost 10% or more of their productive lands and income earning assets (not 30% or more as implemented by DCARB) are severely impacted and should also be entitled to life stabilization assistance; and (ii) because the DMS did not look into who among the AHs were vulnerable, no additional measures to help improve the situation of vulnerable AHs, if there were any, were reflected in the approved compensation plans.*** (See Section V for corrective actions).

D. Amounts of Compensation and Cash Assistance Provided

12. A total of VND 81,578,241,687 were paid in compensation and cash assistance to the 120 AHs and 1 private hospital affected by the permanent acquisition of their properties and the 38 AHs affected by the restricted use of their farmlands inside the TL’s ROW.⁵ Of this amount, VND 34,469,225,125 (42.2%) was payment for permanently acquired annual cropland (i.e., paddies), while VND 8,600,548,800(10.5%) was payment to the 38 AHs affected by the restriction imposed on the continued use of their land within the TL’s ROW. Compensation for perennial cropland (i.e., fruit-bearing tree land) amounted to VND 652,312,500 (0.8%), while compensation for the affected land of the hospital amounted to VND 148,754,875(0.2%).

Table 3: Total Cost of Land Acquisition

No.	Items	Amount (VND)
A	Compensation and assistance for affected households and organization (1+2+3+4+5)	81,578,241,687
1	Compensation and assistance for affected land	43,870,841,300
1.1	Annual crop land	34,469,225,125
1.2	Perennial crop land	652,312,500
1.3	Land of the organization	148,754,875
1.4	Assistance for agricultural land within the ROW	8,600,548,800
2	Trees and crops	475,766,775

⁵ Under government regulations, Tan Phu Trung CPC was not entitled to compensation for its affected landholdings.

No.	Items	Amount (VND)
3	Other structures	59,744,096
4	Other assistance policies	507,000,000
5	Job change support	36,664,889,516
B	Budget for Resettlement Committee (A x 2%)	1,631,564,833.74
C	Contingency cost (A x 10%)	8,157,824,168.7
Total land acquisition cost (A+B+C)		91,367,630,689.44

13. Cash assistance provided to 69 entitled AHs amounted to VND 37,171,889,516. Of this amount, cash assistance for changing one's job totaling VND 36,664,889,516 (98.6%) was given to 32 AHs. Twenty AHs that lost more than 70% of their productive lands were provided a total of VND 390,800,000 (1.1%) of life stabilization allowance, while 13 AHs that lost 30-70% of their productive lands were given a total of VND 106,200,000 (0.3%) of life stabilization allowance.

Table 4: Amounts of Assistance Provided

Type of Assistance	Number of AHs	Amount of support (VND)
Support for change of job	33	36,664,889,516
Support for living stabilization and production stabilization for HHs losing from 30% to 70% of their agricultural landholdings, no relocation is required	13	106,200,000
Support for living stabilization and production stabilization for HHs losing more than 70% of their agricultural landholdings, no relocation is required	20	390,800,000
Bonus	4	10,000,000
Total		37,171,889,516

14. Payment of compensation and cash assistance was done in seven installments, starting in January 2013 until April 2014. With the exception of the household of Nguyen Thi Thau, which is embroiled in a family dispute over its affected property, all of the AHs have already received their compensation and cash assistance. The People's Court is currently hearing the case of the family of Nguyen Thi Thau. Meanwhile, the compensation and cash assistance of said household is in a bank account under the name of the District Compensation and Assistance Board.

E. Restoration/Improvement of Livelihoods and Standard of Living

15. The external monitoring consultant reported in November 2014 that among 36 AHs interviewed, 26 AHs (72.2%) claimed that their livelihoods had been restored to their pre-project levels, while 10 AHs (27.8%) claimed that their livelihoods improved by 10% to 20% from their pre-project level.

F. Public consultation and information disclosure

16. During project preparation stage, SPPMB and consultants conducted in July 2011 public consultations with district authorities, Tan Phu Trung Commune officials, and AHs about the preliminary design of the substation and the initial routing of the connecting TLs, including anticipated impacts. Feedbacks from local authorities and AHs were considered in the finalization of the project design. Similarly, during project implementation, 3 rounds of consultations and information disclosure were held. The first was held to announce the approval of the 500/220 kV Cau Bong SS and connecting TLs. The second consultation was held when the compensation plan of the AHs was initially prepared to get feedbacks from the affected households. The last consultation was held to announce the approval of the compensation plan

of the AHs. ***The DDR did not find any issue regarding public consultation and information disclosure.***

G. Grievance redress

17. There was no complaint received by project authorities related to land acquisition. As provided for in the RAP, the grievance redress mechanism consisted of four steps. Step 1: AH lodges its complaint to CPC; Step 2: AH lodges its complaint to DPC; Step 3: AH lodges its complaint to Ho Chi Minh City PC; and Step 4: AH brings its complaints to the People's Court. ***The DDR did not find any issue regarding grievance redress.***

H. Gender and Vulnerable Groups

18. There were no gender issues reported during the implementation of the RAP. Persons interviewed during the due diligence review, including the AP, confirmed that women APs participated in the consultations, DMS, and during payment of compensation. With regards vulnerable group, the DMS did not identify and classify vulnerable households, with the exception of the poor. Cash assistance was provided to poor AHs at VND 5,000,000 per household as specified in Ho Chi Minh City PC's Decision No. 35/2010/QD-UBND. ***As pointed out earlier, this DDR has taken note of the fact that the DMS did not determine who among the AHs were vulnerable.*** (See Section V for corrective action).

