

**MINISTRY OF TRANSPORT
TRAFFIC SAFETY PROJECT MANAGEMENT UNIT
Central Highlands Connectivity Improvement Project**

RESETTLEMENT PLAN

BINH DINH PROVINCE

April 07, 2017

TABLE OF CONTENTS

Contents

TABLE OF CONTENTS.....	2
ACRONYMS	5
DEFINITION OF TERMS	6
1. INTRODUCTION	11
1.1 <i>The Project</i>	11
1.2 <i>Overview of completed and on-going projects</i>	13
2. LEGAL FRAMEWORK	20
2.1 <i>The Legal framework of the Government of Vietnam</i>	20
2.2 <i>The World Bank's Operational Policy on Involuntary Resettlement (OP 4.12)</i>	21
2.3 <i>Gaps between the World Bank's policy and Government of Vietnam's policy on involuntary resettlement and harmonization measures.</i>	21
3. SOCIOECONOMIC CONDITION.....	24
3.1 <i>General natural and Socio-economic conditions of the project Province</i>	24
3.2 <i>Socioeconomic conditions of the project affected households</i>	24
3.2.1 Demographic Characteristics	25
3.2.2 Age structure.....	25
3.2.3 Educational attainment.....	26
3.2.4 Occupation	27
3.2.5 Vulnerability.....	27
3.2.6 Economic Characteristics	27
Loans.....	27
3.2.6 Self-assessment of living standards.....	27
3.2.7 Resettlement Preference	28
3.2.8 Gender issues.....	28
3.2.9 Labour Division.....	29
4. LAND ACQUISITION IMPACTS	32
4.1 <i>Methodology</i>	32
4.2 <i>Scope of Land Acquisition and Resettlement Impacts</i>	32
4.3 <i>Detailed Measurement Survey (DMS)</i>	33
5. INFORMATION DISCLOSURE, CONSULTATION AND PARTICIPATION.....	35
5.1 <i>Findings of consultation</i>	35
5.2 <i>Mechanism for continued consultation</i>	40

6. PRINCIPLES AND POLICIES FOR COMPENSATION, SUPPORT, RESETTLEMENT AND LIVELIHOOD RESTORATION	43
6.1 General principles	43
6.1.1 Principles for Compensation and Support	43
6.1.2 Principles for Physical Resettlement	43
6.2 Eligibility Criteria and Entitlements.....	43
6.2.1 Eligibility Criteria	43
6.2.2 Entitlements.....	44
6.2.3 Cut-off date:.....	44
6.3 Compensation and Support Policies.....	44
6.3.1 Compensation for Permanent Impact.....	44
6.3.2 Compensation for Temporary Impact (during construction).....	48
6.3.3 Allowances	49
6.4 Entitlements Matrix.....	50
6.5 Livelihoods Restoration Program.....	51
6.5.1 Strategy of livelihood recovery	51
6.5.2 Potential Activities Raised by Households.....	52
6.5.3 Participatory Approach	53
6.6 Gender Action Plan:	55
6.6.1 Awareness Generation Campaign.....	56
6.6.2 Safety of Women	56
6.6.3 Specific Provisions in the Construction Camp for Women	56
6.6.4 Women Participation with Other Stakeholders.....	57
6.6.5 Summary of Gender Actions under the Project	58
6.7 Livelihoods Restoration Program	59
6.8 Construction Labour Management Plan.....	60
General Requirements	61
Worker's Accommodation	61
Security	62
Provisions for Drinking Water	62
Cooking Arrangements.....	62
Wastewater Generation.....	63
Solid Waste Management.....	63
Medical Facilities.....	63
Recreation Facilities	63
Inspection of Accommodation Facilities	64
Grievance Redress Mechanism	64
7.0 INSTITUTIONAL ARRANGEMENT	66
7.1 Responsibilities of Stakeholders	66
7.2 Updating of RAP.....	70
7.2.1 Key issues subject to RAP Updating	70
7.2.2 Approval of updated RAP.....	70
7.3 Implementation of RAP.....	70

7.3.1 Resettlement Arrangement	71
8. IMPLEMENTATION ARRANGEMENT	73
9. GRIEVANCE REDRESS MECHANISM.....	76
9.1 Requirements of the Grievance Redress Mechanism.....	76
9.2 Grievance Redress Procedure	76
9.3 Grievance Management & Monitoring.....	77
10. MONITORING AND EVALUATION ARRANGEMENT	78
10.1 Objective of monitoring	78
10.2 Internal Monitoring	78
10.3 External Monitoring.....	78
11. COSTS AND BUDGET	80
APPENDICES.....	82
Appendix 1 – Entitlements Matrix.....	83
Appendix 2 - The questionnaire for IOL and social and economic survey of affected assets	95
Appendix 3 –Photos from Field Trip	100
Appendix 4 – Suggestive Indicators for RAP Monitoring and Evaluation	101
Appendix 5 – Sample Minutes of Consultation	103
Appendix 6 – Social Due Diligence of BOT and GoV Sections.....	108

ACRONYMS

BP	Bank Procedure
CHCIP	Central Highlands Connectivity Improvement Project
DSCC	District Site Clearance and Compensation Committee
DBCLA	District Board for Compensation and Land Acquisition
DMS	Detailed Measurement Survey
DPC	District People's Committee
EMC	External Monitoring Consultant
HH	Household
LURC	Land Use Rights Certificate
M&E	Monitoring and Evaluation
MOT	Ministry of Transport
OP	Operational Policy
PC	People's Committee
PAH	Project affected household
PAP	Project affected person
PIC	Public Information Booklet
PPC	Provincial Peoples' Committee
PPMU	Provincial Project Management Unit
RAP	Resettlement Action Plan
TSPMU	Traffic Safety Project Management Unit
VND	Viet Nam Dong
WB	World Bank

DEFINITION OF TERMS

Affected person	<p>Persons who, as a direct consequence of the Project and without their informed consent or power of choice, are either (a) physically relocated or lose their shelter, (b) lose their assets or access to assets, or (c) lose a source of income, or means of livelihood, whether they are physically relocated to another place or not.</p> <ul style="list-style-type: none"> • Persons whose agricultural land will be affected (permanently or temporarily) by the Project; • Persons whose residential land/houses will be affected in part or in total (permanently or temporarily) by the Project; • Persons whose leased houses will be affected (permanently or temporarily) by the Project; • Persons whose businesses, including farm and non-farm business, or places of work, will be affected (permanently or temporarily) by the Project; • Persons whose crops and trees (annual and perennial) will be affected by the Project; • Persons whose other assets or access to those assets, will be affected in part or in total by the Project. • Persons who are squatters in public safety zones (i.e. right of the way) who are usually poor and rely on their retailed business (located on the right of the way) for income generation activities.
Cut-off-date	<p>The cut-off date (by Article 67.1 of Land Law 2013) is the date when the Notice of Land Acquisition will be officially released and sent to all identified project affected households. Once a cut-off day is established, people who encroach upon the project area after the cut-off date are not entitled to compensation payment, or any form of resettlement assistance.</p>
Eligibility criteria	<p>A set of criteria that was developed in line with the World Bank's OP 4.12 to define the affected persons based on a) land ownership of the affected persons and b) severity of impact, including:</p> <ul style="list-style-type: none"> • Persons whose agricultural land will be affected (permanently or temporarily) by the Project; • Persons whose residential land/houses will be affected in part or in total (permanently or temporarily); • Persons whose leased-houses will be affected (permanently or temporarily); • Persons whose businesses, including farm and non-farm business, or places of work will be affected (permanently or temporarily); • Persons whose crops and trees (annual and perennial) will be affected; • Persons whose other assets or access to those assets, will be

	<p>affected in part or in total by the Project;</p> <ul style="list-style-type: none"> • Persons who are squatters in public safety zones (i.e. right of the way) who are usually poor and rely on their retailed business on the safety zone for income generation activities; • Persons who rent houses for purpose of living.
Resettlement	<p>Resettlement covers all direct economic and social losses resulting from land taking and restriction of access, together with the consequent compensatory and remedial measures. Resettlement is not restricted to its usual meaning - physical relocation. Resettlement can, depending on the case, include (a) acquisition of land and physical structures on the land, including businesses; (b) physical relocation; and (c) economic rehabilitation of affected people, to improve (or at least restore) incomes and living standards.</p>
Remaining Land Investment Cost	<p>Include costs that the land user has invested in land (for the land use purpose) but have not been fully recovered by the time the land is acquired. These includes costs for: a) landfill, b) soil fertility improvement, soil erosion prevention (for farming purpose), c) foundation preparation (for business purpose), and d) other investment as appropriate to the land use purpose.</p>
Replacement costs	<p>The amount of compensation sufficient to replace lost assets, covering transaction costs, which may include taxes, fees, transportation, labour, etc. With regard to land and structures, "replacement cost" is defined as follows: For agricultural land, it is the pre-project or pre-displacement, whichever is higher, market value of land of equal productive potential or use located in the vicinity of the affected land, plus the cost of preparing the land to levels similar to those of the affected land, plus the cost of any registration and transfer taxes. For land in urban areas, it is the pre-displacement market value of land of equal size and use, with similar or improved public infrastructure facilities and services and located in the vicinity of the affected land, plus the cost of any registration and transfer taxes. For houses and other structures, it is cost to build the new house/structure with similar technical standard without depreciation and deduction of salvageable materials, plus the cost of any related registration and taxes.</p>
Entitlements	<p>Refer to compensation, assistance and resettlement packages that are designed for provision to eligible persons affected by the project.</p>
Livelihoods restoration program	<p>Series of development activities that are designed on the basis of the needs of the severely affected households and are implemented to support them to restore their income and living standards to the pre-project level.</p>
Stakeholders	<p>Any and all individuals, groups, organizations, and institutions interested in and potentially affected by a project or having the</p>

	ability to influence a project.
Severely affected household	Households who lose 20% or more of their total landholding, or lose 10% or more for the poor/near poor and/or have to relocate are considered as <i>severely</i> affected households.
Vulnerable groups	Those who may be more heavily affected by economic or physical displacement than others and who may be more limited than the population at large in their ability to claim or take advantage of resettlement assistance and related development benefits. Vulnerable people/group can be (i) woman headed household with dependents, (ii) social policy person, (iii) ethnic minority, Poor/near poor household (as identified by Bình Định's poverty standard; (iv) landless person; and (v) lonely elderly.

1. INTRODUCTION

1.1 The Project

The National Highway No. 19 (NH19) runs East-West in the Central Highlands and Central Coast Regions from the regional port of Quy Nhon in Binh Dinh Province through Pleiku City in Binh Dinh Province to the Cambodian Border of Le Thanh with a length of about 234 km. NH19 is recognized as a contribution to the ASEAN Highway Network as a key corridor in the Greater Mekong Subregion (GMS). The ASEAN Highway (AH) network, also known as the Great Asian Highway, is a cooperative project among countries in Asia and Europe and the United Nations Economic and Social Commission for Asia and the Pacific (ESCAP), to improve the highway systems in Asia. The corridor that NH19 supports connects Bangkok to the Central Coast of Vietnam through Cambodia, and is a major transport link for agricultural products of the hinterland of Binh Dinh, as well as the cross-border trade from Cambodia and Southern Lao to NH1 and Quy Nhon Port.

The traffic characteristics on NH19 are quite mixed with a large number of heavy trucks and high speed 4-wheeled vehicles with significant number of motorcycles and non-motorized traffic with local pedestrians, but the lack of sufficient road capacity and its poor conditions keeps NH19 being exposed to a high risk of traffic accidents. During the implementation of the Vietnam Road Safety Project (VRSP) in 2012, the International Road Assessment Program (iRAP) consultant assessed most of NH19 as Star 1 and 2 ratings in the safety standard, which revealed that NH19 is one of the critically dangerous road in Vietnam, where a high priority should be given for upgrading. Data from the Traffic Safety Committee of the Binh Dinh Province show that accidents in the Province did not substantially decreased between 2011 and 2015, and it remains a key challenge, with on average 219 crashes, 248 fatalities, and 163 injuries. More importantly, on average 76 percent of the crashes involve motorcycles, which take up to 95% of the total vehicles. The road accident related to motorcycles is also about 75%. Studies from international research institutions (GRSP, MIROS, iRAP etc.) show that application of separate motorcycle lane in countries with high volume of motorcycle like Malaysia, Taiwan, Thailand, and India has proved a reduction in traffic accidents. According to the evaluation of Malaysian Road Safety Institute, 39% of accidents were reduced after the implementation of motorcycle lanes. The proposed activity under this project will focus on road safety infrastructure provisions for motorcycles and road safety management through capacity building. To this end, forgiving roadside features, including an investigation into good practices and standardization of segregated or dedicated motorcycle lanes will be conducted. As a result of road safety surveys and design support, speeds will be investigated to ensure they are appropriate. Overall, these measures will help reduce the number of incidents, accidents, deaths and injuries along the NH19.

The upgraded road will help strengthen regional and trade-economic development within the two regions and with Cambodia, and help reduce poverty as it will ease mobility in the northeast provinces of Cambodia which are known for difficult meteorological and geographical conditions (frequent floods during the rainy season and mountainous terrain across Vietnam). The bypasses (An Khe bypass of 10km, and Pleiku bypass of 16km), the on and off ramps for trucks in strategic locations (mountainous areas), as well as safer and efficient intersections with feeder roads will contribute to trade related improvement and transport cost reduction. The proposed project will also leverage the current Government-financed program to rehabilitate the feeder roads that link the agricultural zones to the main corridor, therefore reducing further transport costs along the corridor. The proposed project will therefore strengthen transport and

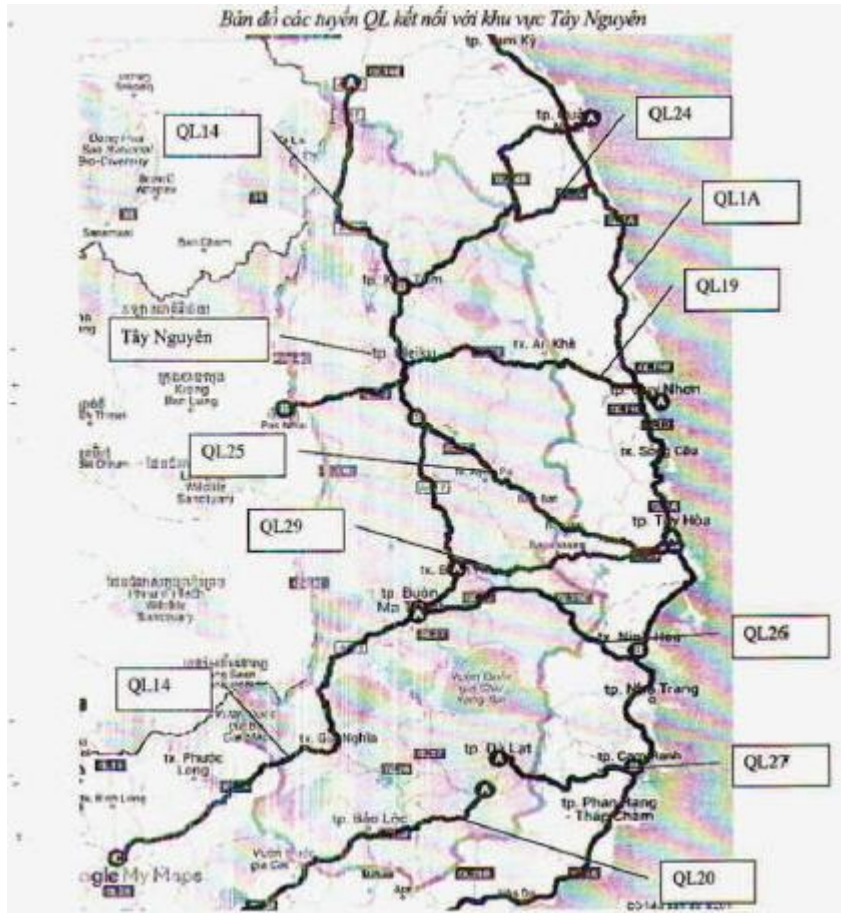
logistics connectivity along the East - West corridor from the Central Highlands to the Central provinces and contributing to the Asia Road system connection with neighbor countries.

In order to achieve these objectives, the proposed project may consist in the following two components:

- (i) **Component 1 – Road Improvements (estimated cost of USD155m):** This component will support the physical improvement of three sections of NH19 including pavement rehabilitation, widening of the road with paved shoulders, widening of lanes and features for the safe sharing of the road by users, including the design and addition of dedicated motorcycle lanes, the improvement of intersections, provision of road safety facilities including guardrails, curbs, and road safety signs. The total length of these 3 sections is 142km (out of a total length of 234km of NH19), composed on 116km of inter-urban roads and 26km of urban roads (bypasses), to complement the two Build-Operate-Transfer (BOT) sections of 75km implemented by the Government. The MoT and the two Provinces have indeed been addressing the connectivity improvement and road safety issues on NH19 by promoting two BOT improvement projects and the NH1-Quy Nhon Port section improvement financed by MoT and Binh Dinh Province during the past few years. The two BOT sections are now in service and collecting tolls. These BOT sections have also established a reasonable precedence for cross-section designs to accommodate the separation of fast and slow speed vehicles and motorcycles in urban, semi-urban and rural areas. The proposed project will help improve the remaining sections of NH19 by completing the establishment of NH19 as a Road Safety Corridor that meets international connectivity requirements with traffic safety standards including the Vietnam's Traffic Safety Strategy requirements of a minimum of iRap 3-star standard, through road infrastructure safety features. In addition, as the proposed 142km section for financing contains sections which are highly prone to landslides and potential natural disasters, a targeted intervention on these sections contributes to the overall connectivity and safety along the entire corridor.
- (ii) **Component 2 – Institutional Strengthening (estimated cost of USD15.35m):** This component will support the institutional strengthening aspect of the road improvement component through the preparation of the detailed design for the sections of the roads, bridges and bypass to be improved, as well as the supervision of the works, and the monitoring of the safeguards aspects. This component will be supported by technical assistance through the Global Road Safety Program (GRSF) and the Global Facility for Disaster Reduction and Recovery (GDFRR) grants to (i) carry out the road safety audit to the road designs under the project; (ii) assess impacts of motorcycle lanes in Vietnam and update the draft manual for motorcycle lane design and specifications with incorporation of international best practices; and (iii) enhance climate resilience road design for disaster prone areas. In addition, this component is supported by road activities (enhancement of the traffic safety management capacity of provincial, district and commune level Traffic Safety Committees; road safety awareness program on media; etc.) being implemented along the corridors through government funding.

The land acquisition and adverse social impact is only in component 1. This RP prepared for Binh Dinh province covers impacts, mitigation plan, institutional arrangement for implementation and budget.

Figure 1: Map of the Project



Source: Pre-Feasibility Report

The alignment in this province mainly passes through built up area. The right of way in this section of the alignment varies from 5m to 10m. That is province has approximately 19 km of total length starting from Km51+152 belonging to Tay Son district and ends at Km67 (border of two provinces: Binh Dinh and Gia Lai).

At the end of 2013 the section Km 17 – Km 51+152 in Binh Dinh province and the section Km 90 – Km 131+300 are already in very poor conditions that do not guarantee a high level of road safety. MOT has called for BOT investors to upgrade the road. Corporation 36 has invested and is currently operating and collecting fees on these roads.

The above 2 sections meet grade 3 of lowland roads. The remaining sections only meet grade 4 road, except in the areas near cities and towns, with a sub-grade width of 9 m, and the concrete asphalt surface of 7 m. The road surface on the section Km 51+152 – Km 90, Km 131+300 – Km 168 is very poor. There are a total 23 bridges including 6 in Binh Dinh and 17 in Gia Lai province.

1.2 Overview of completed and on-going projects

Upgradation of 33 km section of NH 19 in Binh Dinh province starting Km 17+027 to Km

51+152 was taken up on BOT basis. The project was started in 2013 and completed and become operational at the beginning of 2016. The BOT project provides rehabilitation for 33.1km running through Binh Dinh province. The upgraded road has two lanes for motorbikes and two lanes for four-wheel vehicles. The width of the upgraded road varies from 9m to 15m wide with 173 culverts, 2 toll gates and 2 bridges. The BOT project has been completed and in its operation phase. The BOT project runs mainly through agriculture land, forestry land, residential land, road surface and abandon land. Population density is at moderate level and people's main jobs are associated with agriculture and small trading.

The Project permanent acquired about 8.2 ha of land including 5.5 ha of agriculture land (garden, cash crop land), 1.4 ha of residential land; 1.2 ha of forest land and 0.6 ha of other land (road side land and abandon land). The project adversely impacted 2,403 households of which 88 households were to be relocated. To manage the potential impacts in the pre-construction stage, the BOT project has prepared a resettlement plan as per the Vietnamese regulations. The total amount for compensation, support and resettlement is VND 34098942711. Although land compensation has been largely disbursed, houses are yet to be relocated as resettlement area has not been finalized yet. (See Annex 6 for details). The upgradation included two bridges as under:

No.	Bridge name	Location	Road name	Province	Note
1	Dong Da	Km 0+481	NH 19	Binh Dinh	Existing
2	Phu Phong	Km 42+481	NH 19	Binh Dinh	Existing

Source: Pre-Feasibility Report

Road Section between Quy Nhon Port to NH 1 on NH 19: This section is funded by government of Vietnam. This section of NH 19 is currently functioning as a quite busy urban road and to improve the same, government has invested for construction of a bypass using government fund. The road is scheduled to be completed by the end of 2018.

A total of 1,421 households and 33 organizations are affected by the project. To manage the potential impacts in the pre-construction stage, the project has prepared a resettlement plan as per the Vietnamese regulations. The total amount for support, compensation and resettlement is VND 941.24 billion. The PPC has approved the support and compensation for 1,421 HHs and 33 organizations with the total of VND 414.79 billion. Over 340 billion VND has been disbursed to 1,315 HHs and 28 organizations. Out of 1,421 households, 844 are to be relocated. The local authority has arranged for 9 resettlement areas for them. However, because the resettlement areas are not completely finished and there are some HHs that do not agree with the compensation costs.

