

Draft Combined Resettlement and Ethnic Minority Development Plan

June 2015

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

Tranche 3

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

Draft Combined Resettlement and Ethnic Minority Development Plan

June 2015

220 kV Binh Long- Tay Ninh Transmission Line Binh Phuoc Province Segment

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

ACRONYMS AND ABBREVIATIONS

ADB	Asian Development Bank
AHs	affected households
APs	affected persons
City PC	City People's Committee
CP	compensation plan
CPC	Commune People's Committee
CPMB	Central Power Project Management Board
DCARB	District Compensation, Assistance and Resettlement Board
DMS	detailed measurement survey
DPC	District People's Committee
DPs	displaced persons
EA	executing agency
EMA	external monitoring agency
GOV	Government of Viet Nam
HNC	Hanoi City
IA	implementing agency
IOL	inventory of losses
km	kilometer
LURC	land use rights certificate
MOLISA	Ministry of Labor, Invalid and Social Affairs
m ²	square meter
MFF	multi-tranche financing facility
NPT	National Power Transmission Corporation
PECC3	Power Engineering Consulting Joint Stock Company 3
PDP	Power Development Plan
PIB	public information booklet
PIC	project implementation consultant
RCS	replacement cost study
RE MDF	resettlement and ethnic minority development framework
REMDP	resettlement and ethnic minority development plan
ROW	right-of-way
RP	resettlement plan
SES	socioeconomic survey
SPS	Safeguard Policy Statement
TA	technical assistance
VND	Viet Nam Dong (Vietnamese Currency)

ELECTRICAL TERMINOLOGY

kV (kilovolt)	1,000 volts
MW (Megawatt)	1,000 kW
MVA (Megavolt-ampere)	1,000 kVA
Transmission System	500 kV, 220 kV, 110 kV lines
Medium Voltage Distribution (MV)	35 kV, 22 kV or 10 kV lines supplying distribution substations
Low Voltage Distribution (LV)	400/230 V distribution and service lines
Load Factor	Ratio of average power demand to maximum power demand
Electrical Losses	Difference between energy delivered and energy sent out

REMARKS

In this report, "\$" refers to US dollars.

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DEFINITION OF TERMS

- Affected household (AH) - Means any household, person, firm, private or public institution that, on account of changes resulting from the Subproject, will have its (i) standard of living adversely affected; (ii) right, title or interest in any house, land (including residential, commercial, agricultural, forest, salt mining and/or grazing land), water resources or any other moveable or fixed assets acquired, possessed, restricted or otherwise adversely affected, in full or in part, permanently or temporarily; and/or (iii) business, occupation, place of work or residence or habitat adversely affected, with or without displacement. In the case of a household, the term DP includes all members residing under one roof and operating as a single economic unit, who are adversely affected by a subproject or any of its components.
- Broad community support - Expressed consent or support of affected ethnic minority community or indigenous people (EM or IP) to the project activities where EM/IP groups are deemed to be particularly vulnerable.
- Consent of affected ethnic minority (EM) or indigenous people (IP) community - This refers to a collective expression by the affected EM Peoples communities, through individuals and/or their recognized representatives, of broad community support for the project activities. Such broad community support may exist even if some individuals or groups object to the project activities. The consent from the affected EM communities will include the formal agreements reached with EM Peoples communities and/or EM Peoples' organizations.
- Cut-off date - Coincides with the date of the start of the detailed measurement survey (DMS) of affected assets. The AHs will be informed of the cut-off date for each subproject component, and any people who settle in the subproject area after the cut-off date will not be entitled to compensation and assistance under the subproject.
- Detailed Measurement Survey (DMS) - With the aid of the approved detailed engineering design, this activity involves the finalization and/or validation of the results of the inventory of losses (IOL), severity of impacts, and list of DPs earlier done during RP or REMDP preparation. The final cost of resettlement can be determined following completion of the DMS.
- Displaced persons (DPs) - In the context of involuntary resettlement, displaced persons are those who are physically displaced (relocation, loss of residential land, or loss of shelter) and/or economically displaced (loss of land, assets, access to assets, income sources, or means of livelihoods) as a result of (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas.
- Entitlement - Refers to a range of measures comprising compensation, income restoration support, transfer assistance, income substitution, relocation support, etc. which are due to the DPs, depending on the type and severity of their losses, to restore their economic and social

	base.
Eligibility	- Means any person who has settled in the subproject area before the cut-off date that suffers from (i) loss of shelter, (ii) loss of assets or ability to access such assets, permanently or temporarily, or (iii) loss of income sources or livelihood, regardless of relocation ... will be entitled to compensation and/or assistance.
Ethnic minority (EM)/ indigenous people (IP)	- The term ethnic minority or indigenous people is used generic sense to refer to a distinct, vulnerable, social and cultural group possessing the following characteristics in varying degrees (i) self-identification as members of a distinct indigenous cultural group and recognition of this identity by others; (ii) collective attachment to geographically distinct habitats or ancestral territories in the project area and to the natural resources in these habitats and territories; (iii) customary cultural, economic, social, or political institutions that are separate from those of the dominant society and culture; and (iv) a distinct language, often different from the official language of the country or region. In the case of Viet Nam, there is a high degree of consistency between the Vietnamese definition of ethnic minorities and ADB's definition of Indigenous People. The main point of divergence is that, in the case of ADB's policy, a group that has lost collective attachment to geographically distinct habitats or ancestral territories in the project area because of forced severance remains eligible for coverage. National legislation, customary law, and any international conventions to which Viet Nam is a party are taken into account for application of the ADB policy.
Income restoration	- This is the re-establishment of sources of income and livelihood of the affected households.
Income restoration program	- A program designed with various activities that aim to support affected persons to recover their income / livelihood to pre-subproject levels. The program is designed to address the specific needs of the affected persons based on the socio-economic survey and consultations.
Inventory of losses	- This is the process where all fixed assets (i.e., lands used for residence, commerce, agriculture, including ponds; dwelling units; stalls and shops; secondary structures, such as fences, tombs, wells; trees with commercial value; etc.) and sources of income and livelihood inside the subproject right-of-way (ROW) are identified, measured, their owners identified, their exact location pinpointed, and their replacement costs calculated. Additionally, the severity of impact to the affected assets and the severity of impact to the livelihood and productive capacity of DPs will be determined.
Land acquisition	- Refers to the process whereby an individual, household, firm or private institution is compelled by a public agency to alienate all or part of the land it owns or possesses to the ownership and possession of that agency for public purposes in return for compensation at replacement costs.
Meaningful consultation	- A process that (i) begins early in the project preparation stage and is carried out on an ongoing basis throughout the project cycle; (ii) provides timely disclosure of relevant and adequate information that

is understandable and readily accessible to DPs; (iii) is undertaken in an atmosphere free of intimidation or coercion; (iv) is gender inclusive and responsive, and tailored to the needs of disadvantaged and vulnerable groups; and (v) enables the incorporation of all relevant views of DPs and other stakeholders into decision making, such as project design, mitigation measures, the sharing of development benefits and opportunities, and implementation issues

- Rehabilitation - This refers to additional support provided to AHs/DPs losing productive assets, incomes, employment or sources of living, to supplement payment of compensation for acquired assets, in order to achieve, at a minimum, full restoration of pre-project living standards and quality of life.
- Relocation - This is the physical relocation of an AH/DP from its pre-project place of residence and/or business.
- Replacement cost - The term used to determine the value enough to replace affected assets and/or cover transaction costs necessary to replace the affected assets without depreciation for such assets as well as material advantage, taxes and/or travel expenses.
- Replacement cost study - This refers to the process involved in determining replacement costs of affected assets based on empirical data.
- Resettlement - Means all social and economic impacts that are permanent or temporary and are (i) caused by acquisition of land and other fixed assets, (ii) by change in the use of land, or (iii) restrictions imposed on land, as a result of a project. This includes all measures taken to mitigate any and all adverse impacts of a subproject on DP property and/or livelihoods, including compensation, relocation (where relevant), and rehabilitation as needed.
- Resettlement plan (RP) - This is a time-bound action plan with budget setting out compensation and resettlement strategies, objectives, entitlements, actions, responsibilities, monitoring and evaluation.
- Severely affected household - This refers to affected households who will (i) lose 10% or more of their total productive land and/or assets, (ii) have to relocate; and/or (iii) lose 10% or more of their total income sources due to the subproject.
- Vulnerable group - These are distinct groups of people who might suffer disproportionately or face the risk of being further marginalized by the effects of resettlement and specifically include: (i) female headed households with dependents, (ii) disabled household heads, (iii) households falling under the generally accepted indicator for poverty, (iv) children and the elderly households who are landless and with no other means of support, (v) landless households, and (vi) indigenous people or ethnic minorities.

I. EXECUTIVE SUMMARY

1.1 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 Central Power Project Management Board (CPMB) 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.

2. With the exception of the 220 kV Vung Tàu SS¹, 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”² 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.³ (See Chapter VII for a detailed discussion of the PTIP resettlement policy).

3. 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

¹ Government has to prepare a resettlement plan (RP) for the 220 kV Vung Tau SS even if the proposed subproject only involves the installation of a second transformer bank in said substation because land acquisition for the site of the substation has not yet been completed and the construction of the substation has not yet started. The proposed 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. Relatedly, 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.

² 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.

³ Resettlement and Ethnic Minority Development Framework (REMDF), November 2011.

220 kV Binh Long – Tay Ninh TL because ethnic minority households are affected by this subproject.

4. This Resettlement and Ethnic Minority Development Plan (REMDP) has been prepared for the Binh Phuoc Province segment of the 220 kV Binh Long- Tay Ninh TL.

1.2 Scope of Resettlement Impacts

5. The inventory of losses (IOL) carried out in March-April 2015 counted 65 affected households (AHs) in Binh Phuoc, including 9 ethnic minority (EM) Stieng households in Minh Tam Commune, Hon Quan District. Of the total 439,999 m² of affected lands, 10,553 m² that belong to 45 AHs will be acquired permanently for the tower foundations. Included in the landholdings that will be acquired permanently are 8,477 m² for growing perennial trees (48 AHs); 1,557 m² of garden land (7 AHs); and 519 m² of annual crops (3 AHs). A total of 429,446 m² landholdings are located in the right-of-way (ROW) of the TL. These landholdings are impacted because, while they are not to be acquired by the subproject, the continued use of the same is regulated for safety reasons. Included among the landholdings in the ROW of the TL are 355,256 m² of perennial tree land; 52,321 m² of garden land; 19,219 m² for growing annual crops; and 2,650 m² of residential land. Of the 9 EM Stieng AHs in Minh Tam Commune, 4 AHs will lose permanently 517 m² of perennial tree land for the tower foundations. Also, all 9 EM Stieng AHs are affected by the restricted use of their landholdings in the ROW, totaling 39,405 m² of perennial tree lands. None of the AHs, including the EM households, will lose 10% or more of their productive landholdings. Moreover, All AHs either have land use rights certificates (LURCs) for their landholdings or are eligible to apply for one. There are no leased lands affected by the subproject in Binh Phuoc Province.

6. As to impacts on houses and other structures, 16 grade-IV houses (i.e., made of brick wall and tile roof) belonging to 16 AH and with a total floor area of 1,827 m² are located in the ROW of the 220 kV TL. In addition, there are 10 dug wells and latrines/bathrooms with an aggregate floor area of 16 m². None of these structures in the TL ROW will have to relocate, subject to certain conditions prescribed by law, such as the installation of lightning arrestors and fireproofing of the structures. None of the 9 EM Stieng AHs has a house in the TL ROW.

7. With regard trees and crops, a total 519 m² of seasonal crops, 452 rubber trees, 130 jackfruit trees, 29 pepper trees, and 9 cashew trees will have to be removed from the permanently acquired lands for the tower foundations. Similarly, a total of 18,326 rubber trees; 4,360 jackfruits; 1,891 pepper trees; 702 cashew trees, and 19,219 m² of annual crops are found in the TL ROW. With the exception of low-lying annual crops, such as rice and vegetables, the trees will have to be removed from the TL ROW in compliance with Article 12 of Decree No. 14/2014/ND-CP, dated February 26 2014, that prescribes a safety clearance of 4 m between the top of a tree and the lowest point (sag) of the TL cable.

1.3 Socioeconomic Information on the AHs

8. A socioeconomic survey (SES) of all 65 AHs was carried out in March and April 2015 in parallel with the IOL. Among those surveyed, 49 AHs (75.4%) were headed by men while 16 AHs (24.6%) were headed by women. The 65 surveyed AHs were made up of 202 persons, equivalent to an average household size of 3.1 persons. Among the 202 affected persons (APs) or members of the AHs are 109 males and 93 females. Majority of the household members are in the working age (15-60 years old), including 87.7% of the male APs and 81.2% of the female APs. Twenty three of the male AH heads household heads finished primary school, while 23 male AH heads finished secondary education. Four of the women AH heads finished primary school, while 11 finished secondary education.

9. Although all of the AH heads were engaged in agriculture-related livelihood activities as their primary source of income, they were also involved in other types of livelihood in order to diversify their income sources. Other than the 9 EM Stieng AHs, 2 other vulnerable AHs were identified during the IOL. These were one household headed by a single woman (i.e., no other social support), and one household of martyrs and wounded soldiers. Not a single affected EM household is poor.

1.4 Information Disclosure, Consultation, and Participation

10. AHs and local officials were met and interviewed on 31 March 2015 to 8 April 2015 in connection with the preparation of this REMDP, particularly prior to and after the conduct of the IOL. Their concerns and suggestions were incorporated in this REMDP. A summary of the draft and agreed REMDP in Vietnamese will be posted in district and commune offices, in addition to the distribution of a project information brochure (PIB) to each AH to coincide with the endorsement by NPT of the REMDP to ADB for concurrence. A complete version of the draft and agreed REMDP will be posted on the ADB website.

1.5 Grievance Redress Mechanism

11. A grievance mechanism will be set up to help ensure that the complaints of AHs are resolved in a timely and satisfactory manner. Through the holding of consultations during REMDP preparation and implementation, including the distribution of PIBs, the AHs will be made fully aware of their rights to file a complaint, as needed. The resolution of a complaint will pass through 3 stages, beginning with the commune, then the district, then the provincial level of the People's Committee before it is elevated to a court of law as a last resort. The NPT will shoulder all administrative costs and legal fees incurred in the resolution of grievances.

1.6 Legal Framework

12. The project resettlement policy and entitlements have been developed from the laws of the Government of the Socialist Republic of Viet Nam, principally the Constitution (2013); 2013 Land Law No. 45/2013/QH13, dated 29 November 2013, providing Viet Nam with a comprehensive land administration law; Decree No. 43/2014/ND-CP, dated 15 May 2014, guiding the implementation of some articles of the 2013 Land Law; Decree No. 47/2014/ND-CP, dated 15 May 2014 on compensation, rehabilitation and resettlement in the event of land recovery by the State; Decree No 44/2014/ND-CP, dated 15 May 2014 on land prices; and ADB's 2009 Safeguard Policy Statement (SPS), guided by Operations Manual on Involuntary Resettlement (OM Section F1/OP, dated 3 March 2010). Provisions and principles adopted in PTIP will supplement the provisions of relevant decrees currently in force in Viet Nam wherever a gap exists, consistent with 2013 Land Law and Decree No. 38/2013/ND-CP which provides that in case of "discrepancy between any provision in an international treaty on Official Development Assistance (ODA), to which the Socialist Republic of Viet Nam is a signatory, and the Vietnamese Law, the provision in the international treaty on ODA shall take precedence" (Article 46, Item 1, Article 38/2013/ND-CP).

1.7 Entitlement, Assistance and Benefits

13. The project entitlements are based on the 2009 SPS that have been harmonized with existing GOV laws. One key policy objective governing land acquisition in PTIP is to replace or compensate for lost assets based on the principle of replacement cost. Compensation and various types of cash allowances, including income restoration assistance for AHs affected by the loss of productive lands and the vulnerable AHs, will be provided prior to displacement of AHs from their houses, land, and other assets, to help ensure that they will be at least as well off

as they would have been in the absence of the subproject, and that vulnerable AHs are assisted in improving their socioeconomic status. The cut-off date for eligibility to subproject entitlements will be based on the start of the detailed measurement survey (DMS) of affected assets during REMDP updating.

1.8 Relocation of Housing and Resettlement

14. The subproject will not result to the relocation of any affected household or person.

1.9 Income Restoration

15. None of the AHs are severely affected by the loss of productive assets. Nonetheless, AHs affected by the permanent loss of agricultural land will be provided with cash assistance. Likewise, cash allowance is provided to vulnerable AHs to help improve their socioeconomic situation.

1.10 Resettlement Budget and Financing Plan

16. The estimated cost of resettlement for the Binh Phuoc Province segment of the 220 kV Binh Long – Tay Ninh TL subproject is VND 21,442,700,664 (approximately USD 983,610), including administrative cost (at 15% of the cost of land acquisition and allowances) and contingency (at 15% of the cost of land acquisition and allowances), and the cost of external monitoring (at 2% of the cost of land acquisition and allowances). The NPT/CPMB is responsible for ensuring that funds for resettlement are sufficient and are available in a timely manner.

1.11 Institutional Arrangement

17. NPT, as the executing agency, is overall responsible for the PTIP. The CPMB, as implementing agency, will carry out the updating and implementation of the REMDP in close collaboration with the PPC and member agencies of the District Compensation, Assistance and Resettlement Board (DCARB).

1.12 Implementation Schedule

18. A preliminary schedule of REMDP preparation and implementation is presented in table below. Contracts of civil works contractors will not be awarded until the REMDP, per approved final detailed engineering design, has been updated and agreed between NPT and ADB. Moreover, the civil works contractor will not be issued notice to proceed to commence construction works for the Binh Phuoc segment of the 220 kV Binh Long – Tay Ninh TL until the REMDP has been implemented satisfactorily.

Preliminary Resettlement Schedule

Activities	Time frame
NPT to endorse the REMDP to ADB for concurrence	June 2015
Distribution of PIB to AHs and posting of REMDP in relevant government offices and on ADB website	June 2015
ADB issues no-objection to REMDP and approval of subproject	July 2015
Conduct of DMS, replacement cost study (RCS) and REMDP updating	September 2015
NPT to submit the draft updated REMDP to PPC for approval	October 2015
NPT to endorse the updated REMDP to ADB for concurrence	November 2015
Internal monitoring (requires submission of quarterly reports)	Start in Sept 2015
Start of external monitoring (requires bi-annual monitoring reports)	October 2015
ADB no-objection to updated REMDP and posting of updated REMDP	November 2015
Start of REMDP implementation	December 2015
Post-resettlement implementation evaluation (6 months after completion of REMDP implementation)	2016

1.13 Monitoring and Reporting

19. CPMB is PTIP3 internal monitoring body. With assistance from the Project Implementation Consultant (PIC), CPMB will prepare quarterly monitoring reports to be submitted to NPT and ADB starting from the commencement of the updating of the REMDP. In addition, NPT will hire and mobilize an external monitoring agency (EMA) 1 month following the start of REMDP updating. The EMA will submit bi-annual reports to the NPT and ADB. The EMA will likewise carry out a post-subproject assessment survey within 6 to 12 months after completion of compensation and resettlement activities.

II. INTRODUCTION

2.1 Background

20. 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.

21. 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 Central Power Project Management Board (CPMB), 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

22. The construction of the new 220 kV Binh Long – Tay Ninh transmission line (TL) is one of 9 subprojects proposed for inclusion in PTIP Tranche 3. The construction of the TL in Binh Phuoc requires the acquisition of land of both the Kinh majority population and the Stieng ethnic minority group; thus this resettlement and ethnic minority development plan (REMDP). This REMDP is for the Binh Phuoc Province segment of the new 220 kV Bin Long – Tay Ninh TL. It is based on the results of the inventory of losses (IOL) and socioeconomic survey (SES) of affected households (AHs), including consultations with the AHs, consistent with applicable laws of the GOV and with the ADB 2009 Safeguard Policy Statement (SPS).

2.2 Description of the Subproject 220 kV Bin Long – Tay Ninh TL

23. The subproject 220 kV Binh Long- Tay Ninh TL will start at the 220 kV bus-bar of the existing 220 kV Binh Long SS and will terminate at the 220 kV bus-bar of the existing 220 kV Tay Ninh SS, traversing Loc Ninh District, Hon Quan District and Binh Long Township in Binh Phuoc Province; and Tan Chau District, Duong Minh Chau District and Tay Ninh City in Tay Ninh Province. The total length of the 220 kV Binh Long- Tay Ninh TL is 72.6 km, of which 20 km is in Binh Phuoc, while 52.6 km is in Tay Ninh Province. Table below summarizes the salient features of the TL segment in Binh Phuoc.