I. Monitoring

19. SPPMB hired an external monitoring agency (EMA) to do bi-annual monitoring of the implementation of land acquisition. The EMA submitted its final monitoring report in November 2014. ***The DDR did not find any issue regarding monitoring.***

IV. RESETTLEMENT POLICY OF PTIP

20. Project principles and entitlements embodied in the agreed 2011 Resettlement and Ethnic Minority Development Framework (REMDF) were used in examining whether or not land acquisition carried out in 2012-2014 in connection with the construction of the 500/220 kV Cau Bong SS was consistent with PTIP resettlement policy.

A. Principles

21. To address the discrepancies between the ADB 2009 Safeguard Policy Statement (SPS) and relevant Government of Vietnam (GOV) regulations the Project principles on resettlement are as follows:

- a. Involuntary resettlement and impacts on land, structures and other fixed assets will be avoided or minimized where possible by exploring all alternative options.
- b. Compensation and assistance will be based on the principle of replacement cost at the time of implementation.
- c. Severely affected household (SAH) is considered when they are losing 10% or more of the household's assets shall be considered as threshold.
- d. Displaced persons without title or any recognizable legal rights to land are eligible for compensation for non-land assets at replacement cost.
- e. Residential and agricultural land for replacement should be close to the previous places as much as possible and be suitable to displaced persons.
- f. Meaningful consultation will be carried out with the displaced persons and concerned groups and ensure participation from planning up to implementation. The comments and suggestions of the DPs and communities will be taken into account.
- g. The RP or REMDP will be disclosed to DPs in a form and language(s) understandable to them
- h. Resettlement identification, planning and management will ensure that gender concerns are incorporated.
- i. Special measures will be incorporated in the resettlement plan to protect socially and economically vulnerable groups such as households headed by women, children, disabled, the elderly, landless and people living below the generally accepted poverty line.
- j. Existing cultural and religious practices will be respected and preserved, to the maximum extent practical.
- k. Culturally appropriate and gender-sensitive social impact assessment and monitoring will be carried out in various stages of the subproject.
- l. Resettlement transition stage should be minimized. Restoration measures will be provided to displaced persons before the expected starting date of construction in the specific location.
- m. Budget for payment of compensation, assistance, and resettlement and support will be prepared sufficiently and made available during subproject implementation and by the provinces.
- n. Reporting and independent monitoring should be defined clearly as part of the management system of resettlement. Independent assessment of the duration and results of the land recovery should be carried out.
- o. The NPT will not issue notice of possession to contractors until the NPT are officially confirmed in writing that (i) payment has been fully disbursed to the displaced persons and rehabilitation measures are in place (ii) already- compensated, assisted displaced persons have cleared the area in a timely manner; and (iii) the area is free from any encumbrances. The satisfactory resettlement to be ascertained by the

independent monitor before start of the civil works.

- p. Cut-off date is the date of completing DMS for which land and/or assets affected by the Subproject are inventoried.

B. Entitlements

- 22. Table overleaf outlines the entitlements of AHs as mandated by the PTIP resettlement policy.