1.3 Urban, residential, industrial zones

The alignment passes through various residential and industrial development zones. The details are given below:

No.	Name	Province	Size	Features
1	An Nhon urban zone	An Nhon (Binh Dinh)	1,500 ha, inner city area	- Grade 4 city/town - From Km 15+814 to Km 30+293

No.	Name	Province	Size	Features
2	Residential area at Nguyen Hue cross section (decision 1158/QD-CTUBND dated 31/5/2011 of Tay Son district, Binh Dinh province)	Tay Son (Binh Dinh)	20 ha	<ul style="list-style-type: none"> - Profile: 52 m ($Bm = 7+7.5+1.0+7.5+5 = 28$ m; safety margin = 12 m; frontage road $Bm = 1.5+7.5+3 = 12$ m) - Residential area on Phu Phong town, with a distance of 20 m to the central line of the road, on the right side - From Km 40+500 to Km 41 - Profile: frontage road $Bm = 4.0+7.0+HLTA$; NH 19 not yet planned

Source: Pre-Feasibility Report

Industrial zones:

No.	IZ	Province	Size	Features
1	Nhon Hoa IZ (decision 112/QD-BBND dated 21/1/2011 of Binh Dinh people's committee)	An Nhon district, Binh Dinh province	315 ha	<ul style="list-style-type: none"> - Agriculture and forestry product processing - Construction material production - Mechanical engineering - stores
2	Truong Dinh IZ	Tay Son district, Binh Dinh province		
3	Solid waste treatment area	Tay Son district, Binh Dinh province		

Source: Pre-Feasibility Report

1.4 Road grade, designed speed

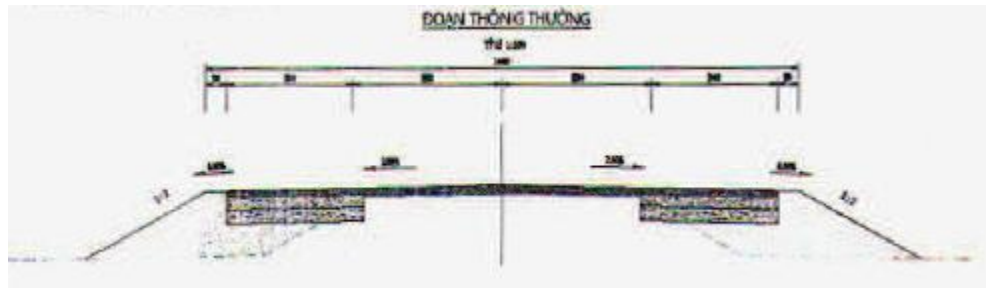
The road in general will be grade 3, lowland road TCVN 4054-05 with a design speed of 80 Km/h. In case road is passing through residential areas and is already meeting standard, only the road surface will be strengthened. Only in cases where road lacks width, expansion will be carried out with a separate lane for mixed vehicles; road curbs, and culverts where ever required.

Road profile

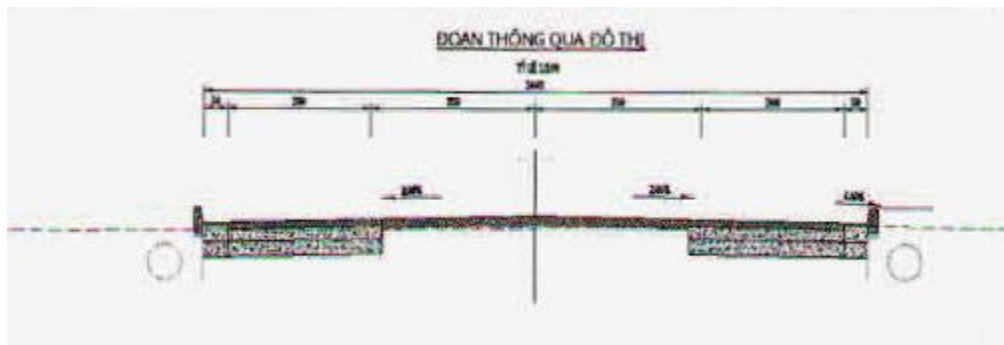
On normal roads: The sub-grade and surface will be expanded to meet grade 3, lowland road

standard with 2 motorized lanes of 3.5 m wide each. Road margins will also be expanded to ensure safety for non-motorized vehicles.

Normal road



In urban areas



Location, land acquisition and the use of other natural resources

a. Land acquisition

Land acquisition for the corridor will be carried out as per the provisions of decree 11/2010/ND-CP of the Government

Estimated land acquisition: The project will take 0.16 ha of residential land of which 0.08 ha is encroached land. Nearly 19 ha of agricultural land will be permanently acquired by the project. Project will also impact houses, structures: houses, fences, ancillary structures, public structures (voltage stations, power poles, power cables, telephone cables, water pipe, etc.); crops and trees.

1.5 Objectives of the Study:

The main objective of the study is to ensure that the project addresses the adverse impacts on the livelihood of the people and that nobody is left worse off after implementing RP and those affected have access to project benefits, both during project construction as well as operation. In specific, the objectives of the study are:

- To carry out a socio-economic, cultural and political/institutional analysis to identify the project stakeholders and social issues associated with the project;
- To assess the extent of land acquisition/appropriation and other losses and undertake the census of potential project affected people;
- To develop a Resettlement Action Plan (RP) in consultation with the affected people and project authorities; and
- To develop a consultation framework for participatory planning and implementation of proposed mitigation plan.

1.6 SCOPE OF THE STUDY

The study began with the identification of social issues and stakeholders and communities, including socially and economically disadvantaged communities. The focus of SIA was on identifying local population likely to be affected by the project either directly or indirectly and undertake census survey. The scope of the study in particular included the following:

- Identifying key social issues associated with the proposed project and specify the project's social development outcomes;
- Assessing potential social and economic impacts during the construction phase;
- Reviewing policies, regulations and other provisions that related to land acquisition, resettlement and rehabilitation of project affected people and other social issues;
- Social screening of various project components and likely impacts in terms of land acquisition (loss of land, houses, livelihood, etc.), and resultant involuntary resettlement and provide inputs (in terms of magnitude of impacts and likely costs for mitigation) in preparing appropriate mitigation plans;
- Screen the social development issues in the project area and its vicinity and design the social services that may be provided by the project in order to improve the quality of life and achieve the projects economic and social goals;
- Update the profile of the population and available infrastructure facilities for services in the project affected area;
- Based on the assessment of potential social and economic impacts establish criteria that will assist in the formulation of strategies; to the extent possible maximize project benefits to the local population and minimize adverse impacts of the project interventions on the affected communities;
- Inform, consult and carry out dialogues with the project stakeholders on matters relating to project design, objectives, and implementation and provide specific recommendations to avoid/minimize high social risks;
- Screen the social development issues in the project area and its vicinity and accordingly design the social services that may have to be provided by the project in order to improve the quality of life;
- Identify likely loss of community assets and common property resources (e.g. forest, grazing land) the impacts of their loss on the local population;
- Assess the impact of influx of construction workers and others on the local community during civil works and develop a strategy to control them;
- Assess the capacity institutions and mechanisms for implementing social development aspects of the project implementation including the social safeguard plans and recommend capacity building measures; and,
- Develop monitoring and evaluation mechanism to assess the social development outcomes;

1.7 FOCUS AREAS OF THE STUDY

The study specifically focused on the following:

Stakeholders analysis - (i) identifying key stakeholders – project decision makers, beneficiaries, affected community, project influencers, project implementers (project functionaries), project facilitators (other agencies) and identifying their stakes in the project; (ii) identifying key formal and informal institutions operating at commune and district levels and assessing their role in community decision making processes; and (iii) assessing local capacities in terms of participation in planning, implementation, supervision and monitoring.

Review of relevant national and state legislations and regulations pertinent to the land acquisition, resettlement and involvement of project stakeholders. Attention was paid (i) to the laws and regulations governing the social safeguards and project implementation, (ii) on the access to and exclusion of groups to the services and opportunities provided by the project.

The living patterns of vulnerable population (ethnic minority, women, poor, landless, etc.) in the project area and assess whether they are involved in community decision-making process.

1.8 APPROACH AND METHODOLOGY

Approach and methodology mainly consist of quantitative and qualitative tools and techniques.

Collection and review of project literature

This phase intends to familiarize with the concerned and important stakeholders to identify and collect the available literature and to scope the activities. This involved two pronged approach (a) discussions with PMU and other concerned, b) collection of secondary data on project district and communes. Consultations were held with officials of concerned CPCs and DPCs. Literature review and consultations formed the basis for identification of key stakeholders.

Following to the review and consultations, rapid preliminary field visits were conducted as part of ground truthing exercise. This provided the basis for field research preparation and helped in testing the questionnaires and checklists.

Census and socio-economic household survey for all affected persons

The census survey of all the project-affected persons available was conducted. The survey, *inter alia*, has assessed the impacts of the project. Following the census survey, the socio-economic survey was carried out on sample basis. The following information were collected during the survey:

- Socio economic conditions of the affected persons
- Family structure and number of family members
- Literacy levels
- Occupation type and income levels
- Loss of immovable assets due to the project by type and degree of loss
- Accessibility to the community resources
- Perceptions on the resettlement and rehabilitation measures
- Perceived income restoration measures
- Grievances of affected persons and its redressal
- Awareness and knowledge levels on HIV/AIDS
- Willingness to participate in the project

Qualitative survey

Quantitative surveys may not always reveal the facts. This is particularly true when assessed for poor and vulnerable sections and their dependence on community resources. Qualitative surveys were conducted for evaluation of both affected population and implementation capacities. The qualitative survey included focus group discussions and in depth interviews with various sections of people such as women, knowledgeable persons and commune leaders to elicit their

expectations and suggestions, which supported and provided additional information collected through quantitative survey.

Assessment of livelihood losses

The study made an attempt to identify people losing their livelihood directly or indirectly. Also through consultations the rehabilitation strategies for those losses by way of training requirements for income generation and other remedial and restoration measures were identified.

Review of legal policy provisions and implementation capacity

Relevant national legislations and regulations and Bank's Operational Policies pertinent to the land acquisition and resettlement were reviewed. The review assisted in identifying gaps in national laws and Bank OPs. The RAP developed for the project addressed these gaps.

Preparation of Social Impact Assessment Report

This is the outcome of all the above activities and also results in the preparation of social impact assessment and RAP, which provide the socio economic risks involved and strategy to minimize the risks of the project particularly on the vulnerable, and develop participative monitoring mechanism.

RESEARCH TOOLS AND INSTRUMENTS

Various social research tools are employed to ensure that, all issues related to the study are adequately addressed so that a meaningful package of deliverables is developed. The entire exercise was carried out through an appropriate mix of social research techniques including desk research through review of information available, primary survey of project affected persons, consultation with CPS, DPCs and project authorities. Structured and semi-structured interviews, group discussions with the affected people and relevant government agencies and community were undertaken. The study used various instruments to collect information for the different stakeholders involved under the project. The Questionnaires and Checklist for FGDs are presented in the **Annex 2**.

2. LEGAL FRAMEWORK

This RAP has been prepared on the basis of currently applicable laws and regulations (related to land acquisition, compensation, support and resettlement) of the Government of Vietnam, and the World Bank's operational policy, namely Involuntary Resettlement (OP 4.12). This RAP was also developed on the basis of the consultations with different stakeholders under the CHCIP project, particularly with the affected peoples who will be compensated for the assets to be affected, and supported in the restoration of their livelihoods.

2.1 The Legal framework of the Government of Vietnam

A set of legal documents of the Government of Vietnam was employed under this project to establish a legal framework for this RAP, including:

- The Constitution 2013 of Viet Nam;
- The Land Law No. 45/2013/QH13, effective in July 1, 2014;
- The Law on Complaints 02/2011/QH13 dated 11 November 2011;
- The Law on Denouncement 03/2011/QH13 dated 11 November 2011
- Decree No.43/2014/ND-CP dated 15 May 2014, guiding in detail some articles of Land Law 2013;
- Decree No.44/2014/ND-CP dated 15 May 2014, provides the methodology for land pricing; adjustment to land price brackets, land price lists; specific land pricing and land price consultancy activities;
- Decree No.47/2014/ND-CP dated 15 May 2014, guiding in detail some articles of Land Law 2013 for compensation, assistance, resettlement when land is acquired by the State;
- Decree No. 16/2016/ND-CP dated 16 March 2016, on management and use of official development assistance (ODA) and concessional loans of donors;
- Decree No. 01/2017/ND-CP dated 6/1/2017 amending and supplementing a number of decrees detailing the implementation of Land Law.
- Circular No. 36/2014 / TT-BTNMT dated 30 June 2014, regulating method of valuation of land, construction, land price adjustment, specific land valuation and land valuation advisory;
- Circular No. 37/2014/TT-BTNMT dated 30 June 2014, regulating compensation, assistance and resettlement when the State acquires land;
- Decision No. 1956/2009/QĐ-TTg, dated 17 November 2009, by the Prime Minister approving the Master Plan on vocational training for rural labourer by 2020;
- Decree No. 75/2012/ND-CP of the Government dated 30 Oct 2012, specifies some of articles of the Complaint Law;
- Decree No. 76/2012/ND-CP of the Government dated 30 Oct 2012, specifies some articles of the Denouncement Law;
- Circular No. 30/2014/TT-BTNMT date 2 June 2014 regulations on allocation of land records, lease and transfer of land use, land acquisition.
- Decision No.63/2015/QĐ-TTg dated 10 December 2015, on the assistance policies for employment and vocational training to labours (households) whose land are acquired by the State;
- Others relevant legal documents issued by People's Committees of Binh Dinh which are currently active.

2.2 The World Bank's Operational Policy on Involuntary Resettlement (OP 4.12)

On the basis the World Bank's experience, involuntary resettlement under development projects, if unmitigated, often gives rise to severe economic, social, and environmental risks. For instance, the production systems are dismantled; people face impoverishment when their productive assets or income sources are lost; people are relocated to environments where their productive skills may be less applicable and the competition for resources greater; community institutions and social networks are weakened; kin groups are dispersed; and cultural identity, traditional authority, and the potential for mutual help are diminished or lost.

Given the above, World Bank's Operational Policy on Involuntary Resettlement (OP 4.12) was developed for use under the WB financed project. The overall objective of the policies are:

- (a) Involuntary resettlement should be avoided where feasible, or minimized, exploring all viable alternative project designs;
- (b) Where it is not feasible to avoid resettlement, resettlement activities should be conceived and executed as sustainable development programs, providing sufficient investment resources to enable the persons displaced by the project to share in project benefits. Displaced persons should be meaningfully consulted and should have opportunities to participate in planning and implementing resettlement programs;
- (c) Displaced persons should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.

2.3 Gaps between the World Bank's policy and Government of Vietnam's policy on involuntary resettlement and harmonization measures.

The resettlement and compensation policies applied for the project are to be in accordance with the World Bank's requirements and laws of the Socialist Republic of Viet Nam. Under the WB policy, it is a condition of funding that the Bank's requirements are met in relation to resettlement, compensation and rehabilitation to all affected households as defined in the OP4.12. With the promulgation of the Land Law 2013 (No. 45/2013/QH13) and relevant Decrees stated above, the policies and practices of the Government have become more consistent with the WB's social safeguards policies. Nonetheless, provisions and principles adopted in this RAP will supersede the provisions of the relevant decrees currently in force in Viet Nam wherever a gap exists, as provided for under Item 2, Article 87 of the land law 2013 and Article 51 of Decree 16/2016/ND-CP on the management and use of official development assistance fund.

The differences between the Government's Laws and Decrees and the WB's policy with regard to resettlement and compensation, and how to address these gaps for this project are shown in the table below.

Subjects	Bank's OP 4.12	Government of Vietnam	Project Measures
1. Land Property			
1.1. Policy objectives	PAPs (Project Affected Persons) should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher	There is a provision of support to be considered by PPC to ensure they have a place to live, to stabilize their living and production. (Article 25 of Decree 47). In case the amount of land compensation/support is not enough for resettled people to buy a minimum resettlement plot/apartment, they will be cash supported to be able to buy a minimum resettlement plot/apartment (Article 86.4 of Land Law 2013 and Article 27 of Decree 47)	Livelihoods and income sources will be restored in real terms, at least, to the pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.
1.2. Compensation for land and non-land assets of PAPs without LURC.	Those PAPs without legal title to land will be included in consultations. Ensure that PAPs without titles to land, or any recognizable legal rights to land, are eligible for resettlement assistance and compensation for loss of non-land assets including dwellings, structures and other improvements to land such as crops, irrigation, at full replacement cost, if they have been constructed/created before cut-off date.	Land Law 2013, Article 77, item 2 and article 92: Persons who has used land before 1st July 2004 and directly be involved in agriculture production on the acquired land without LURC or illegalizable will be compensated for the acquired land area but not exceed quota of agricultural land allocation. But no compensation for non-land assets in the following cases: (i) the assets subject to the land recovery as stipulated in one of items a, b, d, d, e, I, clause 1, article 64 and items b, d, clause 1, article 65 of the Land Law 2013; the assets created after the notification on land acquisition; and (iii) unused public infrastructures and other works.	Project affected people, without legal or recognisable legal claims to land acquired, who were in the project area prior to the cut-off date will be equally entitled to participation in consultations and project benefit schemes, and be compensated for their lost non-land assets such as dwellings and structures occupied before cut-off date without deduction of salvageable materials. They will be entitled to resettlement assistance and other compensation and social support to assist them to improve or at least restore their pre-project living standards and income levels.
2. Compensation rate			

Subjects	Bank's OP 4.12	Government of Vietnam	Project Measures
2.1. Compensation rates for land and non-land assets	Compensation for lost land and non-land assets including houses and structures should be paid at full replacement costs without depreciation and deduction of salvageable materials.	Compensation for land at specific land price of affected land; Compensation for living house at the cost enough for constructing new house with similar technical standard; Compensation for other structures at current value.	Independent appraiser identifies replacement costs for all types of assets affected to apply for compensation.
2.2. Assistance for severely affected household	Provision of livelihood restoration and assistance for severely affected households who lose 20% (10% for the poor/vulnerable households) of productive land to achieve the resettlement objectives.	Providing subsistent support for affected household who lose 30% or more of productive land.	Provision of livelihood restoration and assistance measures for severely affected households who lose 20% (10% for the poor/vulnerable households) of productive land to achieve the objectives of resettlement
3. Grievance Redress Mechanism			
Grievance redress	Grievance redress mechanism should be independent	The same governmental body makes decisions on compensation and resettlement, and also make decision on grievance redress.	An effective Grievance Redress Mechanism is established, built on the existing governmental system, with monitoring by an external monitoring consultant.
4. Monitoring and Evaluation			
Monitoring and evaluation	Internal and external monitoring are required.	Citizens are allowed to supervise and report on breaches in land use and management on their own (or through representative organizations), including land recovery, compensation, support and resettlement (Article 199, Land Law 2013). There is no explicit requirements on monitoring of the resettlement works, especially independent (external) monitoring.	Both internal and external (independent) monitoring is to be regularly maintained (on a monthly basis for internal and bi-annual basis for independent monitoring) and reported to the WB. An end-of-project evaluation on the implementation of resettlement is required and report will be prepared to confirm whether the objectives of OP 4.12 were achieved.

3. SOCIOECONOMIC CONDITION

3.1 General natural and Socio-economic conditions of the project Province.

Binh Dinh province is consisted of 10 districts/towns and 01 city. A total area of the province is 6,050.6 km² and with population of about 1,502,374 (2015) people. The average GDP growth in a period from 2011 -2015 is forecasted with about 15 % and from 2016 to 2020 would be about 16.5 %. Average GDP per capita is about VND 40.1 million and the increasing rate of the population is about 0.4 to 0.6 % per year. Each year the poverty reduction is about 2 % on an average. Some detailed information about the province is as under in table 5.

Table 1: Natural area, population and population density by district

No.	City/District	Natural area (Km ²)	No. of communes/wards	Average population (person)	Population density (person/km ²)	In which	
						Male	Female
1	Quy Nhon city	285.5	21	283,447	992.81	137,512	145,935
2	An Nhon town	242.6	15	180,424	743.71	87,204	93,220
3	Hoai Nhon dist.	421.5	17	207,792	492.98	100,745	107,047
4	An Lao dist.	692	10	24,461	35.35	12,062	13,099
5	Phu Cat dist.	680.5	18	190,053	279.28	92,989	97,064
6	Phu My dist.	550.5	19	171,120	310.84	83,656	87,464
7	Tuy Phuoc dist	217.1	13	181,909	837.90	88,960	92,949
8	Tay Son dist.	693	15	124,621	179.83	60,768	63,853
9	Van Canh dist.	800.2	7	24,928	31.15	12,295	12,633
10	Vinh Thanh dist.	722.5	9	28,275	39.13	13,930	14,345
11	Hoai An dist.	745.1	15	85,344	114.54	42,259	43,085
	Province	6,050.6	159	1,502,374	248.31	462,877	1,039,497

The alignment of NH 19 passes through Tay Son district consisting of two communes namely Tay Thuan and Tay Giang. The total area of both the communes comes to little over 15 hectares with 11 administrative units. Total population of both the communes is over 22,000 spread across over 5000 households. Over 14000 people are in working age group of 16 to 60 years of which approximately half of them are women. There is no ethnic minority in both the communes. About 15% of the total households are poor and 10% are rich. There are about 63 schools in two communes for over 2700 students. Nearly 73% of the total households have piped water supply rest either depends on bore wells or dug wells.

Out of total 13544 ha under agriculture, only 5% is under rice cultivation and another 5% is under perennial crops. Majority (65%) is under forestry followed by other annual crops (24%). Land under aqua products is less than 1%. The occupation break up shows that 43% of the total households are engaged in agriculture sector, followed by forestry (19%); trade and services (18%); construction activities (10%) and handicrafts (10%). The average annual income per person is about 24.5 million VND.

3.2 Socioeconomic conditions of the project affected households.

The loss of private assets resulting in loss of income and displacement has made social impact assessment an important input into the project design while initiating and implementing developmental interventions. An understanding of the issues related to social, economic and cultural factors of the affected people is critical in the formulation of an appropriate rehabilitation plan. A detailed social impact assessment (SIA) therefore was carried out incorporating social analyses and

participatory processes into project design and implementation to make it responsive to social development concerns. SIA also helped in enhancing the project benefits to poor and vulnerable people while minimizing or mitigating concerns, risks and adverse impacts. Further as the project implementation entails a large number other social issues such as influx of labour during construction and others, a systematic assessment provided the basis to prepare a Resettlement Plan.

The objectives of socio-economic survey were:

- To attach actual values to key indicators of the PAPs social and economic status and their vulnerability to socio-economic change due to the project.
- To assess use/dependence on common property resource
- To provide a benchmark for any further information needed to monitor and evaluate entitled persons in the future; and
- To provide further inputs in preparation of RAP

Coverage of the Socio-Economic Survey

The proposed project will either directly or indirectly affect a total of 810 persons distributed across 180 households. All these households are losing land. The socio-economic survey however covered 137 households out of total 188 to be affected by the project.