Table 1: Features of Binh Phuoc Province Segment of the Subproject

Components	Technical Specifications
Length of transmission line (in km)	20 km
- Starting point	220 kV busbar of the existing 220 kV Binh Long SS
- Ending point	Hamlet 6, Minh Tam Commune, Hon Quan District
Width of Right-of-way (ROW)	11 m either way from TL centerline
Width of Earth Grounding Zone	25 m from the edge of the ROW
Voltage level	220 kV
Number of circuits	2

Components	Technical Specifications
Conductor	2xACSR-330/43 and 2xASTER-366 (for span over Dau Tieng Lake)
Earth wire	PHLOX-75.5.
Number of Optical cable	OPGW-70 (single-mode type, number of fibers: 24)
Number of Suspension Towers	46
- Height of Suspension Towers	52.5 – 67.5 m
- Area required/suspension tower	116.6 – 148.8 m ²
Number of Tension Towers	14
- Height of Tension Towers	37 – 61 m
- Area required/tension tower	191.8 – 432.6 m ²

24. In Binh Phuoc Province, the TL will start from the 220 kV bus-bar of the existing 220 kV Binh Long SS at Binh Long Township in Binh Phuoc Province and terminate at angle tower 6B (G6B) in No. 6 Hamlet, Minh Tam Commune, Hon Quan District. Brief descriptions of the alignment of the Binh Phuoc segment of the subproject TL are provided as follows:

25. From the 220 kV Binh Long SS - G1 (224 m long): From the starting point the TL runs for 224 m to G1 where seasonal crops are grown.

26. G1 - G2 (694.3 m long): From G1, the TL turns left at T42°3'44" towards G2 located in a rubber plantation at Loc Thinh Commune, Loc Ninh District. The vegetation includes rubber and cashew trees. This section will cross over two earthen roads, 1 low-voltage power line, 2 small springs, and 1 house in the ROW.

27. G2 - G3 (2,098.2 m long): From G2, the TL turns left at T83°52'18" to reach G3, located in a rubber plantation. The primary vegetation in this section of the TL includes annual crops, rubber trees, cashew and fruit trees grown by residents of Loc Thinh Commune, Loc Ninh District and Thanh Luong Commune, Binh Long Township. This TL section crosses over three 110 kV TLs and 2 medium-voltage power lines, 4 springs, 4 earthen roads (2-6 m wide), and National Road 13.

28. G3 - G4 (1,978.4 m long): From G3, the TL turns right at P40°19'17" towards the location of G4 in a cassava plant area in Loc Thinh Commune, Loc Ninh District. Primary vegetation in this TL section includes rubber, cashew, pepper and seasonal crops grown by residents of Thanh Luong Commune, Binh Long Township and Loc Thinh Commune, Loc Ninh District. This TL section will cross over 1 small canal, 2 small ponds, the Can Le River (31 m wide), 11 earthen roads (2-4.8 m in width), and 1 low-voltage power line.

29. G4 - G5 (5,163.2 m long): From G4, the TL turns left at T43°47'22" to reach G5 located in a rubber tree plantation in Thanh Luong Commune, Binh Long Township. The primary vegetation in this TL section includes rubber trees, fruit trees, as well as annual crops grown by residents of Thanh Luong Commune, Binh Long Township and Loc Thinh Commune, Loc Ninh District. The TL section will cross over Can Le River, a cement factory, 3 small ponds, 6 irrigation canals (2-11 m in width), 21 earthen roads (2-7 m in width), and 1 medium-voltage power line.

30. G5 - G5A (2,647.9 m long): From G5, the TL turns left at T48°36'36" towards G5A in a rubber plantation area. Vegetation cover in this TL section includes rubber and cashew trees grown by residents of An Phu Commune, Hon Quan District. This TL section will cross over 5 earthen roads (2-7 m in width), 1 small canal, and 2 houses in the ROW.

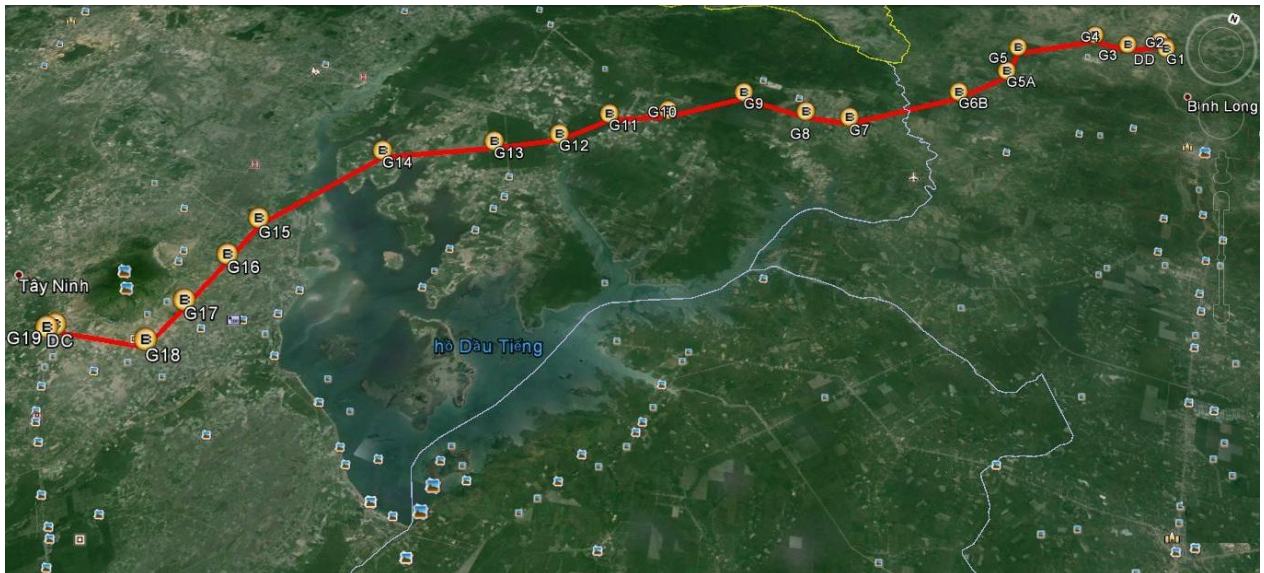
31. G5A - G6B (3,792.9 m long): From G5A, the TL will turn right at P30°41'8" to reach the location of G6B in a rubber plantation. The primary vegetation in this TL section includes rubber and cashew trees grown by residents of An Phu Commune, Hon Quan District. This section will cross over 13 earthen roads (2-8 m in width) and 2 small canals.

Table 2: Areas Traversed by Binh Phuoc Province Segment of the TL

Districts/City	Communes/Ward
1. Binh Long Town	1. Thanh Luong
2. Loc Ninh	1. Loc Thinh
2. Hon Quang	1. An Phu
	2. Minh Tam

Source: IOL/SES from PECC3

Figure 1: Layout of the 220 kV Binh Long – Tay Ninh TL



32. **Impacts on land.** Lands will be impacted (i.e., by way of permanent acquisition or restricted use thereof) for the following: (i) foundations of suspension and angle/tension towers (permanent acquisition), and (ii) right-of-way (ROW) and earth grounding zone (restrictions on continued use of land thereat). The ROW of the 220 kV TL is 11 m either way from the TL centerline. While lands under the ROW will not be acquired, the activities of landowners thereon will be restricted to prevent injuries due to electro-magnetic shocks that emanate from high-tension wires. A safety clearance of at least 4 m from the top of any structure or plant to any point of the power cable must be maintained. Also, structures with metal components in the ROW and in the earth-grounding zone adjacent to the ROW must be grounded (Decree No. 14/2014/ND-CP, dated 26 February 2014).

33. Decree No. 14/2014/ND-CP also prescribes an “earth grounding zone” which is an easement area of 25 m from the edge of either side of the TL ROW. Lands in this zone will not be acquired but activities are restricted for safety reasons. In this area, a safety clearance of 1 m between the highest point of an object (e.g., structure or tree) and any part of the power cable must be maintained. Houses can be established in the zone provided they are made of fireproof materials and have lightning arrestors. The earth grounding zones will remain as properties of the owners.

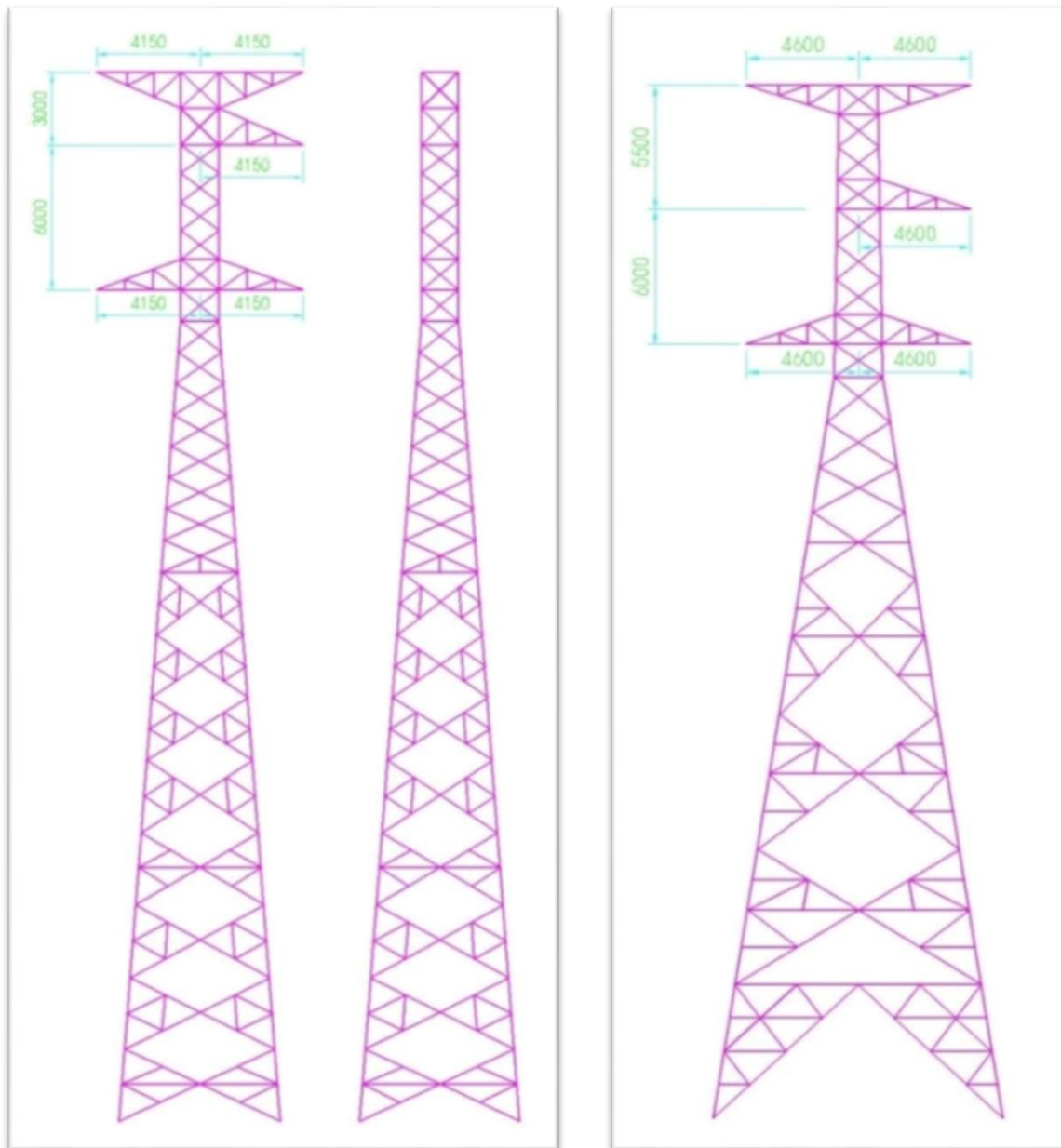
34. A total of 46 suspension towers and 14 tension towers will be constructed. Suspension towers are basically for holding the power cables above the ground. On the other hand, the role of angle/suspension towers includes serving as anchor when the TL alignment makes a turn, and to maintain tautness of the power cable between towers. A suspension tower is 52.5 – 67.5 m high (i.e., from ground level to the top of the tower), and the area of its foundation is 116.6 – 148.8 m². On the other hand, a tension/angle towers is 37 – 61 m high, and the area of its foundation is 191.8 – 432.6 m². Crops can be grown in the ROW and in the earth grounding

zones. However, because each steel lattice tower uses its foundations as grounding mechanism, no agricultural activity is allowed within 0.5 m of the tower foundations.

2.3 Measures Undertaken to Minimize Subproject Impacts

35. CPMB and the design consultants held public meeting to consult with local authorities and local people regarding the alignment of the transmission line for the purpose of identifying options with the least adverse social and environmental impacts. Also, prior to the holding of the inventory of losses, the proposed route of the TL was presented to the AHs and feedbacks and suggestions from them were gathered. Feedbacks gathered from local authorities and the affected people were taken into consideration in the design of the subproject.

Figure 2: Models of Suspension and Tension Towers



Suspension Tower

Angle/Tension Tower

III. SCOPE OF LAND ACQUISITION AND RESETTLEMENT

36. An inventory of losses (IOL), that included a census of all affected persons (APs), was conducted in March – April 2015. A team of local enumerators from the Power Engineering Consulting Joint Stock Company 3 (PECC3), consulting firm hired by CPMB, and with assistance from local cadastral offices, carried out the IOL. (See **Appendix 1** for the IOL questionnaire used)

3.1 Impacts on Land

3.1.1 Permanently acquired land for tower foundations

37. Forty-eight households, including 4 EM Stiang AHs, are affected by the permanent acquisition of 10,553 m² of land for tower foundations. By land use, 8,477 m² of these affected landholdings are grown to perennial trees; 1,557 m² are garden lands; and 519 m² are used for growing rice and other seasonal crops. The affected perennial tree lands belong to 48 AHs, while the affected garden lands and the affected seasonal croplands belong to 7 and 3 AHs, respectively. The 4 EM Stiang AHs affected by permanent land acquisitions for tower foundations in Minh Tam Commune, Hon Quan District, will lose a total of 517 m² of lands used for growing perennial trees. None of the AHs, including the EM Stiang AHs, is affected by the loss of 10% or more impacts on its productive landholdings.

Table 3: Use of Permanently Acquired Land for Tower Foundations

No.	Districts/ Communes	Number of AHs and Area of Affected Land by Use (m ²)							
		Lands for growing rice & seasonal crops		Garden lands		Lands for growing perennial crops		Total	
		HH	Area (m ²)	HH	Area (m ²)	HH	Area (m ²)	HH	Area (m ²)
I	Binh Long Town								
1	Thanh Luong Commune	1	173	4	1,038	16	2,595	16	3,806
II	Loc Ninh District								
1	Loc Thinh	2	346	1	173	11	1,384	11	1,903
III	Hon Quan District								
1	An Phu Commune		-		-	13	3,460	13	3,460
2	Minh Tam Commune		-	2	346	8	1,038	8	1,384
	Total	3	519	7	1,557	48	8,477	48	10,553

38. Among the 48 AHs affected by permanent land acquisition for tower foundations, 38 households have land use rights certificate (LURC), while 10 AHs have none but are eligible to apply for one. The area of permanently acquired landholdings that are covered with a LURC is 8,864 m², while the aggregate area of affected landholdings without a LURC is 1,689 m². Among the 4 EM Stiang AHs, 3 have a LURC for an aggregate of 388 m² permanently acquired land, while 1 AH has none, but eligible to apply for one, for its 129 m² land. There are no leased landholdings affected by tower foundations.

39. As to the 4 EM households affected by permanent land acquisitions, 3 households have LURCs for 388 m²; one household has no LURC but is eligible to get one for its 129 m² of land.

3.1.2 Affected land in the TL ROW

40. A total of 65 AHs, including 9 EM Stiang AHs, are affected by safety restrictions imposed on the continued use of 429,446 m² of their landholdings in the transmission line ROW. By use, these ROW lands consist of 355,256 m² grown to perennial trees; 52,321 m² of garden lands; 19,219 m² for growing rice and other annual crops; and 2,650 m² of residential lands. Nine EM

Stieng AHs have affected lands grown to perennial trees in the ROW with an aggregate area of 34,405 m².

Table 4: Affected Lands in Transmission Line ROW

No.	Districts/communes	Total Affected Land Area in ROW (m ²)				Total
		Residential Lands	Lands for growing rice & seasonal crops	Garden lands	Lands for growing perennial crops	
I	Binh Long Town					
1	Thanh Luong Commune	1,350	5,868	38,256	106,920	152,394
II	Loc Ninh District					
1	Loc Thinh	900	13,351	5,969	63,676	83,896
III	Hon Quan District					
1	An Phu Commune	100	-	-	138,098	138,198
2	Minh Tam Commune	300	-	8,096	46,562	54,958
	Total	2,650	19,219	52,321	355,256	429,446

41. Among the 65 AHs affected by land use restrictions in the TL ROW, 51 households have LURCs for 358,310 m² of their affected landholdings, while 14 households have no LURCs for 71,136 m² of their landholdings but are eligible to apply for a land certificate. Of the nine EM Stieng AHs, 6 households have LURCs for 26,207 m² of their landholdings, while 3 have none for 13,135 m² of their affected landholdings but are eligible to apply for a land certificate.

Table 5: AHs Affected by Tower Foundations and by Land Use Restriction in TL ROW

No.	Districts/Communes	ROW Land			Permanently Acquired Land		
		Have LURCs	Eligible to the issuance of LURCs	Total	Have LURCs	Eligible to the issuance of LURCs	Total
I	Binh Long Town						
1	Thanh Luong Commune	15	1	16	15	1	16
II	Loc Ninh District						
1	Loc Thinh	12	3	15	9	2	11
III	Hon Quan District						
1	An Phu Commune	8	5	13	8	5	13
2	Minh Tam Commune	16 ^a	5 ^b	21	6	2	8
	Total	51	14	65	38	10	48

NOTES: ^a Includes 5 EM Stieng AHs ^b Includes 3 EM Stieng AHs

3.2 Structures in the TL ROW

42. Sixteen houses of Grade IV classification belonging to 16 AHs and with a total floor area of 1,827 m² are located in the ROW of the 220 kV TL. In addition, there are 10 dug wells and latrines/bathrooms with an aggregate floor area of 16 m². None of these structures in the TL ROW will have to relocate, subject to certain conditions prescribed by law, such as the installation of lightning arrestors and fireproofing of the structures. None of the 9 EM Stieng AHs has a house in the TL ROW

3.3 Crops and Trees

43. During the IOL in March 2015, a total of 519 m² of rice crop, 452 rubber trees, 130 jackfruits, 29 pepper trees, and 9 cashew trees were found on lands that will be acquired permanently for tower foundations. These crops and trees will have to be removed. Similarly, vegetation found during the IOL on lands in the TL ROW included: seasonal crops on an aggregate of 19,219 m²; 18,326 rubber trees; 4,360 jackfruits; 1,891 pepper trees; and 702

cashew trees. All of the trees will have to be removed from the ROW, except for annual crops, such as rice.

Table 6: Affected Crops under the Transmission Line by Project Areas

No.	Districts/ Communes	Type and number of trees and crops under the ROW					Type and number of trees and crops to be cleared for tower foundations				
		Rice & seasonal crops (m ²)	Pepper trees	Cashew trees	Rubber trees	Jack fruit trees	Rice & seasonal crops (m ²)	Pepper trees	Cashew trees	Rubber trees	Jackfruit trees
I	Binh Long Town										
1	Thanh Luong Commune	5,868		167	5,754	3,188	173			144	87
II	Loc Ninh District										
1	Loc Thinh	13,351	691	402	2,861	497	346	29	9	58	14
III	Hon Quan District										
1	An Phu Commune	-		133	7,524					192	
2	Minh Tam Commune	-	1,200		2,187	675				58	29
	Total	19,219	1,891	702	18,326	4,360	519	29	9	452	130

3.4 Vulnerable Groups

44. Other than the 9 EM Stieng AHs, 2 vulnerable AHs were identified during the IOL. These were one household headed by a single woman (i.e., no other social support), and one household of martyrs and wounded soldiers. Not a single affected EM household is poor.

3.5 Temporary Impacts

45. This type of impacts occurs during subproject implementation due to the requirement for temporary access of vehicles that will deliver pre-fabricated steels, equipment, cables, utilities, etc. during the construction and stringing of the towers. The project implementation consultant (PIC) and the civil works contractor will identify the sites for the access roads and for temporary workstations. The civil works contractor will pay for any damaged crops or income loss arising from the inability of AHs to plant their crops during the temporary use of their lands, in addition to restoring those temporarily affected lands to their original condition before the same are returned to the land owners. NPT will ensure that this condition is stipulated in the contract of the civil works contractors.

