

Draft Resettlement Due Diligence Report and Corrective Action Plan

June 2015

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

Tranche 3

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

This resettlement due diligence report and corrective action plan is a document of the borrower. The views expressed herein do not necessarily represent those of ADB's Board of Directors, Management, or staff, and may be preliminary in nature. Your attention is directed to the "terms of use" section on ADB's website.

In preparing any country program or strategy, financing any project, or by making any designation of or reference to a particular territory or geographic area in this document, the Asian Development Bank does not intend to make any judgments as to the legal or other status of any territory or area.

Draft Resettlement Due Diligence Report and Corrective Action Plan

June 2015

500 kV My Tho Substation and Connecting TLs

**(Associated facility of the proposed Subproject 500 kV My Tho – Duc Hoa
Transmission Line)**

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

TABLE OF CONTENTS

TABLE OF CONTENTS	ii
LIST OF TABLES.....	ii
FIGURE	ii
ACRONYMS AND ABBREVIATIONS	iii
EXECUTIVE SUMMARY	iv
I. INTRODUCTION.....	6
II. FEATURES OF THE 500 KV MY THO SS AND CONNECTING TLS.....	8
III. FINDINGS OF THE DUE DILIGENCE	10
A. DMS Process	10
B. Impacts of the 500 kV My Tho SS and connecting TLs.....	10
C. Calculation of Compensation and Cash Assistance	11
D. Amounts of Compensation and Cash Assistance Provided	11
E. Restoration/Improvement of Livelihoods and Standard of Living	12
F. Public Consultation and Information Disclosure.....	12
G. Grievance Redress	12
H. Gender and Vulnerable Group	12
I. Monitoring and Reporting.....	13
IV. RESETTLEMENT POLICY OF PTIP.....	14
A. Principles	14
B. Entitlements	15
V. CORRECTIVE ACTION PLAN	26
Appendix 1: GOV Policies on Compensation, Assistance, and Resettlement	27
Appendix 2: List of People Met	28
Appendix 3: Photos of Site Visit.....	29

LIST OF TABLES

Table 1. Scope of land acquisition.....	10
Table 2: Total Cost of Land Acquisition.....	12
Table 3: Entitlement Matrix	16
Table 4. Summary of Shortcomings and Proposed Corrective Actions.....	26

FIGURE

Figure 1: Location of the 500 kV My Tho SS and Connecting TLs.....	9
--	---

ACRONYMS AND ABBREVIATIONS

ADB	-	Asian Development Bank
AH	-	affected household
DCARB	-	District Compensation, Assistance and Resettlement Board
EA	-	executing agency
EMA	-	external monitoring agency
DMS	-	detailed measurement survey
GOV	-	Government of Vietnam
LFDC	-	Land Fund Development Center
MFF	-	multi-tranche financing facility
NPT	-	National Power Transmission Corporation
PC	-	People's Committee
PDMP VII	-	National Power Sector Development Master Plan VII
PPTA	-	project preparation technical assistance
PPC	-	Provincial People's Committee
PTIP	-	Power Transmission Investment Program
ROW	-	right-of-way
SPPMB	-	Southern Vietnam Power Project Management Board
SPS	-	Safeguard Policy Statement
SS	-	substation
TL	-	transmission line
VND	-	Vietnam Dong

EXECUTIVE SUMMARY

Project Background

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

Social Safeguard Documents Needed for the 9 Subprojects

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

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

4. Land acquisition will be involved in the construction of the 220 kV Binh Long – Tay Ninh TL and the 500 kV My Tho – Duc Hoa TL, and in the construction of the 500 kV Chon Thanh SS and the 500 kV Duc Hoa SS and Connections. Therefore, an RP is

¹ The existing substation is 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 substation depends largely on its upgrading with the installation of said second transformer unit.

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

required each for the 500 kV My Tho – Duc Hoa TL, the 500 kV Chon Thanh SS, and the 500 kV Duc Hoa SS and Connections. A resettlement and ethnic minority development plan (REMDP) is required for the 220 kV Binh Long – Tay Ninh TL because ethnic minority households are affected by this subproject.

5. This DDR has been prepared for the 500 kV My Tho SS. This substation is an associated facility of the proposed PTIP Tranche 3 subproject 500 kV My Tho – Duc Hoa Transmission Line (TL). The proposed subproject 220 kV Binh Long- Tay Ninh TL is going to be constructed primarily for the purpose of connecting the 500 kV My Tho SS, which currently is being constructed, with another proposed PTIP Tranche 3 subproject, the 500 kV Duc Hoa SS.

Highlights of the Findings of the DDR for the 500 kV My Tho Substation

6. **Construction of the facility.** In 2014, NPT started construction of the 500 kV My Tho SS and 5 connecting TLs, located in Diem Hy Commune, Chau Thanh District, Tien Giang Province, using government funds. Payment of affected landholdings was carried out starting on December 12, 2013. Land recovery followed in early 2014. Construction of the SS commenced in the latter part of 2014.

7. **Adverse social impacts.** The construction of the 500 kV My Tho SS and connecting TLs adversely affected 175 households and 1 private business organization. A total of 128,654 m² of landholdings had to be acquired permanently for the 500 kV substation and 22 tower foundations. In addition, safety restrictions on the continued use of 70,842 m² of landholdings in the right-of-way (ROW) of the substation's 5 connecting transmission lines have been imposed. Furthermore, 4,817 trees of various species had to be acquired. Applying relevant laws, government paid a total of VND 41,101,982,399 in compensation and cash assistance to the AHs.