Table 2: Sample of SES in each communes

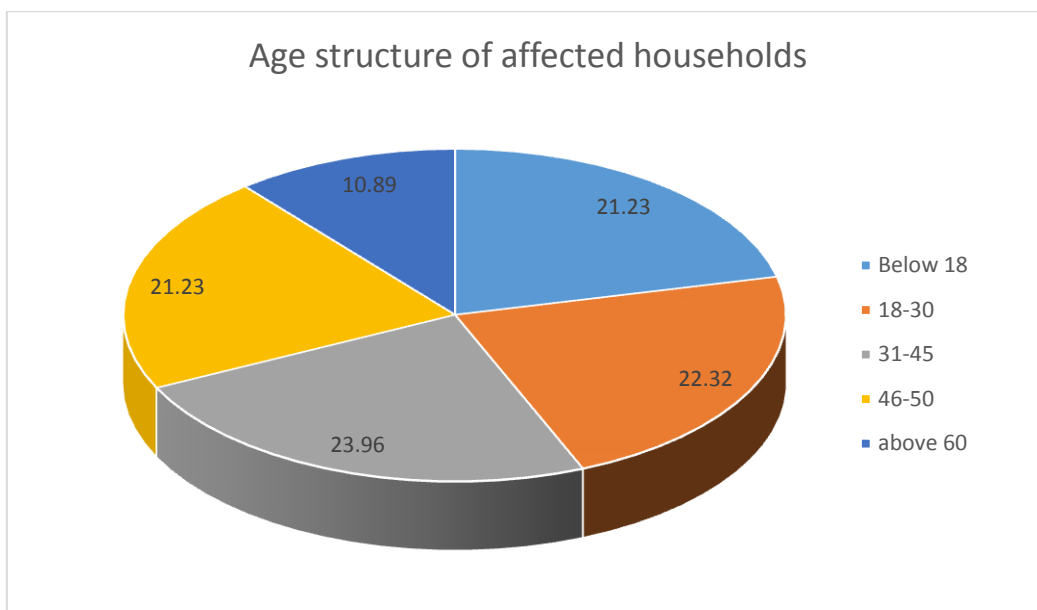
Distri ct	Commune	Numbe r of affected househ olds	Number of socio- economi c survey househol ds	% socio- economi c survey	Number of severely affected households SAH
Tay Son	Tay Giang	103	69	67	0
	Tay Thuan	85	68	80	4
Total		188	137	73	4

3.2.1 Demographic Characteristics

- Nearly 22% of the households are headed by women (30 respondent out of total 137 households participating in the socioeconomic survey).
- The size of the household varies from 1 to 6. The average size of the project affected household is 4.
- Eighty eight percent of the total head of the households are married (121 respondent out of total 137 households participating in the socioeconomic survey).
- There is no ethnic minority among the PAPs.
- Out of total 551 PAPs surveyed, nearly half (49%) are women.
- The survey result shows that 45.2% of the total PAPs are in the bracket of working age (from 15 to 60). Approximately 11% are vulnerable due to their old age.

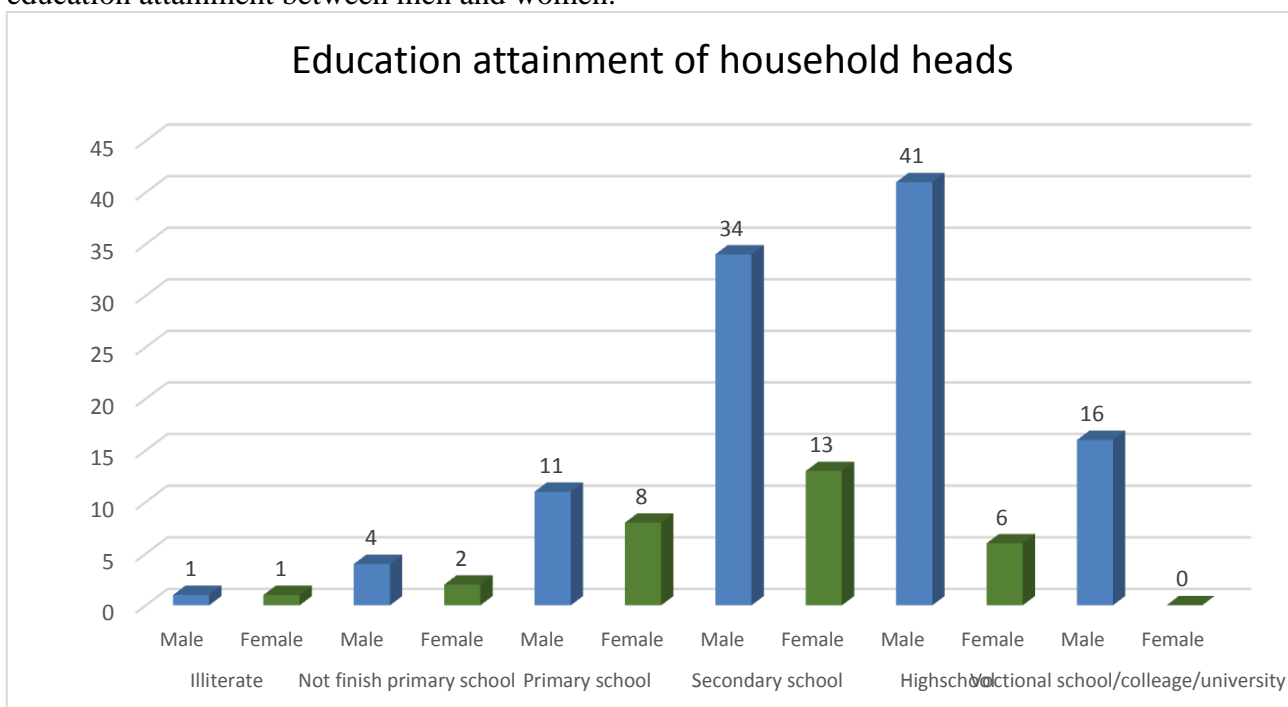
3.2.2 Age structure

Age groups are fairly evenly distributed (as indicated in the chart below).



3.2.3 Educational attainment

All PAPs are literate. Approximately one third of the total PAPs are literate up to high school level. Nearly 309% are literate up to secondary and high school level. Nearly one fifth (19.4%) have completed vocational school/college/university. . There is a clear difference in terms of level of education attainment between men and women.



3.2.4 Occupation

Table: Occupational Distribution of HH Member in affected communes

	Total	
	Person	%
Farming	111	20.1
Businesses/Services	101	18.3
Workers	30	5.4
State employee	55	10
Housewife	24	4.4
Drivers	14	2.5
Hired labour	33	6.0
Retired	32	5.8
Elderly	4	0.7
Students	132	24
Children	15	2.7
Grand total	82	100

3.2.5 Vulnerability

- Out of 137 households surveyed, 17 vulnerable households of which 3 are poor households, one women headed household with dependents, 12 are social policy household, and households with lonely elderly.

3.2.6 Economic Characteristics

- The survey results shows that nearly one fourth of PAPs are engaged in cultivation where as another 22% are engaged as state employee.

Loans

There are 29 households out of total 96 households interviewed (30.2%) indicated they are borrowing loan for various purposes – agricultural production: 4/29 HH (13.8%), businesses: 10/29 HH (34.5%), education for children 4/29 HH (13.8%), for family consumption and house building: 2/29 HH (6.9%). Total amount of loan that 29 HHs borrow is 2,174,000,000 VND (biggest loan is 200 million VND and smallest loan is 4 million VND. Most of the households - 21/29 HHs (72.4%) borrow money from local bank. 10/29 HHs (34.5%) get loan from other credit organization, and 2/29 HHs (6.9%) obtain loan from friends/relatives.

3.2.6 Self-assessment of living standards

- About two third (65.6%) of affected households (61 HHs) indicated that their livelihoods/income will not be affected by the project whereas 34.4%(32 HHs) said their income source could be potentially affected by the project. Households who considered themselves as having stable income (70.1%) tends to indicate their income are not affected by the project given the very small

impact on their land (in front of their houses). Of the total affected households responded (93 HHs), 68.8% indicated their living standard are fair, 26.9% are better-off and 4.3% are poor.

- About 90% PAPs uses private tap as source of drinking water. Of the remainder, 7.3% use dug well. 3.6% use rain water, public tap, and drilled well.
- Except for two, all households have latrine.
- All households are connected to grid electricity.
- More than 90% of affected households uses gas for cooking. The remainder use wood and charcoal for cooking.
- All households own fan, telephone, motor bike, TV and cooker. One household owns a truck. Some households also own refrigerator and disc player.
- The average annual income is about VND 11 million and expenses are VND 5 million.

3.2.7 Resettlement Preference

- There are 4 households who need to resettle. All expected compensation in cash to arrange resettlement on their own to be able to continue farming/animal husbandry activities.

3.2.8 Gender issues

Viet Nam has a strong track record of promoting gender equality and women's empowerment. Viet Nam's efforts are reflected in its legislative framework, which was strengthened with the passage of two laws, the 2006 *Law on Gender Equality* and the 2007 *Law on the Prevention and Control of Domestic Violence*. However, implementation of legislation and policy remains a challenge. At the national level, institutions face challenges in public education and awareness raising, reporting, gender analysis, collection of sex-disaggregated data and monitoring.

Vietnamese women continue to face serious obstacles in their daily lives, including poverty, limited access to higher education and employment opportunities, as well as persistent discriminatory attitudes and behaviours. Women continue to be under-represented in politics and despite having one of the highest labour force participation rate of female over 15 (72.6% in 2011), women continue to earn less than men across economic sectors with a differential wage gap of around 80% to 87% of men, especially for foreign investment sector of 70%. In informal sector, women also over-represented, especially in Ho Chi Minh city where women represent 56% of employment compared with only 42% in the formal sector. The gender income gap is also worth noting. Men earn nearly 50% more than women in the informal sector despite no significant differences in working hours, education level and seniority. Additionally, female jobs are also more insecure than those held by men, and women less frequently have professional premises for their activity, a much higher proportion working outdoors. Migration, including internal, cross-border and overseas labour migration, is continuing to increase, making women vulnerable to labour exploitation, abuse and trafficking.

Viet Nam has one of the highest rates of abortion. According to Population Change and Family Planning Survey of GSO 2010, the rate of abortion was 0.8% in 2010. Northern Midlands and Mountainous was the region having highest rate (1.2%), followed by Red River Delta (1.1%). And it appears that sex-selective abortions are on the increase with the sex ratio at birth becoming skewed towards males with 110.6 male babies being born to every 100 female babies nationally in 2009 according to the 2009 Vietnam Population and Housing Census, especially geographically high in the Red River Delta with the ratio of 115/100 and in Hung Yen province with the ratio of 130.7/100. Viet Nam has experienced an unusually rapid rise in the sex ratio at birth and varies more substantially by region. This imbalance is primarily due to son preference in society placing a lower value on girls. This affects Viet Nam's population structure in which occur the excess males. This could further increase the pressure on women to marry at a younger age, trafficking and gender-based violence, higher rate of marriage migration, or greater demand for sex work.

Although Viet Nam has taken significant steps to address and reduce gender-based violence, for

example, through ratifying the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in 1981 and the 2007 Law on the Prevention and Control of Domestic Violence, violence against women remains a concern. The result of the national study on VAW, conducted by GSO in 2010 showed that more than half of women in Viet Nam are potentially at risk of abuse at some point in their lives; 34% of ever-married women reported having experienced physical and/or sexual violence in their lifetime. The prevalence of emotional violence is high, with 54 percent of women reporting lifetime emotional abuse. Combining all three kinds of abuse, 58% of women report ever experiencing physical, sexual or emotional abuse. About 5% of women who had been pregnant reported being beaten during pregnancy, mostly by the father of the unborn child. The study above confirmed that domestic violence against women in Viet Nam is a serious problem. The UN study “Estimating the cost of domestic violence against women in Viet Nam” concludes that both out-of-pocket expenditures and lost earnings represented nearly 1.41% of the Gross Domestic Product (GDP) in Viet Nam in 2010. Moreover, it estimates that women experiencing violence earn 35% less than those not abused, representing another significant drain on the national economy. As a result, an estimate of overall lost productivity comes to 1.78 % of GDP.

Consultations carried out in the project area shows that women have equal voice in family decision making process. Women also contributes towards the household income while taking care of the household chores. During the consultations, women members requested for some kind of vocational training that could help them enhance household income.

Within the sample, result analysis from the socioeconomic survey indicated a clear pattern of work division (in terms of time spent) between men and women in a typical family in the affected project area.

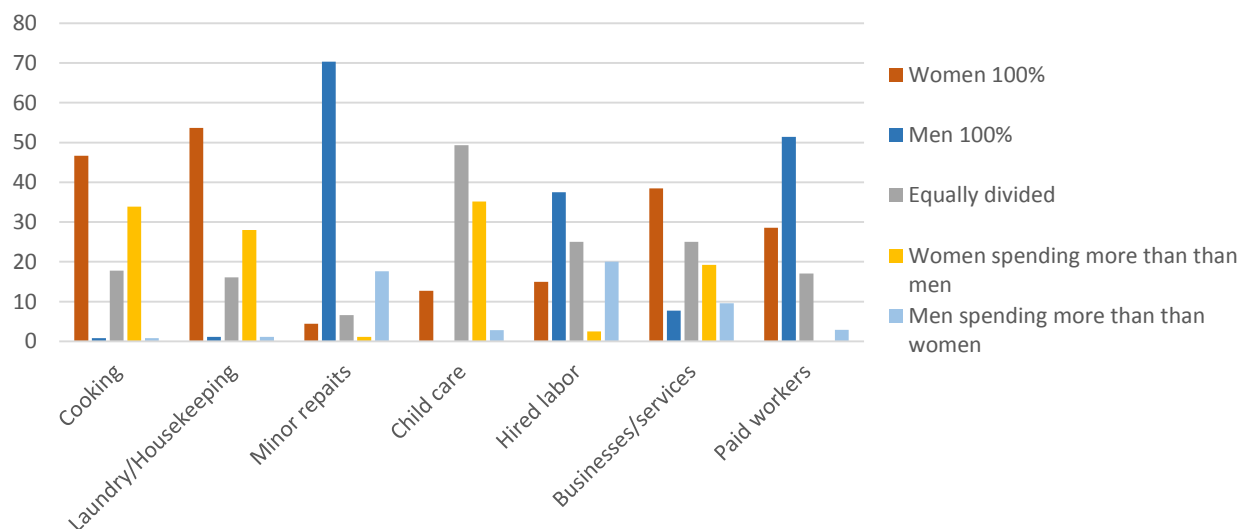
3.2.9 Labour Division

The work assignment among the affected households follows the stereotype of the traditional family role in Vietnam in which women tends to focus on housework – doing child care, cooking, small businesses near home (some even work as hired labour) whereas men spend more time working outside the home – as hired labour, doing heavy works. It is also noted when it comes to income generating activities that are home based, women tends to spend more time in earning extra income than men. However, with regards to child care, nearly half of affected households from the sample indicated they share child care responsibility their spouse (See Table and Graph below).

Labour distribution (percentage of time)

<u>Jobs</u>	<u>Women</u> <u>100%</u>	<u>Men</u> <u>100%</u>	<u>Equally</u> <u>divided</u>	<u>Women</u> <u>spending</u> <u>more than</u> <u>men</u>	<u>Men</u> <u>spending</u> <u>more than</u> <u>women</u>	<u>Total</u>
<u>Cooking</u>	<u>46.7</u>	<u>0.8</u>	<u>17.8</u>	<u>33.9</u>	<u>0.8</u>	<u>100.0</u>
<u>Laundry/Housekeeping</u>	<u>53.7</u>	<u>1.1</u>	<u>16.1</u>	<u>28.0</u>	<u>1.1</u>	<u>100.0</u>
<u>Minor repairs</u>	<u>4.4</u>	<u>70.3</u>	<u>6.6</u>	<u>1.1</u>	<u>17.6</u>	<u>100.0</u>
<u>Child care</u>	<u>12.7</u>	<u>0.0</u>	<u>49.3</u>	<u>35.2</u>	<u>2.8</u>	<u>100.0</u>
<u>Hired labour</u>	<u>15.0</u>	<u>37.5</u>	<u>25.0</u>	<u>2.5</u>	<u>20.0</u>	<u>100.0</u>
<u>Businesses/services</u>	<u>38.5</u>	<u>7.7</u>	<u>25.0</u>	<u>19.2</u>	<u>9.6</u>	<u>100.0</u>
<u>Paid workers</u>	<u>28.6</u>	<u>51.4</u>	<u>17.1</u>	<u>0.0</u>	<u>2.9</u>	<u>100.0</u>

However, during off-farm season, in some families, men spend time assisting their wives in cooking, laundry, and home-based small businesses (shops in front of houses, etc.).



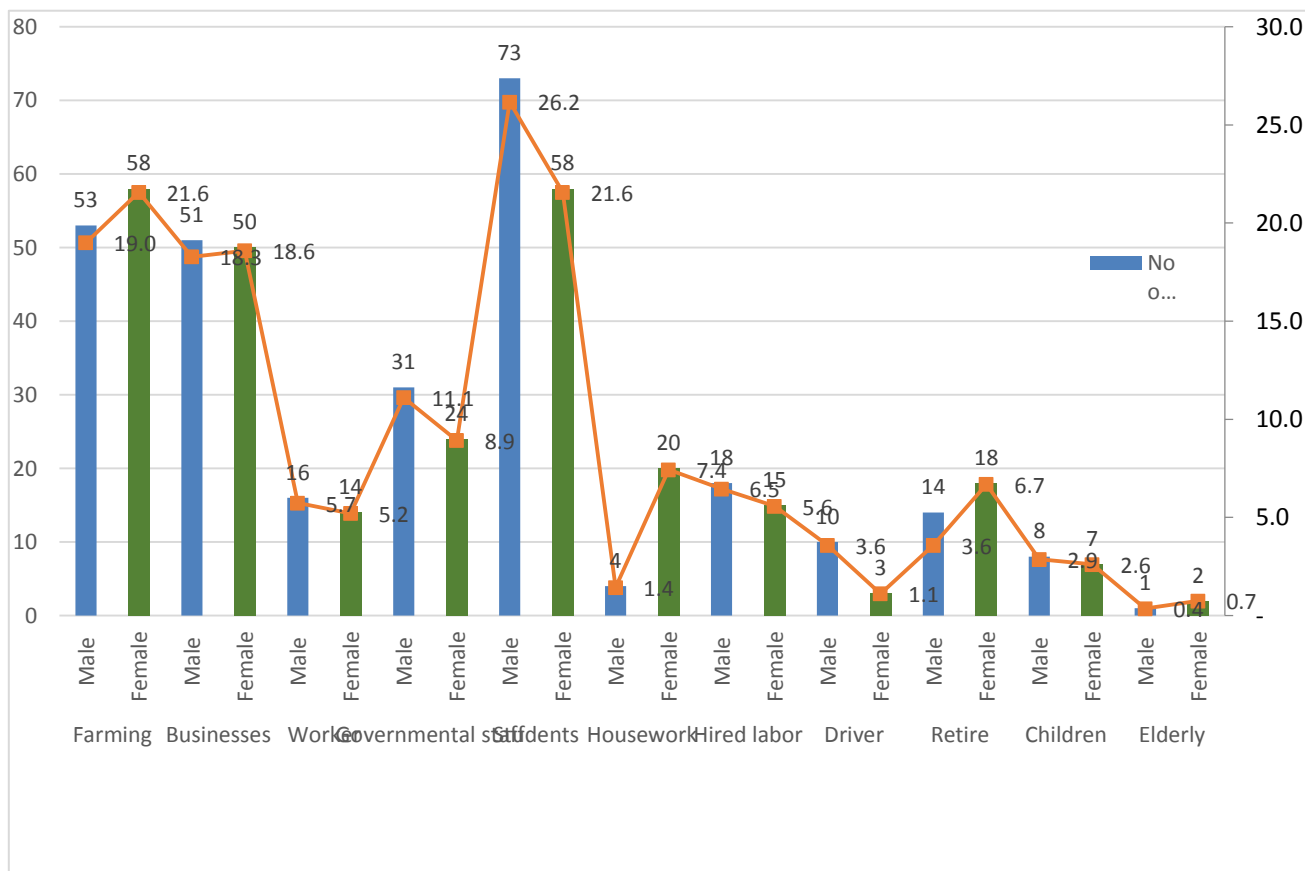
▪ Decision making:

It is encouraging to see that both men and women among the sampled affected households indicate that they discussed and made joint decision when it comes to such issues as shopping, children education, jobs, and loans. In terms of sharing titles in asset ownership (such as land, houses), 38.3% indicated that share ownership title. For other assets, it is interesting to see that nearly half of respondents indicate they have ownership title on the assets such as motorbikes, etc.

<u>Jobs</u>	<u>Women 100%</u>	<u>Men 100%</u>	<u>Both</u>	<u>Total</u>
<u>Shopping</u>	<u>3.4</u>	<u>12.5</u>	<u>84.1</u>	<u>100.0</u>
<u>Children education</u>	<u>5.6</u>	<u>8.5</u>	<u>85.9</u>	<u>100.0</u>
<u>Jobs/job change</u>	<u>5.5</u>	<u>7.3</u>	<u>87.3</u>	<u>100.0</u>
<u>Loan</u>	<u>9.3</u>	<u>7.0</u>	<u>83.7</u>	<u>100.0</u>
<u>Asset ownership title</u>	<u>49.4</u>	<u>12.3</u>	<u>38.3</u>	<u>100.0</u>

Employment by gender

As mentioned above, earning extra income by working as hired labour is common among agricultural households in the project area. This is because agricultural income which is earned by both men and women is not sufficient to cover family expenses. Men, therefore, would migrate to neighbouring provinces to earn extra income - during off-farm season, by working as mason or hired labour in sugar cane industry. During off-farm season, project impact such as noise, dust, difficulties in travelling, safety for children are likely to be solely borne by women as their spouses work outside the community.