3.6 Summary of Impacts

46. In Binh Phuoc Province, the 20 km segment of the 220 kV Binh Long- Tay Ninh TL traverses 4 communes in three districts. A total of 65 households, including 9 EM Stieng households, are affected by the permanent loss of landholding for tower foundations and the restricted use of landholding in the TL ROW. An aggregate of 439,999 m² are adversely affected, including 10,553 m² of land for tower foundations, and 429,446 m² of land in the TL ROW. None of the AHs is severely affected by the loss of 10% or more of their productive lands. Also, none of the 16 AHs whose dwelling are located in the TL ROW will need to relocate, subject to safety measures that have to be adopted. (See **Appendix 2** for the master list of the AHs).

IV. SOCIOECONOMIC PROFILE

4.1 Provincial Context

47. Binh Phuoc Province is a mountainous area in the West of the Southeastern part of the country. The province has several rivers and springs. It is bounded by Cambodia to the North and Northwest, by Dak Lak Province and Lam Dong Province to the East, by Dong Nai Province to the Southeast, by Tay Ninh Province to the West and by Binh Duong Province to the South. Binh Phuoc is divided into 10 administrative divisions including three townships (Dong Xoai, Binh Long and Phuoc Long) and three districts (Dong Phu, Bu Gia Map, Loc Ninh, Bu Dop, Bu Dang, Hon Quan and Chon Thanh). The political, economic and cultural center of the province is Dong Xoai Township.

4.2.1 Provincial population

48. In 2013, Binh Phuoc Province had a population of about 921,800 people, equivalent to a population density of 134 persons per km². The total male population was 465,300 while the female population was 456,600. Urban population accounting for 16.8% of the provincial population, or 155,100 people, while rural population was 766,800 people (73.2%). In 2013, the province had an ethnic minority population of 164,576 people (19% of the provincial total population), belonging to 40 groups. Indigenous peoples in the province include the Stieng, Mnong, Khmer, and Chau Ma. Over the years, other ethnic groups, such as the Tay, Nung, Thai, Muong, Dao, Cham, and Mong, immigrated from other provinces.

4.2.2 Ethnic minority groups in the subproject area

49. Ethnic minority (EM) Khmer and Stieng peoples inhabit the 4 project communes along with the Kinh majority population. Specifically, EM Khmer people are found in Loc Thinh Commune in Loc Ninh District, while EM Stieng people live in all four communes of Thanh Luong, Loc Thinh, An Phu and Minh Tam. In Minh Tam Commune, the subproject will directly affect 9 Stieng AHs.

4.1.2.1 Stieng

50. Nationwide, EM Stieng people numbered 85,436 in 2009, making the EM group ranked 21st among 54 ethnic groups in Vietnam in terms of population size. Also in 2009, EM Stieng population in Binh Phuoc Province was 81,708 people, or 95.6% of the total Stieng population in Viet Nam, and an average household size of 4.9.

51. The mother tongue of Stieng people is of the Mon-Khmer language group. The Stieng people believe in the existence of a soul in every object and the people usually organize rituals, making offerings to the Thunder God, Sun God and Rice God. A Stieng village has a tradition of autonomy, headed by a village patriarch who understands the community customs and having good reputation and usually being wealthy. The Stieng people are among ten EM groups in the country with the lowest poverty rate. They mostly depend on agriculture for their livelihood. The major crops they grow are rice and cassava.

52. In Minh Tam Commune where there are 9 EM Stieng AHs, the Stieng people account for 18% of the commune's population. The Stieng people in the commune have been living for a long time along with other ethnic groups, such as the Kinh (majority Vietnamese population) and the Khmer. In general, customs and habits of Stieng people living in Minh Tam commune are similar to Kinh's. They gradually lose their traditional customs. Stieng people dress like Kinh people and they do not have use traditional clothes. They no longer organize their ethnic group's festivals, and they do not organize worship and no longer have a witch doctor in their

community. Stieng people inter-marry with other groups, including the Kinh. With regards religion, Stieng people in the subproject area are mainly Protestants.

53. Similar to other households in Minh Tam commune and in other subproject communes, agriculture is the main source of livelihood of the Stieng people. On average, each household has around 2 ha to grow pepper, cashew and rubber. When they are not engaged in agricultural production, they work as hired labors in plantations.

4.1.2.2 Khmer

54. The ethnic minority (EM) Khmer is indigenous to the southern part of Viet Nam. In 2009, the population of the EM Khmer was 1,260,640, living in 292,700 households (or an average household size of 4.3 persons). The EM Khmer ranked fifth among 54 ethnic groups in Viet Nam in terms of population size. In Binh Phuoc Province, about 15,000 Khmer people are living in Loc Ninh, Chon Thanh, and Phuoc Long Districts in addition to Dong Xoai Township. The Khmer people in Binh Phuoc are primarily engaged in agricultural activities, particularly in rice cultivation.

4.2 Socioeconomic Profile of the Affected Households

55. A socioeconomic survey (SES) of the AHs was carried out in parallel with the IOL. All 202 AHs in Tay Ninh Province were covered in the SES. Following are the highlights of the SES. (See **Appendix 3** for the questionnaire used in the SES).

4.2.1 Gender and age of AH heads

56. Among the heads of the 65 households affected by the subproject, 49 (75.4%) were men, while 16 (24.6%) were women. All 9 EM Stieng AHs are headed men. Majority of the AH heads (6.1%) were in the 20 - 49 age group. Not a single household head was under the age of 20 or over 60 years old.

Table 7: Number of AH Heads Based in Binh Phuoc Subproject Area

No.	Districts/ Communes	Male household heads			Female household heads			Total
		20 - 49	50 – 60	Total	20 - 49	50 – 60	Total	
I	Binh Long Town							
1	Thanh Luong Commune	10	3	13	3		3	16
II	Loc Ninh District							
1	Loc Thinh	9	2	11	4		4	15
III	Hon Quan District							
1	An Phu Commune	8		8	5		5	13
2	Minh Tam Commune	16	1	17	1	3	4	21
	Total	43	6	49	13	3	16	65

NOTES: Average age of male AH heads: 46; average age of female AH heads: 44; average age of all AH heads: 45

4.2.2 Age profile of members of the AHs

57. The 65 AHs were made up of 202 persons, including 109 males (54.0%) and 93 females (46.0%). Among the male members of the AHs, 94 (or 86.2%) were in the working age. The number of male members of the AHs outside of the working age was 15 (13.8%).

Table 8: Age of Male Population by Project Areas

No.	Districts/Communes	Age group					Total
		Below 15	15-30	31-45	46-60	Above 60	
I	Binh Long Town						

No.	Districts/Communes	Age group					Total
		Below 15	15-30	31-45	46-60	Above 60	
1	Thanh Luong Commune		3	10	5	2	20
II	Loc Ninh District						
1	Loc Thinh		3	13	7	4	27
III	Hon Quan District						
1	An Phu Commune	1	2	15	4	1	23
2	Minh Tam Commune	4	5	20	7	3	39
	Total	5	13	58	23	10	109

58. Majority of the 93 female members of the AHs (83 persons or 89.2%) were in the working age group of 15 – 60 years old. The number of female members of the AHs outside of the working age was 10 (10.8%).

Table 9: Age of Female Population by Project Areas

No.	Districts/Communes	Age group					Total
		Below 15	15-30	31-45	46-60	Above 60	
I	Binh Long Town						
1	Thanh Luong Commune	3	2	11	4	1	21
II	Loc Ninh District						
1	Loc Thinh		2	14	6		22
III	Hon Quan District						
1	An Phu Commune		2	8	5	1	16
2	Minh Tam Commune	3	5	15	9	2	34
	Total	6	11	48	24	4	93

4.2.3 Education of AH heads

59. There is no significant difference in the educational attainment of male and female AH heads. Of the 49 male AH heads, 23 (46.9%) finished primary school, while 23 (46.9%) finished secondary education. Two (4.1%) of the male AH heads finished high school, while 1 (2.0%) did not attend school.

60. Of the total 16 female AH heads, 11 (68.8%) finished secondary school, while 4 finished primary education. One female AH head did not attend school.

4.2.4 Income level of the AHs

61. Binh Phuoc Province does not issue its own poverty threshold. The poverty and pro-poor thresholds used in the SES is in accordance with Decision No. 09/2011/QĐ-TTg, dated January 30 2011, by the Prime Minister on the poverty line and pro-poor threshold for the period 2011-2015. Accordingly, poor households were those with a monthly per capita income of less than VND 400,000, while pro-poor households were those with a monthly per capita income of VND 401,000 to VND 520,000. The results of the SES show that all of the AHs had incomes above the poverty line. Only 1 AH, a female-headed EM Stieng household, in Minh Tam Commune was classified as pro-poor.

4.2.5 Sources of Water

62. Households in the subproject area, including the 65 AHs, get water from two main sources: from the tap and from dug wells. The 9 EM Stieng AHs get their water from their own dug wells.

4.2.6 Use of Energy for lighting and cooking

63. Forty-four (67.7%) of the AHs use electricity for lighting. The other 21 AHs, including the 9 EM Stieng AHs, use rechargeable battery as source of power for lighting. Sources of energy for cooking are firewood (28 AHs, or 43.0% of the 62 AHs), gas (22 AHs, or 33.8%), and electricity (15 AHs, or 23.1%).

4.2.7 Common ailments

64. Two most common ailments afflicting members of the 62 AHs were cold and respiratory tract infections.

V. CONSULTATION, PARTICIPATION AND DISCLOSURE

65. In compliance with the 2013 Land Law (Article 48, Article 67, and Article 69) and the PTIP resettlement policy (embodied in the Resettlement and Ethnic Minority Development Framework, November 2011), the views and suggestions of AHs and local authorities have been incorporated in this REMDP. In 2014, PECC3 and CPMB personnel held initial public meetings with relevant provincial, district, and commune officials, in addition to local residents, for the purposes of (i) introducing the Power Transmission Investment Program (PTIP) and the proposed subproject, (ii) soliciting their views and suggestions regarding the location of the route of the transmission line, and (iii) explaining the activities of CPMB and PECC3, such as the IOL/SES and replacement cost study (RCS), in connection with the preparation of the REMDP as a requirement for the processing of PTIP Tranche 3. A total of 14 commune officials and representatives of households in the subproject area (7 men and 7 women) participated in those meeting-consultations held in the 4 subproject communes. Key points raised and suggestions put forward by the participants in those meetings concerned the need for the executing agency to (a) closely coordinate with local authorities on matters regarding compensation and resettlement, (b) ensure that electro-magnetic radiation from the power cables do not harm people's health, and (c) ensure that affected landholdings, structures, and crops and trees of the people are compensated according to project policy. Representatives of CPMB explained in the consultations that the concerns raised by the participants were adequately addressed by the PTIP resettlement policy, in addition to existing safety regulations prescribed by Decree No. 14/2014/ND-CP, dated 26 February 2014. (See **Appendix 4** for the highlights and list of participants in the pre-IOL meetings-consultations.

Table 10: Dates of Public Meetings and Consultations before IOL/SES

No.	Districts and Commune	Date of meetings	Number of Participants		
			Male	Female	Total
I	Binh Long Town		2	1	3
1	Thanh Luong Commune	29 May 2014	2	1	3
II	Loc Ninh District		1	3	4
1	Loc Thinh	29 May 2014	1	3	4
III	Hon Quan District		4	3	7
1	An Phu Commune	28 May 2014	2	1	3
2	Minh Tam Commune	30 May 2014	2	2	4
	Total		7	7	14

66. Following the conduct of the IOL, SES, and RCS, a second round of public meeting-consultations with the AHs was carried out for the purposes of (i) presenting the results of the surveys and the RCS; (ii) discussing PTIP resettlement policy, particularly its objectives, principles, entitlements, and the policy on cut-off date for eligibility to project entitlements; and (iii) soliciting their views and suggestions regarding the PTIP resettlement policy, especially with regard to compensation, cash assistance, income restoration measures, and relocation preference. A total of 71 persons (51 men and 20 women), including representatives from 8 of 9 ethnic minority Stieng AHs in Minh Tam Commune, participated in those meeting and consultations held in 4 communes. Key concerns raised by the participants were on: (a) whether or not the power transmission line would have negative impact on the health of the local people; (b) the compensation and support affected people would be provided for perennial and production forest lands within the transmission line's ROW; (c) whether or not houses within the transmission line's ROW need to be relocated; (d) methods and procedures for determining and paying compensation and cash assistance to the AHs; and (e) whether or not temporary access roads and construction yards would be built during project construction. Representatives of

CPMB responded to the aforementioned concerns by (a) explaining relevant provisions of the PTIP resettlement policy, particularly on compensation and the need to minimize adverse social impacts by exploring all viable project design options; (b) explaining the environmental management plan of the project; and (c) pointing out that the project is committed to help households affected by safety restrictions imposed on the continued use of land in the ROW of the TL. (See **Appendix 5** for the highlights and list of participants in the post-IOL meetings-consultations).

Table 11: Dates of Public Meetings and Consultations after IOL/SES

No.	Districts and Commune	Date of meetings	Number of Participants		
			Male	Female	Total
I	Binh Long Town				
1	Thanh Luong Commune	8 April 2015	13	3	16
II	Loc Ninh District				
1	Loc Thinh	25 March 2015	10	6	16
III	Hon Quan District				
1	An Phu Commune	8 April 2015	9	6	15
2	Minh Tam Commune	31 March 2015	19*	5	24
Total			51	20	71

*Including 8 EM Stiang AHs

67. Consultations and discussions will continue to be carried out with the AHs during REMDP updating and implementation. Table below lists the activities that have been carried out and those that have yet to be done to ensure that APs/AHs are always updated about the project and that their opinions and suggestions are taken into consideration. Moreover, Section 8.1.9 presents an action plan for helping ensure that the opinions and interest of the 9 EM AHs are heard and considered in the updating and implementation of the REMDP.

Table 12: Roles of Key Stakeholders in REMDP Preparation and Implementation

Project Process Stage	Participatory Activities and Participants	Responsible Institution	Date/Additional Notes
Preparation <i>During subproject processing</i>	Consultation with government stakeholders (PPC, DPC, CPC, LFDC) and local population about PTIP and the subproject, preliminary design of the transmission line alignment, and the activities (surveys and consultations) to be carried out in connection with the preparation of the REMDP as a requirement of subproject processing	CPMB, with PECC3	2014
	Conduct of surveys (IOL/SES) and RCS	PECC3 with assistance from cadastral offices	March-April 2015
	Consultation with AHs to discuss the results of the surveys and RCS, including project resettlement policy and suggestions of AHs regarding compensation; cash assistance; relocation options; and measures to mitigate adverse impacts of safety restrictions imposed on the continued use of land inside the TL ROW	CPMB, with PECC3 and local officials	March-April 2015
	Drafting of REMDP and project information booklet (PIB) for preliminary review of ADB resettlement specialist	TA consultants	May-June 2015

Project Process Stage	Participatory Activities and Participants	Responsible Institution	Date/Additional Notes
	Review by ADB resettlement specialist of the draft REMDP	ADB	June 2015
	Revision of draft REMDP and submission to NPT	TA consultants	June 2015
	Endorsement of REMDP to ADB for concurrence	NPT	June 2015
	Distribution of PIB to the AHs and posting of summary REMDP at District and Commune PC offices, posting of draft REMDP on ADB website	CPMB and NPT	June 2015
Updating and Implementation			
<u>Updating of REMDP</u>	Demarcation of the alignment of the TL	CPMB, assisted by Project Implementation Consultants (PIC)	August 2015
	Holding of public consultation before commencement of detailed measurement survey (DMS)	CPMB, with assistance from PIC	August 2015
	Mobilization of the District Compensation, Assistance and Resettlement Board and the Land Fund Development Center in each district	DPC, with assistance by CPMB and PIC	September 2015
	Conduct of DMS	LFDC and DMS Task Force, with the participation of the APs	September 2015
	Updating of the REMDP and submission to PPC for approval	NPT and CPMB	October 2015
	Endorsement of the updated REMDP to ADB for concurrence	NPT	November 2015
	Posting of the summary updated REMDP at District and Commune PC offices, posting of final updated REMDP on ADB website	NPT	November 2015
<u>RP implementation</u>	Implementation of the REMDP (i.e., payment of compensation, handing-over of acquired properties, etc.)	DCARB with LFDC	December 2015
	Receipt and resolution of grievances of APs/AHs	CPC, DPC, PPC, with assistance by CPMB and PIC	December 2015-until completion of subproject
<u>Monitoring and evaluation</u>	Monitoring of the implementation of land acquisition	CPMB and external monitoring agency	Starting in September 2015

68. Copies of the draft REMDP in Vietnamese language endorsed by NPT to ADB will be made available at District PC and Commune PC offices. The draft REMDP will be uploaded on the ADB website. Likewise, copies of the project information brochure (PIB), also in Vietnamese

language, will be distributed to the APs/AHs following NPT 's submission of the draft REMDP to ADB in June 2015. NPT and CPMB will ensure that the PIBs are distributed to the APs/AHs. The PIB will include the following information: (i) description of the subproject; (ii) adverse social impacts of the subproject; (iii) measures to avoid impacts, including entitlements of APs/AHs; (iii) consultation and grievance redress procedures; (iv) schedule of land acquisition and clearing of the ROW; and (v) names officials to contact for any queries (see **Appendix 6** for a copy of the PIB).

69. Copies of the updated REMDP in Vietnamese language will be made available at District PC and Commune PC offices. The updated REMDP will be uploaded on the ADB website. Social monitoring reports on REMDP implementation will also be made available at the Commune PC offices and will be uploaded on the ADB website.

VI. GRIEVANCE REDRESS MECHANISM

70. In order to ensure that all grievances and complaints of APs/AHs on any aspect of land acquisition, compensation and resettlement are addressed in a timely and satisfactory manner, and that all possible avenues are available to APs/AHs to air their grievances, this grievance redress mechanism applies to the subproject. All APs/AHs can send any questions to NPT and/or CPMB about their rights in relation to entitlements, compensation policy, rates, land acquisition and grievance redress. APs/AHs are not required to pay any fee during any of the procedures associated with seeking grievance redress, including if resolution requires legal action to be undertaken in a court of law. Complaints will pass through 3 stages described below. The complainant can, if necessary, take the matter to a court of law. It is noted that the this grievance redress mechanism does not impede access to the country's legal system, meaning that an aggrieved person is free to access a court of law even at the initial stage of his/her grievances. Likewise, an aggrieved ethnic minority AH may opt to bring along a tribal leader, a more articulate member of the EM group in the community, or any person that will help the aggrieved AH in the hearing and resolution of its complaint. NPT will shoulder all administrative and legal fees that might be incurred in the resolution of grievances and complaints.

71. Moreover, an aggrieved AP may bring his/her complaint directly to the ADB's Energy Division, Southeast Asia Department, through the Viet Nam Resident Mission. If the AP is not satisfied with the response of the Resident Mission, he/she can directly contact the ADB Office of the Special Project Facilitator.

72. The grievance redress procedure will be implemented as follows:

- a. **First Stage: Commune Peoples' Committee (CPC)** - An aggrieved AP may lodge his/her complaint before any member of the CPC through the Village Chief or directly to the CPC, in written or verbal form. It is incumbent upon the village chief to notify the CPC about the complaint. The CPC will meet personally with the aggrieved AP and will have 15 days to resolve the complaint. The CPC secretariat is responsible for documenting and keeping file of all complaints that it handles.
- b. **Second Stage: District/Town People's Committee (DPC)** - If after 15 days the aggrieved AP does not hear from the CPC, or if the AP is not satisfied with the decision taken on his/her complaint, the AP may bring the case, either written or verbal, to any member of DPC. DPC has 15 days to resolve the case. The DPC is responsible for documenting and keeping files of all complaints that it handles.
- c. **Third Stage: Provincial People's Committee (PPC)** - If after 15 days the aggrieved AP does not hear from the DPC, or if the AP is not satisfied with the decision taken on his/her complaint, the AP may bring the case, either in writing or verbal, to any member of the PPC. The PPC has 15 days within which to resolve the complaint to the satisfaction of all concerned. The PPC secretariat is responsible for documenting and keeping file of all complaints that it handles.
- d. **Final Stage: People's Court** - If after 15 days following the lodging of the complaint with the PPC, the aggrieved AP does not hear from the PPC, or if he/she is not satisfied with the decision taken on his/her complaint, the case may be brought to the people's court.

VII. LEGAL AND POLICY FRAMEWORK

73. The legal and policy framework for addressing the adverse social impacts of the 220 kV Binh Long – Tay Ninh TL is provided by relevant policies and laws of Viet Nam and of the ADB.