Table 5: Entitlement Matrix

Entitled Persons	Type and Level of Impact	Compensation Policy	Implementation Issue
A. Agricultural Land			
A.1: Temporarily Affected Agricultural Land			
Owners with LURC, owners in process of acquiring LURC, owners eligible to acquire LURC AND public organizations	Loss of use of the land for a period less than 1 year	No compensation for land; however, the Subproject will: (a) Pay the rent in cash, which will be no less than the net income that would have been derived from the affected property during disruption. (b) Restore of land within 1 month after using to its previous or better quality OR pay full replacement cost to the land owner if it fails to restore the affected land within 1 month after use of land	Subproject is responsible to restore the borrowed land within 1 month after use of land or negotiates with DPs to restore and pay for them. PPMBs and EMA are in charge of monitoring on restoration of the affected land. Full payment for AHs at least 03 months before site clearance
	Loss of use of land exceeds 1 year.	No compensation for land; however, the Subproject will: a/ Pay the rent in cash, which will be no less than the net income that would have been derived from the affected property during disruption. , b/ Restore of land within 1 month after using to its previous or better quality OR pay full replacement cost to the land owner if it fails to restore the affected land within 1 month after use of land. Or DP can ask the Subproject to acquire permanently that land affected at replacement cost	
User with lease or temporary right	Loss of use of the land for a period less than 1 year	No compensation for land; however, the Subproject will: a/ Pay the rent in cash, which will be no less than the net income that would have been derived from the affected property during disruption. , b/ Restore of land within 1 month after using to its previous or better quality OR pay full replacement cost to the land owner if it fails to restore the affected land within 1 month after use of land	Subproject is responsible to restore the borrowed land within 1 month after use of land or negotiates with DPs to restore and pay for them. PPMBs and External monitoring agency (EMA) is in charge of monitoring on restoration of the affected land. Full payment for AHs at least 03 months before site clearance
	Loss of use of land exceeds 1 year	No compensation for land if returned to original user; however, the Subproject will: (a) Pay the rent in cash which will be no less than the net income that would have been derived from the affected property during disruption. (b) Restore of land within 1 month after using to its previous or better quality OR pay full replacement cost to the land owner if it fails to restore the affected land within 1 month after use of land. Or DP entitled to compensation for the remaining value of the lease contract	
Non-titled user		No compensation for land; however, the Subproject will pay cash compensation for loss of standing crops and trees at market prices (see D, below).	Compensation will be at least equivalent to income lost as a result of the temporary acquisitions of the land.
A.2: Permanently Affected Agricultural Land			
Owners with LURC, owners in	More than 10 percent or more of total	(a) As a priority, allocation of replacement land: (i) equal in area to affected	If remaining land holding is not

Entitled Persons	Type and Level of Impact	Compensation Policy	Implementation Issue
<p>process of acquiring LURC, owners eligible to acquire LURC</p> <p>AND public organizations</p>	<p>productive landholding affected</p>	<p>land up to a maximum of land quota in the locality; (ii) of same category (or productive capacity); (iii) at a location satisfactory to DP; (iv) with full title in the names of both the household head and his/her spouse; and (v) without charge for taxes, registration and land transfer charges; and</p> <p>(b) Economic rehabilitation package (see G, below);</p> <p>Or, if DP opts,</p> <p>(a) Cash compensation at replacement cost); and,</p> <p>(b) Economic rehabilitation package (see G, below).</p>	<p>economically viable i.e. is too small to be economically cultivated, the Subproject will acquire the entire land holding and not just the affected portion. The size of the entire holding will be the basis for providing replacement land or cash compensation. The economically remaining land area will be identified by DCARC for each case.</p> <p>DCARCs will determine whether the remaining holding can be viable or not and take care of this issue during DMS implementation.</p> <p>Full payment for AHs at least 01 months before site clearance</p>
	<p>Less than 10 percent of total productive landholding affected; OR No suitable replacement land available</p>	<p>Cash compensation at replacement cost at current market prices for affected portion if remaining holding is viable;</p> <p>OR</p> <p>Cash compensation at replacement cost at current market prices for entire landholding, if remaining holding is not viable.</p>	<p>Implemented by DCARCs Decided by DPCs</p>
	<p>Affected landholding located in urban, peri-urban or rural residential area, as per approved land use plan</p>	<p>(a) Cash compensation at replacement cost for affected land; and</p> <p>(b) Additional cash allowance equal to 20 percent of the agricultural land value but the supported area is not exceeding 5 (five) times of the land quota in the locality.</p>	<p>Implemented by DCARCs Decided by DPCs</p>
	<p>Affected land lying intermixed with residential areas but un-certified as residential land; pond and garden land lying the same area containing residential houses along canals and along transportation lines.</p>	<p>(a) Cash compensation at replacement cost for affected land; and</p> <p>(b) Additional cash allowance equal to 40 percent of the agricultural land value but the supported area is not exceeding 5 (five) times of the land quota in the locality.</p>	<p>Implemented by DCARCs Decided by DPCs</p>
	<p>Affected landholding is under dispute.</p>	<p>Compensation (for land and all non-land affected assets on the affected land) held in escrow account until land dispute is resolved.</p>	<p>Implemented by DCARCs Decided by DPCs</p>
<p>User with lease or temporary rights</p>	<p>Any impacted items</p>	<p>Cash compensation equivalent to 30 percent of replacement cost for affected land;</p> <p>OR,</p> <p>Cash compensation for loss of net income for the remaining leased or assigned period, whichever is higher.</p>	<p>Preceding note on viability of remaining (unaffected) portion of plot also applies</p> <p>Implemented by DCARCs</p>
<p>Non-titled user</p>	<p>Any impacted items</p>	<p>(a) No compensation but to be supported for affected land at the same</p>	<p>For non-titled DPs with no other</p>