▪ **Community engagements:**

Overall, there is a low level of participation of affected households in local mass organization. Only 3.1% (3/96) of affected households have a membership with local Agricultural Cooperative. 25% of them (24/96) are members of Commune's Farmers' Association and 10.4% (10/96) are regular members of local association such as Agricultural Extension Club, Veteran Association, Elderly Association. The highest membership is with commune's Women's Association - 57.3% (55/96). The women's membership with mass organization (other than Women's Association) is very small - Agricultural Cooperative (1%), Farmers' Association (2/96), Youth's Union (1/96).

▪ **Feedback of local people on gender equality:**

The road section in Binh Dinh province traverse the rural area with limited work opportunities. Consultation with local people revealed that because of hardship typically found with agricultural households, women appears to understand their overburden and are willing to work with no complaints. They sympathized with their husband who travel far from the family to earn income. Thus, they agree with the family's work assignment and do not want to make any changes.

4. LAND ACQUISITION IMPACTS

4.1 Methodology

In order to identify potential project affected persons due to land acquisition, as a first step, the right of way status of NH 19 in the province was ascertained. This was followed by identification of land parcels within the corridor of impact. The structures within the right of way were also enumerated. The census survey was carried out to prepare inventory of losses (IOL) with respect to register owners' name, address, legal document if any towards the claim of the property, all household members and individuals within the potential corridor of impact; their assets and incomes and sufficient demographic and social information to determine whether they are to be categorized as vulnerable groups with special entitlements under the project. Private land owners, tenants and encroachers within the right of way (on the existing alignment) were covered in the census.

The socio-economic survey, carried out on sample basis, provides the baseline against which mitigation measures and support has been designed. The analysis covers the needs and resources of different groups and individuals, including inter and intra-household analysis and gender analysis.

The following information was collected during the survey:

- Socio economic conditions of the affected persons
- Family structure and number of family members
- Literacy levels
- Occupation type and income levels
- Inventory of household assets
- Loss of immovable assets due to the project by type and degree of loss
- Accessibility to the community resources
- Perceptions on the resettlement and rehabilitation measures
- Income restoration measures
- Grievances of affected persons and its redressal
- Willingness to participate in the project

The study made an attempt to identify people losing their livelihood directly or indirectly. Also through consultations the rehabilitation strategies for those losses by way of training requirements for income generation and other remedial and restoration measures were identified. For this the consultations were conducted among:

- People losing properties/resources
- Commune level
- Members of Peoples' Congress at commune and district level

The proximity of location of settlements along the roads is one of the deciding factors in addressing the degree of impact. This process is facilitated by local level consultations where the needs and opinion of the local people are taken into consideration, to find out the opinion of the local community about widening the road through the village, and its impacts. Questionnaire combined for socioeconomic survey, IOL and consultation is attached as Appendix 2 to this report.

4.2 Scope of Land Acquisition and Resettlement Impacts

The proposed alignment passes through 2 communes of Tay Son district of Binh Dinh Province. The project will acquire approximately 19 ha of agriculture land from 188 land owners and 0.16 ha of rural residential land.

Table: Summary of Affected Households

Ward/Co	Severely affected HHs	Partially affected HHs	Total affected HHs	Total affected population	Total affected area (ha)
---------	-----------------------	------------------------	--------------------	---------------------------	--------------------------

mmune	Losing 10-70% (for poor/ vulnerable)	Losing 20-70%	Losing >70%	Relocation	Subtotal					Affected Households	Affected Persons
Tay Giang	-	-	-	-	0	40	2	40	18	100	450
Tay Thuan	-	-	-	4	4	30	3	35	8	80	360
Total	-	-	-	4	4	70	5	75	26	180	810

4.2.1. Impacts on individual households

A total of 810 persons will be affected by the project spread across 180 households, of which:

- There are 154 land affected households and rest 26 are renter households.
- Total of 4 households will be displaced due to project interventions. Out of these 4 households, 2 are vulnerable.
- A total of 20 households will lose both residential land and business.
- Total of 70 households will be affected due to loss of business.
- Among 180 affected households, 5 are vulnerable.

4.2.2. Impacts on land

Commune/Ward	Residential land (m ²)	Agriculture land (m ²)		Other land	Total (m ²)	Land tenure status	
		Annual cropland	Perennial land			LURC	No LURC
Tay Giang	812	0	0	0	812	90	10
Tay Thuan	643	171,306	0	0	171,949	60	20
Total	1,455	271,300	0	0	172,761	150	30

- The project will acquire a total of 271,300 sq. m of annual crop land and 1,455 sq. m of residential land.
- None of the households are losing more than 10% of their total land holding.
- Out of 180 households, 30 do not have land use right certificate (LURC).

4.3 Detailed Measurement Survey (DMS)

DMS is one activity that is needed to be done during RP implementation by the District Compensation and Site Clearance Committees. The DMS would be done once the benchmarks demarcating the project area on the ground by MOT and PMU is completed. At the time of DMS, all affected households will be required to submit copies of the LURCs or any legal papers to assist the District Compensation and Resettlement Committees in the preparation of the Compensation Plans. All DMS forms will be reviewed and signed by displaced persons (DPs) and authorities as required by the law.

The official list of DPs, their losses, and corresponding payments due will be disclosed to the affected people. The following procedures will be monitored in the preparation, review and approval of the compensation plans and updated RP based on the DMS:

- a. During DMS, DPs to participate and give copy of LURC/legal papers to District Compensation and Site Clearance Committees.
- b. The District Compensation and Site Clearance Committees to prepare Compensation Plan (as per DMS and RCS rate approved by the Project Provinces).
- c. The District Compensation and Site Clearance Committees to disclose Compensation Plan to DPs
- d. The DPs to review Compensation Plan and sign for concurrence.
- e. The District Compensation and Site Clearance Committees will submit to the Departments of DONRE and DOF of the province for review and inspection.
- f. The DONRE will submit the PPC for the approval.
- g. The District Compensation and Site Clearance Committees will include the DMS and the Compensation Plan in the updated RP.

Any disagreement on the DMS and Compensation Plan will not be signed by the DP until it is resolved following the grievance redress process.

Should new categories of losses and of DPs be identified in the preparation and implementation of the RP, the entitlement matrix will be revised. The findings of the census and survey will be reported in the updated RP and the detailed census records appended. A computerized database of all DP related information will be established and maintained at District Compensation and Site Clearance Committees and the similar database will be filed by PMU to monitor the implementation.

5. INFORMATION DISCLOSURE, CONSULTATION AND PARTICIPATION

5.1 Findings of consultation

In November / December 2016 and January 2017, meetings were held with the Provincial Departments, the District People's Committees, Leaders and members of affected commune officials, district compensation and Site Clearance committees, key district departments (environment and land management, agriculture, industry and commerce, labour, invalids and social affairs), etc. Meetings were also held with the DPs before the resettlement team carries out for the SES in each affected commune. In order to pre inform the community about the date and purpose of the consultation, the PMU and consultant's representative visited the selected commune at least a week before the scheduled date. The village elder / commune head was informed who in turn informed the commune and especially the affected persons. Project also distributed pamphlets in advance of any consultation. The consultations were generally held in public places. At times community was called at the house of VDC head.

The objectives of consultation in phase of preparing for the RP were to initially inform and discuss with the authorities of the project provinces, districts and communes, affected districts and communes about the project, objectives and principles on land acquisition, compensation, allowances and special assistance to poor and vulnerable groups according to the policies of the Government of Viet Nam and the World Bank's safeguards policy and requirements, preparation of resettlement plan, schedule for the socioeconomic survey, IOL and information needs for preparing the RP. The meetings with the DPC and Representatives of communes focused on the following issues:

- General information on the project
- Explaining the proposed alignment through a project map and disclosure of project affected districts, communes; scope of land acquisition and resettlement impacts
- Objectives and principles of RP according to the requirements of GOV and the WB's policy on social safeguards.
- Schedules of socioeconomic survey and IOL
- Issues related to livelihood and it's restoration
- Compensation and relocation modes (options to cash or in kind compensation)
- Gender issues in RP;
- Issues related to safety and labour influx
- Mechanisms of participation, complaint, monitoring and evaluation through all phases of RP preparation and implementation.
- Plenary session and group discussion, Q&A

A summary of the issues discussed and main feedback from the meetings are as below:

- The participants felt that project will have positive impacts to the community as connectivity will lead to economic growth of the district and the province.
- Need the project to be constructed soon because they heard about the project for a long time but no progress so far.
- The delay in implementation of the project is creating uncertainty in the project area.
- Compensation need to be fair and project should also provide resettlement and income restoration assistance.
- Community prefers cash compensation for loss of assets; assistance for farming and animal husbandry activities, for seeking jobs during construction and elsewhere
- Special assistance to the vulnerable groups such as the old people, disable, and women headed households.

- Project should analyze various options to minimize adverse impacts
- People proposed that the drainage system need to be improved and the project need to be constructed as schedule
- The information related to the project need to be disseminated to the project communities.

The second round of consultation meetings will be held once the draft RP is finalized. The consultation will include (i) issues raised and how they have been incorporated in the RP; (ii) issues that could not be addressed; and (iii) continued mechanism for consultation.

Disclosure of the RP to the authorities and DPs will be carried out prior to its submission to WB and Competent Agencies of GOV for review and approval. Key information in the RP to be disclosed to the displaced persons, will include (i) compensation, relocation and rehabilitation options, (ii) DMS results, (iii) detailed asset valuations, (iv) entitlements and special provisions, (v) grievance procedures, (vi) timing of payments, and (vii) displacement schedule. The information will be made publicly available in Project and commune offices and provided to the displaced persons in the form of a summary RP, an information leaflet or brochure.

From 2-4 March 2017, another round of consultation was conducted targeting about 65 people in both Tay Giang and Tay Thuan communes where the project road goes through. Below are summary of the findings related to a) potential impact of the project over a wide ranges of issues, and b) suggestions from local peoples on measure that could be taken to avoid/minimize such potential impacts.

1. Potential project impact:

During construction phase:

Income. The income generation activities of some local households may be potentially affected. These potentially affected households have encroached upon the land designated as traffic safety corridor to run their small business such as selling sugarcane juice, snack (08 households), coffee (12 households), food (07 households), motorbike repair (03 households); mineral water (01 household); motel (02 households); grocery store (05 households).

Transport. Local households are concerned about the fact that during construction, excavation and poor drainage would cause difficulties for local people in terms of transport and transportation of agricultural products and other goods.

Job opportunities. The positive impact for some households is that the presence of workers would be beneficial to local restaurants and services, and earn some income for women who can do part-time job at such as cleaning up at construction camps.

Roles and time of family members. It is expected more time will be spent on a) traveling, b) cleaning of the house (because of dust), c) child care (to ensure safety for children). There is potential of contracting respiratory diseases due to air pollution. Women may spend more time to address/overcome above mentioned negative effects.

Environmental pollution.

- Construction activities increases dust and noise level which has its impact on day to day life, health and business activities of local people.
- Participants thinks that post improvement, noise level will go up due to increased traffic movement. Community also thinks that increased traffic movement will lead to increased honking thereby increasing the noise pollution.
-

Impact on houses/public utilities

- The vibration during construction operation may cause subsidence and/or cracking of local houses.
- The water pipeline located 1 to 3.5m (from the road edge) may get damaged, causing disruption of water supply to local households and leakages.

- Blackout may result during the relocation of power poles and fibre optic cable lines, which eventually will impact local people.

Drainage.

- The area near Ba La và Lo Gom bridges is the lowland area of Tay Giang commune (flood period: January 2013 and December 2016, flood height from 1 to 1.5m and last from 1.5 to 2 hours).
- Drainage system in Dong Pho residential area in Tay Giang commune frequently gets blocked during heavy rains.
- The station provides irrigation for interior fields in Ta Giang village from Km50 to Km51 of NH No. 19 may be blocked, or sedimentation due to soil spillage.
- Section at Km 57 of NH No.19 in Thuong Son residential area in Tay Thuan commune could easily be flooded due to small sewer aperture.

Therefore, construction activities in rainy season may worsen the drainage due to the presence of construction material or spillage soil, etc. on the road, which would cause further flooding, affecting local business and livelihood activities, transport, and traffic safety.

During resettlement:

There are four household losing residential land in Tay Thuan commune. Their main income is livestock raising (cow, pig, chicken) and cultivation (eucalyptus, lemon, banana, coconut, longan, papaya). These four households would like to relocate on their own and asked for appropriate compensation and support to buy new land to continue their animal husbandry activities.

The loss of social network is anticipated. This comes along also with loss of usual access to public services and it will take time for the affected family to adjust themselves to new living environment.

Resettlement, however, may be a chance for the family to build new house and improved living condition.

The primary occupation of four relocated households is horticulture and animal husbandry which contributes 50-70% of their total income. The relocation unless among the peers, may increase the distance from home to workplace thereby taking more time.

Livelihood restoration:

If the compensation is appropriate, affected households believe that they could restore their livelihoods to the pre-project level, or even improve.

2. Request for project support:

Compensation payment and support

- *Appropriate compensation and timely support:* Project Management Unit need to collaborate with local authorities to evaluate and provide appropriate compensation and support commensurate to the levels of impact to compensate the loss of income of local peoples, especially poor households impacted due to loss of businesses.

•

Public utilities

- If public works such as water supply pipelines, power poles, fiber optic cables, irrigation channels, etc. are affected during construction operation, repair work should be carried out immediately to restore the operation. New electric poles and lines be installed before old lines are removed to ensure continued power supply especially in Dong Pho residential area of Tay Giang commune.
- The longitudinal ditches/sewer system/manholes must have appropriate covers.
- By governmental regulations, construction projects are not allowed to interrupt power/water supply/communication within the project area. The project will build/reinstall new electricity, water supply, information system before

relocating/uninstalling the affected system to ensure smooth transition between the affected and new system.

Job opportunities

- Jobs such as cooking, cleaning, food supply to contractor's camp should be provided to local people.
- Should local people possess relevant skill, preference be given to local community over others during construction.

Impact on local livelihoods

- In case the construction operation cause vibration that lead to cracking/subsiding of houses, appropriate and timely compensation will be given to affected households.
- During culvert construction process, provision must be made to ensure that local people have free and normal access to home and business.
- The road surface – section crossing Ba La and Lo Gom bridges should be raised to avoid local inundation during flooding seasons.
- Local people suggest that Project should be widen at the culvert Km57 NH 19 to improve cross drainage.
- Regular watering is required to reduce dust emission during construction (more watering required at residential areas such as Ta Giang, Dong Pho (Tay Giang commune), Trung Son, Thuong Son (Tay Thuan commune).
- Construction should be section by section, and focused for quick completion. Project should to the extent possible avoid prolonged construction.

Waste management:

Garbage and solid waste at construction camps needs to be classified and kept temporarily at the site. Garbage bins should be arranged at proper locations for convenient collection of garbage and domestic waste prior to treatment. This is also in line with *Decree No. 38/2015/ND-CP dated 24/4/2015 on waste management.*

Improved living standard:

- Expect to have support from Government, i.e. credit loan for the poor to increase income.
- Government and enterprises should organize agricultural extension trainings and provide support to farmers with regards to agricultural production and consumption of farm products.
- Women indicated no intention to re-arrange their current division of labour between themselves and their spouses. Women are even willing to take additional work load to earn extra income while their spouse work afar from family.

Traffic safety

- The construction process will occupy part of the road width which will obstruct the traffic and increase the likelihood of traffic congestions and accidents.
- On rainy days, construction material if not properly managed, such as loose earth, will make roads slippery causing inconvenience to local road users.
- Manholes and culvert are dangerous to households living nearby, especially to children, if not properly covered with warning sign posts.
- *Placement of sign posts:* Sign posts and warning boards during construction should be placed on both sides of the road in a manner that are easily visible to drivers / road users at the distance of at least 150m. Sign posts should be visible during normal road condition as well when there is heavy wind. Signboard should be reflective for easy driving at night time.

- Speed breakers should be installed for enhanced safety, particularly for school and crowded areas. At the area of Vinh Son - Bridge 16 cross-road, more signposts needs to be installed to better inform road users.
- The construction sites should be well lit at night to avoid accidents. Set up fence and sign for warning construction areas.
- Community expects contractor to finish the work within the stipulated time frame to minimize inconvenience caused during construction period.
- The contractor should be made accountable and must pay compensation in case of any accident caused due to road construction.
- Water spray regularly, clean construction site to avoid slippery surface, reduce dust because dust reduces visibility.
- Cleaning and return the site after completion of the construction process.
- Lowering Dong Phong slope and expanding the view to avoid traffic accidents.
- Note when constructing at Vinh Son crossroads (intersection between NH19 and PR).
- Installing sign boards and lights in sections through residential areas namely Ta Giang, Dong Pho (Tay Giang commune); Trung Son, Thuong Son (Tay Thuan commune).
- Many curved sections are sharp (section Km53 NH19) and as such are not safe.

Division of labour

- Most respondent suggested that the current division of labour among family members is at the moment relatively reasonable: men do heavy jobs such as agricultural production, horticulture, hired labour (builder, picking coffee seeds, etc.) whereas women do simple works such as home making and small home based businesses.
- However, some argued that women spend more time and energy on family activities, which affect their health. They have to do housework, and at the same time, work to earn income (some have higher income than men in the family).

Influx of labour

- Community is aware of the fact that there will be workers from other places to come and live in the locality during construction.
- Temporary residence should be registered for all construction workers. Construction workers should be educated to respect local cultures, religions and beliefs. They should also be prohibited from drinking alcohol during work hours. Gambling should be strictly forbidden. A work and break schedule should be clearly established for workers.
- Coordination with local government and community:
- Collaborating with local authorities, including the Fatherland Front and the Women's Union, to educate workers on local customs and habits;
- Coordinating and cooperating closely with the local community for hygiene sanitation when there is sign of epidemic;
- Coordinating and cooperating with local authorities and communities in preventing and combating social evils.
- While some said there may be conflicts between workers, causing disturbance in the area. Several community members believes there will be no conflict and inconvenience caused to local people due to labour influx.
- With regards to shared use of water sources and public assets, community is worried about increased pressure on water resources and common property of people in the area.
- In terms of housing, workers typically have construction camps to live. But they could rent a house or a part of the house, if needed. This service helps increase income for local households.
- Regarding concerns on security/social evils, most peoples that there is no big worry about security/social order when workers are present in the locality. However, there may be

conflicts between workers and local youth as workers may drink, engage in gambling, or involved in theft.

- In terms of health, issues related to transmission of HIV/AIDS, and/or STI could be a potential issues among workers themselves with possibility of impact on local communities.

Flooding

- The areas near the Ba La and Lo Gom bridges are the lowland areas of Tay Giang commune (the heavy floods in January, 2013 and December 2016, the areas are submerged from 1 to 1.5m with flooding time of 1.5-2h).
- Drainage canal along the residential area Dong Pho of Tay Giang commune often clogged with heavy rain (causing water accumulation on the NH19).
- Section Km57 - NH19 in the Thuong Son residential area of Tay Thuan commune is flooded when heavy rain due to a small drain aperture (flood level from 0.3 to 0.5m).
- Flooding cause: Heavy flooding combined with flood discharge of hydropower in the upstream; Small sewer aperture; Drainage sewers are clogged and thus obstructed.

Project awareness

- Some people have heard about the project. However, many of them, who are women, who do not know about the project officially.

5.2 Mechanism for continued consultation

The effectiveness of the R&R program is directly related to the degree of continuing involvement of those affected by the project. Participation of PAPs has been emphasized in the development of RP to assure that its components are suited to the needs of the impacted and resettled population. Their continued involvement and participation during RAP implementation will both increase the probability of their successful resettlement and rehabilitation and contribute to the overall project success.

Consultation will continue during the implementation phase of the RP. The objectives of this round will be to present and discuss the key contents of the RP: general information of the project, planning for compensation and resettlement, project entitlements for the affected persons, options for compensation for loss of land, income restoration programs, implementation arrangements (institutional arrangement, task force, participation and consultation, information disclosure, mechanism of complaint and grievances; implementation schedule and monitoring and evaluation etc..

All affected households will be invited to participate in the meetings held at the commune offices or village cultural houses. Several separate group discussions with women and other vulnerable groups will need to be organized to enable them to express their comments on the projects and their proposals for minimizing social impacts by the project and mitigation plans to social and environmentally adverse impacts.

All consultation and disclosure activities were and will be properly documented. All minutes of meetings, photos, attendance sheets will be prepared and recorded.

Plan for Continued Participation

The following set of activities is required for effective implementation of RP. This will also help in timely execution of RAP.

Information Disclosure

For the benefit of the community in general and PAPs in particular, RP and R&R provisions will be translated in local language and kept at

- Public Libraries, if any
- Offices of concerned CPCs and DPCs
- Libraries of various schools and colleges in the project area.

- PMU's office, and
- Any other public place along the alignment

Public Information Dissemination

Public offices located along the Project Corridors will provide actual information and policies and other rehabilitation actionplan to the people in continous manner. For this, following are proposed

- The PMU during implementation of RP will organise Public meetings, and will appraise the communities about the progress in the implementation of limited works.
- The PMU will organise public meetings to inform the community about the payment and assistance paid to the community. Regular update of the program of resettlement component of the project will be placed for public display at the public places.

Community Participation

For effective implementation of RP, it is essential to provide scope of involving communities and PAPs in the process. The mechanism of involving communities is suggested below :

Table: Core Rapid Appraisal : Mechanism for Continued Participation

Project Stage	PAPs	Hosts	Project & Local Officials
Planning	<ul style="list-style-type: none"> • Participate in public meetings • Identify alternatives to avoid or minimise displacement • Assist in developing and chosing alterantive options for relocation and income generation • Help to choose resettlement sites. • Participate in survey • Participate in meeting with host population • Provide inputs to entitlement provisions • Assist in preparation of action plan • Suggest mechanism for grievance redressal conflict resoulution and participate in grievance redressal • Participate in coordination 	<ul style="list-style-type: none"> • Provide information or various aspects of host communities • Assist in data collection and design • Provide inputs to site selection • Identify possible conflict areas with PAPs • Identify social and cultural facilities needed at resettlement sites • Assist in identification of economic rehabiilitation schemes • Provide inputs for design of economic rehabilitation schemes • Help develop a process of consultation between hosts and PAPs. • Suggst mechanism for grievance redressal and conflict resolution. 	<ul style="list-style-type: none"> • Provide information on PAP skills etc. • Suggest ways to minimise impacts • Indicate local staff and budget capacity for relocation. • Assist PMU in information dissemination • Participate in consultations • Examine the feasibility of income generation activities and discuss with PAPs. • Help document and consultations.