8. **Documentation of impacts and resettlement plan prepared.** Chau Thanh District Land Fund Development Center (LFDC), in cooperation with SPPMB and commune cadastral officials, conducted in July 2012 to July 2013 the detailed measurement survey (DMS) of affected assets. No resettlement plan (RP) had been prepared since funds for the construction of the substation came from the government. Based on the results of the DMS, compensation plans (CPs) were prepared for each of the 175 AHs and 1 business organization, providing in detail their losses, compensation due for affected assets, and their corresponding allowances per applicable national and provincial government laws.

9. **Compensation and allowances provided.** Payment of compensation and allowances was carried out starting in December 2013 prior to the start of civil works. A total of VND 41,101,982,399 in compensation and cash assistance was paid to the 175 AHs and 1 business organization.

10. **Conclusion.** The due diligence review has identified a number of shortcomings in the way land acquisition was carried out in the construction of the 500 kV My Tho SS and connecting TLs. Corrective actions are proposed in this DDR to make land acquisition carried out in the construction of the substation and connecting TLs consistent with the resettlement policy of PTIP.

I. INTRODUCTION

A. Overview of the Sub-project

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

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

3. The 500 kV My Tho- Duc Hoa TL is one of the subprojects being proposed for inclusion in PTIP Tranche 3. The proposed subproject 500 kV My Tho- Duc Hoa TL is going to be constructed primarily for the purpose of connecting the 500 kV My Tho SS, which is currently being constructed, with another proposed PTIP Tranche 3 subproject, the 500 kV Duc Hoa SS and Connection TLs. ADB safeguards policy considers the existing 500 kV My Tho SS as an associated facility of the proposed subproject "500 kV My Tho- Duc Hoa TL" under PTIP Tranche 3. Thus, a due diligence review (DDR) of the 500 kV My Tho SS and connecting TLs is required.

B. Purpose and Methodology of Due Diligence

1. Purpose of due diligence

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

- a. Determine if the procedures of land acquisition undertaken by SPPMB in 2012-2014 in connection with the construction of the 500 kV My Tho SS and connecting TLs was consistent with the agreed resettlement policy of PTIP (see **Chapter IV** for a detailed discussion of the PTIP resettlement policy);
- b. Propose corrective actions for any shortcomings the way SPPMB carried out land acquisition vis-à-vis the agreed resettlement policy of PTIP.

2. Methodology of due diligence

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

- a. Desk review of detailed measurement survey (DMS) records and approved compensation plans (CPs) of the AHs. (See **Appendix 1** for a list of documents reviewed).
- b. Interview of persons knowledgeable about the construction of the 500 kV My Tho SS, including AHs and local authorities. (See **Appendix 2** for a list of persons met in the field).
- c. Field visit: Visited the 500 kV My Tho SS and made an observation of the land, trees, crops and assets of people surrounding the SS. (See **Appendix 3** for pictures taken during the site visit).

II. FEATURES OF THE 500 KV MY THO SS AND CONNECTING TLS

6. The 500 kV My Tho SS and connecting TLs are located in Diem Hy Commune and Duong Diem Commune, Chau Thanh District, Tien Giang Province. The 500 kV My Tho SS will get power from the Duyen Hai Power Center (Tra Vinh Province) for distribution to the national power grid through the 500 kV Duyen Hai (Tra Vinh)- My Tho TL. The key features of the 500 kV My Tho SS are the following:

- Capacity: 1500 MVA; initial stage 1 500/220 kV-1x600 MVA and the following stage 500/220 kV-1x900 MVA
- Voltage level: 500 kV and 220 kV
- SS area: 121,804 m².