Entitled Persons	Type and Level of Impact	Compensation Policy	Implementation Issue
		<p>compensation price for the land with lowest position in the land categories of the province, and</p> <p>(b) Economic rehabilitation package in lieu of compensation (see G, below).</p>	productive landholdings, local authorities will allocate replacement land with temporary or lease land rights
Eligible organizations	Any impacted items	<p>(a) No compensation for affected land but support equivalent with 70% of compensation value of the affected land; and</p> <p>(b) Cash compensation at current market prices for all non-land affected assets on the affected land and allowance for transfer assets, if any.</p>	The compensation amount must be paid to account of affected commune and used for infrastructure improvement of the commune
A.3 Impact on productive land in ROW			
All AHs have trees/fruit trees in ROW	Partially impact or totally impact	<p>(a) No compensation for land.</p> <p>(b) Compensation for fruit trees and others at market price.</p>	<p>Affected land in ROW will be rehabilitated by contractors after the subproject construction and land in ROW could be used with the restricted purposes. (Described in Decree 81, 2009, article 1)</p> <p>AHs can be required to cut affected trees, subproject will pay for this work.</p>
B. Residential and/or non-agricultural land			
B.1. Temporarily Affected Residential and/or Non-Agricultural Land			
Owners with LURC, owners in process of acquiring LURC, owners eligible to acquire LURC	Temporary loss of use of land	<p>No compensation for land; however,</p> <p>(a) The Subproject will pay rent to DPs during temporary use; and</p> <p>(b) Compensation for any demolished structures at replacement cost; and</p> <p>(c) Restore land within 1 month after use to its previous or better.</p>	<p>Rent will be determined so as to be not less than the amount of income foregone due to the temporary loss of this land</p> <p>PPMBs and EMA are in charge of monitoring contractors on restoration of the affected land.</p>
User with lease or temporary right	Temporary loss of use of land	<p>No compensation for land; however,</p> <p>(a) The Subproject will pay rent to DPs during the temporary use or compensation for the remaining value of the contract; and</p> <p>(b) Compensation for any demolished structures at replacement cost; and</p> <p>(c) Restore land within 1 month after use of land to its previous or better quality.</p> <p>OR, if DP opts:</p> <p>(a) Compensation for any demolished structures at replacement cost; and</p> <p>(b) Compensation for the remaining value of the contract. c/ Restore land within 1 month after use of land to its previous or better quality.</p>	<p>Rent will be determined so as to be not less than the amount of income foregone due to the temporary loss of this land</p> <p>PPMBs and EMA are in charge of monitoring contractors on restoration of the affected land.</p>
B.2. Permanently Affected Residential and/or Non-Agricultural Land			
Owners with LURC, owners in process of acquiring LURC,	Loss of residential and/or non-agricultural landholding without houses	As a priority, allocation of replacement land: (i) equal to area of affected land up to a maximum of land quota in province of subproject; (ii) of same	(a) The DPC will determine availability of replacement land

Entitled Persons	Type and Level of Impact	Compensation Policy	Implementation Issue
owners eligible to acquire LURC	and structures built thereon	<p>type (e.g., residential, commercial); (iii) at a location satisfactory to DP; (v) with full title in the names of both the household head and his/her spouse; and (vi) without charge for taxes, registration and land transfer charges;</p> <p>OR, if DP opts, Cash compensation at replacement cost for the affected land. The compensated area does not exceed the residential land quota in the locality</p>	<p>(b) Affected landholding is under dispute: Compensation held in escrow account until land dispute is resolved. (c) Full payment for AHs at least 03 months before site clearance</p>
	Affected landholding exceeds area of land quota.	<p>(a) Cash compensation for the area greater than land quota at replacement cost based on current market prices for agricultural land plus an allowance equal to 40% of the affected residential land value; and (b) Cash compensation at replacement cost for non-land affected asset (see C below).</p>	
	Loss of residential land/or non-agricultural landholding with houses and structures built thereon.	<p>DP will be entitled to one of the following options: (i) Stay and rebuild their houses/structures on the remaining land if viable, and cash compensation at replacement cost for the affected land area and the affected house/structures without depreciation of salvable materials, plus package of rehabilitation allowances (see G); OR</p> <p>(ii) Relocation in resettlement site with cash compensation at replacement cost for the affected house/structures without depreciation of salvable materials, plus package of rehabilitation allowances (See G). If amount of compensation is lower than value of a standard plot or apartment in resettlement site, the difference payment is not required; OR</p> <p>(iii) Self-relocation with cash compensation at replacement cost for affected land and house/structures without depreciation of salvable materials, plus package of rehabilitation allowances (see G); and relocation household is entitled to support by cash for preparation of housing foundation equal to the average investment value in infrastructure of a standard plot in resettlement site.</p>	<p>(a) Infrastructure in relocation site will be constructed by subproject. The resettlement sites are all close to the affected area and with completed infrastructures. (b) Affected landholding is under dispute: Compensation held in escrow account until land dispute is resolved.</p>
	Loss of residential land/or non-agricultural land	<p>(a) Cash compensation for the remaining value of contract, and (b) Cash compensation at replacement cost for house/structures on affected land, and (c) Package of rehabilitation assistance (see G below).</p>	Local authorities assist DP to find alternative land.
Non-titled user	Loss of residential land or non-agriculture land	<p>No compensation for affected land; however, (a) Non-titled DP entitled to compensation for affected structures (see C, below), and (b) Package of rehabilitation allowances (see G below)</p>	<p>(a) In case of non-titled DP has no other residential land/or non- agriculture land: Local authorities should consider to allocate replacement residential land or house with full title and plus package of rehabilitation allowances (b) In case of non-titled DP has no other</p>