Project Stage	PAPs	Hosts	Project & Local Officials
	committees		
Implementation	<ul style="list-style-type: none"> • Participate in implementation support activities • Participation in local decision making activities. • Decide on management of common properties • Participate in grievance redressal mechanism. • Monitor provision of entitlements • Labour and other inputs of site • Labour and other inputs at site • Credit and other group scheme management • O&M of sites and project inputs • Members of implementation committee 	<ul style="list-style-type: none"> • Assist DPs in relocation • Manage common property at site • Participate in local committees. • Assist PAPs in integration with Hosts. • Assist PAPs in use of new production system. • Use established mechanisms for grievance redressal. 	<ul style="list-style-type: none"> • Process income generation proposals • Participate in grievance redressal • Provide assistance under local schemes. • Participate as member of Implementation committee.
M&E	<ul style="list-style-type: none"> • Participate in grievance tribunals • Report to project on income restoration schemes • Report on service quality of sites 	<ul style="list-style-type: none"> • Provide inputs to M&E of R&R 	<ul style="list-style-type: none"> • Ongoing interaction with PAPs to identify problems in income restoration programme. • Participants in correctional strategies.

6. PRINCIPLES AND POLICIES FOR COMPENSATION, SUPPORT, RESETTLEMENT AND LIVELIHOOD RESTORATION

6.1 *General principles*

6.1.1 Principles for Compensation and Support

- Households/individual/organization whose assets such as lands/houses/structures/crops, etc. and/or business are affected as a result land acquisition are entitled to compensation. Severely and vulnerably affected households will receive additional financial support to restore their livelihood to the pre-project level, and are eligible to participate in Livelihoods Restoration Program (See Section 5.2.4 for Livelihoods Restoration Program).
- Land will be compensated in cash at replacement cost for agriculture land and “land for land” or in cash for residential land at replacement cost depending on the choice of the affected households. PAPs who prefer “land for land” will be provided land plots in resettlement site nearby, and cash adjustment for difference between their land lost and the land plots provided.
- Compensation rates for affected land and non-land assets will be determined based on the replacement costs survey to be conducted by an independent price appraiser engaged by TSPMU.

6.1.2 Principles for Physical Resettlement

- All households who lose their houses (fully affected, or partially affected but the remaining part is not usable) must be entitled to buying at least a standard land plot from the project’s resettlement site.
- Households building houses on non-agricultural land prior to the project’s cut-off day but are eligible only for financial assistance will be additionally supported in terms of finance to enable them to afford a standard land plot in the project resettlement site if they have no other place to move to.
- The resettlement area will be planned properly and implemented in full consultation with PAPs. All basic infrastructures, such as paved roads, sidewalks, drainage, water and electricity access will be available before PAHs move in. Costs for these infrastructures will be covered by the TSPMU.
- Relocating households who prefer “cash for land” will be compensated in cash at the full replacement cost.
- All fees and taxes related to land conversion and LURC issuance will be either waived or included in a compensation package.
- Compensation and allowance must be provided to affected households at least 30 days prior to the taking of the assets for those who are not to be relocated and 60 days in advance for those who will have to be relocated. Exceptions should be made for vulnerable groups who may need more time.
- By the end of the project, if the livelihoods of affected households have not yet restored to pre-project levels, additional support measures will be provided.
- As this RAP is one of the project components, the project will not be considered complete until the RAP is fully implemented and meets the objective of the World Bank’s OP 4.12.

6.2 *Eligibility Criteria and Entitlements*

6.2.1 Eligibility Criteria

The eligibility criteria of affected people for entitlements to compensation, support and resettlement are defined on the basis of the World Bank’s Operational Policy on Involuntary Resettlement (OP 4.12), relevant Laws of the Government of Vietnam, and consultation with

affected households. The eligibility for entitlements to compensation is determined by asset ownership criteria. There are three types of affected households as below:

- (i) Those who have formal legal rights to land;
- (ii) Those who do not have formal legal rights to land at the time the census begins but have claimed to such land and/or assets - provided that such claims that are recognized or recognizable under the laws of the country, or become recognized through a process identified in the resettlement action plan;
- (iii) Those who have neither formal legal rights nor recognized or recognizable claims to such land that they are occupying.

Persons covered under (i) and (ii) are eligible for compensation payment at replacement cost for the land and non-land assets that they lose, and other assistance. Persons covered under (iii) are provided resettlement assistance in lieu of compensation for the land they occupy, and other assistance, as necessary to achieve the objectives of resettlement set out in this policy, if they occupy the project area prior to the project cut-off date. Persons who encroach upon the area after the cut-off date are not entitled to compensation or any other form of resettlement assistance. All persons included in (i), (ii), and (iii) are provided with compensation for loss of owned or used assets associated to affected land, including businesses associated to affected land if they have been created before the project cut-off date. Please see the definitions of **affected households** and **severely affected households** from the Section on *Definition of Terms* (above).

Splitting affected households after the cut-off-date.

Households with various generations sharing the same house are allowed to split after the project's cut-off-date if they are eligible for splitting as per the national Law of Residence (dated 29 November 2006, effective as of July 1, 2007) – as specified at Article 6 of Decree 47/2014/ND-CP and Land Law 2013. Where splitting is allowed under Decree 47/2014/ND-CP, the allocation of land plots for families sharing the affected land will be considered by Bình Định PC.

6.2.2 Entitlements

With respect to a particular eligibility category, entitlements are the sum of compensation and other forms of support, including allowance, bonus (conditional), and opportunities to participate in livelihoods restoration program (See Appendix 1 - Entitlements Matrix, for details).

6.2.3 Cut-off date:

A cut-off date for this project has not been set because the road alignment for the project has not finalized. Once the road alignment is finalized and approved, local governments (district level) will issue a Notice of Land Acquisition to all identified project affected households. The date of notification for land acquisition will be the cut-off date for both titleholders and non-titleholders. Once a cut-off day is established, people who encroach upon the project area after the cut-off date will not be entitled to compensation payment, or any form of resettlement assistance. This RAP will be updated once the DMS is completed; cut-off date is set and announced by local government.

6.3 Compensation and Support Policies

All affected households will be entitled to compensation for their affected assets, and support in livelihoods restoration.

6.3.1 Compensation for Permanent Impact

a. Agricultural land:

PAP with formal right to affected land (with LURC or eligible for LURC)

Compensation will be made at full replacement costs plus support for job training/creation equal to not exceeding 5 times of compensation price for acquired agriculture land for the acquired area. The supported area is not exceeding quota of land allocation in locality.

Addition to compensation for land and above support, households losing 20% or more of their total agricultural landholding, and 10% for poor/near-poor, and/or vulnerable groups, are considered *severely affected* and are entitled to allowance for life stabilization and participating in livelihoods restoration program (See Section 3.2.3 for allowances and 3.2.4 for livelihood restoration support).

If the remaining land area (not affected) is not economically viable, the area will be acquired and cash compensation will be paid for the remaining land area at replacement cost (*Article 77 of Land Law 2013, Article 4 of Decree 47/2014-ND-CP*)

In particular,

For annual crop land:

- Compensation will be paid in cash at full replacement cost for all the affected area within governmental allocated quota of 3ha. For area exceeding the 3ha-quota, compensation will be made only for the Remaining Land Investment Costs¹, which is the costs already invested in the land but has not been recovered by the time of land acquisition (Article 129,130 of Land Law 2013).

For perennial land:

- Compensation will be paid in cash at full replacement cost for the affected area within governmental allocated quota of 10ha.

[Article 77, 129 of Land Law 2013, Article 4 of Decree 47/2014-ND-CP]

PAP with no formal or customary rights to affected land

Compensation will not be paid for land but for trees/crops if they have been created before the cut-off date. Cash assistance will be provided for the affected land on the basis of land origin, reasons for ineligibility, and the time when the land was put into use. Assistance level will be determined by Binh Định PC.

PAP with leased rights

- ***PAP renting land managed by government***

Households who lease government-managed land (with annual rental payment, or a one-off rental payment for the entire lease period) will not be compensated for the affected land, but compensated for the Remaining Land Investment Cost which will be calculated on the basis of survey Affected assets on rental land including crops and/or structures will be compensated at full replacement costs if created before the cut-off date.

[Article 76 of the Land Law 2013]

- ***PAP leasing private-owned land for farming purpose:***

Households who rent private-owned land for agricultural purpose will not be compensated for land but for crops and structures, if any and created before the cut-off date, on the affected land at replacement costs. Compensation for affected land will be paid for the eligible land owner at replacement cost.

In addition to compensation for the affected land, severely affected and/or vulnerable/social-policy households are provided with allowance, and eligible to participate in livelihoods restoration program, and provided with conditional bonus.

b. Residential Land

Loss of residential land with no houses/structures thereon:

- (i) ***PAP with formal right to affected land (legal or legalizable):***

¹“Remaining Land Investment Costs”, as per Land Law 2013, are costs that the land user has invested in land but have not been fully recovered by the time of land acquisition. These includes, for instance, costs of: a) landfill, b) soil fertility improvement, soil erosion prevention (for farming purpose), c) foundation preparation (for business purpose), and d) other investment as appropriate to the land use purpose.

Compensation for loss of land will be paid in cash at full replacement cost.

(ii) PAP without formal right to affected land (illegal or illegalizable):

No compensation for land but financial support for loss of land depending on the time when the affected land was used according to the Land Law 2013.

Loss of residential land with houses built thereon, and the remaining (non-acquired) land is adequate to reorganize:

(i) PAP with formal right to affected land (legal or legalizable):

- Compensation for loss of land will be paid in cash at replacement cost
- Compensation for houses/structure, see Section c. below.

(ii) PAP without formal right to affected land:

- Compensation for affected land as regulated in item (ii) below. If the remaining land is large enough for reorganization according to regulation of the Bình Định PC and no violence with master planning of locality, AHs can reorganize on the remaining land and have to pay land use fee. Bình Định PC will decide case by case.
- Compensation for partly or entirely affected houses/structure (See Section c. below). Costs to repair the remaining houses are covered by the Project.

Loss of land with houses built thereon, and remaining (non-acquired) land is not adequate to rebuild the house (relocating PAP):

(i) PAP with formal right to affected land:

Compensation by land for land in resettlement site or cash for land at full replacement cost depending on choice of AHs. Compensation for houses will be paid at full replacement cost if created before the cut-off date.

In case compensation value for the affected residential land is less than the cost of a standard land plot in the designated resettlement site, relocating households will be provided with a financial support equal to the difference to enable them to have the land plot in the resettlement site. If AHs prefer self-relocating to other place, a financial amount, equal to the difference between the cost of the standard land plot in the designated resettlement area and total compensation amount for the affected residential land, will be provided to the relocating households. Cost of a standard land plot is regulated by Bình Định PC. [Article 86 of Land Law 2013, Article 27 of Decree 47/2014/ND-CP].

(ii) PAP with no formal right to affected land:

Compensation for houses will be paid at full replacement cost if created before the cut-off date.

Compensation for land and structures will be as follows:

- If PAP uses non-agricultural land² with house on it prior to 1 July 2004, and the land was obtained by encroachment, PAP will be provided with a new residential land plot with levy collection in the project's resettlement site, or are entitled to buying a new resettlement house if they have no place in the project ward to move by the time of land acquisition [Article 7 of Decree 47/2014/ND-CP, Article 80 of Land Law 2013]. In addition, for illegal land user using land after 2004 and prior to the cut-off date, a financial assistance will be provided as per PPC's decision.
- If PAP is not eligible for LURC (as specified at Article 22 of Decree 43/2014/ND-CP) and is using land with house on it, and their violation with the Land Law has not been settled with preventive action by local authority, PAP will be compensated for house in accordance with Provincial People's Committee. Compensation for house/structure if created before the cut-off date are paid at full replacement costs which is in line with Bank OP 4.12.

²Non-agricultural land – as prescribed at Article 10 of Land Law 2013, include land such as public land, river land, industrial land, production land, etc.

- PAP who rent private houses for living purpose are not compensated for land and houses but are supported with regards to transportation allowance as specified by Bình Định PC by the time of compensation payment (See Allowance at Section 5.3.3).

In case where the financial support for the affected households (with house on it) is less than the cost of a minimum land plot in the designated resettlement site, and the affected household has no other house or residential land to move to, they will be provided with additional financial support - other than the financial support mentioned under point (b) and (c) above, to enable them to buy a land plot in the resettlement site. If AHs prefer relocating to a place different from the resettlement site (self-relocating), this additional support will be provided to the AHs.

c. Compensation for houses and secondary structures.

- *For entirely affected house and secondary structure*, regardless of the legal status of the affected land and if the affected house/structure has been constructed before the project cut-off date compensation will be paid at replacement costs for affected house and structure to construct new house/structure with similar technical standard, without depreciation and deduction of salvageable materials. For partially affected house and structure, addition to compensation for affected part at replacement cost, compensation for expenses to repair the remaining part will be paid at rate with concurrence of the affected household.
- *For equipment and/or production line*, affected business household who own the equipment or production lines will be compensated for all costs associated with the disassembly, transportation, re-installation of the affected equipment and/or production line. In case irremovable or broken during removal. Compensation for the equipment and/or production line will be paid at replacement cost. An appraiser specialized in appraisal for such equipment/production lines will be engaged by the TSPMU to evaluate the costs - subject to review and approval of the District PC.
- *For small assets requiring specialized installation*, including landline phone, water connection, electric connection, cable TV, internet connection, etc., all costs related to uninstallation and re-installation at new house/business premise will be compensated at replacement costs.

d. For Impact on Standing Crops, Trees, and Aquaculture products:

For annual and perennial trees, standing crops, or aquaculture products, compensation in cash will be paid at full replacement cost, irrespective of the legal status of the land, and are in line with Article 90 of the Land Law 2013.

e. Compensation for Businesses

For income loss resulting from contract termination: For households/individual who rent government or private-owned land for non-farm business, and the land rental is made on renewable contract basis. By the time when the affected land must be returned to government but the land lease contract is still valid, compensation will be paid – as agreed upon in the land lease contract, if any. Loss of income will be compensated as per Land Law 2013.

For loss of income incurred by business owner, the mechanism for compensation is as follows:

- For registered businesses, compensation will be paid in cash for the loss of net business income, equivalent to 50% of the annual average net income - as declared with the tax agency during the recent three years (this amount is equivalent to 100% of monthly net income for 6 months).
- For non-registered businesses, whose operations are recognized by local authority and whose net income from non-registered businesses is affected, compensation will be paid in cash for the income losses for at least 3 months.

- For households who do retail business. They do not have business license and do not pay tax, including also *squatter* whose business is located on the right of the way, compensation will be a one-off allowance of 3 million VND per household.

For loss of income incurred by business employees, employees who permanently lose their existing job due to acquisition of land on which the business are located will receive an unemployment allowance at the basic wage level for up to 6 months. Cash assistance for vocational training will be provided to the affected employee. Bình Định PC will decide on the assistance level for vocational training.

If they lose their income only temporarily during the business transition period, they will be supported with an allowance as specified by City/District PC.

f. Compensation for Graves.

The relocation of graves should be done on the basis of full consultation with the affected households to meet the customs and habits of affected households with regards to relocation of graves. Compensation payment for affected graves includes full costs associated with a) land for re-burial, b) excavation, c) relocation, d) reburial, e) construction of new tombs, and f) other reasonable related costs which are necessary to meet local customs and habits.

Land for relocation of all affected graves will be provided to the affected households - at a graveyard as designated by the City/District PC. Affected households will be informed of the location of this graveyard so that they can decide where to relocate the affected graves – to the designated graveyard, or to somewhere else in accordance with their customs and habits.

If the affected households decide to relocate the affected graves to the graveyard – as designated by the District PC, the land will be provided to all the affected graves at no costs to them. If they decide to relocate the affected graves on their own, the replacement cost for buying land will be compensated for.

In case owner of the affected graves could not be identified, public announcement have to be made (on TV, popular newspaper) for a number of times to look for the grave owners. Within a reasonable time, if grave owners could not show up, the relocation of graves should be done by a specialized unit in consultation with the district Department of Health. The geographical location and status of the graves (with photos taken in details), the procedure of grave relocation, and the new location of the graves have to be documented carefully for the owner's use at a later time.

g. Compensation for Loss of Public Structures and Community Assets.

Where public structures such as schools, health centers, libraries or other cultural centers, recreational parks, public roads, water transmission pipelines, and electricity transmission lines are affected, such affected works will be restored, and repaired or compensated to ensure normal operation at no cost to the local community.

6.3.2 Compensation for Temporary Impact (during construction)

During the construction process, if local households outside the project area are affected temporarily as a result of the construction, the impact will be assessed and included in the updated Resettlement Action Plan. Depending on the nature of impact, compensation for the adverse impact will be compensated for, as follows:

a. Temporary impact on land/ local business:

- In case residential land without house/structure thereon is temporarily acquired during construction, the affected land will be compensated equal to the rent of such land in locality for the duration of temporary use. Upon return of affected land to affected people, the affected land must be restored to its pre-project condition – as agreed with the affected households.

- In case business activities of households are temporarily affected during construction, resulting in loss of income that derive from such business, the loss of income should be compensated for the entire period of impact – as agreed with the affected households.

- Contractors will be informed of the RAP and should explore alternative construction method to avoid temporary impact. If avoidance is not possible, contractors will compensate for

the above temporary impact in accordance with this RAP. Temporary impact is subject to both internal and external monitoring (See Section VII for monitoring requirements).

b. Compensation for damages caused by contractors to private or public structures.

Damaged property will be restored to its former condition by contractors, immediately upon completion of civil works. Under construction contracts, contractors will be required to take extreme care to avoid damaging property during their construction activities. Where damages occur, the contractor will be required to repair the damage or pay compensation to affected families, groups, communities, or government agencies at the same compensation rates as specified in this RAP.

c. Compensation for unpredictable impacts.

Any other impacts identified during project implementation will be compensated in accordance with the compensation principles and policies set forth in this RAP and in line with the World Bank's OP 4.12.

6.3.3 Allowances

Besides the compensation for affected assets, AHs, especially severely and vulnerably AHs will be provided with allowances to support them during the transition period to restore or improve their livelihood and lives. The assistance levels will be adjusted, taking into account inflation factor and price increase - as appropriate, at the time of resettlement implementation.

For affected residential land/houses:

a. *Transportation Allowance:*

- For households who need to resettle in a new residential area, an amount of 6,000,000 VND will be provided if they physically relocate within the area of Binh Định. If relocating outside of Binh Định, the transport allowance will be 10,000,000VND.
- Relocated households who rent private house for living purpose will be provided with a transportation allowance not exceed the rate mentioned above.

b. *House Renting Allowance/ Temporary Accommodation:*

House renting or temporary accommodation allowance will be provided to relocated households for 6 months, and also to re-organized households for 3 months for establishment of new house. Married adult offspring sharing house with their parents are provided with house rental as an affected household.

Relocation plan needs to be discussed clearly with affected households to minimize the time duration for temporary accommodation as this may affect the income generation activities/livelihoods of the affected households.

- c. *House Repair Allowance:*** If house/structure is partially affected and the remaining structure is viable for continued use subject to appropriate repair, all actual repairing costs for the affected part of the house/structure are paid by the Project, to enable PAPs to restore it to former or better conditions.
- d. *Land Use Right Certificate:*** For resettling households, all costs related to issuance of Land Use Right Certificate for their new houses - either located in the project's resettlement site, or elsewhere (if PAP relocates on their own) will be covered by the Project – by either including the estimated costs for LURC issuance included in the compensation package for self-relocating households, or providing by the TSPMU (later on) for those resettling in the project's resettlement site at no additional cost to them. For re-organizing households whose land and house are partially affected, the costs relating to updating the LURC will be covered by the Project.
- ***Allowance for Livelihood Stabilization (during transition period):*** (i) PAPs losing 20% - 70% of their agricultural landholding (or 10% - 70% for the poor, near-poor, and vulnerable groups) will be provided with an allowance of 500.000VND/person/month for 6 months if they do not have to relocate, and for 12 months in the case of relocation. In

some special cases, allowance may be provided up to 24 months; (ii) PAPs losing more than 70% of their agricultural landholding will be assisted at the above rate for a period of 12 months if they do not relocate, and 24 months in the case of relocation. In some special cases, the allowance may be provided up to a maximum of 36 months; (iii) PAPs affected with less than 20% of the land and their remaining land is cannot be used will receive the allowance for 12 months.

HHs with no recognized land use right will receive allowance equal to 60 % of the above rate provided for the legal, legalizable land users.

[Article 19 of Decree 47/2014/ND-CP]

- **Subsistence allowance:** equivalent to the market value of 30 kg of rice/person/month for three months if PAP have to rebuild house on their remaining land and for six months if PAP have to relocate to new site.

Allowances for job training/job change/job creation:

- **Affected households who are directly engaged in agricultural production:** these households will be supported in job training/job change and job creation with an amount of cash allowance which is not exceeding 5 times compensation value of affected agricultural land in accordance with Article 20 of Decree No. 47/2014/ND-CP. For those who are at work age and wish to be trained for a particular job will be admitted to local training school and will be supported to find a new job and borrow loan to start a new job.
- **Affected households who are running their business at their residential land/house with the main income coming from this business:** For those who are at working age and wish to be trained for a particular job will be admitted to local training school and will be supported to find a new job and borrow loan to start a new job.

Specifically,

- Affected households who are eligible for this support are entitled to participating in one training program at no costs to them within a period of five years (from the date the Decision for Land Acquisition is issued). Free job consultation/orientation are offered at local Job Service Center.

[Decision No.63/2015/QĐ-TTg, Decree No.47/2014/ND-CP]

Note: During the preparation of the training/job change/job creation program, consultation must be done with the affected households *[Article 84, Land Law 2013]*

Allowances for Vulnerable Households:

- Female headed households with dependents and economic difficulties, households with disabled persons, elderly without any source of support will be provided with an amount of not less than VND 3 million per household.
- Relocating households with heroic mothers, heroic armed force personnel, labour hero, war veterans, wounded or dead soldiers, will be provided with support as regulated by the Binh Định PC from 3 million to 6 million VND per household;
- Poor households with certificate, or near-poor households, will be supported with an amount of 5 or 3 million VND/household, respectively.

Incentive Bonus:

- All affected households who hand the affected land over to local authority at the date as scheduled after receiving full compensation and allowances will be given an incentive bonus. Bonus rate will be determined by Binh Định City Peoples' Committee at the time of compensation payment.