7.1 ADB Policies

74. The new ADB Safeguard Policy Statement (SPS) of 2009 consolidates three existing safeguard policies: involuntary resettlement (IR), indigenous peoples (IP), and environment.⁴ The objectives of the IR policy are to (i) avoid involuntary resettlement, (ii) explore alternatives to avoid, (iii) restore livelihoods and (iv) improve living standards of poor and vulnerable households. The IP policy objectives are to (i) design and implement projects that fosters full respect for IP's identity, dignity, human rights, livelihoods systems, and cultural uniqueness as defined by the IP themselves and (ii) ensure that IPs receive culturally appropriate social and economic benefits, do not suffer adverse impacts as a result of projects, and can participate actively in projects that affect them.

75. The term Indigenous Peoples is used in a generic sense to refer to a distinct, vulnerable, social and cultural group possessing the following characteristics in varying degrees:

- a. Self-identification as members of a distinct indigenous cultural group and recognition of this identity by others;
- b. Collective attachment to geographically distinct habitats or ancestral territories in the project area and to the natural resources in these habitats and territories;
- c. Customary cultural, economic, social, or political institutions that are separate from those of the dominant society and culture; and
- d. A distinct language, often different from the official language of the country or region.

76. A group that has lost collective attachment to geographically distinct habitats ancestral territories in a project area because of forced severance remains eligible for coverage under the IP policy. The IP policy is triggered if a project directly or indirectly affects the dignity, human rights, livelihood systems, or culture of Indigenous Peoples or affects the territories or natural or cultural resources that Indigenous Peoples own, use, occupy, or claim as their ancestral domain

77. The ADB Policy on Gender and Development (2006) adopts gender mainstreaming as a key strategy for promoting gender equity, and for ensuring that women participate in, and that their needs are explicitly addressed in the decision-making process for, development activities. The new safeguard policy also reiterates the importance of including gender issues in the preparation of safeguards documents at all stages to ensure that gender concerns are incorporated, including gender-specific consultation and information disclosure. This includes special attention to guarantee women's assets, property, and land-use rights and restoration/improvement of their living standards; and to ensure that women will receive project benefits. Other policies of the ADB that have bearing on resettlement planning and implementation are the (i) Public Communications Policy (2011), and (ii) Accountability Mechanism (2012).

7.2 Compensation and Resettlement Policy of the Government of Viet Nam

78. The Constitution of the Socialist Republic of Vietnam (2013) confirms that ownership and protection of ownership of citizens of their houses. Besides, the Government has issued a

⁴ The policy on environment is discussed in a separate environment report.

number of law, decrees, and regulations to form the legal framework for land acquisition, assistance, compensation, and resettlement. Primary documents include:

a. Law

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

b. Government's decrees

- Decree No. 43/2014/ND-CP, dated May 15, 2014 guiding the implementation of Land Law 2013.
- Decree No. 44/2014/ND-CP, dated May 15, 2014 by the Government on land prices.
- Decree No. 45/2014/ND-CP dated May 15, 2014 by the Government providing the collection of land use levies.
- Decree No. 46/2014/ND-CP, dated May 15, 2014 by the Government providing the collection levies on land lease, water surface lease.
- Decree No. 47/2014/ND-CP, dated May 15, 2014 by the Government on compensation, assistance, and resettlement in the event of land recovery by the State.
- Decree No. 38/2013/ND-CP, dated April 23, 2013 on the management and use of Official Development Assistance (ODA) and concessional loans of donors.
- Decree No. 14/2014/ND-CP, dated February 26, 2014 by the Government detailing the implementation of the Electricity Law regarding electricity safety.

c. Decisions

- Decision No. 1956/2009/QD-TTg, dated November 17, 2009 by the Prime Minister approving the Master Plan on vocational training for rural workers to 2020.
- Decision No. 52/2012/QD-TTg, dated November 16, 2012 on employment and vocational training support for laborers affected by agricultural land recovery.

d. Circulars

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

- Circular No. 36/2014/TT-BTNMT, dated June 30, 2014 on land pricing method; compilation of and adjustment to land prices; determination of specific land prices and consultancy on land pricing.
- Circular No. 37/2014/TT-BTNMT, dated June 30. 2014 on compensation, assistance and resettlement in the event of land recovery by the State.

e. *Indigenous Peoples*

79. GOV recognizes 54 different ethnic groups in the country, in which definition of an ethnic minority is based on the following four criteria: (i) a language different from the national language; (ii) long traditional residence on, or relationship with land; and long traditional social institutional system; (iii) a self-provided production system; and (iv) a distinct cultural identity and self-identification as a distinct cultural group that is accepted by neighboring ethnic groups. Article 5 of the country's 1992 Constitution acknowledges the following general principles:

- a. The Socialist Republic of Vietnam is the unified state of all nationalities living together in Vietnam;
- b. The State carries out a policy of equality, solidarity, and mutual assistance among all nationalities, and prohibits all acts of discrimination and division;
- c. Nationalities have the right to use their own language and system of writing, to preserve their national identity and to express their good customs, habits, traditions and culture; and
- d. The State carries out a policy of comprehensive development, and step-by-step will raise the material and spiritual living conditions of the ethnic minorities.

80. The Constitution also mandates preferential treatment of ethnic minorities in education and healthcare in Articles 36 and 39. Various articles in the Civil Code (as amended in 1996) also explicitly mention the rights and responsibilities of ethnic minorities (e.g. Article 5 directly relates to ethnicity, noting that equality should be the guiding principle in all forms of social interaction).

81. In addition to these constitutional provisions GOV has passed a series of policy resolutions related to ethnic minority development issues that can be classified into three basic policy resolution groups, i.e., (i) relating to the creation of conditions for sedentary agriculture and the settlement of ethnic minority people; (ii) relating to the creation of conditions for the holistic socioeconomic and cultural development of upland ethnic minority people; and, (iii) relating to the allocation of land and to utilize land in upland areas traditionally occupied by ethnic minorities.

f. *Binh Phuoc PC's Decisions*

- Decision No. 11/2014/QD-UBND, dated 11 June 2014 by PCP of Binh Phuoc on amending and supplementing some articles of the regulation on compensation, assistance and resettlement upon land recovery by the State in Binh Phuoc province, attached to Decision 58/2008/QD-UBND, dated 22 December 2009 by the PCP of Binh Phuoc.
- Decision No. 32/2014/QD-UBND, dated 19 December 2014 issued by PCP of Binh Phuoc regulating the unit prices of land types in Binh Phuoc Province for the period 2015 - 2019.
- Decision No. 57/2013/QD-UBND, dated 20 December 2013 by CPC of Binh Phuoc on land prices in Binh Phuoc Province for 2014.
- Decision No. 68/2011/QD-UBND, dated 21 December 2011 issued by PPC of Binh Phuoc regulating the unit prices of compensation and support for house

and structure and trees upon land recovery by the State in Binh Phuoc Province.

7.3 Gaps Analysis and Project Principles

82. Since 1 July 2014, the Land Law of 2013 and its implementing decrees and circulars provide the overall framework for involuntary resettlement in Viet Nam.⁵ There are several aspects of the 2013 Land Law that are similar to the policy objectives and principles of the ADB safeguard policy on involuntary resettlement as provided by the 2009 Safeguard Policy Statement (SPS). There is basic congruence between Viet Nam's laws and the SPS especially with regard to the entitlement of persons with legal rights/titles. Existing legislation provides guidance for the following: (i) determining market/replacement rates and payment of compensation, assistance for various types of affected assets; (ii) options for land-for-land and cash compensation assistance; (iii) provision of relocation assistance and support to displaced households during the transition period; (iv) provision of resettlement land and housing with secure tenure; (v) additional assistance for severely affected and vulnerable households; (vi) assistance for livelihood restoration and training; and (vii) notification/disclosure, consultation, and grievance mechanisms. However, the following differences remain:

- a. SPS requires that displaced persons without titles (legal rights) to land be provided with resettlement assistance and compensated for loss of non-land assets (constructed before the cut-off date). On the other hand, the Land Law does not allow compensation of land-attached assets that are illegally established⁶ (Article 92, LL). Moreover, structures (land-attached assets) are not compensated based on the value of a new structure, except for structures used for residential purposes (Article 89.2, LL).
- b. SPS requires exploring additional revenues and services through benefit sharing schemes where possible. This is not required under the Land Law.
- c. SPS requires conducting social impact assessment to identify poor and other vulnerable groups who may be disadvantaged and disproportionately affected by land acquisition for the purpose of implementing measures to assist them. The Land Law does not clearly require projects to identify displaced poor and other vulnerable groups that are impacted by a development project and to implement measures to assist them. However, in case the amount of compensation and support is not enough to buy the minimum plot in a resettlement site, the State will shoulder the balance.
- d. The level of detail and information required for resettlement planning under SPS differs from what is required by the Land Law. The Land Law does not require the preparation of a resettlement plan or general compensation plan prior to the conduct of DMS.
- e. SPS requires payment of compensation and other applicable entitlements to affected persons before displacement. This requirement is not explicitly stated as a condition under the Land Law. The Land Law does require payment of compensation within 30 days since the effective date of a land acquisition decision and to subsequently adjust amount in case of delay in payment (Article 93, LL).

⁵ The Land Law of 2013 replaces the Land Law of 2003. Decrees 43, 44 and 47 supersede previously issued decrees related to land acquisition including Decrees 181/2004, 188/2004, 197/2004, 17/2006, 84/2007, 123/2007, 69/2009, 88/2009, 59/2011, and 189/2013.

⁶ There are 3 types of illegally established land-attached assets: (i) those constructed on illegal land, (ii) illegally constructed structures (not based on the approved land use purpose) on legal land, and (iii) structures constructed after land acquisition announcement.

- f. SPS requires compensation to include interest accrued. However, under the Land Law the amount is kept in an escrow account in State Treasury without interest in case the AP refuses the proffered compensation.
- g. SPS requires the conduct and disclosure of monitoring and evaluation of resettlement activities. For projects with significant involuntary resettlement impacts, the project is required to hire an independent external monitoring agency. In the Land Law, monitoring and evaluation is required in a more general term and includes all aspects of the implementation of the Land Law (Article 200, LL). There is also no requirement for independent monitoring for projects with significant involuntary resettlement impacts.

Table 13 Gap Analysis: 2013 Land Law and Decree 47/2014/ND-CP and ADB 2009 SPS

ADB SPS 2009 Involuntary resettlement safeguard	Vietnam 2013 Land Law & guidance decrees	Policy gaps from ADB SPS 2009	Reconciled policy for the Project
Objectives			
<i>To avoid involuntary resettlement whenever possible; to minimize involuntary resettlement by exploring project and design alternatives</i>	Land Law requires the project owner to arrange the project reasonably to save the land and the Government issued Decree 42/2012/ND-CP on the protection of paddy land;	While there is no explicit policy, land recovery in Viet Nam in practice avoids or minimize involuntary resettlement	Since the Project shall be financed by ADB loan, it will adopt the objectives of the Bank's 2009 SPS ⁷ .
<i>To enhance, or at least restore, the livelihoods of all displaced persons⁸ in real terms relative to pre-project levels; and to improve the standards of living of the displaced poor and other vulnerable groups⁹.</i>	Compensates land users that fulfill the conditions for compensation as prescribed by Article 75, legitimate owners of land-attached assets (Article 88.1), persons/entities that plant/grow forests funded by state budget (Article 90.1.d). - All land users (defined in Article 5) whose land is recovered (including affected workers) are considered for receiving State support (Article 83.1 Land Law 2013 and Article 19 Decree 47/2014/ND-CP). State support is defined as assistance to those whose land is recovered in order to stabilize their livelihoods, production and development.	The 2013 Land Law does not provides compensation to land users who violate land legislation (Article 64), and owners of illegally established land-attached assets (Article 92.2), and unregistered land users of agricultural land after 1 July 2004 (Article 77.2). There is also no regulation to compensate unregistered business for income losses due to business disruption and support in re-establishing their business elsewhere.	
	(For displaced poor and other vulnerable groups) -In case the amount of compensation/support is not enough for resettled people to buy the minimum	Not conflict with SPS 2009 although there is small gap in identifying vulnerable group.	

⁷ In line with Item 2, Article 87, 2013 Land Law, which stipulates “For projects using loans from international or foreign organizations for which Vietnam has committed to a policy framework for compensation, support and resettlement, that framework policy shall apply”.

⁸ Displaced persons include persons who lost the land they occupy in its entirety or in part who (i) have formal legal rights to the land lost, (ii) have claims to such lands that are recognized or recognizable under national laws, or (iii) have neither formal legal rights nor recognized or recognizable claims to such land

⁹ Vulnerable groups are those who may be differentially or disproportionately affected by the project because of their disadvantaged or vulnerable status.

ADB SPS 2009 Involuntary resettlement safeguard	Vietnam 2013 Land Law & guidance decrees	Policy gaps from ADB SPS 2009	Reconciled policy for the Project
	<p>resettlement plot, requires the State to support the balance (Article 86.4 Land Law 2013 and Article 27 Decree 47)</p> <p>-Requires to compensate, support, and resettle to stabilize livelihoods of people whose recovered land is located in areas that pose risk to human life (Article 87.3 of Land Law 2013 and Articles 19, 20, and 21 Decree 47).</p>		
Scope and Triggers			
<p><i>Physical displacement (relocation, loss of residential land, or loss of shelter) and economic displacement (loss of land, assets, access to assets, income sources, or means of livelihoods) as a result of (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas. It covers them whether such losses and involuntary restrictions are full or partial, permanent or temporary.</i></p>	<p>The policy principles are not limited to the DPs but:</p> <ul style="list-style-type: none"> - Have policies to create favorable conditions for people who are directly engaged in agricultural production, forestry, aquaculture, and salt-making and do not have productive land due to the restructuring of land use and economic restructuring (Article 26.4). These households/ individuals will be granted with LURCs, ownership of housing and other assets attached to land and do not have to pay land use fee (Article 101.1). - Covers both physical and economic displacement due to land recovery (involuntary acquisition of land) -Considers impacts from change of land use structure and economic structures (Article 26.4) -Covers both temporary and permanent land recovery -Covers remaining investment costs on land (Article 76). -Covers compensation for the damage caused by limited land use (Articles 94 	<p>Although there is no similar principles as in the SPS 2009, this provision is consistent with the overall objective of the Bank on poverty reduction.</p> <p>The 2013 Land Law is short in matching the coverage of 2009 SPS since Article 94 and Article 157 only provide compensation for legally recognized land users.</p>	<p>Applying the objectives of the 2009 ADB SPS.</p>

ADB SPS 2009 Involuntary resettlement safeguard	Vietnam 2013 Land Law & guidance decrees	Policy gaps from ADB SPS 2009	Reconciled policy for the Project
	and 157).		
Policy Principles			
<p>1. <i>Screen the project early on to identify past, present, and future involuntary resettlement impacts and risks.</i> <i>The involuntary resettlement impacts of a subproject funded by ADB is considered as significant if 200 people or more are greatly affected, defined as (i) relocating houses or (ii) losing 10% or more of their productive assets (income-generating).</i></p>	<p>-Requires that in the preparation of the district annual land use plan, the area and location of the land to be recovered to implement socioeconomic development projects should be assessed (Article 40.4.c). As for severely affected households when the DPs lose at least 30% of their agricultural landholdings.</p>	<p>-The Land Law does not require for screening of projects in terms of significance of involuntary resettlement impacts, with corresponding requirements for degree of preparation, implementation and monitoring. -Land Law 2013 (Article 87.3) and Decree No. 47/2014/ND-CP require that depending on the degree impacts, separating compensation, assistance, and resettlement activities into a stand-alone project will be decided.</p>	<p>All subprojects shall be screened and categorized according to the degree of their involuntary resettlement impacts, physical and social.</p>
<p>2. <i>Carry out meaningful consultations with affected persons, host communities, and concerned non-government organizations. Inform all displaced persons of their entitlements and resettlement options. Ensure their participation in planning, implementation, and monitoring and evaluation of resettlement programs. Establish a grievance redress mechanism¹⁰ to receive and facilitate resolution of</i></p>	<p>- Starts the conduct of public consultation (including affected land users) with the preparation of the district-level land use plan (Article 43). - Between 90-180 days before issuing decision on land recovery, State agencies are required to notify the affected land users about the land recovery (including recovery plan, investigation, survey, measurement and inventory) (Article 67). - Requires that once the plan for</p>	<p>Most of the provisions on consultation in the Land Law are consistent with 2009 SPS. What is missing is the provisions are the consultation with host communities and support for social and cultural institutions.</p>	<p>Participatory consultations will include non-government organizations, host communities and civic organizations will be provided with project information booklets or brochures written in language largely understand by affected persons.</p>

¹⁰ The grievance redress mechanism should address affected persons concerns and complaints promptly using an understandable and transparent process that is gender responsive, culturally appropriate and readily accessible to the affected persons at no cost and without retribution. The mechanism should not impede access to the country's judicial or administrative remedies. It should also pay particular attention to the impacts on vulnerable groups.

ADB SPS 2009 Involuntary resettlement safeguard	Vietnam 2013 Land Law & guidance decrees	Policy gaps from ADB SPS 2009	Reconciled policy for the Project
<p><i>the affected persons' concerns. Support the social and cultural institutions of displaced persons and their host population.</i></p>	<p>compensation has been approved, each person whose land is recovered (<u>and meets the conditions for compensation</u>) should be notified of the decision on compensation. Requires the decision to clearly show the level of compensation and support, arrangement of the resettlement land or house (if any), time and place of payment for compensation or support, time to arrange resettlement land or house and time of hand over, and site clearance. The organization in charge of compensation/resettlement conducts consultations with affected land users and record opinions/ comments raised during the consultations. In case of disagreement, the Fatherland Association will attempt to persuade those who disagree (Article 69).</p>		
<p><i>3. Improve, or at least restore, the livelihoods of all displaced persons through (i) land-based resettlement strategies when affected livelihoods are land based where possible or cash compensation at <u>replacement value</u> for land when the loss of land does not undermine livelihoods, (ii) prompt replacement of assets with access to assets of equal or higher value, (iii) prompt compensation at full replacement cost for assets¹¹</i></p>	<p>-Requires that compensation be made by allocating new land with the same land use purpose with the recovered land. If there is no land available for compensation, the land users will receive cash compensation calculated on the specific land price. Requires that compensation must be democratic, objective, equal, public, timely and legally compliant. (Article 74.2) -Requires that specific price of the affected plot should be determined and</p>	<p>There are inconsistencies noted on these provisions in Land Law that do not meet this Bank policy. It does not prescribe for consulting land users on land transactions, land value by types, land titles, land use, cropping patterns and crop production, availability of land in the project area and region, and other related information where market conditions are absent or in a</p>	<p>Livelihoods and socio cultural systems of all displaced persons shall be restored, improved and culturally appropriate from pre-Project level. Affected livelihoods based on land shall be restored through: (i) land-based resettlement strategies, or cash compensation at replacement value for land</p>

¹¹ The calculation of full replacement cost will be based on the following elements: (i) fair market value, (ii) transaction costs, (iii) interest accrued, (iv) transitional and restoration costs, and (v) other applicable payments, if any. Where market conditions are absent or in a formative stage, the borrower will consult with the displaced persons and host populations to obtain adequate information about recent land transactions, land value by types, land titles, land use, cropping patterns and crop production, availability of land in the project area and region, and other related information. Baseline data on housing, house types, and construction materials should

ADB SPS 2009 Involuntary resettlement safeguard	Vietnam 2013 Land Law & guidance decrees	Policy gaps from ADB SPS 2009	Reconciled policy for the Project
<i>that cannot be restored, and (iv) additional revenues and services through benefit sharing schemes where possible.</i>	independent/licensed valuers should be engaged in establishing cash compensation rates (Articles 114.4, 115, and 116 of Land Law 2013 and Decree 44/2014/ND-CP). However, the requirement of engaging independent/licensed valuers is still vague: article 114, provision 3 says that the province-level land administration agency is entitled to (instead of “must”) hire organizations having consultancy functions for advising on the determination of specific land prices). -Includes the cost for moving due to land recovery in the compensation (Article 91). -Requires the payment of additional compensation in case of late payment (after 30 days from decision on the land recovery) (Article 93).	formative stage in determining replacement value of affected assets.	when the loss of land does not undermine their livelihoods; (ii) prompt replacement of assets of equal or higher value, (iii) prompt compensation at full replacement cost for assets that cannot be restored, (iv) employment in construction works; and (v) restoration of social networks of displaced persons.
4. Provide physically and economically displaced persons with needed assistance, including the following: (i) secured tenure to relocation land, better housing at resettlement sites with comparable access to employment and production opportunities; (ii) transitional support and development assistance, such as land development, credit facilities, training, or employment opportunities; and (iii) civic infrastructure and community	-Entitles affected land users to also receive State support, including support for stabilizing livelihoods and production, support for training and career change and facilitating search for jobs, support for resettlement and other support (Article 83). -Requires resettlement sites to have uniformly developed infrastructure, ensuring construction standards, codes in accordance with the conditions, customs, practices of the specific regions, areas (Article 85.2).	The Land Law does not include compensation of unregistered owners of commercial structures/businesses for (i) the cost of re-establishing their business/commercial activities elsewhere; (ii) net income loss during the transition period, and (iii) cost of transferring and reinstalling plant, machinery, or other equipment.	Physically and/or economically displaced persons shall be provided with: (i) land use right certificates in relocation land, better housing at resettlement sites with comparable access to employment, forest resources, and/or production opportunities; (ii) transportation for transfer to resettlement sites and food subsidies to APs during

be collected. Qualified and experienced experts will undertake the valuation of acquired assets. In applying this method of valuation, depreciation of structures and assets should not be taken into account (ADB SPS 2009, Appendix 2).