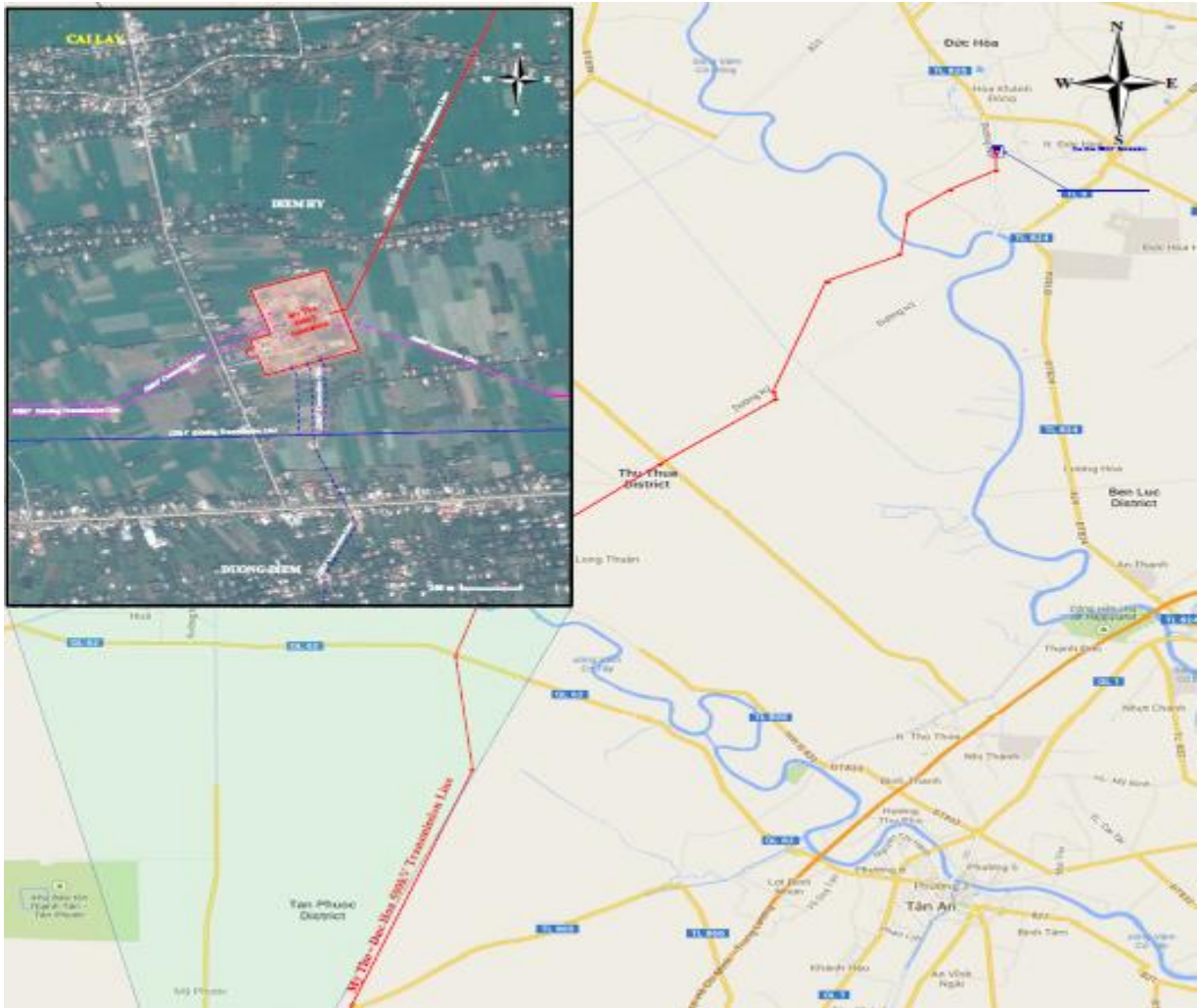
7. The construction of the substation includes two 500 kV connecting TLs and three 220 kV connecting TLs with a total length of 4.092 km. The salient features of the 500 kV connecting TLs, namely My Tho- Nha Be and My Tho- O Mon TLs, are as follows:

- Starting point: 500 kV switchyard of the 500 kV My Tho SS
- Ending points:
 - Nha Be-Phu Lam: between tower 199 and tower 200 of the existing 500 kV Nha Be- O Mon TL;
 - O Mon: between tower 195 and tower 196 of the existing 500 kV Nha Be- O Mon TL;
- Total length: 1.552 km
 - My Tho- Nha Be connecting TL: 0.84 km;
 - My Tho- O Mon connecting TL: 0.712 km.

8. As to the 220 kV connecting TLs:

- Starting point: the 220 kV switchyard of the 500 kV My Tho SS
- Ending points:
 - Connection A: Tower A.220-02 between towers 158 and 159 of the existing 220 kV Long An- Cai Lay 1 TL and Tower A220-03 between the towers 202 and 203 of the existing 220 kV Phu My-Cai Lay 2 TL;
 - Connection B: Tower B.220-07 and tower B.220-08 between the towers 285 and 286 of the existing 220 kV Phu My- Cai Lay 2 TL;
 - Connection C: Tower C.220-02 between the towers 158 and 159 of the existing 220 kV Phu My- Cai Lay 1 TL and tower C.220-03 between the towers 202 and 203 of the existing 220 kV Phu My- Cai Lay 2 TL.
- Total length of three 220 kV connecting TLs: 2.54 km
 - Connection A: 0.344 km;
 - Connection B: 1.882 km; and
 - Connection C: 0.314 km.

Figure 1: Location of the 500 kV My Tho SS and Connecting TLs



III. FINDINGS OF THE DUE DILIGENCE

A. DMS Process

9. Chau Thanh District Land Fund Development Center (LFDC), in cooperation with SPPMB and commune cadastral officials, conducted in July 2012 to July 2013 the detailed measurement survey (DMS) of affected assets. The DMS was carried out with the participation of the AHs. The DMS forms included details of the types of affected assets, including the area of acquired plots of land. The accomplished DMS forms bore the signatures of representatives of the AHs. During the DMS process, any mistakes were corrected and resolved by the LFDC along with the AHs. These corrections were documented and bore the signatures of representatives of the AHs. The due diligence review did not find any complaints from the affected parties regarding the DMS process. ***DMS records reviewed did not contain socioeconomic information on the AH, such as the number of household members, occupation of the household head, number of income earning members of the household, or information on whether or not the household was a beneficiary of government social policies for war martyrs and wounded soldiers; an ethnic minority; a poor household; etc.*** (See Chapter V for corrective action).

B. Impacts of the 500 kV My Tho SS and connecting TLs

10. The construction of the My Tho SS and its connecting TLs adversely affected a total 175 households and one business organization (Hong Duc Petroleum Ltd.). An aggregate of 128,654 m² of landholdings had to be permanently acquired, including 122,057 m² for the location of the SS; 3,628 m² for 9 tower foundations of the two 500 kV TLs; and 2,969 m² for 13 tower foundations of the three 220 kV connecting TLs. By land use, of the total 128,654 m² permanently acquired land, 118,051 m² (91.8%) belonged to 71 AHs were used for growing annual crops (i.e. rice and vegetable), 9,989 m² (7.8%) were perennial croplands for growing fruit trees and wood trees, and 614 m² (0.5%) were residential lands. In addition, 70,842 m² of landholdings were adversely affected because they are located within the TLs' ROWs and their continued use is regulated for safety reasons.³

11. Of the total number of affected households (AHs), 42 households were affected by the partial or total loss of 32 houses and 49 secondary structures. Twelve AHs had to relocate; 7 household from the place where 500 kV My Tho SS was constructed, and 5 AHs from the right-of-way (ROW) of the 500 kV TLs. The affected secondary structures consisted of kitchens, latrines/bathrooms, animal sheds, concrete pavements, etc. Also, 5 graves were affected by the construction of the substation; they had to be relocated.