6.4 Entitlements Matrix

With respect to a particular eligibility category, entitlements are the sum of compensation, relocation and other forms of support, including allowances, bonus (conditional), and opportunities to participate in livelihoods restoration program. According to IOL and

local/central government policy on compensation, support, resettlement and the WB OP4.12 an entitlements matrix was established for the subproject to ensure all affected households and affected assets will be compensated and assisted to help affected households restore and/or improve their lives and livelihood to pre-project conditions (See Appendix 1 - Entitlements Matrix, for details).

6.5 Livelihoods Restoration Program

The need for income restoration, livelihood improvement

The income restoration/improvement will be need for the severely affected DPs (households) and they are:

- The households losing income generated from land and businesses
- The households who would be impacted by loss of shops
- The household who are fully affected on residential land and house, have to resettle to new place; and

The vulnerable groups such as poor families, and women headed households.

Income restoration program aims to support affected people to improve or at least recover living standard, income production ability as same as before the project. The objective of the project is to ensure that all people affected by sub-project can remain or improve living standard or income ability by compensation and function recovery support to all kinds of lost assets.

Financing for compensation, resettlement including expenses for compensation, construction of resettlement area (if necessary), livelihood recovery and income, management of resettlement will be carried out through counterpart funding.

Program

- Households that are affected from 20% production land (from 10% for poor/near-poor/vulnerability households) will be received livelihood recovery supports. The primary survey carried out do not show any household losing more than 20% of total land holding.
- Support for stabilizing production and life by cash equivalent to 30 kg of rice/ person/ a month in maximum time of 12 months for each detail case.
- Support for vocational training to change works for all affected people in working age (male: from 18 – 55 years old, female: from 18 – 50 years old) who are affected significantly or impacted largely on revenue.
- Vulnerable households will be supported to recover and improve lost income in form of food support and vocational training. Additional measures will be designed based on each case.
- To create condition for participation in construction work (works such as excavating, embanking) to increase income.

Apart from above supports, implementation phase of resettlement will hold a specialized counseling for affected household to understand aspirations of households and livelihood recovery, then to form a livelihood recovery plan for affected household and monitor recovery process to assure life, income of households as same as before the project.

The LRP will be updated in consultation with affected households after the Resettlement Action Plan is finalized and disclosed to the affected households for consultation purpose. During the final consultation to update RAP, PAP will be consulted for specific needs for training/credit access and the LRP will be updated, as part of RAP updating.

Costs related to implementing the LRP will be provided by the TSPMU.

6.5.1 Strategy of livelihood recovery

Gender strategy

Investigation and counseling results show that households that are headed by women have lower income than other head of the households. In sub-project area, most of female householders are above 55 years old with main income source from breeding and cultivating. Sub-project will withdraw agricultural land of these households and that increases possibility of unemployment and loss of income/sources of income.

Gender strategy designed includes participation of women in preparation and implementation of resettlement plan as well as livelihood recovery program. Supervision consultant, social specialists, project manager will ensure adequate participation of women in these activities.

The Gender strategy that will be implemented include activities as follows:

1. To create job opportunity with salary to women during construction phase of the project;
2. To give preference to girl/ women in vocational training in order to help them access non-agricultural income generation activities;
3. To consult women members in determination of criteria for replacement or improvement of current land fund; help them develop action plan for better utilization of residue land part to recover income; better access to education, health, market and other economic activities;
4. Consultation with affected people to ensure that women (including women headed households and women member in affected household) receive their entitlements and benefits from the program and feedbacks of women members are considered in the decision making process;
5. Compensation payment will be implemented with signature of spouse or women member of the household;
6. Construction contract of sub-project will include commitments of contractor in gender equality (to assure to not use children labour and illegal labours (b) no discrimination of women worker and (c) to ensure equal wages for men and women worker for working condition and position.

Affected women headed households as well as members in compensation council will be encouraged and supported to participate regularly in the implementation process of the resettlement plan. These activities are in accordance with policies on participation in the policy frame including:

- Ground clearance board of district and commune will settle claims with representative participation of women association/ group, female householders and representative of affected householder;
- Representative of women in the ground clearance board of district and commune will be created conditions to exchange experiences with other projects;

6.5.2 Potential Activities Raised by Households

During the consultation with the local authorities and affected households, the following farm-based and non-farm based activities/programs are listed for consideration in the planning of a responsive income restoration program that will cater to the needs and preparedness of each eligible households:

- a. Piloting of selected production and income generating opportunities that are endorsed by the province and district. Vocational training and non-farm based employment should be first priority.
- b. Intensive agricultural production for farmers who still have remaining productive land.
- c. Skills training program for persons wishing to receive training on selected fields. The training should be on (i) vocational courses; (ii) intensive farming; (iii) animal husbandry; (iv) aquaculture; (v) managing small business.

- d. For households who wish to venture into small businesses, the Project will explore possible seminars on entrepreneurship (idea generation and visioning, basic sales, marketing and finance management).

6.5.3 Participatory Approach

The aforementioned possible income restoration activities are generic in nature, tentative and initial and, therefore, cannot be used as basis for detailed planning. During the conduct of detailed measurement survey (DMS), the consultants will help design and implement the income restoration program and will spearhead the process of identifying the livelihood activities of each household by evaluating the household's specific needs against the household's preferences, inclination and preparedness, and by assessing the availability of external support needed by the household to pursue its chosen livelihood activities. The consultants will investigate and evaluate possible employment, credit facility and provider of training when conducting needs and opportunities assessment for each participating eligible household. Any good models from other project with the similar conditions also need to be studied to apply to the project.

The singular objective of the income restoration program is to help the severely affected and vulnerable households rebuild their sources of livelihood and thus regain, if not improve, their pre-project standards of living. In addition to the principles governing the project resettlement policy, the income restoration program will abide by the following precepts: be responsive to the specific needs and attuned to the level of preparedness of the household; be sustainable and geared towards self-determination and empowerment rather than dependence; foster justice and fairness, camaraderie, social consciousness; and, be gender sensitive and environmentally sound.

Moreover, depending on its needs, preferences, and available human and material resources within the household and those that the project could provide, each participating eligible household may engage in one main source of livelihood to be augmented by secondary livelihood activities, especially when the main livelihood does not yield immediate returns, such as livestock and crop production. Secondary livelihood activities will help provide for the daily sustenance of the household in the interim. A key ingredient of the program is to ensure that each DP household has the means for daily sustenance.

Information pamphlets for each program will be prepared by the consultant of PMU and will be made available to households and in commune offices. Information will include but not limited to the following:

- Production (farm and non-farm based)/Income-generating activities: type of program, investment costs and net returns, time-frame for income stream to develop, sustainability, and risks.
- Project-related opportunities: type of workers needed, duration of contract, minimum salary and benefits, schedule, basic requirements/qualifications of workers, contact persons.
- Employment opportunities: name and address of organization, nature of organization, number of required workers, basic requirements/ qualifications of workers; trainings to be provided; minimum salary and benefits, contact persons,
- Skills Trainings: type of trainings, objectives, duration, cost to trainee, qualification of trainee, type of certification to be issued upon completion of training; links to jobs.
- Access to credit: type of loans; requirements to avail loan, term of payments and interest rates, risks involved.

The consultants of PMU for income restoration implementation will be composed of various experts to design, implement and administer various programs. The process of planning appropriate income restoration activities of eligible households begins about the same time as that of the DMS. Data gathering and in-depth investigation of needs and opportunities will be done in parallel with the DMS. The various income restoration activities planned and agreed with the participating households will be included in the updated RP including the analysis of

risk, marketing for the planned programs etc. The implementation of the program will be monitored regularly to ensure that targets are achieved and will be included in the resettlement progress report that will be submitted to WB. An evaluation of the income restoration program will be conducted to sum up what has been achieved, to identify additional interventions, as needed; and to draw out lessons and insights.

The steps proposed for the implementation phase of income restoration as table below:

Table: Steps proposed for the implementation phase of income restoration

#	Activity	Time schedule	Responsible Agency
1.	Prepare the list of severely affected DP (Losing more than 10% of productive asset, affected on shops, have to move their houses, vulnerable groups): the list by communes.	As soon as the DMS completed by the DCSCC.	Income restoration team of PMU and DCSCC.
2.	Study about the feasible income restoration in the localities, livelihood plan etc. (with detailed information of each possible activity). Consult with commune, district, provincial relevant agencies and the DPs for their feedback to the feasible programs.	Parallels with DMS activity and after step 1 completed.	Income restoration team of PMU and DCSCC.
3.	Based on the feedback of stakeholders, prepare a detailed plans for activities (list of participants; organization of implementation; schedule; budget; monitoring and evaluation and reporting. Some pilots programs should be implemented first to draw the lessons learned for the subsequent programs.)	After step 2 completed	Income restoration team of PMU and DCSCC. Need help of the commune authorities and Village Leaders.
4.	Set up for a Committee to implement and this committee should include of local NGO (such as Women Union; Farmer Association etc); Commune and District Representative; Representatives of DPs etc. Training need to hold for the Committee prior to the implementation. The PMU also need to have a team to supervise for the implementation of income/livelihood restoration/improvement.	At the beginning of the RP implementation.	District PCs and Commune PCs.
5.	Implementing the programs	After step 3	Implementation Committee for Income and Livelihood Restoration/Improvement.
6.	Monitoring and evaluation, reporting	Through	Implementation Committee

#	Activity	Time schedule	Responsible Agency
		implementation phase	and External Monitoring Agency for RP.

The cost estimated for income and livelihood restoration/ improvement are calculated according to the policy of the Government is as in Chapter of Cost Estimate and with a detailed Annex attached.

6.6 Gender Action Plan:

According to the requirements of the World Bank, this project needs to be informed on three gender dimension; *gender analysis*, *gender action*, and *gender monitoring* and evaluation (M&E). A gender analysis of the socioeconomic characteristics of the affected population has been presented in Section 3.3.4 (above).

Gender Action: As part of RAP implementation, the following gender actions will be made.

- ***Participation.*** Women should be invited to all consultation sessions throughout project cycle, particular to consultation done in groups to allow them chance to express their opinion, concerns, and to provide feedback on their resettlement and income/livelihoods restoration process. Women are prioritized to work in the project if needed.
- ***Well-informed of Project Impact.*** The potential impact of resettlement and livelihoods restoration should be further informed to the affected women so that they are fully aware of the potential impact on their household as well as their income generation activities, and as such propose measures that the project should do to avoid or minimize the impact.
- ***Intra-household gender disparities:*** as the gender analysis indicates, women spend more time than men doing housework and care of their children. Some also work to earn extra income. As a result, the relocation process, particularly for those losing shelter, would apparently take them more time and effort as a result of relocation, and affect their ability to earn income - if they work as hired labour, or are directly involved in crop care/cultivation, which eventually increases their burden.
- ***Income/Livelihoods Restoration.*** As some households may change their jobs, i.e. for households who are involved in animal husbandry, counseling and training of new skill for them should be done with the capacity of men and women in mind to ensure they can apply new training knowledge and have a better chance for success with their new job.
- ***Safety Assurance.*** As women take care of children, they need to be notified/warned of potential risks that are inherent during the relocation of their houses. In many cases where both men and women are directly involved in the relocation/house building/new business operation, they need to arrange a safe, alternative person to take care of their children.
- On the basis of gender based consultations, as mentioned above, the methods of compensation payment, particularly the coordination between PPMU, C/DBCLA, and severely affected households, need to be worked out to ensure difficulties and challenges potentially affected by severely affected households could be avoided, or minimized if unavoidable.

Gender Monitoring. During RAP implementation, key indicators (underlined below) of gender should be used and reflected in the internal and external monitoring reports.

- *Consultation participation:*

Ensure women are invited to participate in public consultations and group discussions during the RAP updating and implementing process. At least 20% of participants in consultation meeting

are women.

- *Compensation disbursement.*

Ensure that the process of compensation disbursement is transparent and that compensation is in the name of both spouses. Presence of both husband and wife at the compensation payment session should be encouraged.

C/DBCLA must ensure that the affected persons are guided carefully on how the compensation would be made – in cash or through bank transfer so that affected households have sufficient time to prepare themselves and a safe reception of the compensation money.

- *Livelihoods Restoration*

Assess women's requirements for skills training to facilitate income restoration. 100% of severely affected households who confirm their need for job counselling/training/job introduction will be invited to consultation session(s) with participation from women representing these households.

Consider providing women with employment opportunities generated under the project. All contractors participating project construction will inform PPMU of job opportunities appropriate for local women and men so that PPMU can inform the affected households.

Explore opportunities to link women to self-help groups and microfinance programs.

Other Gender Actions

The other actions that will be implemented under gender action plan include:

6.6.1 Awareness Generation Campaign

The campaign will specifically address the issues related to gender based violence; women employment; HIV/AIDS; women health; women empowerment; and literacy among women. Apart from door to door approach; awareness campaigns will be through posters; wall paintings; street plays; village consultations; and various competitions among school children. Orientation workshop on gender issues for TS PMU and contractor's staff will also be carried out to sensitize staff members on gender related issues.

6.6.2 Safety of Women

During community consultations, it came out very clearly that women and children are the most affected section of the society when it comes to road accidents and other road related safety issues. Keeping this in mind, road safety has been taken up as a separate component of the project. Specific road safety engineering counter measures will be adequately integrated in the engineering designs to reduce the safety risks in hazardous locations and also to provide a safer road environment for all road users especially women and children. Project will improve safety of vulnerable road users through paved shoulders along entire stretches of project roads. Work zone safety standards would be fully integrated in the contract management framework to ensure safety of women workers.

6.6.3 Specific Provisions in the Construction Camp for Women

The provisions mentioned under this section will specifically help all the women and children living in the construction camp.

Temporary Housing

During the construction the families of labourers/workers should be provided with residential accommodation suitable to nuclear families.

Health Centre

Health problems of the workers should be taken care of by providing basic health care facilities through health centres temporarily set up for the construction camp. The health centre should have at least a doctor, nurses, General Duty staff, medicines and minimum medical facilities to tackle first-aid requirements or minor accidental cases, linkage with nearest higher order hospital to refer patients of major illnesses or critical cases.

Day Crèche Facilities

It is expected that among the women workers there will be mothers with infants and small

children. Provision of a day crèche may solve the problems of such women who can leave behind their children in such a crèche and work for the day in the construction activities. If the construction work involves women in its day-night schedules, then the provision of such a crèche should be made available on a 24-hour basis.

The crèche should be provided with at least one trained staff / worker to look after the children. The worker, preferably women, shall take care of the children in a better way and can manage to provide nutritional food to them. In cases of emergency she, being trained, can tackle the health problems of the children and can organize treatment linking the nearest health centre.

Proper Scheduling Of Construction Works

Women, especially the mothers with infants should to be exempted from night shifts as far as possible. If unavoidable, crèche facilities in the construction camps must be extended to them in the night shifts too.

Control on Child Labour

Minors should be restricted from getting involved in the construction activities. It will be the responsibility of TSPMU to ensure that no child labourer is engaged in the activities. The cell would require cooperation of contractor and CPCs and PPCs province level for effective monitoring for control on child labour. Exploitation of young unmarried women is very common in such camps. A strong vigilance mechanism will ensure ceasing of such exploitation.

Special Measures for Controlling STD, AIDS

Solitary adult males usually dominate the labour force of construction camps. They play a significant role in spreading sexually transmitted diseases. In the construction camps as well as in the neighbouring areas they are found to indulge in physical relations with different women. This unhealthy sexual behaviour gives rise to STDs and ADIS.

While it is difficult to stop such activities, it is wiser to make provisions for means of controlling the spread of such diseases. Awareness camps for the target people, both in the construction camp and neighbouring villages as well, and supply of condoms at concession rate to the male workers may help to large extent in this respect.

6.6.4 Women Participation with Other Stakeholders

It is imperative to bring the issue of women's development in the process of socio-economic uplift within the scope of the RAP and thereby involving women meaningfully at all levels of the project.

Women are involved in the project anyway. However, most of the times, they are on the negatively impacted side. Following is the account of the ways women are affected and/or involved in the project.

Women constitute almost half of the PAPs.

It is expected that women labourers will be engaged as contract labourers during the construction period. Various studies shows that women constitute 25-40% of the semi-skilled and unskilled workforce in road construction contracts. However, women are seldom, if ever, involved in the road contraction industry at managerial levels.

Women need to be involved in the implementation of the RAP. The other areas of concern to the women and more readily addressed by them will be in managing health and hygiene issues at the construction camps (where there are possibilities of exploitation of women workforce, or children), and in managing the spread of highway related diseases.

However, involvement of women is seen to be more important and as part of the long-term strategy than symbolic in the project. Therefore, certain management positions will need to be occupied by the women in this project.

6.6.5 Summary of Gender Actions under the Project

Amongst 95 people consulted, as many as 42 were women, including 8 from vulnerable households

Key Indicators	Steps Taken by Project
Representation and presence of women from different socioeconomic groups in all meetings	Local government maintains a list of affected households and their socioeconomic profile and ensure that women from each socioeconomic groups are invited to all meetings.
Venue for meetings is based on discussions with the women so they can feel free and uninhibited in their discussions.	Meeting conveners will make sure venue for meetings will be selected based on the convenience of invited women, to make sure women invited to the meetings feel free to raise their voice during the meeting
Women facilitators or work through women's groups or networks—formal or informal.	Ensure commune Women's Union appointed women facilitator in all meetings to facilitate the free discussions in which women participate in.
Women's involvement in preparation and review of resettlement plans.	During the RAP updating exercise, women representing different socioeconomic groups must be invited to community meetings to review and provided their feedback issues such as a) compensation package, b) support for livelihoods restoration, c) compensation payment, etc. which will be reflected once the RAP is updated.
Women's associations are vested with authority.	Representative of commune/district's Women's Union are present in all meetings to add voices to women representing affected households.
Ensure women's involvement and participation in implementation and monitoring.	During RAP monitoring, women representing different socioeconomic groups must be invited to community meetings to provide their feedback issues such as a) compensation package, b) support for livelihoods restoration, c) compensation payment, etc. which are done.
Social and cultural factors may exclude women from participating actively in planning, implementing, and executing resettlement activities	Commune and District Women's Union will support commune Peoples Committee in ensuring that women from affected households have equal chance to actively participate in planning, implementing, and implementing resettlement activities
Do women have any information about the proposed project and resettlement plan?	Project Information Booklet will be shared with representative affected households who will bring them home for other family members to review. Commune and District Women's Union will conduct additional meetings to ensure their members (women) are aware of the project activities and the resettlement action plan.
Inclusion of women in the socioeconomic survey?	If additional socioeconomic survey is undertaken, ensure consultant doing the survey interview women from affected families.
Legal rights to land and property allocated as part of the resettlement package for Women	Ensure both men and women have title to the updated Land Use Right Certificate when the certificate is updated following the land acquisition.
Income-restoration programs to address gender issues	Ensure additional consultation with both men and women are carried out to address the livelihood restoration and development needs of the affected households.

6.7 Livelihoods Restoration Program

The LRP is fundamental to achieving the objective of the World Bank's OP 4.12 on Involuntary Resettlement. For those who lose their house, or house-based income, or both, they are likely to face risk of impoverishment. The socioeconomic survey and focus group discussions showed that those who lose houses and/or house-based businesses and have to relocate, would face challenging in restoring their income because the new location may not always assure their income restoration. Similarly, for those who lose income from agricultural production –either from crops or animal husbandry, they are likely to face difficulties in buying new land to continue farming, particularly buying land in the vicinity of their existing house.

Given this, a practical LRP, taking into account the needs of affected households and the advice of vocational experts, is important to making sure affected households could receive reliable technical support that could help them build/improve their skills for their new business – either new business type, or same business but in a new location. Because of the complexity in development of skills for income generation, a needs assessment needs to be made to collect further information to make the LRP realistic as well as feasible. The needs of affected households in terms of new business would become clear when affected households figure out how they would want about their future– following the resettlement and/or loss of productive land. As such, this LRP will be updated prior to RAP implementation.

6.7.1 Eligibility

Since the LRP aims to help PAPs improve, or at least restore, their livelihood (which include their income), the following households are eligible to participate in program:

- Households who lose 20% or more of their agricultural land;
- Poor/vulnerable households who lose 10% or more of the agricultural land;
- Households who lose income from their current business– regardless status of registration and own or rent house-based business;
- Household who will physically relocate;
- Household who lose income from the leased land.
- Households who experience cumulative impact - as mentioned in section 2.1.9 (above).

Each of eligible household could send two representatives (ideally one male and one female) to the registered training program. Household representative should be within working-age and are committed to attending the entire training program. All costs for training courses will be covered by the project.

6.7.2 Key developmental activities of the LRP

- **Agricultural extension.** For those who are active in farming and wish to continue farming activities, agricultural trainings will be provided – based on their specific needs.
- **Business Development.** For those who run home-based business, they will be trained on business development skills, and will be able to join in a vocational training of their choice.
- **Credit loan.** For those who wish to borrow loan to develop their new business, their credit access will be facilitated by PPMU and City/District PCs.

6.7.3 Update of LRP

The LRP will be updated on the basis of consultation with affected households (needs assessment) after they have fully received their compensation package, and decided on resettlement options (for those who resettle). This will assure consultation with PAPs on their

future business plan is meaningful and PAPs are more likely to peruse trainings that they request. The needs assessment needs to take into account both men and women's concerns (gender based).

Where possible and effective, this Livelihood Restoration Programs could be mainstreamed into on-going District's development program. Once updated, the LRP will contain the following elements:

- List of specific activities and corresponding costs;
- Responsibilities of stakeholders for each of activities;
- Specific methods and training program for each training activities;
- Implementation schedule;
- Monitoring and evaluation

6.7.4 Budget

The costs incurred with implementation of the entire LRP – based on needs assessment, will be covered by the TSPMU. Affected households will not pay for any costs associated with their training. They will be provided with an allowance covering their costs of travel and meals and accommodation for the actual days that attend the training.

6.7.5 Monitoring

The implementation of the LRP is subject to monitoring and evaluation of TSPMU (internal monitoring), and the external monitoring which will be done by TSPMU's external monitoring consultant to ensure the Bank's policy objective is met.

6.8 Construction Labour Management Plan

In the proposed road project it is envisaged that during construction phase of the project large number of migrant labourers will be accommodated in a temporary campsite within the project area. The influx of migrant labour will have both negative and positive impacts on the nearby community and local environment. The labour will be accommodated in temporary campsite within the project boundary which can have significant interface with the nearby community. However, the influx of migrant workers would lead to a transient increase of population in the immediate vicinity of the project area for a limited time. This would put pressure on the local resources such as roads, fuel wood, water etc.