ADB SPS 2009 Involuntary resettlement safeguard	Vietnam 2013 Land Law & guidance decrees	Policy gaps from ADB SPS 2009	Reconciled policy for the Project
<i>services, as required.</i>			transition and development assistance, such as land development, training, or employment opportunities; and (iii) access to social infrastructure and community services, as required.
<i>5. Improve the standards of living of the displaced poor and other vulnerable groups, including women, to at least national minimum standards. In rural areas provide them with legal and affordable access to land and resources, and in urban areas provide them with appropriate income sources and legal and affordable access to adequate housing.</i>	<p>-In case the amount of compensation/support is not enough to buy the minimum resettlement plot (as normally the case for poor households), requires the State to support the balance (Article 86.4)</p> <p>-Entitles people whose recovered land is located in areas that pose risk to human life (defined in Article 65.1) to receive compensation, support, resettlement to stabilize livelihoods (Article 87.3)</p> <p>-State guarantees to develop policies to facilitate those who are directly involved in agricultural, forestry, aquaculture, salt production and who are lacking the land for production due to change of land use structure and economic structure (Article 26.4). Such households/ individuals shall be granted certificate of land use right, houses and other land-attached assets without having to pay land use fee (Article 101.1).</p>	While the 2009 SPS considered them as such, women, households headed by a woman with young dependents, people with disabilities, the poor, and ethnic minority people are not automatically considered as vulnerable under the Land Law. Moreover, the Land Law has no explicit requirement to identify the poor and other vulnerable groups and to propose and implement targeted measures to assist them in the cases of land recovery.	Ward PC/ CPC shall issue certificates confirming their poor social status. Other vulnerable groups as defined by ADB will be provided with assistance according to the regulations of the project.
<i>6. Develop procedures in a transparent, consistent, and equitable manner if land acquisition is through negotiated settlement to</i>	-Article 73 of the Land Law covers negotiated settlement for land transfer for projects, facilities for project and business purposes – not in the event of	Land Law 2013 and Decrees 43/2014/ND-CP, 44/2014/ND-CP and 47/2014/ND-CP have neither a provision for procedure nor	Per 2009 SPS ¹² , the borrower/client will ensure that any negotiations with displaced persons openly

¹² Appendix 2, Paragraph 25

ADB SPS 2009 Involuntary resettlement safeguard	Vietnam 2013 Land Law & guidance decrees	Policy gaps from ADB SPS 2009	Reconciled policy for the Project
<i>ensure that those people who enter into negotiated settlements will maintain the same or better income and livelihood status.</i>	land recovery by the state.	regulation on negotiated settlement.	address the risks of asymmetry of information and bargaining power of the parties involved in such transactions. The borrower/client will agree with ADB on consultation processes, policies, and laws applicable to such transactions; third-party validation; mechanisms for calculating the replacement costs of land and other assets affected; and record-keeping requirements.
<i>7. Ensure that displaced persons without titles to land or any recognizable legal rights to land are eligible for full resettlement assistance and compensation for loss of non-land assets at 100% (as long as they settled in the project area before the cut-off date)</i>	-For relocating households who are not eligible for compensation with residential land, but have no other place to live, the State sells, leases, provides rent-to-own houses or allocates land with land use fee (Article 79.2). -Not compensating for the assets which are (i) illegally created; (ii) created after the notice of land recovery; and (iii) social infrastructure and other construction facilities which are no longer in use (Article 92) of the Land Law.	The Land Law is inadequate in meeting this 2009 SPS policy. Articles 88 and 92 do not provide compensation to non-legitimate owners of land-attached assets for non-land assets.	The absence of legal rights of affected persons on the acquired land is not a hindrance to receiving compensation for other assets and for rehabilitation assistance.
<i>8. Prepare a <u>resettlement plan</u>¹³ elaborating on displaced persons' entitlements, the income and livelihood restoration strategy,</i>	The Land Law requires for a compensation plan that shows the level of compensation and support, arrangement of the resettlement land or	At the level required under the 2009 SPS, there is no requirement for preparing a resettlement plan or Ethnic	Resettlement plan shall be prepared in case of land acquisition, complete with necessary information.

¹³ SPS (2009) requires that a resettlement plan should basically include the following (i) project description, (ii) scope of land acquisition and resettlement, (iii) socioeconomic information and profile, (iv) information disclosure, consultation and participation, (v) grievance redress mechanisms, (vi) legal framework, (vii) entitlements, assistance and benefits, (viii) relocation of housing and settlements, (ix) income restoration and rehabilitation, (x) resettlement budget and financing plan, (xi) institutional arrangements, (xii) implementation schedule and (xiii) monitoring and reporting

ADB SPS 2009 Involuntary resettlement safeguard	Vietnam 2013 Land Law & guidance decrees	Policy gaps from ADB SPS 2009	Reconciled policy for the Project
<p><i>institutional arrangements, monitoring and reporting framework, budget, and time-bound implementation schedule.</i></p> <p><i>Incorporating into the plan all of the resettlement costs when presenting the cost and benefits of the project.</i></p>	<p>house (if any), time and place of payment for compensation or support, time to arrange resettlement land or house (if any) and time to hand over the recovered land to the organization in charge of compensation.</p> <p>As for the projects that have significant impacts on involuntary resettlement, it is necessary to consider the implementation of the involuntary resettlement component of the project as a stand-alone project; Resettlement cost is included in the total investment.</p>	<p>Minority Development Plan. Compensation plan is prepared only after the detailed measurement survey (DMS), and there is no requirement for preparing a draft resettlement/compensation plan.</p>	
<p><i>9. Disclose a draft resettlement plan, including documentation of the consultation process in a timely manner, before project appraisal, in an accessible place and a form and language(s) understandable to affected persons and other stakeholders. Disclose the final resettlement plan and its updates to affected persons and other stakeholders.</i></p>	<p>-Requires that the compensation plan is disclosed to the affected land user and the community where land recovery will be made.</p>	<p>This provision in the Land Law is somewhat similar with 2009 SPS. However, the contents of compensation plan may not be comparable with the level of detail in 2009 SPS since the Land Law provides the general guidelines on land recovery for projects assisted by multilateral development institutions and/or projects financed by the government.</p>	<p>Disclose a draft RP including documentation of the consultation process in a timely manner, before project appraisal, in an accessible place and a form and language(s) understandable to affected persons and other stakeholders. Disclose the final RP and its updates to affected persons, and other stakeholders.</p>
<p><i>10. Pay compensation and provide other resettlement entitlements before physical or economic displacement. Implement the resettlement plan under close supervision throughout project implementation</i></p>	<p>-Requires that land recovery be conducted only after the construction of houses or infrastructure in the resettlement area is completed (Article 85).</p> <p>-Requires affected land users to handover the land within 30 days <u>after agreeing</u> to the compensation/allowances offered. Agencies making the compensation are</p>	<p>Matched against the 2009 SPS, the Land Law has no explicit condition that the affected land user should have received the compensation/allowance before handing over the affected land/asset.</p>	<p>RP shall be prepared as part of the Project or it may be a stand-alone document for implementation, showing the full cost of execution if the impacts shall displace persons. Compensation/allowances shall be received by the APs, before the handing</p>

ADB SPS 2009 Involuntary resettlement safeguard	Vietnam 2013 Land Law & guidance decrees	Policy gaps from ADB SPS 2009	Reconciled policy for the Project
	required to pay compensation within 30 days. In case of delay, additional compensation for delayed payment should be made.		over of their land or removal of their affected assets.
11. <i>Grievance redress mechanism</i>	<p>- Citizens have the right to supervise land management including land recovery, compensation, assistance and resettlement. The competent state agencies upon receiving opinions from citizens have to examine, settle and respond to the opinions of the reporting organizations or individuals (Article 199).</p> <p>- Allowing the DPs whose land is acquired to send petition according to the mechanism and procedures of the Law on Complaints and Denunciations. For violations committed by civil servants or public employees working at a land administration agency (including land acquisition), the petition shall be sent to the competent agencies depending on the nature of the petition and concerned civil servants or public employees (Article 209).</p>	SPS 2009 defines a grievance redress mechanism in accordance with the National Law and easily accessed by the DPs.	A four-step grievance redress mechanism in compliant with the Complaint Law will be established and disseminated to the stakeholders. Complaint fees are the responsibilities of the project owner.
12. <i>Monitor and assess resettlement outcomes, their impacts on the standards of living of displaced persons, and whether the objectives of the resettlement plan have been achieved. Monitoring indicators are defined for internal monitoring and external monitoring; Disclosing monitoring reports.</i>	<p>-Empowers citizens to supervise and report on breaches in land management and land use including land recovery, compensation, support and resettlement (Article 199).</p> <p>-Mandates the government to develop a system for monitoring and evaluation on land management and land use including land pricing, land recovery, settlement of disputes, etc. to be sent periodically to the government and the National Assembly (Article 200).</p>	Article 199 of the Land Law is consistent with the requirement of 2009 SPS. However, Article 200 does not require for the monitoring and evaluation of the resettlement outcomes and the impacts on standards of living on displaced persons. Likewise, it has requirement to engage an external expert to monitor for projects with significant involuntary resettlement/land	Mechanism for resettlement monitoring and evaluation shall be established. An internal monitoring mechanism and/or an external monitoring agency/expert will be recruited to implement monitoring activities of the project (if necessary).

ADB SPS 2009 Involuntary resettlement safeguard	Vietnam 2013 Land Law & guidance decrees	Policy gaps from ADB SPS 2009	Reconciled policy for the Project
	Monitoring indicators are not specified.	recovery impacts.	

7.4 Resettlement Policy and Principles of the Subproject

83. The 2011 Resettlement and Ethnic Minority Development Framework spells out the resettlement policy and principles that will guide land acquisition and resettlement in subprojects of the Power Transmission Investment Program (PTIP). Provisions and principles adopted in PTIP will supplement the provisions of relevant decrees currently in force in Viet Nam wherever a gap exists, consistent with Decree N°38/20B/ND-CP which provides that in case of “discrepancy between any provision in an international treaty on ODA, to which the Socialist Republic of Viet Nam is a signatory, and the Vietnamese Law, the provision in the international treaty on ODA shall take precedence” (Article 46, Item 1). These resettlement policy and principles have been designed to address the discrepancies between ADB SPS and relevant GOV regulations as described in the gaps analysis above, thus:

- 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.

7.5 Subproject Entitlements

7.5.1 Eligibility

84. Eligibility will be determined with regard to the cut-off date, which is taken to be the date of commencement of the DMS for which land and/or assets affected by the subprojects are identified and measured. The APs will be informed of the cut-off date for each subproject component, and any people who settle in the subproject area after the cut-off date will not be entitled to compensation and/or assistance under the subproject.

85. In addition, legal rights to the land concerned determine the extent of eligibility for compensation with regard to land. There are three types of APs: i) persons with Land Use Rights Certificates (LURCs) to land lost in entirety or partially, ii) persons who lost land they occupy in its entirety or partially who do not currently possess a LURC but have a claim that is recognizable under national laws, or, iii) persons who lost land they occupy in its entirety or partially who do not have any recognizable claim to that land. APs included under i) and ii) above shall be compensated for the affected land and assets upon land. APs included under iii) shall not be compensated for the affected land, but for the affected assets upon land and are entitled to assistance if they have to relocate.

7.5.2 Entitlements

86. Households or individuals with sufficient basis for compensation will be compensated for land and structure losses equivalent to 100% of the price of such assets. Those without sufficient legal rights are also assisted as described in the entitlement matrix below.

87. The unit rates or amount for allowances indicated in the entitlement matrix can be adjusted during REMDP updating to reflect actual situation at the time of implementation. However, the adjusted amounts and unit rates cannot be lower than the provisions in the entitlement matrix.

Table 14: 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 to 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 DCARB for each case.</p> <p>DCARBs 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>(48 AHs)</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 DCARBs 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 DCARBs 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 DCARBs 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 DCARBs 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 DCARBs</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 compensation price for the land with lowest position in the land categories</p>	<p>For non-titled DPs with no other productive landholdings, local authorities</p>

Entitled Persons	Type and Level of Impact	Compensation Policy	Implementation Issue
		of the province, and (b) Economic rehabilitation package in lieu of compensation (see G, below).	will allocate replacement land with temporary or lease land rights
Eligible organizations	Any impacted items	(a) No compensation for affected land but support equivalent with 70% of compensation value of the affected land; and (b) Cash compensation at current market prices for all non-land affected assets on the affected land and allowance for transfer assets, if any.	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 (65 AHs)	(a) No compensation for land. (b) Compensation for fruit trees and others at market price.	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) AHs can be required to cut affected trees, subproject will pay for this work.
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	No compensation for land; however, (a) The Subproject will pay rent to DPs during temporary use; and (b) Compensation for any demolished structures at replacement cost; and (c) Restore land within 1 month after use to its previous or better.	Rent will be determined so as to be not less than the amount of income foregone due to the temporary loss of this land PPMBs and EMA are in charge of monitoring contractors on restoration of the affected land.
User with lease or temporary right	Temporary loss of use of land	No compensation for land; however, (a) The Subproject will pay rent to DPs during the temporary use or compensation for the remaining value of the contract; and (b) Compensation for any demolished structures at replacement cost; and (c) Restore land within 1 month after use of land to its previous or better quality. OR, if DP opts: (a) Compensation for any demolished structures at replacement cost; and (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.	Rent will be determined so as to be not less than the amount of income foregone due to the temporary loss of this land PPMBs and EMA are in charge of monitoring contractors on restoration of the affected land.
B.2. Permanently Affected Residential and/or Non-Agricultural Land			
Owners with LURC, owners in	Loss of residential and/or non-	As a priority, allocation of replacement land: (i) equal to area of affected	(a) The DPC will determine availability of

Entitled Persons	Type and Level of Impact	Compensation Policy	Implementation Issue
process of acquiring LURC, owners eligible to acquire LURC	agricultural landholding without houses and structures built thereon	land up to a maximum of land quota in province of subproject; (ii) of same 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; 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	replacement land (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
	Affected landholding exceeds area of land quota.	(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).	
	Loss of residential land/or non-agricultural landholding with houses and structures built thereon.	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 (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 (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.	(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.
User with lease or temporary rights	Loss of residential land/or non-agricultural land	(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).	Local authorities assist DP to find alternative land.
Non-titled user	Loss of residential land or non-agriculture land	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)	(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

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	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 (16 AHs)	(a) No compensation for land. (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. (c) Support for utilization restricted land	AHs will demolish the impacted part/structures and reconstruct or improve their houses themselves. Affected land in ROW will be rehabilitated by contractors after the subproject construction and land in ROW could be used with the restricted purposes.
	Demolishing partial or totally impact on house/structures (impact > 50%, or less than 50%)	(a) No compensation for land. (b) AH could chose one of the following options: (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. (d) Cash compensation at replacement cost for full areas of affected house/structure and cost for demolishing AHs' houses in ROW. (e) Support for utilization of restricted land	Consulting with AHs on options of retaining their house in ROW or removing out of ROW
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	(a) Cash compensation at replacement cost for materials and labor for affected portion with no deduction for depreciation or salvageable materials; and (b) Repair allowance (see G, below).	
Owners of house or combined house/shop structures	Structure totally affected OR Structure partially affected and remaining portion no longer viable	(a) Cash compensation at replacement cost for materials and labor for whole affected structure with no deduction for depreciation or salvageable materials; and (b) Relocation and subsistence allowances (see G, below).	
Owners of shop	Structure totally affected OR Structure partially affected and remaining portion no longer viable	(a) Cash compensation at replacement cost for whole affected structure for materials and labor with no deduction for depreciation or salvageable materials; and (b) Relocation allowance (see G, below).	

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 (7 AHs)	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
	(65 AHs)		acquisition not occurred. A market survey shall be carried out when updating the RP or REMDPs
E. COMMUNITY AND PUBLIC RESOURCES/ASSETS			
Village, Ward, Government Unit	Loss of community buildings and infrastructure (School building, Hospital, offices buildings, religious infrastructures etc.)	Repair or restoration to original or better conditions of affected community buildings and infrastructures at no cost to community; OR Replacement, if necessary, at locations identified in consultation with affected communities and relevant authorities, at no cost to community; OR Cash compensation at replacement cost based on current market prices for affected community assets.	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.
	Publicly owned utilities	Relocation and/or rehabilitation to original or better conditions of affected public utilities, at no cost to public utility; OR Cash compensation at replacement cost based on current market prices for affected public utilities.	Relocation or reconstruction of public facilities will be done with minimal disruption to public service
F. LOSS OF BUSINESSES AND INCOME SOURCES (NON-LAND BASED)			
F.1. Businesses that relocate and/or rebuild structures			
Households with businesses without tax declarations, e.g., small shops (Including un-registered business owners)	Structure totally affected and must be relocated OR Structure partially affected and must be rebuilt.	(a) Cash assistance for loss of income based on the minimum wage in the respective province for the period of 3 months; and (b) Cash compensation for affected structures at replacement costs; and (c) Cash assistance for relocation (see G1), if any	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.
Registered business owners	Structure totally affected and must be relocated OR Structure partially affected and must be rebuilt.	(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 (b) Cash compensation for affected structures at replacement costs; and (c) Cash assistance for relocation (see G1), if any	
F.2 Employees and Hired Laborers			
Employees and hired laborers	Temporary loss of employment/work while employers re-organize, relocate and/or rebuild.	Cash compensation for lost wages or salary equal to basic wages or salary for each day (or month) they cannot work.	
	Permanent loss of employment/work due to land acquisition or relocation of employer.	(a) Cash assistance equal to six months wages or salary or the value of a remaining contract, whichever is higher; and (b) Assistance to secure new employment including relevant skills training expenses if required.	

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 (48 AHs)	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 times 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.
		If DP has demand for training, he/she will be entitled to a free training course	
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. (11 AHs)	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. For other vulnerable DPs, assistance of VND 2,000,000 per household to improve their social and economic conditions	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.	

7.6 Strategy to Address Gender Issues

88. The subproject includes the following specific actions to address gender issues during resettlement planning and implementation:

- a. During the updating and implementation of this REMDP, both men and women will participate in public meetings and in the DMS. Women from the affected households will be consulted with regard to compensation, assistance, and resettlement.
- b. For married APs, both husband and wife will be present to receive the couple's compensation and allowances for their affected assets and income sources.
- c. Women will be given equal chance in getting hired for unskilled labor and to receive equal remuneration for the same work as the men.
- d. Special measures will be adopted to help elderly-, disabled-, and women-headed households relocate or reconstruct their affected structures.

7.7 Strategy to Assist Vulnerable Households

89. Vulnerable APs include the following: (i) households headed by women with dependents, (ii) household heads with disabilities, (iii) poor households, (iv) elderly households with no other means of support, and (v) landless APs. Vulnerable APs that are affected by the partial or entire loss of main structures and productive assets will be given priority for employment in project-related works. In addition, vulnerable AHs will be provided livelihood assistance.

Table 15: Number of Vulnerable AHs

No.	Districts/Communes	Single Women-Headed Households	EM Affected Households	Martyrs & wounded soldiers	Total
I	Binh Long District				1
1	Thanh Luong	1			
II	Loc Ninh Distrct				
2	Loc Thinh				
III	Hon Quan				
3	An Phu				
4	Minh Tam		9	1	10
	Total	1	9	1	11

7.8 Unforeseen Impacts

90. New APs/AHs that will emerge due to changes in project design or alignment prior to or even during construction works are entitled to the same entitlements as those of the other APs/AHs. Project entitlements will not apply to new occupants of the ROW after the cut-off date.

VIII. RESETTLEMENT STRATEGY

8.1 Compensation and Allowances of AHs

91. Compensation for affected fixed assets, including cash allowances, have been computed based on the results of the replacement cost study (RCS) that was conducted in March-April 2015 to determine the prevailing market rates of lands, structures, crops, and trees in the subproject area. (See **Appendix 7** for results of the RCS). The amounts of compensation for affected assets are estimated using the unit costs suggested by the RCS and multiplying these unit costs with quantities of the affected assets. Computation of various types of allowances follows the same principle.