Entitled Persons	Type and Level of Impact	Compensation Policy	Implementation Issue
			non-agriculture land: Local authorities should consider to allocate replacement non- agriculture land with temporary of lease land right.
Eligible organizations	Loss of non-agricultural land	(a) No compensation for land if land use fee is unpaid or paid by state funds, otherwise cash compensation for land at replacement cost; and (b) Cash compensation for affected structures and allowance of relocation if any.	
B3. Impact on residential land in ROW			
All AHs have house/Structure and trees in ROW	<p>Partially impact on house or structures in ROW (affected area less than 50% of total land area without any impact to the remaining structures of the house/building</p> <p>Demolishing partial or totally impact on house/structures (impact > 50%, or less than 50%)</p>	<p>(a) No compensation for land.</p> <p>(b) Retain their houses in ROW according to the conditions regulated by Article 6 of Decree No. 106/2005/NĐ-CP and Cash compensation for directly affected parts of the houses at the replacement cost and cost for demolishing the affected part.</p> <p>(c) Support for utilization restricted land</p> <p>(a) No compensation for land.</p> <p>(b) AH could chose one of the following options:</p> <p>(c)Retaining their houses or building in ROW according to the conditions regulated by Article 6 of Decree 106/2005/NĐ-CP. Allowance for purchasing fireproof materials and lightning arrestors for the existing house/building.</p> <p>(d) Cash compensation at replacement cost for full areas of affected house/structure and cost for demolishing AHs' houses in ROW.</p> <p>(e) Support for utilization of restricted land</p>	<p>AHs will demolish the impacted part/structures and reconstruct or improve their houses themselves.</p> <p>Affected land in ROW will be rehabilitated by contractors after the subproject construction and land in ROW could be used with the restricted purposes.</p> <p>Consulting with AHs on options of retaining their house in ROW or removing out of ROW</p>
C. MAIN HOUSES AND/OR SHOPS AND OTHER STRUCTURES OR PROPERTY			
C.1. Main Structures (Houses and/or Shops)			
Owners of houses/ structures	House/Structure partially affected and remaining portion can be used	<p>(a) Cash compensation at replacement cost for materials and labor for affected portion with no deduction for depreciation or salvageable materials; and</p> <p>(b) Repair allowance (see G, below).</p>	
Owners of house or combined house/shop structures	Structure totally affected OR Structure partially affected and remaining portion no longer viable	<p>(a) Cash compensation at replacement cost for materials and labor for whole affected structure with no deduction for depreciation or salvageable materials; and</p> <p>(b) Relocation and subsistence allowances (see G, below).</p>	
Owners of shop	Structure totally affected OR Structure partially affected and remaining portion no longer viable	<p>(a) Cash compensation at replacement cost for whole affected structure for materials and labor with no deduction for depreciation or salvageable materials; and</p> <p>(b) Relocation allowance (see G, below).</p>	

Entitled Persons	Type and Level of Impact	Compensation Policy	Implementation Issue
Tenant	Structure partially affected and remaining portion viable	(a) Cash compensation to the structure owner for the whole affected structure at replacement cost with no deduction for depreciation or salvageable materials; and (b) Repair allowance to the structure owner (see G, below). (c) Tenant may remain with owner's agreement.	Notice to tenants by owner at least two (2) months in advance
	Remaining structure no longer viable, OR Tenant opts to move	(a) Cash compensation to the structure owner for the whole affected structure at replacement cost with no deduction for depreciation or salvageable materials; and (b) Rent allowance equivalent to 6 months' rent or the remaining value of the rental contract (whichever is higher); and, (c) Assistance to find new, affordable rental accommodation; and (d) Relocation allowance (see G, below)	
C.2. Other Structures, e.g., kitchens, toilets, animal sheds, fences, foundations, etc.			
Owners of structures	Partially or totally affected structures or other property	Cash compensation at full replacement cost for materials and labor and with no deduction for depreciation or salvageable materials; OR Cash or in-kind assistance to relocate affected structures or property; OR Cash assistance to repair of property to original or better condition (see G, below).	Owners of structures are entitled to compensation regardless of whether or not they possess a) land use rights to the land OR b) Construction permits for the structures
	Graves / tombs-yard/cemetery	All costs of excavation, relocation and reburial will be reimbursed in cash to the affected family as prescribed in PPC's regulation. If the tombs-yard is required, the place and layout of the yard shall be decided by the affected households and the costs for the yard constructions shall be made by the Subproject.	Compensation to be paid directly to DPs. For ownerless affected graves / tombs, compensation will be given to Commune PC to relocate them to new site. Graves to be exhumed and relocated in culturally sensitive and appropriate ways according to Customary rights. The place and layout of the yard shall be consulted with communities and affected peoples
D. Annual and perennial crops, fruit and timber trees and tree/plant fences			
Owners of crops and/or trees	Loss of annual crops	If standing crops are ripening and cannot be harvested, cash compensation of un-harvested crops at market values based on the average production over past 3 years.	A minimum of 2 months' notice to harvest crops; Owners of crops and/or trees are entitled to compensation regardless of whether they possess land use rights
	Loss of perennial crops, fruit and timber trees and tree fences	Cash compensation at current market prices given the type, age and productive value of the affected crops and/or trees.	Compensation must equal in value to crops that would be harvested had