Table 1. Scope of land acquisition

No.	District/Commune	No. of PAHs	Affected land area (m ²)	Affected houses	Affected structures	Trees	Crops (m ²)
I.	500 kV My Tho SS						
1.1	Diem Hy	60	122,057	8	17	2,193	99,269
II.	500 kV TLs						

³ Five 500 kV and 220 kV TLs connected to the 500/220 kV My Tho SS comprising 500 kV My Tho- Nha Be TL, 500 kV My Tho- O Mon TL, and three 220 kV connections A, B, and C have an aggregate length of 4.092 km, consisting of 22 towers. The ROW is the area where the transmission cables will be installed above the ground. While lands under the ROW will not be acquired, the activities of the landowners thereon will be restricted for safety reasons (i.e., from electro-magnetic shocks emanating from the high tension wires). Within the safety corridors of the ROW, the vertical distance of the top of an object from the highest to the lowest sagging point of the TL must not be less than 6.0 m for the 500 kV TL and 4.0 m for the 220 kV TL as prescribed by Decree No. 14/2014/ND-CP (previously Decree No. 106/2005/ND-CP). In addition, the construction of 22 towers required the permanent acquisition of land where the tower foundations were located. Rice and crops can be grown in the ROW, but not trees. Houses and similar structures can exist under the 220 kV TL's ROW but are not allowed under the 500 kV transmission lines.

No.	District/ Commune	No. of PAHs	Affected land area (m ²)	Affected houses	Affected structures	Trees	Crops (m ²)
2.1	Diem Hy	49	3,628	8	9	1,495	1,309
III. 220 kV TLs							
3.1	Diem Hy	28	1,432	4	10	399	8
3.2	Duong Diem	39	1,537	12	13	730	1,125
TOTAL		176	128,654	32	49	4,817	101,711

12. In addition, a total of 4,817 trees of various species were adversely affected including 3,043 fruit trees (mango, jackfruit, guava, longan, banana, and papaya trees, etc.), 987 wood trees (acacia, eucalyptus, bamboo trees), and 787 pot plants.

C. Calculation of Compensation and Cash Assistance

13. Chau Thanh LFDC did not conduct a replacement cost study (RCS). Unit costs in computing compensation for affected assets, including the amounts of cash assistance, were based on the policies of the GOV, particularly Decree No. 197/2004/ND-CP on compensation, assistance, and resettlement upon land recovery by the State; and Decree No. 69/2009/ND-CP on additional support to people affected by land recovery. On the basis of the aforementioned decrees, Tien Giang Provincial People's Committee (PPC) issued the price frame for computing compensation for affected land in Decision No. 28/2012/QD-UBND. A similar decision (Decision No. 32/2011/QD-UBND) was also issued for the unit costs of affected crops and trees. Decision No. 15/2013/QD-UBND by Tien Giang PPC prescribed other types of assistance for the AHs. (See **Appendix 1** for a list of GOV laws on resettlement and compensation).

14. Compensation for permanently acquired lands and other assets (e.g., trees and crops) was in accordance with the PPC's established unit prices. Compensation for lands affected by safety restrictions for being within the TLs' ROWs was equivalent to 80% of the unit cost of said lands. Cash assistance was also provided to AHs that lost productive lands. One type of assistance was for changing job, and the amount given was equivalent to 2.5 times the compensation cost of the AH's project-acquired land. Another type of assistance was for life stabilization. AHs affected by the loss of 30% to 70% of their agricultural landholdings (no relocation required) were each entitled to receive cash assistance equivalent to the price of 30 kg of rice/person/month. On the other hand, AHs affected by the loss of more than 70% of their agricultural land (no relocation required) were each entitled to receive cash assistance equivalent to 30 kg of rice/person/month for 12 months. As to the relocated households, they were entitled to other types of assistance, including relocation allowances and rental support.

15. In November 2011, Chau Thanh LFDC posted the initial compensation plans of the AHs at the Diem Hy and Duong Diem CPCs for 20 days in order to receive feedbacks from the affected households.

D. Amounts of Compensation and Cash Assistance Provided

16. A total of VND 41,101,982,399 were paid in compensation and cash assistance to the 175 AHs and 1 private organization affected by the project. Of this amount, VND 24,732,134,880 (60.2%) was payment for permanently acquired landholdings and for AHs affected by safety restrictions (89 AHs) on the continued use of their lands in the TL ROW. Compensation for houses and other structures amounted to VND 5,435,206,387 (13.2%) while compensation for affected crops and trees amounted to VND 2,323,587,100 (5.7%). Other types of assistance, such as support for the loss of agricultural lands, relocation allowance (12 AHs), support for change of job (62 AHs), life stabilization support for AHs that lost 30% or more of production landholdings (61 AHs), and bonuses accounted for 20.9%, or VND 8,611,054,032. **The DDR takes note of the fact that the 30% benchmark used for determining eligibility to life stabilization is not consistent with PTIP resettlement policy.** (See Chapter V for corrective action).