8.1.1 Compensation for permanently affected (acquired) land

92. Compensation for the 45 AHs affected by the permanent acquisition of their landholdings is estimated at VND 656,535,000, broken down as follows: paddies and seasonal cropland, VND 27,334,500; garden land, VND 100,686,000; and perennial tree land, VND 528,515,000.

Table 16: Permanently Acquired Land for Tower Foundations

Type of Affected Land	Unit Cost (VND/m ²)	Affected area (m ²)	Amount (VND)
Paddies/seasonal cropland	45,000-54,000	519	27,334,500
Garden land	59,000-67,000	1,557	100,686,000
Perennial tree land	59,000-67,000	8,477	528,515,000
Total		10,553	656,535,000

8.1.2 Cash assistance for losing productive lands (cropland and garden land)

93. All 45 AHs affected by the loss of productive land are entitled to an assistance of VND 3,447,675,000. None of the 45 AHs are entitled to life stabilization allowance¹⁴ because no one is severely affected by the loss of 10% or more of its productive assets.

8.1.3 Cash assistance for restricted use of land in TL ROW

94. The 65 AHs adversely affected by safety restrictions imposed on the continued use of their 429,446 m² landholdings in the ROW of the TL are entitled to receive the equivalent of 30% (for perennial/garden land) and 80% (for residential land) of the replacement cost¹⁵ (i.e., at market rate) of their affected landholdings in the ROW. An aggregate of VND 9,188,565,200 in cash assistance will be given to the 65 AHs, broken down as follows: VND 1,521,920,000, residential land; VND 1,023,268,200, garden land; and VND 6,643,377,000, perennial tree land.

Table 17: Cash Assistance for Restricted Use of Land in TL ROW

¹⁴ Life stabilization allowance is computed thus: (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 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; and (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.

¹⁵ Per RCS conducted in March-April 2015, the unit costs of the affected lands are: VND 592,000-896,000/m², residential land; VND xxx/m², 59,000-67,000 garden land; and VND 59,000-67,000/m².

Type of Affected Land	Unit Cost (VND/m ²)	Affected area (m ²)	Amount (VND)
Residential	592,000-896,000	2,650	1,521,920,000
Paddies/seasonal cropland	-	19,219*	-
Garden land	59,000-67,000	52,321	1,023,268,200
Perennial tree land	59,000-67,000	355,256	6,643,377,000
Total		429,446	9,188,565,200

*Not affected by safety restrictions.

8.1.4 Mitigating temporary impacts on land and incomes

95. During subproject implementation, the civil works contractor and the PIC will identify the specific locations and the dimensions of lands that will be affected temporarily as access road and work place during the construction and stringing of the transmission line towers. The civil works contractor will pay for any damaged crops or income loss arising from the inability of AHs to plant their crops during the temporary use of their lands, in addition to restoring those temporarily affected lands to their original condition before the same are returned to the AHs. NPT will ensure that this condition is stipulated in the contract of the civil works contractors.

8.1.5 Compensation for crops and trees

96. To the extent possible, standing crops on any affected lands (i.e., permanently acquired and lands in the TL ROW) would be harvested prior to the start of civil works by informing AHs at least 6 months in advance of the schedule for handing-over of project-recovered land. For budget purposes in this REMDP, however, it is assumed that 1 cropping of rice on the 519 m² permanently affected cropland will be acquired by the project and for which an amount for compensation is earmarked. The amount of compensation for damaged 1 rice crop is VND 3,114,000.

97. The IOL has counted 452 rubber trees, 130 jackfruits, 29 pepper trees, and 9 cashew trees on the permanently affected land. In addition, 18,326 rubber trees; 4,360 jackfruits; 1,891 pepper trees; and 702 cashew trees were found inside the ROW. At prevailing market rates in April 2015, the compensation for these trees is estimated at VND 6,389,142,000.

8.1.6 Compensation for affected main structures

98. None of the 16 houses found in the TL ROW is required to relocate, consistent with Article 14/2014/ND-CP. Similarly, none of the secondary structures found in the TL ROW, such as latrines/bathrooms and dug wells, will be required to relocate outside of the ROW. However, they have to be equipped with lightning arrestors and fireproofed as determined by competent authorities. The subproject will shoulder the cost of these lightning arrestors and fireproofing. But since the quantities of lightning arrestors and fireproofing works are unknown at this point in time, the budget for these will be drawn from the allotted contingency cost of the RP's resettlement budget.

8.1.7 Cash assistance for income loss

99. None of the 65 AHs is affected by income loss as a consequence of the disruption of business operation or employment.

8.1.8 Cash assistance to vulnerable AHs

100. One AH headed by a single woman (i.e., no other social support and an EM Stieng AH) and 1 AH of martyrs and wounded soldiers were identified during the IOL. A one-time special cash assistance of VND 2 million will be provided to each of these vulnerable AHs.

8.1.9 Action plan to ensure EM AHs are not marginalized in the subproject

101. There are 4 EM Stieng AHs that will lose an aggregate of 517 m² of perennial cropland for the foundation of towers in Minh Tam Commune, Hon Quan District. All 4 EM Stieng AHs are marginally affected by the permanent loss of their perennial cropland. Three of these EM Stieng AHs have land use rights certificate (LURC) for their affected landholdings, while the 1 has no LURC but is eligible to apply for one.

102. Some parts of the remaining annual croplands of the 9 EM Stieng AHs in Minh Tam Commune, Hon Quan District are within the ROW of the transmission line and are therefore affected by safety restrictions imposed on their continued use. The aggregate area of the affected croplands of the 9 EM Stieng AHs is 34,405 m². Six of the EM Stieng AHs have LURCs for 26,207 m² of their landholdings, while 3 have none for 13,135 m² of their affected landholdings but are eligible to apply for a land certificate.

103. None of the 9 EM Stieng AHs has a house in the TL ROW. None of the EM AHs is classified as poor. Only 1 EM Stieng AH falls under one of the categories of vulnerability – that of being headed by a woman.

104. In light of the foregoing, the focus of the action plan for the 9 EM Stieng AHs is to ensure that their voice is heard and their opinions considered in the updating and implementation of the REMDP. The CPMB will ensure that these EM AHs are represented in all consultations and meetings to be carried out in connection with the updating of the REMDP, such as meetings before and after the conduct of the DMS and RCS, including the initial disclosure by the District Compensation, Assistance and Resettlement Board (DCARB) of the draft compensation plans (CPs) of the AHs. Additionally, CPMB will ensure that the 9 EM AHs are informed regularly on any updates regarding the implementation of the subproject, such as the dates of payment of compensation and assistance, and the date for the handover of recovered lands. CPMB will ensure that the EM AHs are provided a copy of the project information brochure and that these AHs are aware of the grievance redress mechanism.

8.1.10 Income restoration measures

105. None of the AHs is severely affected by the loss of 10% or more of their productive assets. Therefore, no additional support is envisaged for them.

8.2 REMDP Updating and Implementation

106. CPMB is responsible for updating the REMDP, with assistance from the Project Implementation Consultants (PIC). NPT and CPMB will make representation with the PPC and DPCs for the mobilization of DCARB and the LFDC in each district for the conduct of the detailed measurement survey (DMS). Prior to the conduct of the DMS, CPMB and DCARB/LFDC will hold public meetings-consultations with the AHs to discuss the approved subproject and the DMS activities that will be carried out. Binh Phuoc PPC will hire an independent expert that will carry out replacement cost study (RCS). Following the conduct of the DMS, CPMB, with assistance from the PIC and DCARB/LFDC, will hold disclosure meetings-consultations with the AHs to discuss the results of the DMS, the subproject resettlement policy and entitlements, and to solicit the views and suggestions of the AHs regarding their resettlement.

107. Only after ADB gives its concurrence to the updated REMDP could the implementation of the same commence. CPMB is responsible for the day-to-day implementation of the subproject and in the preparation of technical, safeguards, and financial reports. CPMB, PIC, and civil works contractor(s) will convene a meeting with the AHs in each commune specifically to discuss the schedule of civil works that includes the clearing of the locations of the tower foundations, and the construction of access roads.

IX. RESETTLEMENT COSTS

108. Funds for land acquisition and implementation of resettlement are part of the subproject budget. Costs have been estimated based on the results of the IOL and the RCS done in March-April 2015.

9.1 Procedures for flow of funds

109. NPT will bear the full cost of resettlement. It is responsible for ensuring that funds for resettlement are sufficient and are available in a timely manner. NPT will disburse funds for resettlement to the imprest account of the 2 DCARBs and Binh Long Town CARB. With assistance of the LFDC, the District/Town CARB will deliver compensation and allowance of the AHs at Commune PC Office. AHs will be notified in advance on the date of payment of compensation and allowance. AHs will likewise be advised to bring with them their copy of their compensation plan.

9.2 Cost estimates and inflation adjustment

110. NPT and CPMB, in collaboration with the PPC will ensure that adjustments are made to compensation rates and to other cash entitlements to reflect current market rates when payment of compensation and allowance is not done within the year of the conduct of the RCS.

9.3 Implementation, administration and contingency costs

111. Implementation costs cover payment of allowances and per diem of concerned DCARB and LFDC staff members involved in the updating and implementation of the REMDP. Administrative costs and contingencies amounting to 15% each have been added on top of the direct cost of resettlement. Likewise, an indicative amount equivalent to 2% of the direct cost of resettlement is set aside to cover the cost of external monitoring.

9.4 Estimated cost of resettlement

112. The cost of implementing resettlement for the Binh Phuoc segment of the 220 kV Binh Long – Tay Ninh TL is estimated at VND 21,442,700,664 (US\$ 983,610). Table below gives a breakdown of resettlement costs.

Table 18: Resettlement Budget (in VND)

No.	Cost Items	Unit	Quantity	Amount (VND)
A	Permanently acquired land			656,535,000
1	Paddies/seasonal cropland	m ²	519	27,334,000
2	Garden land	m ²	1,557	100,686,000
3	Perennial cropland	m ²	8,477	528,515,000
B.	Cash assistance for losing productive land	m²	10,553	3,114,000
C.	Cash assistance for land in ROW			9,188,565,200
1	Residential	m ²	2,650	1,521,920,000
2	Paddies/seasonal cropland	m ²	19,219	0
3	Garden land	m ²	52,321	1,023,268,200
4	Perennial cropland	m ²	355,256	6,643,377,000
D.	Compensation for crop and trees in tower foundations			177,472,000

No.	Cost Items	Unit	Quantity	Amount (VND)
1	Crop	m ²	519	3,114,000
2	Trees (various species)	no.	620	174358000
E	Compensation for trees in TL ROW (various species)	no.		6,214,784,000
1	Crop	m ²	19,219	0
2	Trees (various species)	no.	25,279	6,214,784,000
F.	Protection of houses in ROW (to be determined)			(from contingency)
G.	Cash assistance to vulnerable AHs	no.	7	4,000,000
1	Women-headed	no.	1	2,000,000
2	Social policy beneficiaries	no.	1	2,000,000
	Sub-total: Direct cost of resettlement (A+...+G)	VND		16,244,470,200
	Cost contingencies (15% of direct costs)	VND		2,436,670,530
	Administrative costs (15% of direct costs)	VND		2,436,670,530
	External monitor (2% if direct costs)	VND		324,889,404
	Grand TOTAL*	VND		21,442,700,664

*Equivalent to US\$ 983,610 at 1USD = VND21,800 exchange rate

X. INSTITUTIONAL ARRANGEMENTS

113. Implementation of the REMDP requires the participation of relevant agencies from the central to province, district, and commune levels. NPT has overall responsibility for the implementation of the REMDP. The respective CARBs of Binh Long Town, Loc Ninh District, and Hon Quan District will be mobilized consistent with Decree 47/2014ND-CP, dated 15 May 2014.

10.1 Central Level

114. The NPT is the executing agency and is mandated to:

- a. Provide overall management and coordination of PTIP Tranche 3 (PTIP3);
- b. Liaise with CPMB to carry out PTIP3;
- c. Coordinate with ADB in providing resettlement consultant services for PTIP3;
- d. Support CPMB for updating RPs/REMDPs of PTIP3;
- e. Consolidate project progress reports on land acquisition and resettlement submitted by the CPMB for relevant ministries and ADB;
- f. Recruit a consulting agency consisting of international specialist and national specialist to support project implementation; and
- g. Recruit or authorize CPMB to recruit a qualified external monitoring agency to conduct independent monitoring of the RP/REMDP implementation.

115. The CPMB is the implementing agency and is mandated to:

- a. Actively participate in RP/REMDP updating and implementation activities in collaboration with the concerned organization at the Province, District and Commune levels;
- b. Liaise with the PPC to facilitate the establishment of the CARBC at the provincial and district/city levels.
- c. Provide an orientation to the concerned People's Committees of the province, districts, and communes, the District/City CARB and related groups on the project, its resettlement policy, process flow, and on the specific tasks of these groups relative to the updating and implementation of the RP/REMDP;
- d. Take the lead in the public disclosure of subproject RP/REMDP in coordination with the concerned People's Committees, and participate in project information dissemination and holding of consultation meetings with AHs and other stakeholders;
- e. Monitor grievances related to the project and calls the attention of concerned government offices where complaints have remained outstanding beyond prescribed action periods;
- f. Design and implement an internal monitoring system that will capture the overall progress in RP/REMDP updating and implementation; and prepare quarterly progress reports for submission to NPT and ADB.

10.2 Provincial Level

116. The main responsibilities of the PPC include: (i) establishment and mobilization of PCARB and DCARB; (ii) organization and mobilization of all organizations and individuals concerning compensation, support and resettlement policies and ground clearance according to the land recovery decisions of competent State bodies; (iii) recruitment of consultant to determine replacement unit cost of affected private and public assets; (iv) planning resettlement arrangements, job change training plans according to their assigned competence; (v) authorizing the DPC to approve compensation, assistance support to APs/AHs; (vi) providing guidance to concerned agencies on the impartial settlement of citizens' complaints, complaints related to compensation, support and resettlement; and (vii) authorizing the DPC to apply legal measures to cases of deliberately failing to abide by the State's land recovery decisions.

10.3 District and Commune Levels

117. **District People's Committee (DPC)** is responsible for the following: (i) extension of support for updating and preparation as well as implementation of the RP/REMDP; (ii) issue land acquisition decisions and/or represent PPC to issue land acquisition decisions (if authorized) for the affected households and organizations; (iii) review and submit the RP/REMDP to PPC as endorsed by CARBs; (iv) review the accuracy of and validate the cost estimates for compensation and assistance; (v) acquisition of Land Use Rights Certificates (LURCs) for households and individuals who have lands and/or houses entirely-recovered; (vi) adjustment of LURCs for households and individuals whose lands and houses have been partially affected; (vii) assist in the redress of complaints and grievance of APs/AHs; (viii) concurrence with the schedule of RP/REMDP implementation and monitor the progress thereon; (ix) mobilization of the CARB that will appraise the compensation and assistance to APs/AHs; as well as (x) the provisions of lands to APs, as needed.

118. **District/Town Compensation, Assistance and Resettlement Board (DCARB)**. The responsibilities of the DCARB are the following: (i) organize and carry out resettlement activities in the district/city on behalf of the DPC; (ii) assist in the DMS, public consultations and disclosure activities; (iii) review and submit to DPC the proposed compensation, assistance and resettlement alternatives; (iv) assist in the identification and allocation of land for the APs/AHs, as needed; (v) along with the CPC, assist CPMB in the timely delivery of compensation payment and other entitlements to APs; and (vi) assist in the resolution of complaints and grievances.

119. **Commune People's Committee (CPC)** will assist the CPMB and the DCARB in the following tasks: (i) inform the APs about the compensation plan and the process of delivery, income restoration plans, relocation strategies and land clearance requirements based on the approved RP/REMDP; (ii) maintain a list of eligible APs after the DMS has been conducted; (iii) assign commune officials to extend assistance in the updating and/or preparation, as well as the implementation, of the RP/REMDP; (iv) identify replacement lands for the APs, as needed; (v) sign the Agreement Compensation Forms along with the APs; and (vi) assist in the resolution of grievances and in other related-resettlement activities and concerns.

10.4 Project Implementation Consultants

120. The Project implementation consultants (PIC) will include one international resettlement consultant and a national resettlement consultant to assist in the updating and implementation of the RP/REMDP.

10.5 Implementation Schedule of Resettlement

121. Table below is a tentative schedule of REMDP planning and implementation for the Binh Phuoc segment of the 220 kV Binh Long – Tay Ninh TL.

Table 19: Project implementation schedule

Activities	Time frame
NPT to endorse the REMDP to ADB for concurrence	June 2015
Distribution of PIB to AHs and posting of REMDP in relevant government offices and on ADB website	June 2015
ADB issues no-objection to REMDP and approval of subproject	July 2015
Conduct of DMS, replacement cost study (RCS) and REMDP updating	September 2015
NPT to submit the draft updated REMDP to PPC for approval	October 2015
NPT to endorse the updated REMDP to ADB for concurrence	November 2015
Internal monitoring (requires submission of quarterly reports)	Start in Sept 2015
Start of external monitoring (requires bi-annual monitoring reports)	October 2015
ADB no-objection to updated REMDP and posting of updated REMDP	November 2015
Start of REMDP implementation	December 2015
Post-resettlement implementation evaluation (6 months after completion of REMDP implementation)	2016

XI. MONITORING AND REPORTING

122. The implementation of resettlement will be monitored regularly to help ensure that the REMDP is implemented as planned and that mitigating measures designed to address adverse social impacts are adequate and effective. Towards this end, resettlement monitoring will be done by an internal body and by an external organization.

11.1 Monitoring and Reporting

123. The objectives of monitoring and evaluation are to (i) ensure that the standards of living of APs are restored or improved; (ii) monitor whether the time lines are being met; (iii) assess if compensation and rehabilitation measures are sufficient; (iv) identify problems or potential problems; and (v) identify methods of responding immediately to mitigate problems.

11.2 Internal Monitoring

124. CPMB will conduct internal monitoring of REMDP updating and implementation and will include its findings in the quarterly project progress report it submits to NPT and ADB. Internal monitoring will cover the following concerns:

- a. Payment of compensation, relocation to new sites, and rehabilitation assistance being in place before the awarding of civil works contract.
- b. Payment of compensation to all APs in various categories, according to the compensation policy described in the REMDP.
- c. Delivery of technical assistance, relocation, payment of subsistence and other allowances.
- d. Delivery of income restoration and social support entitlements.
- e. Public information dissemination and consultation procedures.
- f. Adherence to grievance procedures and outstanding issues requiring management's attention.
- g. Coordination and completion of resettlement activities and award of civil works contract.

11.3 External Monitoring

125. The key objectives of external monitoring and evaluation are to: (i) assess whether or not resettlement objectives have been met, specifically the restoration of livelihoods and the enhancement of affected persons' living standards; (ii) assess resettlement efficiency, effectiveness, impact and sustainability; and (iii) identify further mitigation measures as needed. External monitoring will be carried every 6 months. The external monitoring agency (EMA) will submit its monitoring report directly to NPT and ADB. The EMA will look into the following concerns:

- a. Capacity of affected persons to restore livelihoods and living standards. This will include assessment on the effectiveness and/or inadequacy of technical assistance, allowances and other measures, and to what extent the affected persons have restored their livelihoods and living standards to pre-project levels.

- b. Public consultation and awareness of resettlement plan policies. EMA will validate if the affected persons have been fully informed and consulted about land acquisition and relocation activities. It will also inquire the affected persons and other stakeholders if they were aware of the compensation and entitlements policies and various options available to affected persons. Included in EMA's validation is the process on how the public consultations were conducted, the problems and issues raised during the meeting and the solutions proposed either by the affected persons and stakeholders or from the side of NPT/CPMB.
- c. Level of affected persons' satisfaction. EMA will assess the APs' level of satisfaction on compensation, allowances and assistance received as well as on resettlement plan implementation, and the degree of efficiency and equity in handling grievances and resolution of complaints.
- d. Change in living standards. Some indicators in the performance evaluation of resettlement plan implementation are very useful in assessing the living standards of the affected persons. From the indicators, EMA will compare and assess the progress of affected persons in coping with the restoration of their livelihoods that define their living standards. Special attention to disparities between their pre-project and post-resettlement social conditions will be analyzed, and disaggregated by gender and per capita income levels. Any factors or issues relevant to restoration of the affected persons' living standards will be disclosed in the social impact evaluation report. The EMA will discuss its findings with the ADB and advice follow-up actions, where appropriate, to bring to closure the social issues arising from land acquisition and resettlement.

126. The EMA will likewise conduct an assessment of resettlement 6 to 12 months after completion of REMDP implementation.