Entitled Persons	Type and Level of Impact	Compensation Policy	Implementation Issue
			<p>acquisition not occurred.</p> <p>A market survey shall be carried out when updating the RP or REMDPs</p>
E. COMMUNITY AND PUBLIC RESOURCES/ASSETS			
Village, Ward, Government Unit	<p>Loss of community buildings and infrastructure</p> <p>(School building, Hospital, offices buildings, religious infrastructures etc.)</p>	<p>Repair or restoration to original or better conditions of affected community buildings and infrastructures at no cost to community; OR</p> <p>Replacement, if necessary, at locations identified in consultation with affected communities and relevant authorities, at no cost to community; OR</p> <p>Cash compensation at replacement cost based on current market prices for affected community assets.</p>	<p>If income loss is expected (e.g. irrigation, community forest, community grazing land, income from fishpond), the village, commune or district authority is entitled to compensation for the total production loss (over 3 years); this compensation should be used collectively for income restoration measures and/or new infrastructure.</p>
	Publicly owned utilities	<p>Relocation and/or rehabilitation to original or better conditions of affected public utilities, at no cost to public utility; OR</p> <p>Cash compensation at replacement cost based on current market prices for affected public utilities.</p>	<p>Relocation or reconstruction of public facilities will be done with minimal disruption to public service</p>
F. LOSS OF BUSINESSES AND INCOME SOURCES (NON-LAND BASED)			
F.1. Businesses that relocate and/or rebuild structures			
<p>Households with businesses without tax declarations, e.g., small shops</p> <p>(Including un-registered business owners)</p>	<p>Structure totally affected and must be relocated OR</p> <p>Structure partially affected and must be rebuilt.</p>	<p>(a) Cash assistance for loss of income based on the minimum wage in the respective province for the period of 3 months; and</p> <p>(b) Cash compensation for affected structures at replacement costs; and</p> <p>(c) Cash assistance for relocation (see G1), if any</p>	<p>Affected businesses will be notified 2 months in advance to relocate and/or rebuild new structures, so as to be able to continue to operate businesses while resettling.</p>
	<p>Registered business owners</p> <p>Structure totally affected and must be relocated OR</p> <p>Structure partially affected and must be rebuilt.</p>	<p>(a) Cash assistance for loss of income equal to 30% of taxable revenues of one year. Average annual taxable revenues determined on basis of financial statements for the past 3 years; and</p> <p>(b) Cash compensation for affected structures at replacement costs; and</p> <p>(c) Cash assistance for relocation (see G1), if any</p>	
F.2 Employees and Hired Laborers			
Employees and hired laborers	<p>Temporary loss of employment/work while employers re-organize, relocate and/or rebuild.</p>	<p>Cash compensation for lost wages or salary equal to basic wages or salary for each day (or month) they cannot work.</p>	
	<p>Permanent loss of employment/work due to land acquisition or relocation of employer.</p>	<p>(a) Cash assistance equal to six months wages or salary or the value of a remaining contract, whichever is higher; and</p> <p>(b) Assistance to secure new employment including relevant skills training expenses if required.</p>	