17. Payment of compensation and assistance was carried out starting on December 12, 2013. To date, all AHs received full compensation and assistance, except for the household of Mr. Nguyen Van Chau. His case is described in the Section G below.

Table 2: Total Cost of Land Acquisition

No.	Component	Compensation and assistance for lands	Compensation and assistance for houses and other structures	Compensation for affected trees and crops	Other assistances	Total
1	500 kV SS	24,339,304,235	2,036,471,139	1,265,506,500	3,043,702,807	30,684,984,681
2	500 kV TLs	138,241,275	1,598,886,265	475,508,000	2,490,960,205	4,703,595,745
3	220 kV TLs	254,589,370	1,799,848,983	582,572,600	3,076,391,020	5,713,401,973
Total		24,732,134,880	5,435,206,387	2,323,587,100	8,611,054,032	41,101,982,399

E. Restoration/Improvement of Livelihoods and Standard of Living

18. Officials of Chau Thanh District Land Fund Development Center (LFDC), including the 5 AHs met in Diem Hy Commune and Duong Diem Commune, confirmed that the 16 AHs have re-established their disrupted livelihoods and restored their pre-displacement income levels.

F. Public Consultation and Information Disclosure

19. During project preparation stage, SPPMB and consultants conducted on March 10, 2010 provincial-level consultation with Tien Giang PPC, provincial Fatherland Front, related departments, Chau Thanh District PC and Diem Hy CPC about the preliminary design of the substation and its connecting TLs, including anticipated impacts. SPPMB and its consultants held another round of consultation on November 4, 2011 at Diem Hy Commune People's Committee (CPC) office with the participation of Chau Thanh LFDC, Diem Hy CPC, representatives of mass organizations as well as the AHs. Feedbacks from local authorities and APs were considered in the finalization of the project design. Similarly, during project implementation, on October 4, 2013, a round of public consultation and information disclosure was held when the compensation plans of the AHs was initially prepared to get feedbacks from the AHs. ***The DDR did not find any issue regarding public consultation and information disclosure.***

G. Grievance Redress

20. The due diligence review found some complaints related to compensation rates. Some AHs lodged complaints concerning land status and land prices. Chau Thanh LFDC was able to resolve the complaints to the satisfaction of all concerned. Since most of the complaints were not written, LFDC staff held public meeting at the CPC offices to respond to the APs' complaints and queries. After being briefed about the bases of the compensation rates used as well as their entitlements, the AHs agreed and to date there is no outstanding issue related to the compensation and assistance, with the exception of 1 AH. To date, only 1 AH has not received its compensation and cash assistance, amounted to VND 700,000,000. The household of Mr. Nguyen Van Chau lost 25 m² of its house for the foundation of a tower of a 220 kV connecting TL. Mr. Nguyen Van Chau initially did not agree with his compensation plan, contending that the tower foundation would affect his entire house. As of the time of the due diligence review, Chau Thanh LFDC was preparing a new compensation plan to compensate for the entire house (131.12 m²) of Mr. Nguyen Van Chau. The new compensation plan was going to be discussed with Mr. Chau by end of May 2015. ***The DDR did not find any issue regarding the grievance redress process.***

H. Gender and Vulnerable Group

21. There were no gender issues reported during the implementation of the project. Persons interviewed during the due diligence review, including the APs, confirmed that

women APs participated in the consultations, DMS, and during payment of compensation. ***As pointed out earlier, the DDR has taken note of the fact that the DMS did not determine if the AH qualified as a vulnerable household.*** (See Chapter V for corrective action).

I. Monitoring and Reporting

22. Since the Project is government funded, there was no specific requirement for external monitoring. SPPMB was responsible for internal monitoring of the project implementation. SPPMB assigned a dedicated staff for this. ***The DDR did not find any issue regarding monitoring.***

IV. RESETTLEMENT POLICY OF PTIP

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

A. Principles

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

- a. Involuntary resettlement and impacts on land, structures and other fixed assets will be avoided or minimized where possible by exploring all alternative options.
- b. Compensation and assistance will be based on the principle of replacement cost at the time of implementation.
- c. Severely affected household (SAH) is considered when they are losing 10% or more of the household's assets shall be considered as threshold.
- d. Displaced persons without title or any recognizable legal rights to land are eligible for compensation for non-land assets at replacement cost.
- e. Residential and agricultural land for replacement should be close to the previous places as much as possible and be suitable to displaced persons.
- f. Meaningful consultation will be carried out with the displaced persons and concerned groups and ensure participation from planning up to implementation. The comments and suggestions of the DPs and communities will be taken into account.
- g. The RP or REMDP will be disclosed to DPs in a form and language(s) understandable to them
- h. Resettlement identification, planning and management will ensure that gender concerns are incorporated.
- i. Special measures will be incorporated in the resettlement plan to protect socially and economically vulnerable groups such as households headed by women, children, disabled, the elderly, landless and people living below the generally accepted poverty line.
- j. Existing cultural and religious practices will be respected and preserved, to the maximum extent practical.
- k. Culturally appropriate and gender-sensitive social impact assessment and monitoring will be carried out in various stages of the subproject.
- l. Resettlement transition stage should be minimized. Restoration measures will be provided to displaced persons before the expected starting date of construction in the specific location.
- m. Budget for payment of compensation, assistance, and resettlement and support will be prepared sufficiently and made available during subproject implementation and by the provinces.
- n. Reporting and independent monitoring should be defined clearly as part of the management system of resettlement. Independent assessment of the duration and results of the land recovery should be carried out.