Hence, a plan has been designed so as to:

- Minimize potential impacts associated with influx on the host population and receiving environment;
- Provide safe and healthy working conditions and a comfortable environment for migrant labour; and
- Ensure compliance with the IFC PS 2 and national labour laws;

International Finance Cooperation (IFC) Performance Standard 2- Labour and Working Conditions is specific to labour and working conditions. This Standard focuses on the protection of the basic rights of workers, fostering constructive worker-management relationships, as well as promoting fair treatment and the provision of a safe and healthy workplace. The basic provisions for migrant workers under PS 2 are enumerated below:

- As per the provisions of PS 2, the client shall identify migrant workers engaged through third party and ensure that they are engaged on substantially equivalent terms and conditions to non-migrant workers carrying out similar work (if any);

- The contractor shall ensure provision of adequate accommodation, transportation, and basic services including water, sanitation, and medical care for the workers working on that project;
- The compensation paid to the migrant workers should be non-discriminatory and the principle of equal opportunity and fair treatment to be followed; and
- Wastewater, sewage, food and any other waste materials are to be properly handled, in compliance with local standards– whichever is more stringent – and without causing any significant impacts to the biophysical environment or surrounding communities.

General Requirements

All migrant workers are envisaged to be accommodated in temporary campsite within the project area. If migrant workers are accompanied by their families, provisions should be made accordingly. Guidance on Workers Accommodation developed by IFC and EBRD is also referred for inclusion of requirements for labour camp to be established by contractor during construction phase of the project³. Contractor shall ensure implementation of the following measures to minimise the potential negative impacts of worker accommodation and workers on local communities:

Cleanliness: Pest extermination, vector control and disinfection are to be carried out throughout the living facilities in compliance with local requirements and/or good practice.

Complaints and incident reporting: A formal Complaints Procedure will be implemented to ensure timely and transparent response to complaints as received from labour.

Labour education: The workforce will be sensitized to local social and cultural practices through provision of an induction course for all employees that stipulates expected behaviour;

Labour behaviour in campsite provided: A Code of Behaviour governing appropriate behaviour in the accommodation facilities to be kept in place and to be strictly enforced. The contractor shall ensure implementation of the “rules of engagement” between labours living in campsite and community and shall be implemented by construction contractors for all engaged labours.

Labour Compensation and Accommodation: Client shall ensure that labours are provided with benefits such as annual leave, weekly rest day, etc. Accommodation to be provided for the construction labour which cover facilities (including catering facilities, dining areas, washing and laundry facilities etc.) and supporting utilities.

Worker's Accommodation

The TSPMU will supervise and monitor the activities performed by their contractor and accommodation facilities provided in campsite. The following measures shall be provided:

- The labour will be provided with accommodation on twin sharing basis made of insulated material and locally available building material, etc.;
- The migrant workers with families shall be provided with individual accommodation comprising bedroom, sanitary and cooking facilities;
- The units will be supported by common latrines and bathing facilities duly segregated for male and female labour;
- Adequate number of toilets shall be provided in the accommodation facilities. A minimum of 1 unit to 15 males and 1 unit for 10 females shall be provided;
- The contractor shall provide a canteen facility for the construction workers and the food will be of appropriate nutritional value;

³http://www.ebrd.com/downloads/about/sustainability/Workers_accomodation.pdf

- All doors and windows shall be lockable and mobile partitions/curtains shall be provided for privacy;
- Facilities for the storage of personal belongings for workers shall be provided within the camp site only;
- Dustbins shall be provided for collection of garbage and will be removed on a daily basis;
- It is also required to provide first aid box in adequate numbers; and
- Ventilation should be appropriate for the climatic conditions and provide workers with a comfortable and healthy environment to rest and spend their spare time.

Security

The contractors shall put in place the following security measures to ensure the safety of the workers. The following measures shall be incorporated:

- Access to the campsite shall be limited to the residing workforce;
- The contractor shall be responsible for deploying adequate number of guards;
- Adequate, day-time night-time lighting shall be provided;
- The security personnel shall be provided with training to respect the community traditions and in dealing with, use of force etc.; and
- The rental accommodation shall be provided with firefighting equipment and portable fire extinguishers.

Provisions for Drinking Water

Access to an adequate and convenient supply of free potable water is necessity for workers. The domestic water supply shall be made available by the contractor.

- Safe drinking water shall be provided;
- Water tankers can be used for provision of drinking water for the migrant labours;
- The direct usage of water from bore well should not be allowed and water shall be adequately treated;
- The contractor should regularly monitor the quality of drinking water available. In case of non-compliance with the Drinking Water Specifications, additional treatment shall be provided or alternative sources of water supply shall be arranged; and
- All tanks used for the storage of drinking water are constructed and covered as to prevent water stored therein from becoming polluted or contaminated.

Cooking Arrangements

The construction phase will involve engagement of large number of migrant people in the project area for a limited time. Hence, there shall be requirement of provision of cooking facilities (kitchen) as listed below:

- Places for food preparation are designed to permit good food hygiene practices, including protection against contamination between and during food preparation;
- Adequate personal hygiene including a sufficient number of washbasins designated for cleaning hands with clean, running water; and
- All kitchen floors, ceiling and wall surfaces adjacent to or above food preparation and cooking areas are built using durable, non-absorbent, easily cleanable, non-toxic materials;
- Food preparation tables are equipped with a smooth, durable, easily cleanable, non-corrosive surface made of non-toxic materials.

To ensure that the fuel need of labourers in the project area does not interfere with the local requirements, necessary arrangements for supply of fuel wood to the labourers shall be done by the contractor. Fuel requirement for cooking purposes are only to be met by fuel wood that to be purchased only from authorized vendors only.

Wastewater Generation

There will be generation of wastewater from the campsite. About 80% of water used shall be generated as sewage/wastewater. Contractor shall ensure that the campsite are equipped with septic tank and soak pit for disposal of sewage. It is also recommended that the storm water and sewage system should be separate. The surface water drainage shall include all necessary gutters, down pipes, gullies, traps, catch pits, manholes etc. Sanitary and toilet facilities are constructed of materials that are easily cleanable. Sanitary and toilet facilities are required to be cleaned frequently and kept in working condition.

Solid Waste Management

The solid waste generated from campsite will mostly comprise of compostable wastes like vegetable matters (kitchen waste) and combustible waste like paper, cans, plastic and some non-degradable waste like glass/glass bottles. Improper disposal of solid waste will lead to environmental degradation and health hazards to labour as well as nearby community.

The following measures shall be adopted by contractors for ensuring effective management of solid waste:

- The solid wastes of domestic nature generated shall be collected and stored separately in appropriate containers with proper sealing on them;
- Separate bins with proper markings in terms of recyclable or non-recyclable waste shall be provided in the houses and kitchen premises in sufficient numbers for collection of garbage;
- Food waste and other refuse are to be adequately deposited in sealable containers and removed from the kitchen frequently to avoid accumulation; and
- The contractor shall identify the nearest solid waste storage facility and tie up with the concerned urban local body for disposal of waste at frequent intervals.

Medical Facilities

Effective health management is necessary for preventing spread of communicable diseases among labour and within the adjoining community. The following medical facilities shall be provided by contractors for the construction workers:

- A first aid centre shall be provided for the labour within the construction site equipped with medicines and other basic facilities;
- Adequate first aid kits shall be provided in the campsite in accessible place. The kit shall contain all type of medicines and dressing material;
- Contractor shall identify and train an adequate number of workers to provide first aid during medical emergencies;
- Regular health check-ups shall be carried out for the construction labourers every six month and health records shall be maintained;
- Labours should have easy access to medical facilities and first aider; where possible, nurses should be available for female workers;
- First aid kits are adequately stocked. Where possible a 24/7 first aid service/facility is available.
- An adequate number of staff/workers is trained to provide first aid; and
- Information and awareness of communicable diseases, AIDS etc. shall be provided to workers.

Recreation Facilities

- Basic collective social/rest spaces are provided to workers.;

- Facilities like a common television can be provided in labour camps

Inspection of Accommodation Facilities

Campsite shall be inspected at frequent intervals to ensure that the facilities are well organized and maintained to acceptable and appropriate standards by the contractor. The key areas are:

- Daily sweeping of rooms and houses shall be undertaken;
- Regular cleaning of sanitary facilities shall be undertaken;
- The kitchen and canteen premises shall be established under good hygiene conditions;
- Daily meal times shall be fixed for the labour;
- Smoking and alcohol consumption shall be prohibited in the workplace;
- Water logging shall be prevented at areas near the accommodation facilities and adequate drainage is to be provided; and
- Checklists pertaining to the daily housekeeping schedule shall be maintained and displayed at houses, toilets and kitchen.

To limit the impact due to cumulative labour onsite during construction phase, contractor shall provide adequate labour camp which should be appropriate for its location and be clean, safe and, at a minimum, meet the basic needs of workers.

- Contractor should assess the location of labour camp, that it should not be constructed in immediate vicinity of any drainage channel;
- It should be ensured that the labour camp(onsite) should have basic amenities such as electricity, drinking water, health & sanitation facility, kitchen and rest room;
- All tanks used for the storage of drinking water are constructed and covered as to prevent water stored therein from becoming polluted or contaminated and all the migrant workers will be instructed accordingly;
- Employers should ensure that accommodation which is provided is not overcrowded and does not pose a risk to the health and safety of workers;
- The labour camp will be equipped with septic tanks and soak pits and avoid presence of stagnant water is a factor of proliferation of potential disease vectors such as mosquitoes;
- Contractor should ensure that the disruption of local communities is minimum, in particular local communities' transport infrastructures and if required limit the workers movements in nearby areas;
- Security staff have a clear mandate and have received clear instruction about their duties and responsibilities, in particular their duties not to harass, intimidate, discipline or discriminate against workers;
- Contractor should ensure that workers and members of the surrounding communities have specific means to raise concerns about security arrangement and staff;
- Where possible, an adequate transport system to surrounding communities will be provided. It is good practice to provide workers with free transportation to and from local communities.

Grievance Redress Mechanism

A Grievance Redress Mechanism (GRM) shall be formulated for the construction labourers (local and migrant) comprising of a review committee including representatives elected by labour and management representatives. A documented GRM shall have the following elements:

- Proper system for lodging grievances;
- Provision for raising anonymous complaints;
- Appropriate level of management for addressing concerns;
- Workers and members of the surrounding communities have specific means to raise concerns about security arrangement and staff;
- Provision for timely action and feedback;
- Monitoring and review of grievances raised and action taken; and
- Scope for continual improvement of the system.

7.0 INSTITUTIONAL ARRANGEMENT

The implementation of the resettlement activities, as set forth under this Resettlement Action Plan, requires the participation of governmental agencies at national, city, district, and ward level. Binh Dinh People's Committee take the overall responsibility for the implementation of the RAP. Compensation, Assistance and Resettlement Committees shall be established at district level according to the provisions of Decree 47/2014/CP. The provisions described in the RAP are the legal basis for the implementation of resettlement activities.

7.1 Responsibilities of Stakeholders

CENTRAL LEVEL

- **Ministry of Transport (MOT):**

The Ministry of Transport (MOT) is the project owner at central level and has an overall responsibility for the project management and implementation. MOT will also, in consultation with other relevant Ministries, responsible for reviewing and approving the Resettlement Policy Framework.

- **Traffic Safety Project Management Unit (TSPMU):**

TSPMU – as delegated by MOT, will take the overall responsibility of day-to-day oversight and implementation of the Project. TSPMU will undertake an overall supervision and provide necessary technical support to ensure smooth project implementation, including activities related to land acquisition, compensation, support and resettlement under the Project. TSPMU will assure all resettlement activities will take place in compliance with this RAP. Specifically, TSPMU will:

- Cooperate with PPCs, and relevant local competent agencies to conduct compensation and resettlement.
- Organize training and building capacity activities for PMUs at provincial level where land acquisition, compensation payment and resettlement will take place.
- Cooperate with provincial PMUs to monitor internally compensation, resettlement;
- Report periodically on resettlement progress to MOT and the WB.

LOCAL LEVEL

- **Binh Dinh People's Committee (PPC):**

PPC of Binh Dinh will:

- Review and approve the Resettlement Action Plan.
- Appraise and approve the results of Replacement Costs Survey.
- Direct relevant Departments and City/Districts in appraising and approving RAP within the line of authority.
- Solve complaints/grievances – as appropriate.
- Maintain an overall oversight of the RAP preparation and implementation, and provide guidance to relevant departments, City/District People's Committees, where required, to ensure effective and timely collaboration and coordination between these agencies in the preparation and implementation of site specific RAP.
- Ensure the RAP is prepared and updated in accordance with the principles set forth in this RAP. Once a RAP is concurred by the World Bank (via a No Objection), Binh Dinh and Binh Dinh PCs will approve the final RAP, or designate a relevant City/District PC to ratify the RAP to enable RAP implementation at City/District levels.
- Ensure that compensation resettlement and livelihoods restoration of affected households

will be implemented and monitored in accordance with this RAP.

- **Provincial Project Management Unit (PPMU)**

PPMU will be established under the respective PPC. PPMU will represent PPC and will be responsible for day-to-day implementation of the Project at provincial level, including preparation, implementation, and monitoring and evaluation of the approved RAP. The key tasks include the followings:

During RAP preparation:

- Coordinate closely with related agencies and the WB to prepare the agreed RAP in accordance with Bank's OP 4.12.
- Develop and provide orientation training on the requirements of the RAP to ensure City/District PCs, and relevant stakeholders involved in RAP planning and implementation understand the requirement as set forth in this RAP.
- Coordinate with the relevant departments under PPC and relevant District PCs to obtain their comments/suggestions, and their consensus on RAP preparation and implementation.

During RAP implementation:

- Take lead in recruitment of two consultants – one carrying out a replacement costs survey (as mentioned at Section 6.4), and one conducting periodic social monitoring of RAP implementation (as mentioned at Section 9.2).
- Ensure the required budget for RAP implementation is timely and sufficiently allocated for planned compensation payment/resettlement – as described in the RAP.
- Update RAP and conduct internal monitoring of RAP implementation - as per requirements set forth under Section 8.3 of this RAP;
- Designate staff with solid experience in resettlement and familiar with Bank's OP 4.12 to act as a social safeguards focal point for PPMU. This focal point will provide regular support to provincial People's Committee in RAP implementation.
- Recruit a social safeguards consultant to support PPMU and resettlement boards, at district level, for implementation of RAP. The Terms of Reference for this consultant will be subjected to Bank's prior review;
- Prepare quarterly progress reports and submit those reports to the WB;
- Conduct training on requirements of project's RAP; work closely with District People's Committee and District Board for Compensation and Land Acquisition (DBCLA) in updating RAPs based on the completed Detailed Measurement Survey, consultation and Replacement Costs Survey;
- Submit updated RAP to the Bank for review and concur before implementation.

- **City/District People's Committee (C/DPC):**

C/DPC shall be responsible for:

- Preparing annual land use plan and submit to competent authorities for review and approval of changed land use plan - as prescribed by law.
- Issuing Notice of Land Acquisition and direct City/District Board for Compensation and Land Acquisition, and ward/commune-level People's Committees to implement the approved RAP.
- Directing the implementation of the RAP;

- Directing City/District Board for Compensation and Land Acquisition and ward/commune People's Committees in disseminating information and compensation and resettlement policies, conducting surveying, geodesy and DMS and implementing the RAP.
 - Directing the evaluation of compensation, support and resettlement, compensation plan approved, support, resettlement and issued a decision to withdraw the land under their jurisdiction;
 - Adjusting or grant a new land use right certificate for the land to be acquired, and for relocated households.
 - Settling complaints related to land acquisition, compensation, support and resettlement in the district within its jurisdiction.
 - Approving the compensation support and resettlement assessment to be carried out by the City/District BCLA.
- **City/District Board for Compensation and Land Acquisition (C/DBCLA):**
C/DBCLA shall be responsible for:
 - Coordinating with PPMU and ward/commune-level People's Committee to disseminate information and policies on project's compensation, support and resettlement to affected households, and conducting community consultation, surveys, surveying, detailed measurement survey (DMS) for affected assets to formulate plan for compensation, support and resettlement; being responsible for the accuracy and completeness of the survey data, surveying, and DMS;
 - Preparing the plan for compensation, support and resettlement and conducting consultation with affected households on plan for compensation, support and resettlement for review and approval by City/District PCs; disclosing the approved plan for compensation, support and resettlement to the affected households;
 - Organizing compensation payment and provision of assistance to affected people;
 - Arranging resettlement for relocated households, land acquisition, and handover of acquired land to the construction units;
 - Leading and coordinating with PPMU and ward/commune-level People's Committee to implement Livelihood Restoration Program;
 - Assisting City/ District People's Committee to settle complaints concerning land acquisition, compensation and resettlement.
 - Supporting C/DPC in issuance of LURCs for land plot in the resettlement site.
 - Support the external monitoring consultant for conducting independent resettlement monitoring— as required under this RAP.
 - **Ward/Commune level People's Committee:**
The Ward/Commune PC shall be responsible for:
 - Cooperating with C/DBCLA in arranging compensation payment, resettlement and livelihood restoration implementation;
 - Providing documents related to the origin of land use by affected households; confirming the eligibility of affected persons and affected assets;
 - Assisting competent authorities to resolve land disputes and complaints of affected people.

- Assisting C/DPC, C/DBCLA in organizing meetings, public consultations, socioeconomic survey during RAP preparation and implementation;
- Establishing working groups at the sub-ward/commune level to support C/DPC and C/DBCLA in conducting Detailed Measurement Survey, Replacement Costs Survey, Socioeconomic Survey, and provision of required information to support the preparation and implementation of RAP;
- Identifying replacement land for the affected households who are eligible and propose livelihoods restoration programs appropriate to the conditions of the people and the locality;
- Resolving complaints at the ward/commune level - as prescribed by the existing law;
- **Community level - Responsibilities of affected people:**
 - Cooperating C/DBCLA and Ward/Commune PC in all activities related to land acquisition, compensation, support and resettlement;
 - Handing over of the affected land to the project on time upon receiving full compensation and support package;
 - Supporting in reconciliation of households with regards to land disputes, and helping affected households in the process of resettlement and livelihoods restoration;
 - Appointing representatives in the Board for Compensation and Land Acquisition to participate in monitoring the implementation of the plan for compensation, support and resettlement.

All stakeholders, particularly stakeholders at project level, including PPC, PPMU, City/District PC, Ward/Commune PCs, have extensive experience implementing resettlement program in Vietnam, including experience implementing projects financed by the World Bank that involve resettlement and livelihoods restoration. During RAP preparation, there has been an active participation from City/District PCs and ward/commune PCs, which contributes to the effective preparation of this RAP. During project implementation, these agencies will continue to contribute to the updating of RAP to reflect the results of the detailed measurement survey, replacement costs survey, and consultation with affected households on the proposed compensation and support packages. In terms of monitoring, these governmental agencies will continue to cooperate closely with the PPCs and City/District PCs to implement and monitor the RAP implementation. An external monitoring consultant will be engaged by TSPMU to provide an independent assessment of RAP implementation – in addition to internal monitoring done by PPMU, City/District PCs, and PPC. Despite of the fact that these stakeholders are experienced with resettlement program, when the project starts implementation, these agencies will be invited to participate in additional trainings organized by TSPMU - with WB technical support, in order to update them on the new policies requirements and good implementation practices, as well as the new requirements on gender mainstreaming to ensure smooth and satisfactory RAP implementation.

All stakeholders, particularly stakeholders at project level, including PPC, PPMU, City/District PC, Ward/Commune PCs, have extensive experience implementing resettlement program in Vietnam, including experience implementing projects financed by the World Bank that involve resettlement and livelihoods restoration. During RAP preparation, there has been an active participation from City/District PCs and ward/commune PCs, which contributes to the effective preparation of the RAP. During project implementation, these agencies will continue to contribute to the updating of RAP to reflect the results of the detailed measurement survey,

replacement costs survey, and consultation with affected households on the proposed compensation and support packages. In terms of monitoring, these governmental agencies will continue to cooperate closely with the PPCs and City/District PCs to implement and monitor the RAP implementation. An external monitoring consultant will be engaged by TSPMU to provide an independent assessment of RAP implementation – in addition to internal monitoring done by PPMU, City/District PCs, and PPC. Despite of the fact that these stakeholders are experienced with resettlement program, when the project starts implementation, these agencies will be invited to participate in additional trainings organized by TSPMU - with WB technical support, in order to update them on the new policies requirements and good implementation practices, as well as the new requirements on gender mainstreaming to ensure smooth and satisfactory RAP implementation.

7.2 Updating of RAP

7.2.1 Key issues subject to RAP Updating

After completion of detailed measurement survey if there are significant changes in scope of impact and replacement costs, this RAP needs to be updated and submitted to Bank for review prior to implementation. When updating, the RAP needs to reflect the results of the following exercises which will be done.

- *Detailed Measurement Survey*
- *Additional Socioeconomic Survey* – only in case where there is significant changes in technical design which increase/decrease remarkably the number of affected households.
- *Additional Public Consultation* with affected households, particularly on:
 - Resettlement options,
 - Needs assessment that PAP expect to support their livelihood restoration.
 - Health issues (potential social risk related to HIV/AIDS and STI contraction among both construction workers and local people).
 - Training on Traffic Safety.
- *Replacement Costs Survey*

7.2.2 Approval of updated RAP

The updated RAP needs to be submitted to the Bank for review and endorsement. Implementation of updated RAP could be proceeded only when the updated RAP is agreed by the Bank, indicative of the Bank's No Objection to the implementation of the updated RAP.

7.3 Implementation of RAP

(i) Public meeting with PAP: During RAP implementation process, PPMU - in collaboration with DBCLA must continue to hold public meetings with PAP to agree with PAP on the results of Detailed Measurement Survey, replacement costs survey, and compensation packages. The meetings should be organized to update PAP on design of resettlement sites – once approved by Binh Định PC, and any update on the compensation and support policies, if any, in 2017. Meaningful feedback from public meetings should be considered carefully and integrated in the subproject design and mitigation measures.

(ii) DMS and replacement cost survey: By this time, DMS has been carried out but has not been completed. Once completed, the DMS should be shared with PAP for PAP's verification. Also, as soon as the replacement cost survey is completed and compensation rates are approved, meetings with PAP should be hold to ensure PAP know the approved compensation package and resettlement option for their continued feedback for final agreement on the compensation and resettlement package.