Entitled Persons	Type and Level of Impact	Compensation Policy	Implementation Issue
G. REHABILITATION ASSISTANCE			
G.1. Relocation Allowance			
All DPs have to relocate	Relocation of household and/or business effects and salvaged and new building materials.	(a) Cash assistance is minimum of VND 3,000,000 for DPs that relocate within the same province; OR Cash assistance up to VND 5,000,000 for DPs that relocate to another province.. (b) Temporary Relocation Assistance for renting temporary resettlement house: The period of assistance and administration of this provision will be as per the Provincial People's Committee regulations NB. Not applicable for AHs rebuilding on same plot.	Eligible DPs include owners of residential structures that are totally or partially affected and remaining portion is not viable; non-titled DPs allocated alternative residential land or housing; tenants; and, businesses and eligible land use/management organizations that relocate. At the time of compensation, the level of allowance will be re- evaluated to ensure the DPs have enough assistance to relocate. The resettlement sites are all close to the affected area and with completed infrastructure
G.2. Transition Subsistence Allowance			
Owners of residential structures that must rebuild.	Loss of income during period to rebuild.	Cash assistance is equal to 30 kg of rice per month per household member for 12 months valued at market price; If relocation in hard living condition area, assistance is for 24 months. Assistance is equal to 30 kg of rice per month per household member for 03 months if partial rebuilding only is required.	At time of compensation, allowance will be adjusted for inflation to ensure that DPs have sufficient resources to meet basic food and non-food expenditures.
G.3 Repair Allowance			
Owners of partially affected principal structures; AND Owners of other affected structures.	Damage due to dismantling of part of principal structure, or part or all of other structure	Cash assistance based on actual costs to repair the remaining part	
G.4 Infrastructure Development Allowance			
Owners of structures that relocate themselves	Provision of basic infrastructure, e.g., water supply, toilet, access, drainage	Cash assistance equal to the basic cost of investment unit in infrastructure of a standard plot in resettlement site according to Decree 69/2009/ND-CP.	
G.5 Economic Rehabilitation Package			
Severely affected DPs, displaced from housing or losing 10 percent or more of their productive, income generating irrespective of tenure status.	Assistance to restore livelihoods and incomes following acquisition of agricultural land or other productive assets	AHs directly cultivate on the affected land to be entitled: (a) Losing from 10 to 30% of agricultural land holding: Cash assistance equal to 30 kg of rice (valued at market price) per month per household member for 3 months, if not relocating; for 6 months if relocating; and for 12 months if relocating in a harsh living condition area; (b) Losing more than 30% to 70% of total agriculture landholding. Cash	Value of in kind assistance to be determined during RP or REMDP implementation. Income Restoration Programs will be designed during subproject implementation with the assistance of an

Entitled Persons	Type and Level of Impact	Compensation Policy	Implementation Issue
		<p>assistance equal to 30 kg of rice (valued at market price) per month per household member for 6 months, if not relocating; for 12 months if relocating; and for 24 months if relocating in a harsh living condition area;</p> <p>(c) Losing more than 70% of total agriculture landholding Cash assistance equal to 30 kg of rice (valued at market price) per month per household member for 12 months, if not relocating; for 24 months if relocating; and for 36 months if relocating in a harsh living condition area; AND</p> <p>(d) In-kind assistance to be decided in consultation with eligible DPs. Forms of assistance may include, but are not limited to, agricultural extension assistance, and training for non-agricultural occupations. And</p> <p>(e) Participating in income restoration programs (RP or REMDP).</p>	<p>agency specialized in livelihoods/labor or vocational assistance and with the active involvement of the AHs.</p> <p>RP or REMDP shall be prepared during the RP or REMDP updating following the needs assessment of the DPs</p>
	Assistance for job changing and creation.	Cash assistance equal to 1.5 time of compensation value for affected for acquired land area but not exceed 5 (five) times of land quota in locality.	Eligibility will be confirmed during DMS.
G.6. Special allowance for social and economically vulnerable households			
Vulnerable DPs (the poor, war invalid person, woman headed household, the elderly)	Assistance to the poor and vulnerable households to improve their social and economic conditions.	<p>For the poor households, cash assistance equal to 30 kg of rice (at market price) per each family member per month for at least 6 months.</p> <p>For other vulnerable DPs, assistance of VND 2,000,000 per household to improve their social and economic conditions</p>	Eligible households are those who are classed as vulnerable under MOLISA definition.
G.7 Assistance for houses/infrastructures falling in the ROW			
All DPs affected with infrastructures	Infrastructures below the 220Kv line within the ROW	Support provided to protect the infrastructures affected with necessary equipment as per regulations	The support level for protection will the provincial regulations
G.8 Bonus to DPs that relocate on time			
All DPs that relocate		Bonus Allowance if land is handed over in a timely manner according to PPC's regulation.	

V. CORRECTIVE ACTION PLAN

23. With the PTIP resettlement policy as reference, SPPMB has identified in table below the shortcomings in the way land acquisition was carried out in 2012 – 2014 in connection with the construction of the 500/220 kV Cau Bong SS and connecting TLs. For each shortcoming identified, SPPMB proposes to carry out a corrective action for the purpose of making land acquisition that was undertaken in 2012 – 2014 consistent with the PTIP resettlement policy, albeit retroactively.