Appendix 1 IOL Questionnaire Used

Inventory of Losses Questionnaire

Transmission line:

Questionnaire code: ___/___/___; Survey date: ___ / ___ /2015

A-BACKGROUND INFO

1. Name of head of household:Age..... Gender: [] (Male=1; female=2)
 - a) Ethnicity: [] (1=Kinh; 2=Kho Me; 3=Cham; 4=Hoa; 5=Others)
 - b) Education Level: [] (1=Illiterate; 2=Primary school; 3=Secondary school; 4= Yet graduated from high school; 5=High school; 6=Vocational training; 7=University and post graduate; 8=Others)
 - c) Main occupation: [] (1= Agriculture; 2=Livestock husbandry; 3=Bussiness; 4=Factory worker; 5=official; 6=private company; 7=Retired; 8= season employee 9=driver 10= receive economic support from relatives; 11=receive economic support from state ; 12=housewife; 13=Others)
 - d) Secondary jobs: [] (1=Livestock husbandry; 2=perennial crops; 3=aquaculture; 4=handicraft; 5=forestry; 6=small business; 7=mechanic)
2. Home address: Village:Commune:District.....Province
3. Vulnerable group: [] (Woman headed=1; Ethnic minority=2; Disabled=3; Poor household=4; Social policy household=5)

B. INVENTORY OF LOSS

1. Land use situation of the household (affected land is in the scope of acquisition for the project)

Types of land	Land within and beyond the project area (m ²)		Impact degree		Land tenure	Legal title	Impacts caused by
			Total area of affected land (m ²)	(1) Partly affected (2) Fully affected			
1= Residential land 2=Land for growing rice 3=Garden land 4=Aquaculture land 5=Forestry land 6=Non-agricultural land 7=Others	Within	Beyond			1=Owner 2=Lease	1=LURC 2=Without LURC but are eligible for granting LURC 3= Ineligible for granting LURC 4= Land is in the planning area of the state 5=Long-term lease of government land 6=Lease of private land	1= Tower 2= ROW 3= substation 4= access road
Plot 1							
Plot 2							
Plot 3							
Plot 4							
Plot 5							
Plot 6							
Plot 7							
Plot 8							
Total							

2. Affected houses

Types of houses		Legal title	Impact degree		Project area	
1. Villa 2. Grade 1 3. Grade 2 4. Grade 3 5. Grade 4 6. Temporary 7. Shop separated from house	Total floor area (m ²)	1. With certificate 2. Without certificate 3. Build on agricultural land 4. Rented house	Affected floor area (m ²)	(Partially affected =1; Fully affected =2)	1= Main canal 2= Northern Canal 3= Southern Canal 4=Management house 5=Borrow pit 6=Disposal area 7=Others	Notes (if there is home business, except for No. 7)

NB: A household can be impacted on several houses, thus it is necessary to fill full information of all affected houses.

3. Information related to houses out of the project area (if any):

- No. of houses: []
- Area of houses out of the project area (m²): m²

4. Other affected structures and facilities

(List auxiliary structures separated from affected houses listed above and facilities)

Structures/ Facilities	Types of structures	Unit	Quantity	Location 1= Tower 2= ROW 3= substation 4= access road
1. Kitchen separated from the main house	1. Temporary 2. Equal to grade 4 house	m2		
2. Livestock sheds	1. Temporary 2. Equal to grade 4 house	m2		
3. Electricity meter		Electricity meter		
4. Water meter and estimate of water pipeline length		Water meter		
5. Telephone				
6. Fence	1. Brick 2. Steel, wire or wood	Fence		
7. Gate	1. Brick 2. Iron, steel	m ²		

	2. Wood, Bamboo			
8. Latrine, bathroom (separated from the main house)	1. Brick, concrete 2. Bamboo, thatch	m ²		
9. Earth grave a) In cemetery b) Individual		Grave		
10. Built grave				
11. Well	1. Drilled 2. Dug	m		
12. Water container	1. Brick/ concrete 2. Inox 3. Plastic	m ³		
13. Yard (only cement or tiled)		m ²		
14. Fish pond (excavated amount)		m ³		
15. Others (Name and affected area)				

5. Affected trees and crops

(Only list affected perennial crops and fruit trees)

Trees and crops	Name	Unit	Amount	Location 1= Tower 2= ROW 3= substation 4= access road
a) Fruit tree (main)		Tree		
1) Pomelo				
2)				
3)				
4)				
5)				
b) Timber tree (main)		Tree		
1)				
2)				
3)				
4)				
5)				
c) Pot plant (main)				

d) Crops (main)		Tree		
1) Maize				
2) Potato				
3) Earthnut				
4) Bean				
5)				
e) Surface water area for aquaculture		m2		

C. CONSULTATION

1. Only for households losing productive and agricultural land

If agricultural or other productive lands are affected (acquired), which compensation option does your family chooses?

- a) Land-for-land (if land fund in the commune is available) with equal type of land and area/nature
[]
- b) Compensation in cash []
- c) Not yet decided []

2. Only for households losing residential land

Is the remaining residential land area out of the project area enough for the household to rebuild house?

- 1- Yes []
- 2- No []

3. Only for households losing residential land

If the remaining residential land area is not viable to rebuild house (the remaining area is smaller than 40m2 in the urban area or 100m2 in the rural area), which relocation option does the household choose?

- a) Self relocate to another land plot of the household []
- b) Self relocate to another place decided by the household []
- c) Project's resettlement site []
- d) Move to the resettlement site arranged by the local authorities []
- e) Not yet decided []

4. What is your plan to use compensation cash?

- a) Build or repair house []
- b) Buy new land []
- c) Buy other properties [] ; Specify _____
- d) Invest in small business []
- e) Bank saving []
- f) Spend on children's study []
- g) Others [] Describe _____

5. At present does the family have plan to replace production/income from agricultural land and/or restore business?

1. No † []

2. Yes: [] †

If yes, what is the plan:

- a) Buy new agricultural land for production []
 - b) Reestablish business in the new place []
 - c) Business []
 - d) Open small shop []
 - e) Handicraft []
 - f) Look for new job []
 - g) Others [] Describe
-

Surveyor

On behalf of the household

Appendix 2 Master List of AHs

No	Name of head household	Affected Land Areas in TL ROW (m2)						Land Acquisition in Tower Foundations (m2)					Affected Houses		Affected Trees in TL ROW				Affected Trees and Crops in Tower Foundations					
		Residential Land	Rubber	Cashew Trees	Pepper Trees	Fruit Trees	Crops	Rubber	Cashew Trees	Pepper Trees	Fruit Trees	Crops	Area	House Grade	Rubber	Cashew Trees	Pepper Trees	Fruit Trees	Rubber	Cashew Trees	Pepper Trees	Fruit Trees	Crops (m2)	
Thanh Luong commune, Binh Long Town		152,394						3,806																
	Total	1,350	103,576	3,344		38,256	5,868	2,595			1,038	173	785.5		5,754	167		3,188	144			87	173	
1		220	2,190			2,256		136					126	Cấp 4	122	0		188	8			0		
2		170	2,600	620				173					189	Cấp 4	144	31		0	10			0		
3			2,450	450		2,200		148			332				136	23		183	8			28		
4			2,500				2,300	173				173			139	0		0	10			0		
5			2,200			2,500		143							122	0		208	8			0		
6			2,200	720		2,000		178							122	36		167	10			0		
7		180	1,500			2,700		148			187		40	Cấp 4	83	0		225	8			16		
8			1,800				2,068	173							100	0		0	10			0		
9			2,905	850		1,600		148							161	43		133	8			0		
10		210	2,600			2,500		148			291		72	Cấp 4	144	0		208	8			24		
11		140	2,000			2,100		148					97.5	Cấp 4	111	0		175	8			0		
12		230	3,000			1,500		191					156	Cấp 4	167	0		125	11			0		
13			2,500	704		2,400		173							139	35		200	10			0		
14			1,500			2,500	1,500	148			228				83	0		208	8			19		
15		200	1,850			2,000		191					105	Cấp 4	103	0		167	11			0		
16			69,781			12,000		176							3,877	0		1,000	10			0		

No	Name of household	Affected Land Areas in TL ROW (m2)						Land Acquisition in Tower Foundations (m2)					Affected Houses		Affected Trees in TL ROW				Affected Trees and Crops in Tower Foundations					
		Residential Land	Rubber	Cashew Trees	Pepper Trees	Fruit Trees	Crops	Rubber	Cashew Trees	Pepper Trees	Fruit Trees	Crops	Area	House Grade	Rubber	Cashew Trees	Pepper Trees	Fruit Trees	Rubber	Cashew Trees	Pepper Trees	Fruit Trees	Crops (m2)	
Loc Thinh Commune, Loc Ninh District		83,896						1,903																
	Total	900	51,493	8,035	4,148	5,969	13,351	1,038	173	173	173	346	683.5		2,861	402	691	497	58	9	29	14	346	
1			2,670				2,600	95							148	0	0	0	5	0	0	0		
2			2,100	2,100				90	173						117	105	0	0	5	9	0	0		
3			3,642			1,169									202	0	0	97	0	0	0	0		
4			1,650	1,420			2,300	90		173					92	71	0	0	5	0	29	0		
5			1,200		1,248		1,500	95							67	0	208	0	5	0	0	0		
6		170	2,678			1,300		90				210	60	Cấp 4	149	0	0	108	5	0	0	0		
7			2,560		1,100										142	0	183	0	0	0	0	0		
8		110	1,859	950			2,751						32.5	Cấp 4	103	48	0	0	0	0	0	14		
9		150	2,678					90					190	Cấp 4	149	0	0	0	5	0	0	0		
10		140	2,258	1,215				92					240	Cấp 4	125	61	0	0	5	0	0	0		
11			2,678				2,700	95							149	0	0	0	5	0	0	0		
12		170	2,431										49	Cấp 4	135	0	0	0	0	0	0	0		
13			1,678			1,500	1,500	90				136			93	0	0	125	5	0	0	0		
14		160	3,300					95					112	Cấp 4	183	0	0	0	5	0	0	0		
15			18,111	2,350	1,800	2,000		116							1,006	118	300	167	6	0	0	0		
An Phu Commune, Hon Quan District		138,198						3,460																
	Total	100	135,432	2,666				3,460					70		7,524	133			192					
1			4,220					323							234	0			18					

No	Name of head household	Affected Land Areas in TL ROW (m2)						Land Acquisition in Tower Foundations (m2)					Affected Houses		Affected Trees in TL ROW				Affected Trees and Crops in Tower Foundations					
		Residential Land	Rubber	Cashew Trees	Pepper Trees	Fruit Trees	Crops	Rubber	Cashew Trees	Pepper Trees	Fruit Trees	Crops	Area	House Grade	Rubber	Cashew Trees	Pepper Trees	Fruit Trees	Rubber	Cashew Trees	Pepper Trees	Fruit Trees	Crops (m2)	
2			4,093					216							227	0			12					
3		50	4,850					274					40	cấp 4	269	0			15					
4			3,286	1,489				216							183	74			12					
5			4,301					191							239	0			11					
6			4,423					274							246	0			15					
7			4,886					288							271	0			16					
8		50	3,245					216					30	cấp 4	180	0			12					
9			3,286					274							183	0			15					
10			4,286	1,177				396							238	59			22					
11			4,215					288							234	0			16					
12			4,341					216							241	0			12					
13			86,000					288							4,778	0			16					
Minh Tam Commune, Hon Quan District		54,958						1,384																
	Total	300	39,362		7,200	8,096		1,038			346		288		2,187		1,200	675	58			29		
1			596			900		95			226				33			75	5			19		
2			3,578					149							199				8					
3			426			1,500		137							24			125	8					
4			625												35									
5			415												23									
6			725					148							40				8					
7			578			1,200		141			120				32			100	8			10		
8			460												26									
9		300	724			1,750							288	cấp 4	40				146					

No	Name of head household	Affected Land Areas in TL ROW (m2)						Land Acquisition in Tower Foundations (m2)					Affected Houses		Affected Trees in TL ROW				Affected Trees and Crops in Tower Foundations				
		Residential Land	Rubber	Cashew Trees	Pepper Trees	Fruit Trees	Crops	Rubber	Cashew Trees	Pepper Trees	Fruit Trees	Crops	Area	House Grade	Rubber	Cashew Trees	Pepper Trees	Fruit Trees	Rubber	Cashew Trees	Pepper Trees	Fruit Trees	Crops (m2)
10			4,578		2,500										254		417						
11			3,578					117							199				6				
12			618			1,450									34			121					
13			2,950												164								
14			815												45								
15			4,129		950										229		158						
16			3,672					117							204				6				
17			4,213		1,950										234		325						
18			2,735												152								
19			657												37								
20			517			1,296									29			108					
21			2,771		1,800			135							154		300		7				

Note: Names deleted for confidentiality

Appendix 3 Socioeconomic Survey Questionnaire

Socio Economic Survey Questionnaire

Transmission line:

Questionnaire code: ___/___/___; Survey date: ___ / ___ /2015

A-BACKGROUND INFO

4. Name of head of household:Age..... Gender: [] (Male=1; female=2)
- e) Ethnicity: [] (1=Kinh; 2=Kho Me; 3=Cham; 4=Hoa; 5=Others)
- f) Education Level: [] (1=Illiterate; 2=Primary school; 3=Secondary school; 4= Yet graduated from high school; 5=High school; 6=Vocational training; 7=University and post graduate; 8=Others)
- g) Main occupation: [] (1= Agriculture; 2=Livestock husbandry; 3=Bussiness; 4=Factory worker; 5=official; 6=private company; 7=Retired; 8= season employee 9=driver 10= receive economic support from relatives; 11=receive economic support from state ; 12=housewife; 13=Others)
- h) Secondary jobs: [] (1=Livestock husbandry; 2=perennial crops; 3=aquaculture; 4=handicraft; 5=forestry; 6=small business; 7=mechanic)
5. Home address: Village:Commune:District.....Province
6. Vulnerable group: [] (Woman headed=1; Ethnic minority=2; Disabled=3; Poor household=4; Social policy household=5)

B. SOCIO-ECONOMIC SURVEY

7. Household component (including head of household)

No.	Name	Gender	Relation to the household head	Age	Ethnicity	Main Occupation	Education level (7 and above)
		1= Male 2=Female	0=head 1=Husband/wife 2=Father/mother 3=Son/daughter 4=Son-in-law/Daughter-in-law 5=Grand child 6=Others		1=Kinh; 2=Kho Me; 3=Cham; 4=Hoa; 5=Others	1= Agriculture; 2=Livestock husbandry; 3=Bussiness; 4=Factory worker; 5=official; 6=private company; 7=Retired; 8= season employee 9=driver 10= receive economic support from relatives; 11=receive economic support from state ; 12=housewife; 13=Others	1=Illiterate; 2=Primary school; 3=Secondary school; 4= Yet graduated from high school; 5=High school; 6=Vocational training; 7=University and post graduate; 8=Others
1							
2							
3							
4							
5							
6							
7							
8							

6. Access to public facilities

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

7. **Water use: water sources for domestic use (tick the corresponding bracket)**

- | | | | |
|------------------------------|-----|-----------------|-----|
| 1) Dug well | [] | 2) Village well | [] |
| 3) Tap water | [] | 4) Rain water | [] |
| 5) River, stream, pond, lake | [] | 6) Buy water | [] |
| 7) Creek | [] | 8) Others | [] |

8. **Main energy for lighting for household?**

- | | | | |
|---------------------|-----|-------------------------------|-----|
| 1) Grid electricity | [] | 2) Power generator/hydropower | [] |
| 3) Battery | [] | 4) Kerosene lamp | [] |

- 5) Wood/coal []
- 6) Others []

9. Main energy for cooking of the household? (Can select more than 1)

- 1) Electricity []
- 2) Biogas []
- 3) Power generator []
- 4) Others []
- 5) Gas/oil []
- 6) No answer []
- 7) Wood []

10. Common diseases among the community (specify)

- 1. Catch a cold []
- 2. Dysentery []
- 3. Influenza []
- 4. Hepatitis []
- 1) Respiratory diseases []
- 2) Intoxicated []
- 3) Malaria []
- 4) Others []
- 5) Cholera []
- 6) No answer []

11. Annual household income: VND

Main household income sources are from:

- Agricultural production activities Amount _____ VND
- Business Amount _____ VND
- Salary Amount _____ VND
- Other sources (for example, overseas remittances) Amount _____ VND

12. Annual household expense: VND

- For food Amount _____ VND
- For health Amount _____ VND
- For education Amount _____ VND
- For housing and living facilities Amount _____ VND
- Other (detail) Amount _____ VND

13. Has the living condition of the household changed during the last 3 years ?

- 1) Remain the same [] ; Reason _____
- 2) Better [] ; Reason: _____
- 3) Worse [] ; Reason: _____

Surveyor

On behalf of the household

Appendix 4 Highlights and List of Participants in Pre-IOL Consultations

Local name	Comments of local authorities and mass organizations and affected person.	Feedback from the Representative of the Project Owner and The Consultant Unit
<p>Thanh Luong commune</p> <p>Location : CPC</p> <p>Time: dated 29/05/2014</p>	<ul style="list-style-type: none"> - The Project owner has to coordinate closely with local authorities in compensation and resettlement. - The project owner has to ensure that the electromagnetic will not affect on people's health. - The project owner has to compensate for land acquisition, affected houses, affected trees and crops according to compensation policies. - The project owner has to coordinate with local authorities in both compensation and resettlement process and operation period of the project. - The project owner has to measure the electromagnetic during the project operation period in order to avoid damage to people around the project area. 	<ul style="list-style-type: none"> - The project owner will contact and coordinate with the local authorities to carry out the compensation and site clearance in a good way. - The project owner will compensate satisfactorily on loss of house, land, tree and crop of Ahs by TL ROW. Besides, the project owner will also consider the assistance allowances for Ahs.
<p>Loc Ninh commune</p> <p>Location : CPC</p> <p>Time: dated 29/05/2014</p>	<ul style="list-style-type: none"> - The project owner has to coordinate with local authorities in both compensation and resettlement process and construction period of the project. - The project owner has to ensure that the electromagnetic will not affect on people's health during the construction period. 	<ul style="list-style-type: none"> - The project owner will disclose all project information to local authorities and local people before carrying out the compensation and resettlement. - The project intend to construct in 18 months, therefore the project owner will construct out of the time of harvest season of local people around the project area to avoid damages of crops and trees.
<p>Tan Phu commune</p> <p>Location : CPC</p> <p>Time: dated 28/05/2014</p>	<ul style="list-style-type: none"> - The project owner has to coordinate with local authorities in both compensation and resettlement process and construction period of the project. - The project owner has to ensure that the electromagnetic will not affect on people's health during the construction period. 	<ul style="list-style-type: none"> - The project owner will contract in time and return site clearance right after complete each component. - During the project operation, the project owner commit that will follow up, examine and repair timely any breakdowns to ensure safety for people around the project area.
<p>Minh Tam commune</p> <p>Location : CPC</p> <p>Time: dated 30/05/2014</p>	<ul style="list-style-type: none"> - The project owner has to coordinate with local authorities in both compensation and resettlement process and construction period of the project. - The project owner has to ensure that the electromagnetic will not affect on people's health during the construction period. 	