- o. The NPT will not issue notice of possession to contractors until the NPT are officially confirmed in writing that (i) payment has been fully disbursed to the displaced persons and rehabilitation measures are in place (ii) already-compensated, assisted displaced persons have cleared the area in a timely manner; and (iii) the area is free from any encumbrances. The satisfactory resettlement to be ascertained by the independent monitor before start of the civil works.
- p. Cut-off date is the date of completing DMS for which land and/or assets affected by the Subproject are inventoried.

B. Entitlements

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

Table 3: Entitlement Matrix

Entitled Persons	Type and Level of Impact	Compensation Policy	Implementation Issue
A. Agricultural Land			
A.1: Temporarily Affected Agricultural Land			
<p>Owners with LURC, owners in process of acquiring LURC, owners eligible to acquire LURC</p> <p>AND public organizations</p>	Loss of use of the land for a period less than 1 year	<p>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</p>	<p>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.</p> <p>PPMBs and EMA are in charge of monitoring on restoration of the affected land.</p> <p>Full payment for AHs at least 03 months before site clearance</p>
	Loss of use of land exceeds 1 year.	<p>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.</p> <p>Or</p> <p>DP can ask the Subproject to acquire permanently that land affected at replacement cost</p>	
User with lease or temporary right	Loss of use of the land for a period less than 1 year	<p>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</p>	<p>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.</p> <p>PPMBs and External monitoring agency (EMA) is in charge of monitoring on restoration of the affected land.</p> <p>Full payment for AHs at least 03 months before site clearance</p>
	Loss of use of land exceeds 1 year	<p>No compensation for land if returned to original user; however, the Subproject will:</p> <p>(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.</p> <p>(b) Restore of land within 1 month after using to its previous or better quality OR pay full replacement cost to the land owner if it fails to restore the affected land within 1 month after use of land.</p> <p>Or</p> <p>DP entitled to compensation for the remaining value of the lease contract</p>	
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,	Compensation will be at least equivalent to income lost as a result of the temporary

Entitled Persons	Type and Level of Impact	Compensation Policy	Implementation Issue
		below).	acquisitions of the land.
A.2: Permanently Affected Agricultural Land			
<p>Owners with LURC, owners in process of acquiring LURC, owners eligible to acquire LURC</p> <p>AND public organizations</p>	More than 10 percent or more of total productive landholding affected	<p>(a) As a priority, allocation of replacement land: (i) equal in area to affected 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>If remaining land holding is not economically viable i.e. is too small to be economically cultivated, the Subproject will acquire the entire land holding and not just the affected portion. The size of the entire holding will be the basis for providing replacement land or cash compensation. The economically remaining land area will be identified by DCARC for each case.</p> <p>DCARCs will determine whether the remaining holding can be viable or not and take care of this issue during DMS implementation.</p> <p>Full payment for AHs at least 01 months before site clearance</p>
	Less than 10 percent of total productive landholding affected; OR No suitable replacement land available	<p>Cash compensation at replacement cost at current market prices for affected portion if remaining holding is viable;</p> <p>OR</p> <p>Cash compensation at replacement cost at current market prices for entire landholding, if remaining holding is not viable.</p>	<p>Implemented by DCARCs</p> <p>Decided by DPCs</p>
	Affected landholding located in urban, peri-urban or rural residential area, as per approved land use plan	<p>(a) Cash compensation at replacement cost for affected land; and</p> <p>(b) Additional cash allowance equal to 20 percent of the agricultural land value but the supported area is not exceeding 5 (five) times of the land quota in the locality.</p>	<p>Implemented by DCARCs</p> <p>Decided by DPCs</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>(a) Cash compensation at replacement cost for affected land; and</p> <p>(b) Additional cash allowance equal to 40 percent of the agricultural land value but the supported area is not exceeding 5 (five) times of the land quota in the locality.</p>	<p>Implemented by DCARCs</p> <p>Decided by DPCs</p>
	Affected landholding is under dispute.	Compensation (for land and all non-land affected assets on the affected land) held in escrow account until land dispute is resolved.	<p>Implemented by DCARCs</p> <p>Decided by DPCs</p>
User with lease or temporary	Any impacted items	Cash compensation equivalent to 30 percent of replacement cost for	Preceding note on viability of remaining

Entitled Persons	Type and Level of Impact	Compensation Policy	Implementation Issue
rights		affected land; OR, Cash compensation for loss of net income for the remaining leased or assigned period, whichever is higher.	(unaffected) portion of plot also applies Implemented by DCARCs
Non-titled user	Any impacted items	(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 of the province, and (b) Economic rehabilitation package in lieu of compensation (see G, below).	For non-titled DPs with no other productive landholdings, local authorities 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	(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.	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

Entitled Persons	Type and Level of Impact	Compensation Policy	Implementation Issue
		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.	the affected land.
B.2. Permanently Affected Residential and/or Non-Agricultural Land			
Owners with LURC, owners in process of acquiring LURC, owners eligible to acquire LURC	Loss of residential and/or non-agricultural landholding without houses and structures built thereon	As a priority, allocation of replacement land: (i) equal to area of affected land up to a maximum of land quota in province of subproject; (ii) of same 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	(a) The DPC will determine availability of 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	Loss of residential land/or non-	(a) Cash compensation for the remaining value of contract, and	Local authorities assist DP to find

Entitled Persons	Type and Level of Impact	Compensation Policy	Implementation Issue
rights	agricultural land	(b) Cash compensation at replacement cost for house/structures on affected land, and (c) Package of rehabilitation assistance (see G below).	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 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	(a) No compensation for land. (b) Retain their houses in ROW according to the conditions regulated by Article 6 of Decree No. 106/2005/ND-CP and Decree No. 81/2009/ND-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/ND-CP and Decree No. 81/2009/ND-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	(a) Cash compensation at replacement cost for materials and labor for	

Entitled Persons	Type and Level of Impact	Compensation Policy	Implementation Issue
	remaining portion can be used	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).	
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.