Table 6: Summary of Shortcomings and Proposed Corrective Actions

Areas of Concerns	Gaps in the 2012-2014 implementation of land acquisition vis-à-vis PTIP resettlement policy	Corrective actions	Responsible Entities	Timeline
Identification of vulnerable AHs	The DMS did not determine who among the AHs belonged to one or more of the following vulnerable groups (i.e., women-headed AH with dependents, landless and poor AH, AH headed by a disabled person or by an elderly, ethnic minority AH). Per PTIP resettlement policy, a vulnerable AH is entitled to additional assistance to help improve the social and economic condition of the household.	(i) Determine who among the 158 AHs (i.e., 120 permanent loss of land, and 38 affected by land use restrictions) were vulnerable. (ii) Prepare supplementary payment vouchers or plans for the vulnerable AH for approval by HCMCPC. (iii) Provide supplementary assistance to the vulnerable AHs.	SPPMB, DCARB, and HCMCPC	Prior to the implementation of PTIP3
Payment of life stabilization assistance	Losing 30% or more of one's total agricultural (productive) land was used for determining who were severely affected. 33 AHs (i.e., 13 lost 30% - 70%, and 20 lost more than 70% of productive lands) were deemed severely affected and for which they were provided life stabilization assistance.	(i) Review all DMs forms to find out which among the remaining 87 AHs lost 10%-29% of their total agricultural (productive) land. (ii) Prepare payment vouchers or plans for AHs that lost 10%-29% of their total agricultural (productive) land for approval by HCMCPC. (iii) Pay life stabilization assistance to the eligible AHs.	SPPMB, DCARB, and HCMCPC	Prior to the implementation of PTIP3

24. SPPMB, in collaboration with the People's Committee of Ho Chi Minh City and DCARB, will implement the aforementioned corrective actions once ADB gives its concurrence to this DDR/CAP. SPPMB will monitor the implementation of the corrective actions by DCARB and will include in its regular progress report to NPT and ADB the status of the implementation of the CAP. Following receipt of a report from SPPMB confirming that the implementation of the CAP has been completed satisfactorily, land acquisition carried out in the construction of the 500 kV

Cau Bong SS and connecting TLs will be deemed compliant with the PTIP resettlement policy and no further monitoring is required.

Appendix 1. List of documents reviewed

1. Resettlement Plan of 500 kV Cau Bong Substation and 500 kV Transmission Line Connection and 110 kV Cau Bong Substation Project, December 2012.
2. External Monitoring Report on Resettlement Plan Implementation by Joint Consultant between Sai Gon Thang Long Joint Stock Company and Thang Long Infrastructure Development Joint Stock Company, November 2014.
3. Detailed Measurement Survey records of the affected households of 500 kV Cau Bong Substation and 500 kV Transmission Line Connection and 110 kV Cau Bong Substation Project.
4. Compensation Plan No. 11/PABT of the 500 kV Cau Bong Substation and 500 kV Transmission Line Connection and 110 kV Cau Bong Substation Project prepared by the Project Compensation Assistance Resettlement Board.
5. Compensation vouchers.
6. Decisions on land acquisition of the affected households.
7. Decision No. 35/2010/QD-UBND dated May 28, 2010 by Ho Chi Minh City People's Committee on compensation, assistance, and resettlement upon land recovery by the State in Ho Chi Minh City area.
8. Decision No. 82/2011/QD-UBND dated December 18, 2011 by Ho Chi Minh City People's Committee on land prices in Ho Chi Minh City area.
9. Official Letter No. 6743/UBND-DTMT by Ho Chi Minh City People's Committee dated December 30 2011 approving the location of the 500 kV Cau Bong Substation and 500 kV Transmission Line Connection and 110 kV Cau Bong Substation Project.
10. Official Letter No. 7985/UBND-VP by Cu Chi District People's Committee dated November 14 2012 on assistance for restricted use of agricultural land of people affected by the 500 kV Cau Bong Substation and 500 kV Transmission Line Connection and 110 kV Cau Bong Substation Project.
11. Decision No. 8182/QD-UBND by Cu Chi District People's Committee dated October 5, 2012 on consolidation of the Compensation Assistance and Resettlement Board for the 500 kV Cau Bong Substation and 500 kV Transmission Line Connection and 110 kV Cau Bong Substation Project located at Tan Phu trung Commune, Cu Chi District, Ho Chi Minh City.
12. Decision No. 11798/QD-UBND by Cu Chi District People's Committee dated December 24, 2012 approving the compensation plan of the 500 kV Cau Bong Substation and 500 kV Transmission Line Connection and 110 kV Cau Bong Substation Project.

Appendix 2. List of persons met

No.	Name	Address	Position
1	Le Trong Man	SPPMB	Compensation staff
2	Nguyen Duy Nhut	Compensation Assistance and Resettlement Board	Member
3	*	Tan Phu Trung Commune	Affected person

*Name deleted for confidentiality

Appendix 3. Photos of Site Visit



Interview of affected person



Working with CARB staff