List of Participants in the Community Consultation Meetings

No	Full Name	Position	Male	Female
I	Thanh Luong Commune			
1		Vice Chairman of CPC	X	
2		Representative of a household live in the project area	X	
3		Chairman of Communal VWU		X
II	Loc Thinh Commune			
1		Vice Chairman of CPC		X
2		Chairman of Communal VWU		X
3		Chairman of Farm Unit	X	
4		Representative of a household live in the project area		X
III	An Phu Commune			
1		Chairman of CPC	X	
2		Communal Cadastral Official	X	
3		Representative of a household live in the project area		X
IV	Minh Tam Commune			
1		Chairman of Communal VWU		X
2		Communal Cadastral Official	X	
3		Vice Chairman of CPC	X	
4		Representative of a household live in the project area		X

Note: Names deleted for confidentiality

Appendix 5 Highlights and List of Participants in Post-IOL Consultations

Local name	Comments of local authorities and mass organizations and affected person.	Feedback from the Representative of the Project Owner and The Consultant Unit
<p>Thanh Luong commune Location: Hall of CPC Time: 8h dated 8/4/2015</p>	<p>1) When the project put into operation, whether the project has impacts on health of the local people or not?</p> <p>2) During the construction, whether the project have use temporary road and material yard or not?</p> <p>3) At this time, if home of households degraded whether they have renovation and repair their's home or not?</p> <p>4) Explain clearly the compensation and support levels for perennial crop land and production forest land acquired under RoW.</p> <p>5) Local authorities and resident agreed with investment policy of the project.</p>	<p>1) The project is designed under existing regulations and norms of the State, the transmission line alternative has been selected to avoid at maximum level cut through dense populated area, etc. Therefore, will not affect health of local people.</p> <p>2) In the construction stage, Constructing unit will use temporary road and material yard, etc. The Project Owner, Contractor will work directly with affected people to have consensus and will compensate satisfactorily for affected people before constructing.</p> <p>3) Currently, households will still be repaired and renovated theirs home if house of them degraded;</p> <p>4) The land area of perennial crops, production forest in the ROW will be compensated and support maximum equals to 30% of value due to restriction of land use.</p>
<p>Loc Thinh commune Location : Hall of CPC Time: 14 h, dated 25/3/2015</p>	<p>1) Ensuring electromagnetic field in the transmission line will not affect health of local people it will be implemented by how way?</p> <p>2) How compensation and support for affected people will be implemented?</p> <p>3) Do relocation the affected households whose house is under ROW conducted ?</p>	<p>1) The specific provisions on electromagnetic field intensity in Decree No.14/2014/NĐ-CP will be implemented strictly in the design and operation of the Project; of which unit price used for calculation will be d</p> <p>2) Compensation and support and resettlement will be implemented according to Decree No. 14/2014/NĐ-CP and Decree No. 47/2014/NĐ-CP, in which compensation price calculated is the specific price (close to market price), When implementing compensation works will have a unit who will implement survey about specific price in the locality and submit competence level to approval.</p> <p>3) According to Decree No.14/2014/NĐ-CP, the house and structure are allowed to exist in ROW of transmission line with a voltage of 220kV or lower.</p>
<p>An Phu commune Location : Hall of CPC</p>	<p>1) During the construction, How solve ways if local road system of locality to be damaged?</p>	<p>1) During construction stage, if construction unit causes affecting local road at locality, the unit will be responsibilities to restore, repair at least</p>

Local name	Comments of local authorities and mass organizations and affected person.	Feedback from the Representative of the Project Owner and The Consultant Unit
Time:: 14h, dated 8/4/2015	2) It is recommended that compensation and support will be carried out according to provisions of the State.	as original status as free-project.; 2) The compensation, support and resettlement will be implemented according to current regulations of the State, ensure compensation is implemented fully, transparently and properly.
<p>Minh tam commune Location : Hall of CPC Time:: dated 31/3/2015</p>	<p>1) Whether ensure safety when living under the transmission line or not?</p> <p>2) During the construction whether has affect to property, tree and crop of local people or not?</p> <p>3) How compensation and support and resettlement will be implemented?</p>	<p>1) Under the provisions of Decree No. 14/2014/NĐ-CP, the house and structure are allowed to exist in ROW of TL with a voltage of 220kV or lower. Power unit is responsible in managing and operating the project and will guide and support technically and financially to implement safe measures as prescribed.</p> <p>2) During construction stage could affect some land area of local people. Constructing Unit will work and deal with local people about compensation activities before implementing the project.</p> <p>3) Compensation, support and resettlement will be carried out under Decree No. 14/2014/NĐ-CP and Decree No. 47/2014/NĐ-CP</p>

Participants

A. Binh Long Town

No	Full Name	Male	Female
I	Thanh Luong Commune		
1		X	
2		X	
3			X
4		X	
5		X	
6		x	
7		X	
8		X	
9		X	
10			X
11		X	
12		X	
13		X	

Note: Names deleted for confidentiality

B. Loc Ninh District

No	Full Name	Male	Female
I	Loc Thinh Commune		
1		X	
2			X
3		X	
4		X	
5			X
6		X	
7		X	

8		X	
9			X
10		X	
11		X	
12		X	

Note: Names deleted for confidentiality

C. Hon Quan District

No	Full Name	Male	Female
I	An Phu Commune		
1			X
2		X	
3		X	
4			X
5		X	
6			X
7		X	
8		X	
9			X
10		X	
11		X	
12		X	
II	Minh Tam Commune		
1		X	
2		X	
3		X	
4		X	
5		X	
6		X	
7		X	
8		X	
9		X	
10		X	

11		X	
12			X
13		X	
14			X
15		X	
16		X	
17			X
18		X	
19		X	
20		X	
21		X	

Note: Names deleted for confidentiality

Appendix 6 Project Information Brochure

1. *Name of the Project:* Construction of Binh Long – Tay Ninh 220kV Transmission Line
2. *Executing agency:* National Power Transmission Corporation (NPT)
3. *Representative of the executing agency:* Central Vietnam Power Project Management Board (CPPMB)

Question 1: What is the Construction of Binh Long - Tây Ninh 220kV Transmission Line project?

Answer: The proposed 220 kV Binh Long- Tay Ninh TL will start at the 220 kV bus-bar of the existing 220 kV Binh Long SS and will terminate at the 220 kV bus-bar of the existing 220 kV Tay Ninh SS, traversing to the districts of Loc Ninh and Hon Quan and Binh Long Township in Binh Phuoc Province and Tan Chau, Duong Minh Chau districts and Tay Ninh City of Tay Ninh Province. The total length of the 220 kV Binh Long- Tay Ninh TL is 72.6 km; of which total, the total length of the TL component in Binh Phuoc is 20 km and in Tay Ninh is 52.6 km).

The objectives of the 220 kV Binh Long- Tay Ninh TL are to:

- Respond to load growth of Binh Phuoc, Tay Ninh province and Southern for next period;
- Prevent overload of the existing 220kV Binh Long- My Phuoc TL and the existing Cu Chi- Trang Bang TL;
- To make a strong system-connection between regions;
- To guarantee safety and reliable operation of the power system in any circumstances; and
- To decrease the power loss in the whole power system.

The volume of the Project includes:

- Construction of new 220 kV double circuit TL (02 lines in 01 phase) from the 220kV bus-bar of Binh Long Substation to G18 with the length of 67.4km.
- Construction of new 220kV/110kV two double circuit TL (220kV double circuit (02 lines in 01 phase) and 110kV double circuit (single-phase), 110kV parts under other projects) from G18 to 220kV bus-bar of 220kV Tay Ninh Substation with the length of 5.2km.
- Construction of two new 220 kV outgoing feeders at 220kV Binh Long substation and two outgoing feeders at 220kV Tay Ninh substation to connect to the 220kV Binh Long- Tay Ninh TL.

Table 20 Components of the Transmission Line

Transmission Line Components	Length (in km)
Binh Phuoc Province Transmission Line Component	20
Tay Ninh Province Transmission Line Component	52.6
Total Length of the Transmission Line	72.6

In Binh Phuoc Province, the TL starts from the 220 kV bus-bar of the existing 220 kV Binh Long SS at Binh Long Township, Binh Phuoc Province to reach the location of G6B at No. 6 Hamlet, Minh Tam Commune, Hon Quan District, Binh Phuoc Province.

Question 2: How Binh Long - Tây Ninh 220kV Transmission Line subproject affect local communities?

Answer: According to the Decree No. 14/2014/ND-CP dated 26/02/2014 on the safety protection of high voltage power grid, the subproject will cause the following impacts:

- Permanently cut down trees on the affected land area;
- Restriction to the use of land area/house/structure in the RoW.

Details of impacts in Binh Phuoc Province:

- Total affected land: m² affected land
- Acquisition for foundations of towers: 10,553m² will be acquired permanently.

- Affected by TL ROW: 439,999 m².
- Total of Affected Households is 65. 48 are acquired land for foundations of towers and 65 HHs are affected by TL ROW.
- Sixteen houses, 10 dug wells, 16 bathrooms were located in the TL ROW. These houses and structures are not required to relocate, but will be provided with fireproof materials and lightning arrestors. Moreover, a total of 18,326 rubber trees, 702 cashew trees, 1,891 pepper trees and 4,360 fruit trees found in the TL ROW and would have to be cut.

Question 3: What is the main objective of resettlement plan?

Answer: The main objective of the Resettlement Plan is to ensure that all APs will be at least as well-off, if not better-off, than they would have been in the absence of the Project.

Question 4: What if my land is affected by the project?

Answer: (i) In case the subproject acquires more land of the households, you will be offered a choice of replacement land as priority of equal area and productive capacity at a location acceptable to you OR cash compensation at replacement value at current market prices.

(ii) In case the affected land is leased land, the value of land shall not be compensated but the investment costs in land will be compensated.

Question 5: Do we need to have a land title in the order to be compensated?

Answer: No, lack of formal legal rights to land does not prevent any APs from receiving compensation, allowances and rehabilitation assistance. Those APs who possess a land use rights certificate (LURC) or any other form of written agreement to utilise the land are entitled to compensation for the lost land as well as assets on the land. Those APs who do not have legal/legalisable or temporary/lease rights for affected land will be compensated for the assets on affected land.

Question 6: Is the compensation applied for affected houses and structures?

Answer: Yes. Compensation will be applied for all affected assets including houses, stores, wells, and fences as well as other fixed assets at replacement value at current market prices without any deductions for building depreciation or salvageable building materials. This will ensure that the Affected Persons are able to reconstruct houses and other structures of better or at least the same quality as before.

Question 7: What about affected crops and trees?

Answer: (i) Permanently affected crops and trees will be compensated in cash at current market prices.

(ii) As for trees and crops temporarily affected during construction period:

- Compensation for non-harvested crops will be based on the time of impacts and the average production in the past 3 years.
- Trees and crops will be compensated at market prices at the time of land acquisition.

Question 8: Besides the compensation, how can the project help?

Answer: In addition to compensation for loss of land and other assets, the Project will provide rehabilitation assistance to eligible APs to ensure that their standard of living is maintained or improved after the Project. Eligible APs for rehabilitation assistance include:

- **Some affected households:** these households losing more than 10% of their productive landholdings will receive the following assistances: (i) life stabilization allowances; (ii) income restoration allowances and provision of technical assistance and agricultural extension techniques to improve output in the remaining area, existing credit programs or employments related to the project;
- **Households that relocate** shall receive (i) relocation allowances; (ii) assistances to mobilize life during transition period; (iii) rental allowances at market prices. Assistance levels are identified clearly in the project policies.
- **Business owners that lose income** while they relocate or rebuild their shops/businesses: Households with small, unregistered businesses will receive cash compensation equal to the provincial minimum wage for three months. Owners of registered businesses will receive cash

compensation equal to 30% of their taxed income of one year. The annual taxed income is determined in the financial reports of the previous three years.

- **Employees and hired labors who lose their jobs:** will receive cash compensation for lost salary/wages for each month they cannot work, if the loss is temporary; or, if the loss is permanent, cash compensation equivalent to the provincial minimum wage for six months or cash compensation for remaining contract period whichever is higher.
- **Job changing allowances:** As for the affected households who have or have not registered for LURC after resettlement and do not have job, if you are in the working age, you can participate in a vocational training in the area without tuition fee.

Question 9: Does that mean that anybody in our community can claim for compensation?

Answer: No. Entitled APs are those persons or households that will lose land or property based on the detailed measurement survey (DMS) that will be conducted following completion of the final designs for the subproject. Affected communes and local authorities will be informed of the cut-off date (the date of DMS) for the subproject.

Question 10: If there are any disagreements or problems about land acquisition, compensation or other general disputes during project implementation, do APs have the right to voice their complaints?

Answer: Yes, APs can voice their complaints (in verbal or written form) to responsible local authorities and resettlement committees. Their complaints can be filed first at the ward or commune level, and can be elevated to the district and provincial level and taken to provincial court if the APs are not satisfied with the decision of lower levels. APs will be exempted from all taxes, administrative and legal fees.

Question 11: How will APs be consulted and informed?

Answer: A consultation and public information program will be organized in your commune to ensure that APs receive complete and timely information about the Project. APs will be provided information on project components, impacts, their rights and entitlements, grievance mechanism, rights of participation and consultation, resettlement activities, responsibilities of institutions and implementation schedule. APs will participate in resettlement planning and implementation and they will also be consulted on the following issues: a) resettlement options according to their entitlement, b) training and training preferences in current or new occupations, c) other project aspects.

Question 12: As a resident in the project area, how can I help?

Answer: We would like you to participate in all consultation meetings and other subproject related activities in order to ensure that you are fully informed and consulted. Your active participation during the detailed measurement survey (DMS) and implementation will allow us to determine measures to mitigate impacts, to identify problems or potentials problems and to identify ways of responding immediately to solve these problems.

Question 13: How will you know if the objectives of this project are met?

Answer: NPT through CPPMB will ensure internal monitoring all Project activities. In addition, CPPMB will engage an independent external monitoring agency to conduct external monitoring of resettlement activities during Project implementation. Every 6 months, the independent monitoring agency will submit a report to CPPMB and ADB on resettlement implementation progress. A post-resettlement impact evaluation will assess whether negative impacts have been mitigated adequately and pre-project standards of living of APs have been restored as a result of resettlement and the Project.

FOR FURTHER INFORMATION AND SUGGESTIONS –

Please contact the PCARCs and DCARCs where you live:

1. Provincial Compensation, Assistance and Resettlement Committee (PCARC),

Address:.....

Person in charge:.....Tel.....

2. District Compensation, Assistance Resettlement Committee (DCARC) of ... District;

Address:.....

Person in charge:.....Tel.....

Appendix 7 Replacement Cost Study

Table 1 Land price

TT	Land type	Unit	Unit price issued by PPC (10 ³ VND)				Replacement cost (10 ³ VND)				Difference ratio (%)			
			Site 1	Site 2	Site 3			Site 1	Site 2	Site 3				
I	Binh Phuoc province	Decision No. 32/2014/QĐ-UBND dated 19/12/2014 issued by PCP of Binh Phuoc on regulation of unit price of land types in the Binh Phuoc province in period of 2015 - 2019												
1.1	Residential land													
	Thanh Luong commune - Binh Long town													
	Zone 1		1080	432	324	270								
	Zone 2		720	288	216	180	2000	740	540		2.78	2.57	2.5	
	Zone 3		540	216	162	135								
	Loc Thinh commune - Loc Ninh district													
	Zone 1		755	377.5	302	264.25								
	Zone 2		622	311	248.8	217.7	1520	1220	900		2.44	3.92	3.62	
	Zone 3		415	207.5	166	145.25								
	An Phu commune – Hon Quan district													
	Zone 1													
	Zone 2													
	Zone 3		400	200	160	140	1000	890	770		2.5	4.45	4.81	
	Minh Tam commune - Hon Quan district													
	Zone 1													

TT	Land type	Unit	Unit price issued by PPC (10 ³ VND)				Replacement cost (10 ³ VND)				Difference ratio (%)			
			Site 1	Site 2	Site 3			Site 1	Site 2	Site 3				
	Zone 2		630	315	252	220.5	1100	940	850		1.75	2.98	3.37	
	Zone 3		450	225	180	157.5								
1.2	Annal crop land													
	Thanh Luong commune - Binh Long town													
	Zone 1		23.5	18.8	16.45	14.1								
	Zone 2		22	17.6	15.4	13.2	63	54	48		2.86	3.07	3.12	
	Zone 3		20	16	14	12								
	Loc Thinh commune - Loc Ninh district													
	Zone 1		26	20.8	18.2	15.6								
	Zone 2		23	18.4	16.1	13.8	61	52	47		2.65	2.83	2.92	
	Zone 3		20	16	14	12								
	An Phu commune – Hon Quan district													
	Zone 1		27	21.6	18.9	16.2								
	Zone 2		25	20	17.5	15								
	Zone 3		23	18.4	16.1	13.8	57.6	50	45		2.5	2.72	2.8	
	Minh Tam commune - Hon Quan district													
	Zone 1		29	23.2	20.3	17.4								
	Zone 2		27	21.6	18.9	16.2	52	45	38		1.93	2.08	2.01	
	Zone 3		25	20	17.5	15								
1.3	Annual crop land													
	Thanh Luong commune - Binh Long town													
	Zone 1		27.5	22	19.25	16.5								
	Zone 2		24	19.2	16.8	14.4	74	67	60		3.08	3.49	3.57	

TT	Land type	Unit	Unit price issued by PPC (10 ³ VND)				Replacement cost (10 ³ VND)				Difference ratio (%)			
			Site 1	Site 2	Site 3			Site 1	Site 2	Site 3				
	Zone 3		22	17.6	15.4	13.2								
	Loc Thinh commune - Loc Ninh district													
	Zone 1		27	21.6	18.9	16.2								
	Zone 2		24	19.2	16.8	14.4	72	62	52		3	3.23	3.1	
	Zone 3		22	17.6	15.4	13.2								
	An Phu commune – Hon Quan district													
	Zone 1		32	25.6	22.4	19.2								
	Zone 2		28	22.4	19.6	16.8								
	Zone 3		25	20	17.5	15	68	60	52		2.72	3	2.97	
	Minh Tam commune - Hon Quan district													
	Zone 1		35	28	24.5	21								
	Zone 2		30	24	21	18	67	59	51		2.23	2.46	2.43	
	Zone 3		27	21.6	18.9	16.2								

Table 2 Unit price of house, structure and tree and crop

No.	Property	Unit	Unit price issued by PPC (10 ³ VND)	Replacement cost (10 ³ VND)	Difference ratio (%)
I	Binh Phuoc province	Decision No. 68/2011/QĐ-UBND dated 21/12/ 2011 issued by PCP of Binh Phuoc on regulation of unit price of compensation and support for house and structure and trees upon land recovery by the State in Binh Phuoc province			

No.	Property	Unit	Unit price issued by PPC (10 ³ VND)	Replacement cost (10 ³ VND)	Difference ratio (%)
1.1	Trees and crops				
a	Rubber tree				
	From 6 to 8 years old	VND/tree	220	281	1.28
	From 9 to 10 years old	VND/tree	240	316	1.32
	From 11 to 15 years old	VND/tree	360	401	1.11
b	Cashew: From 11 to 15 years old	VND/tree	225	259	1.15
c	Pepper: from 5 to 15 years old	VND/pillar	185	202	1.09
1.2	House and structure				
a	House level 4				
	- Type 1	VND/m ²	2400	2850	1.19
	- Type 2	VND/m ²	2150	2600	1.21
	- Type 3	VND/m ²	1900	2370	1.25
b	Temporary house				
	- Type 1	VND/m ²	650		
	- Type 2	VND/m ²	450	607.5	1.35
	- Type 3	VND/m ²	350		
c	Structure				
	Fence built brick diameter 110mm	VND/m ²	400	459	1.15
	Fence built brick diameter 220mm	VND/m ²	600	695	1.16
	Yard built by brick	VND/m ²	180	349	1.94
	Cement yard	VND/m ²	100	235.5	2.36

No.	Property	Unit	Unit price issued by PPC (10 ³ VND)	Replacement cost (10 ³ VND)	Difference ratio (%)
	Drilled wells <=25m	VND/well	300	760	2.53
	Septic tank	VND/m ³	1400	2990	2.14
	Pools	VND/m ³	1250	2290	1.83
II	Tay Ninh province				
2.1	Trees/crops	Unit price of trees and crops is calculated according to Decision No. 34/2013/QĐ-UBND dated 13/08/2013 issued by PCP of Tay Ninh on regulation of unit price of compensation, support for house and trees and livestock upon land recovery by the State in Tay Ninh Province			
a	Rice	m ²	3	5	1.67
b	Corn	m ²	4	6	1.5
c	Cassava	m ²	3	5.2	1.73
d	Cane (season 1)	m ²	9	10	1.11
e	Cây Na: From 5 to 8 years old	cây	240	322	1.34
f	Rubber trees				
	From 3 to 5 years old	tree	200	281	1.41
	From 5 to 8 years old	tree	300	370	1.23
	From 8 to 25 years old	tree	400	482	1.21
g	Cashew: From 10 to 20 years old	tree	250	318	1.27
h	Pepper: : From 10 to 15 years old	pillar	170	204	1.2
2.2	House and structure	House and structure unit price is calculated according to Decision No. 81/2014/QĐ-UBND dated 31/12/2014 of the province of Tay Ninh on regulation of house unit price, works and structure on Tay Ninh province			
a	House level 4				
	- Type 1	m ²	2756	3715	1.35

No.	Property	Unit	Unit price issued by PPC (10 ³ VND)	Replacement cost (10 ³ VND)	Difference ratio (%)
	- Type 2	m ²	2385	3284	1.38
	- Type 3	m ²	1961	2882	1.47
b	Temporary house				
	- Type 1	m ²	742		
	- Type 2	m ²	450	846	1.88
	- Type 3	m ²	360		
c	Structure				
	Fence built brick diameter 110mm	m ²	371	532	1.43
	Fence built brick diameter 220mm	m ²	530	1010	1.91
	Yard built by brick	m ²	156	588	3.77
	Cement yard	m ²	106	328	3.09
	Drilled wells <=25m	well	1272	1286	1.01
	Septic tank	m ³	1590	4177	2.63
	Pools	m ³	1185	3188	2.69