Entitled Persons	Type and Level of Impact	Compensation Policy	Implementation Issue
			Graves to be exhumed and relocated in culturally sensitive and appropriate ways according to Customary rights. The place and layout of the yard shall be consulted with communities and affected peoples
D. Annual and perennial crops, fruit and timber trees and tree/plant fences			
Owners of crops and/or trees	Loss of annual crops	If standing crops are ripening and cannot be harvested, cash compensation of un-harvested crops at market values based on the average production over past 3 years.	A minimum of 2 months' notice to harvest crops; Owners of crops and/or trees are entitled to compensation regardless of whether they possess land use rights
	Loss of perennial crops, fruit and timber trees and tree fences	Cash compensation at current market prices given the type, age and productive value of the affected crops and/or trees.	Compensation must equal in value to crops that would be harvested had 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	Structure totally affected and must be relocated OR Structure partially affected and must be	(a) Cash assistance for loss of income based on the minimum wage in the respective province for the period of 3 months; and	Affected businesses will be notified 2 months in advance to relocate and/or rebuild new structures, so as to be able to

Entitled Persons	Type and Level of Impact	Compensation Policy	Implementation Issue
(Including un-registered business owners)	rebuilt.	(b) Cash compensation for affected structures at replacement costs; and (c) Cash assistance for relocation (see G1), if any	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.	
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	Loss of income during period to rebuild.	Cash assistance is equal to 30 kg of rice per month per household	At time of compensation, allowance will be

Entitled Persons	Type and Level of Impact	Compensation Policy	Implementation Issue
structures that must rebuild.		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.	adjusted for inflation to ensure that DPs have sufficient resources to meet basic food and non-food expenditures.
G.3 Repair Allowance			
Owners of partially affected principal structures; AND Owners of other affected structures.	Damage due to dismantling of part of principal structure, or part or all of other structure	Cash assistance based on actual costs to repair the remaining part	
G.4 Infrastructure Development Allowance			
Owners of structures that relocate themselves	Provision of basic infrastructure, e.g., water supply, toilet, access, drainage	Cash assistance equal to the basic cost of investment unit in infrastructure of a standard plot in resettlement site according to Decree 69/2009/ND-CP.	
G.5 Economic Rehabilitation Package			
Severely affected DPs, displaced from housing or losing 10 percent or more of their productive, income generating irrespective of tenure status.	Assistance to restore livelihoods and incomes following acquisition of agricultural land or other productive assets	AHs directly cultivate on the affected land to be entitled: (a) Losing from 10 to 30% of agricultural land holding: Cash assistance equal to 30 kg of rice (valued at market price) per month per household member for 3 months, if not relocating; for 6 months if relocating; and for 12 months if relocating in a harsh living condition area; (b) Losing more than 30% to 70% of total agriculture landholding. Cash 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; (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 (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 (e) Participating in income restoration programs (RP or REMDP).	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 agency specialized in livelihoods/labor or vocational assistance and with the active involvement of the AHs. RP or REMDP shall be prepared during the RP or REMDP updating following the needs assessment of the DPs
	Assistance for job changing and creation.	Cash assistance equal to 1.5 time of compensation value for affected for acquired land area but not exceed 5 (five) times of land quota in locality. If DP has demand for training, he/she will be entitled to a free training	Eligibility will be confirmed during DMS.

Entitled Persons	Type and Level of Impact	Compensation Policy	Implementation Issue
		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.	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 be the provincial regulations
G.8 Bonus to DPs that relocate on time			
All DPs that relocate		Bonus Allowance if land is handed over in a timely manner according to PPC's regulation.	

V. CORRECTIVE ACTION PLAN

26. With the PTIP resettlement policy as reference, SPPMB has identified in table below the shortcomings in the way land acquisition was carried out in connection with the construction of the 500/220 kV My Tho SS and its connecting TLs. For each shortcoming identified, SPPB proposes to carry out a corrective action for the purpose of making land acquisition consistent with the PTIP resettlement policy, albeit retroactively.

Table 4. Summary of Shortcomings and Proposed Corrective Actions

Areas of Concerns	Gaps in the implementation of land acquisition vis-à-vis PTIP resettlement policy	Corrective actions	Responsible Entities	Timeline
Payment of life stabilization assistance	Losing 30% or more of one's total agricultural (productive) land was used for determining who were severely affected. 61 AHs (i.e., lost more than 30% of productive lands) were deemed severely affected and for which they were provided life stabilization assistance.	(i) Review all DMs forms to find out which among the remaining 115 AHs lost 10%-29% of their total agricultural (productive) land. (ii) Prepare payment vouchers or plans for AHs that lost 10%-29% of their total agricultural (productive) land for approval by Tien Giang PPC. (iii) Pay life stabilization assistance to the eligible AHs.	SPPMB, LFDC, and Tien Giang PPC	Prior to the implementation of PTIP3
Identification of vulnerable AHs	The DMS did not determine who among the AHs belonged to one or more of the following vulnerable groups (i.e., women-headed AH with dependents, landless and poor AH, AH headed by a disabled person or by an elderly, ethnic minority AH). Per PTIP resettlement policy, a vulnerable AH is entitled to additional assistance to help improve the social and economic condition of the household.	(i) Determine who among the 175 AHs were vulnerable. (ii) Prepare supplementary payment vouchers or plans for the vulnerable AH for approval by the PPC. (iii) Pay supplementary allowance to the vulnerable AHs.	SPPMB, LFDC, and Tien Giang PPC	Prior to the implementation of PTIP3
Resolution of complaint of the AH	AH initially refused the compensation. To date a new compensation plan is prepared for the AH by Chau Thanh District LFDC.	Complete the new compensation plan and fully provide the AH with their compensation and assistances.	SPPMB, LFDC, and Tien Giang PPC	Prior to the implementation of PTIP3

27. SPPMB, in collaboration with the People's Committee of Tien Giang Province and DCARB, will implement the aforementioned corrective actions once ADB gives its concurrence to this DDR/CAP. SPPMB will monitor the implementation of the corrective actions by DCARB and will include in its regular progress report to NPT and ADB the status of the implementation of the CAP. Following receipt of a report from SPPMB confirming that the implementation of the CAP has been completed satisfactorily, land acquisition carried out in the construction of the 500/220 kV My Tho SS and its connecting TLs will be deemed compliant with the PTIP resettlement policy and no further monitoring is required.

Appendix 1: GOV Policies on Compensation, Assistance, and Resettlement

1. GOV Decree No.106/2005/ND-CP, dated August 17, 2005 defined the protection of high voltage systems.
2. The 2003 Land Law passed by the National Assembly on November 26, 2003.
3. GOV Decree No.188/2004/ND-CP, dated November 16, 2004 on methodology for defining prices and price framework of various types and categories of land.
4. Circular No.114/2004/TT-BTC, dated November 26, 2004 of the Ministry of Finance guiding the implementation of the above stated Decree.
5. GOV Decree No.123/2007/ND-CP, dated July 27, 2007 on adjustment and supplementation of articles of the Decree No.188/2004/ND-CP, dated November 16th, 2004.
6. GOV Decree No.197/2004/ND-CP, dated December 3, 2004 on the compensation, assistance and resettlement in case of land acquisition by the State.
7. Circular No.116/2004/TT-BTC, dated December 7, 2004 of the Ministry of Finance guiding the implementation of Decree No.197/2004/ND-CP.
8. Decree No. 106/2005/ND-CP and Decree No. 81/2009/ND-CP providing regulations on impacts on residential land in the right-of-way of transmission lines.
9. Circular No.69/2006/TT-BTC, dated August 2, 2006 amending and supplementing the Finance Ministry's Circular No. 116/2004/TT-BTC which guides the implementation of the Government's Decree No. 197/2004/ND-CP on compensation, support and resettlement upon land recovery by the State.
10. GOV Decree No.17/2006/ND-CP, dated January 27, 2003 on adjustment and supplementation of decrees on implementation guidelines of Land Law.
11. GOV Decree No.84/2007/ND-CP, dated May 25, 2007 providing additional regulations on granting land use right certificates, retrieving land, paying compensation, resettling, settling complaints and denouncements.
12. GOV Decree No. 69/2009/ND-CP, dated August 13, 2009 additionally providing for land use planning, land prices, land recovery, compensation, support and resettlement.
13. Circular No. 14/2009/TT-BTNMT, dated October 1, 2009 by MONRE detailing the compensation, support and resettlement and order of and procedures for land recovery, allocation and lease.
14. Decision No. 28/2012/QD-UBND dated December 21 2012 by Tien Giang PPC on land prices in Tien Giang in 2013.
15. Decision No. 21/2011/QD-UBND dated July 26 2011 by Tien Giang PPC on construction costs of new housing and structures.
16. Decision No. 32/2011/QD-UBND dated October 28 2011 by Tien Giang PPC on compensation rates for affected trees and crops.
17. Decision No. 15/2013/QD-UBND dated May 24 2013 by Tien Giang PPC on compensation, assistance, and resettlement upon land recovery by the State.

Appendix 2: List of People Met

No.	Name	Address	Position
1	Nguyễn Văn Đức	Deputy Director	Chau Thanh District LFDC
2	Nguyễn Trung Thành	Staff	Chau Thanh District LFDC
3	Nguyễn Tấn Phong	Staff	Chau Thanh District LFDC
4	Phan Văn Tranh	Staff	SPPMB
5	Nguyễn Tấn Tài	Cadastral official	Diem Hy Commune
6	Nguyễn Đình Pho	Thoi Hamler leader	Diem Hy Commune
7	*	AP	Diem Hy Commune
8	*	AP	Diem Hy Commune
9	*	AP	Diem Hy Commune
10	*	AP	Diem Hy Commune
11	*	AP	Duong Diem Commune

*Name deleted for confidentiality

Appendix 3: Photos of Site Visit



Working with Chau Thanh District LFDC



Working with Diem Hy CPC



Interviewing AP



Interviewing AP



Mr. Nguyen Van Chau



The affected house area



The relocated household building new house



The relocated household bought new productive land (2,000m²)



The remaining area is used to grow grass to serve livestock husbandry



Household of Mr. Nguyen Van Chuyen is looking after the construction of his new house