(iii) Preparation of compensation and resettlement plan, appraisal and approval: compensation and resettlement plan, once approved, should be submitted to the World Bank for prior review prior to district's approval for implementation.

(iv) Payment of compensation and allowance: According to Article 93 of Land Law 2013, within 30 days since the date the Decision for Land Acquisition is issued to affected households, payment of compensation and allowances for AHs has to be proceeded by District Department. In case where affected households refused to receive the payment or have family conflict, the payment amount must be deposited in an escrow account which is the District State Treasury until the issue has been resolved and the affected households are ready to receive their compensation package.

(v) Arrangement of relocation and land acquisition: To assure relocation of affected households is done in a way that minimizes identified adverse impact on the livelihoods of PAP, consultation must be hold timely with PAP to ensure PAP agreed on the compensation package and confirm their preferred resettlement option to assist an effective relocation and land acquisition process.

(vi) LRP implementation: during RAP implementation, the LRP must be updated – on the basis of additional consultation with PAP. Consultation with PAP for updating LRP should only be done after PAP decide on where and how the relocate, and agree on the proposed compensation package. LRP should be conducted as a needs assessment – with structures survey to be able to quantify the number of LRP participants, methods and mode of training, the number of trainings for each training subjects.

(vii) Grievance redress: during RAP implementation, PAP should be informed again of the Grievance redress mechanism to make sure complaints, if any, are effectively solved to avoid any possible delay in relocation, compensation payment, and land acquisition process.

(viii) Monitoring and evaluation. PMU needs to start the internal monitoring process by appointing a specialized staff to help PMU work closely with DBCLA and other relevant governmental agencies to finalize the compensation and resettlement plan, and monitor the implementation process. An independent monitoring consultant needs to be recruited to help PMU with a more specialized monitoring exercise and to evaluate the results of the resettlement implementation.

7.3.1 Resettlement Arrangement

- **Resettlement Site**

There are 4 households would need to relocate as the result of the project. There is no resettlement sites currently available in the vicinity of these communes. More consultation will be made with affected households, particularly when the detailed design is completed so that exact number of relocated households could be confirmed and consultation on resettlements options could be meaningfully conducted and updated in this RAP. Depending on the number of relocated households and the preference of the affected households, affected households will be consulted to enable them to make an informed choice of new resettlement area that are suitable to their preference for livelihood restoration and development.

- **Physical Relocation**

Relocation of affected households need to be carefully done in close consultation with relocated households. For households who plan to move to the resettlement site, PMU needs to maintain a close coordination with relocated households. Effort needs to be made to ensure impact on current houses, including business combined with house, are minimized by ensuring that appropriate construction measures are developed and carried out in a member that causes no or

minimal impact on living activities of the household along the project road until their new houses (either in the resettlement site or elsewhere) are ready to relocate to. This aim to minimize the loss of income and the need for house renting which affect both living and income generation activities of the households.

8. IMPLEMENTATION ARRANGEMENT

The PMU will ensure that the RP for the entire project will be updated following completion of detailed designs and will be submitted to the WB for review and concurrence.

The implementation process and task force are as follows:

- a. Preparation of land application procedure for the Project. After obtaining an agreement on principles between the Government of Viet Nam and WB on the Loan Agreement, PMU will prepare documents and carry out submission procedure to the project Province for approval on granting land for the Project. This dossier would need with the relevant Decisions related to the project; Cadastral map of the project route and EIA approved by MONRE or DONRE.
- b. Establishment of the DCSCC. If any district that the DCSCC is not yet established, within 15 days dated from receiving the PMU request, the Project Provincial Peoples Committees will establish DCSCC for the Project, and entrust tasks to relevant agencies and entities.
- c. Land clearance/boundary setting for the Project. After receiving the Decision of the Project PPCs and District PCs in revoking land and handing over land to PMU for implementing the Project, PMU will cooperate with the PPCs and Provincial Department of Natural Resources, Environment to determine the Project land clearance red line and setting out boundary at the field in close coordination with detailed design consultants.
- d. Training for resettlement staff. After the DCSCC have been formed, PMU, with the help of project consultants, will develop and implement a training program for the updating and implementation of the RPs. The training will include at least an orientation on the RP, roles of agencies in RP implementation, progress report preparation, complaint handling/recording/reporting, DP participation/ consultation, gender-responsive resettlement and resettlement internal monitoring/ reporting. Target participants to the training include representatives from the Commune PCs, DCSCC, and DPCs, and local NGOs etc.
- e. Engagement of External Monitoring Agency. PMU will engage the services of an external monitoring agency to carry out independent monitoring and evaluation of RP preparation and implementation activities. Quarterly progress reports will be submitted to PMU and WB.
- f. Information campaign before DMS. According to Decree No.181/2004/ND-CP, before land acquisition, within 90 days in case of agricultural land and 180 days in case of non-agricultural land, the DCSCC must send written notices to affected land owners in respect of reasons for land acquisition, time and plan of displacement, compensation/resettlement options, land clearance and resettlement.
 - Before inventory and detailed measurement, PMU in cooperation with local authorities of districts and wards will provide Project information to residents in the Project area. Information will be broadcasted via the public address system of the locality in combination with other multi-media such as radios, press, television, brochures or letters delivered to households to be open posted in public areas.
 - Consultation meetings will be held in the Project affected Communes to notify the affected community about the scope and scale of the project, impacts, policies and rights for all kinds of damages, implementation schedule, responsibilities for organization, and complaint mechanism. Brochures including (images, photos or

- books) related to Project implementation will be prepared and delivered to all affected wards in the meetings.
- g. Conduct of Replacement Cost Survey by a Qualified Appraiser. If there is a significant difference between compensation price enacted by the Project PPCs and market price as per replacement cost survey carried out by a qualified appraiser, the PPCs will update the compensation unit price according to regulations and implementation guidance of Decree No.197/2004/CP, 17/2006/ND-CP.
 - h. Detailed Measurement Survey. DMS will be undertaken once detailed design is finalized. These surveys will be the basis for the preparation of compensation plan and for preparation of the updated RP.
 - i. Distribution of Land Use Right Certificate (LURC) to displaced persons:
 - j. Preparation of Compensation Plan. DCSCCs are responsible for applying prices and preparing compensation tables for each affected precinct/commune. The People's Committees of districts will appraise these tables in respect of prices based on the approved market price as per RCS, quantities of affected assets, allowances and special assistance that the Project displaced persons are entitled to. The unit rates are presented to the displaced persons and posted in the commune offices. Rates are usually adjusted based on the feedback and comments made by the displaced persons. All tables of compensation price application must be checked and signed by displaced persons to prove their consensus.
 - k. Preparation of Income Restoration Measures and Relocation Plan. DCSCCs and/or the concerned agencies or organizations responsible for the planning and implementation of the income restoration or livelihood and with the assistance of project consultants will carry out needs assessment to design suitable income restoration measures and relocation plan for severely affected and vulnerable households.
 - l. Submission of Updated RP to WB. Each District or Province will prepare Updated Resettlement Plan, disclose key information of the Updated RP to the displaced persons and submit the same to WB for review and Concurrence.
 - m. Updated RP Implementation. Compensation and assistance will be paid directly to the DPs under the supervision of representatives of DCSCCs, Commune authorities and representatives of displaced persons. Income restoration and relocation plan will be implemented in close consultation with the DPs and concerned agencies.
 - n. Issuance of Notice-to-Proceed (NTP) for Specific Sections. PMU will not issue a notice of possession of site for any section (bidding package) until the head of DCSCC has officially confirmed in writing that (i) payment has been fully disbursed to the affected persons and rehabilitation measures are in place as per Updated RP agreed between PMU and WB; (ii) already-compensated affected persons have cleared the area in a timely manner; and (iii) the area is free from any encumbrances.
 - o. Monitoring and evaluation. Internal monitoring and independent monitoring and evaluation will be implemented from RP preparation to implementation. Grievances received will be addressed through the grievance redress mechanism set up for the project.

The tasks and proposed implementation schedule respectively are described as in table below

Table: Implementation Schedule for the RAP

Sl. No.	Activity	Schedule
1	RP preparation, review and approve by GOV and the WB	From Q1 to Q3- 2017
2	Implementation mobilization (information disclose, institutional arrangement, capacity building for implementation, recruit the contractor for RCS and external monitoring and evaluation, prepare a detailed schedule of implementing the RP by each project district, including the budget need for each month of the years etc.).	Q4-2017
3	Putting the bench marks demarcate for the land acquisition need on the ground and declare the project areas to local authorities and local people as well as to DPs.	Q1-2018
4	Approval of land acquisition for the project by the PPCs and decision on land recovery from the DPCs to the DPs.	Q1-2018
5	DMS for Resettlement sites; Resettlement site planning, EIA for the site, Detailed design, bidding and award the contract for the site construction.	Q1 to Q2-2018
6	Carry out the DMS, RCS and prepare entitlement to DP (compensation, assistance and resettlement plan for each HH), disclose the plans at the communes as per request of the law; submit compensation, assistance and resettlement plan for each HH to the relevant Departments of the District and Province for their review and then approved by the PPC or DPC depends on the arrangement of each Province. Disclose the approved plans at each commune for the DP and commune authorities to check as per requirement of the law.	Q2 to Q3-2018
7	Update Resettlement Plan	Q3 of 2018
8	Payment to the DPs	Q3-2018
9	Plot allocation to the HHs have to relocate and move the HHs to new sites/	Q3 to Q4-2018
10	Disbursement of LURC to displaced households	Q4 of 2018 to Q1 of 2019
11	Design for income restoration activities based on the consultation with DPs and other stakeholders and implement for the activities for the DP who opt to the activities instead of cash payment for self-restoration.	Q2 to Q4-2018
12	Monitoring and evaluation of RP implementation	Q1-2013 to Q1-2019
13	Settling for the complaints	Through entire of RP Implementation
14	Periodical reports on the implementation.	Each Quarter

9. GRIEVANCE REDRESS MECHANISM

9.1 Requirements of the Grievance Redress Mechanism

The World Bank's OP 4.12 on Involuntary Resettlement requires any RAPs that are prepared for Bank financed projects need to establish a grievance redress mechanism to address grievance and complaints that may arise from affected households during RAP implementation.

A mechanism will be put in place to ensure all concerns and complaints of PAP are recorded/registered appropriately, and addressed in a manner that is fair, timely, and constructive. PAP will be informed of the grievance management procedure, as well as their rights to take their grievances to the agencies responsible for handling their complaints as well as informational queries. PAP will also be informed that their use of this grievance mechanism will be free of charge, even when their cases are elevated to the Courts of Law. All costs related to handling and solving of the complaints are covered by PMU, and are included in the budget for RAP implementation.

9.2 Grievance Redress Procedure

The following steps can be taken by the complainants. However, the complainants maintain the right to resort to the courts at any time.

First Stage – Ward/Commune People's Committee (WPC):

PAP may submit their complaint – either in written or verbal, to the office of the Ward/Commune People's Committee. W/C PC will receive the complaints and will notify the W/C PC leaders of the complaint. The Chairman of the W/C PC will meet the complainant in person and will solve it within 15 days following the receipt of the complaint.

Second Stage – City/District People's Committee (C/DPC):

After 15 days since the submission of the complaints, if the aggrieved person does not have any response from the W/C PC, or if the aggrieved person is not satisfied with the decision taken on his/her complaint, the PAP may take the case, either in written or verbal, to the Reception Unit of City/District People's Committee. The City/District People's Committee will have 30 days since the date of receipt of the complaint to resolve the case. The City/District People's Committee will register all the complaints submitted and will inform the District Board for Compensation and Land Acquisition of the City/District PC's resolution/assessment results. Aggrieved person may elevate the case to the Courts of Law if they wish.

Third Stage – Provincial People's Committee):

After 30 days, if the aggrieved PAP does not hear from the City/District PC, or if the PAP is not satisfied with the decision taken on his/her complaint, the PAP may escalate the case, either in writing or verbal, provincial People's Committee, or lodge an administrative case with the City/District People's Court for resolution. The provincial PC will have 45 days to resolve the complaint to the satisfaction of all the concerned. The provincial PC secretariat is also responsible for registering all complaints that are submitted. Aggrieved person may elevate the case to the Courts of Law if they wish.

Final Stage - Courts of Law:

After 45 days following the submission of the complaint at provincial PC, if the aggrieved PAP does not hear from the provincial PC, or if PAP is not satisfied with the decision taken on his/her complaint, PAP may take the case to a Courts of Law for adjudication. Decision by the court will be the final decision.

Decision on solving the complaints must be sent to the aggrieved PAPs and concerned parties,

and must be posted at the office of the People's Committee where the complaint is solved. After 3 days, the decision/result on resolution must be made available at ward level and after 7 days at the district level.

9.3 Grievance Management & Monitoring

Grievance Management

City/District PC and Ward/Commune PC

City/District People's Committee, and Ward/Commune PC will maintain a logbook for recording queries, suggestions and grievances of PAP. All complaints will be assessed and resolved in accordance with the a fair, timely and constructive manner -

PMU

A focal point who is responsible for administering grievance mechanism on behalf of PMU will be appointed by PMU. This staff will act as a liaison officer (with DBCLA and WPC) and will perform the following key tasks:

- Work closely with DBCLA and WPC to respond to any informational queries from PAP;
- Keep track of overall grievance management process on behalf of PMU.
- Maintain a grievance log with basic information, including a) **Receipts** (name of complainant, complainant's story and expectation; date the grievance was received and recorded, b) **Tracking** (progress – pending/solved, agreements and commitments made), and **Closeout** (resolution outcome).

Monitoring:

An External Monitoring Consultant (EMC) will be engaged by PMU to evaluate the effectiveness of the grievances mechanism. The monitoring will identify common or recurrent claims that may require structural solutions or adjustment to compensation policy. The EMC may recommend measures to be taken to redress unresolved grievances. During the monitoring of grievance redress procedures, EMC may cooperate with the Vietnam Fatherland Front, if needed.

10. MONITORING AND EVALUATION ARRANGEMENT

10.1 Objective of monitoring

To ensure activities and commitments described in the approved RAP is implemented fully and timely, monitoring and evaluation of the RAP implementation should be maintained by the Project Owner. While monitoring of the RAP implementation aims to collect, on a regular basis, information reflecting the RAP implementation results (See Appendix 4 for suggestive indicators) the evaluation of RAP implementation aims to analyze the information collected throughout monitoring process, to evaluate - at outcome level, to extent to which the RAP is executed in accordance with the agreed schedule and methods, and that the RAP implementation meets the objective of the World Bank's Operational Policy 4.12 on Involuntary Resettlement. In case where gaps (between resettlement action plan and actual implementation) are identified during the implementation process, corrective measures will be proposed for timely action by PPMU.

10.2 Internal Monitoring

Requirements for internal monitoring

PMU is responsible to conduct internal monitoring on resettlement implementation. PMU will assign a specialized PMU staff to conduct internal monitoring with key assignments as follows:

- Coordinate with related agencies in process of RAP implementation;
- Collect necessary data – as required by this RAP, to set up a database of resettlement for RAP implementation progress reports for internal monitoring purpose;
- Identify any pending issues/non-compliance issues during RAP implementation;
- Work closely with the External Monitoring Consultant to oversee the implementation of the RAP;
- Receive and report complaint of affected people to competent authorities for resolving

Depending on the nature and complexity of the RAP, and RAP implementation stages, the internal monitoring can be maintained weekly, monthly, and quarterly. A quarterly report should be prepared, as a minimum, to ensure PMU members are aware of the a) RAP implementation progress, b) any issues that may arise so as to take timely and appropriate action.

Key indicators for internal monitoring

The following suggestive criteria could be used for internal monitoring by PMU:

- Number of affected persons according to types of impacts;
- Status of compensation payment, resettlement, and income restoration;
- List of outstanding complaints;
- Final results on solving complaints and any outstanding issues that demand management agencies at all levels to solve;
- Issues that arise during the implementation process;
- RAP schedule updated.

Monitoring done by PMU could be coordinated with external monitoring when the external monitoring consultant is engaged and start the service.

10.3 External Monitoring

Purpose of external monitoring

In addition to internal monitoring, PMU needs to engage an External Monitoring Consultant

(EMC) to conduct periodically independent monitoring on implementation of RAP.

The purpose of EMC is to monitor the implementation of the approved RAP to ensure the implementation is in compliance with regulations and policies stipulated in the RAP. EMC also conduct a final monitoring and evaluation of resettlement implementation when all resettlement activities have been completed for 6 months. Periodical and final reports should include all findings from monitoring and evaluation and corrective action plan (if needed) to submit to TSPMU and the World Bank.

Assignments of EMC

As a specialized unit, EMC is expected to monitor and evaluate the results of the RAP implementation with regards to the following three key aspects:

- *Performance* (Process, including compliance),
- *Impact* (Outcome); and
- *Sustainability* (upon Completion of the RAP implementation).

The EMC will be recruited based on their experience on application of Bank's safeguards policy and on monitoring and evaluation of RAP implementation. The UIH – as Project Owner, will prepare a TOR for this assignment which will be reviewed by the World Bank prior to recruitment. The recruitment will be based on the bidding process in accordance with the relevant laws of Vietnam.

While monitoring of RAP implementation process should be maintained quarterly, or even monthly, depending on the nature and the complexity of the RAP, evaluation should be conducted at two important milestones: 1) when compensation payment is completed for most affected households (to evaluate the compensation payment), and 2) six months following the completion of resettlement (to evaluate the livelihood restoration process). Monitoring report must be submitted to PMU for each monitoring trip to keep PMU aware of issues arising from the monitored time. Every six months, EMC must prepare a bi-annual report, consolidating all the findings from the reporting quarter, and submit to TSPMU and World Bank. EMC will also submit two evaluation reports for two milestone – as mentioned above. The reporting requirements will be detailed in the Terms of Reference for EMC.

Key indicator of external monitoring

The following suggestive indicators should be used by the EMC:

- Payment of compensation: a) full payment to be made to all affected persons before land acquisition; (b) adequacy of payment to replace affected assets.
- Provision of assistance for PAPs who have to rebuild their houses on their remaining land, or building their houses in new places as arranged by the project, or on newly assigned plots.
- Assistance for recovering livelihood/income sources.
- Community consultation and public dissemination of compensation policy: (a) PAPs should be fully informed and consulted about land acquisition, and relocation activities; (b) community consultation procedures and how to solve these problems; (c) public awareness of the compensation policy and entitlements will be assessed among the PAPs; and (d) assessment of awareness of various options available to PAPs as provided in the RAP.
- Affected persons should be monitored regarding the restoration of productive activities.
- PAPs' satisfaction on compensation, assistance and resettlement will be monitored and recorded. Effectiveness of the complaint mechanism and speed of complaint settlement will also be monitored.

11. COSTS AND BUDGET

For the purpose of project preparation, a preliminary cost estimate is prepared on the basis of consultation with Binh Dinh PC, C/D PC, and consultation with local people for similar land and assets in the vicinity of the project area. The following table summarizes the estimated costs for compensation payment of affected assets, including residential and agricultural land, houses, structures, trees and crops, businesses, etc., costs such as allowance and support, etc.). The unit cost considered in the RAP is based on Binh Dinh Province Decision on Compensation and Support Allowances resolution of 2015 valid up to 2020⁴.

When the detailed measurement survey and replacement cost survey (conducted by independent appraiser) are completed, the results of these two surveys will be applied for calculation of the compensation package for affected households. Once the consultation with affected households on compensation plan is completed, the total cost estimate will be updated to reflect such change in case adjustment of compensation rates is made.

Table: Cost estimate for compensation and resettlement

No.	Items	Areas	Unit Price	Unit	Amount (VND)
I	Compensation/Support			VND	120,947,090,000
1	Compensation for Land				119,376,360,000
1.1	Agricultural land	171,306	60,000	VND	10,278,360,000
1.2	Residential land	72,732	1,500,000	VND	109,098,000,000
2	Compensation for structures	152		VND	456,000,000
2.1	Houses and other secondary structures	152	3,000,000	VND	456,000,000
3	Compensation for crops and trees				865,530,000
3.1	Rice, crops	171,306	5,000	VND	856,530,000
3.2	Crops temporarily affected	1,800	5,000	VND	9,000,000
4	Support			VND	249,200,000

⁴ (i) Resolution No. 26/2014/NQ-HDND on land prices for the five-year period (2015-2020) in Binh Dinh, issued by Binh Dinh's Provincial People' Council on December 10, 2014; (ii) Decision No. 13/2015/QĐ-UBND on compensation, support and resettlement for land acquisition in Binh Dinh, issued by Binh Dinh Provincial People's Committee on July 7, 2015; and (iii) Decision 32/2016/QĐ-UBND, issued by Binh Dinh's Provincial People' Committee on June 15, 2016 on revision and supplements of Decision No. 13/2015/QĐ-UBND

4.1	Support in training, job change and job search	80	40,000	VND	3,200,000
4.2	Livelihood Stabilization	20	300,000/month	VND	6,000,000
4.3	Transportation	20		VND	235,000,000
4.4	Support for vulnerable groups	2	2,500,000	VND	5,000,000
II	Independent Monitoring			VND	1,500,000,000
III	Management Costs			VND	2,418,941,800
1	Implementation Costs (2%)			VND	2,418,941,800
IV	TOTAL (I+II+III)			VND	124,866,031,800
V	Contingency (10%)			VND	12,486,603,180
VI	GRAND-TOTAL (IV+V)			VND	137,352,634,980

APPENDICES

Appendix 1 – Entitlements Matrix

Type of Impacts	Application	Entitlements	Implementation Arrangements
A. PERMANENT IMPACT			
1.AGRICULTURAL LAND	<p><i>Land users with LURC, or eligible for LURC</i></p> <p>Marginal loss (<20% of land holding or <10% for vulnerable group), the remaining area is still economically viable for use or meets expected personal yield.</p>	<p>- Compensation will be at full replacement costs; and</p>	<p>PAP will be notified at least 90 days prior to land acquisition and receive compensation and allowances at the latest one month before land acquisition.</p> <p>The owner of land will hand over the land within 20 days since full compensation and allowances have been paid.</p>
	<p>Significant loss $\geq 20\%$ or $\geq 10\%$ for vulnerable groups</p>	<p>Compensation will be at full replacement costs.</p> <ul style="list-style-type: none"> Compensation will be paid in cash at full replacement cost for all the affected area within governmental allocated quota of 3ha. For area exceeding the 3ha-quota, compensation will be made only for the Remaining Land Investment Costs⁵, which is the costs already invested in the land but has not been recovered by the time of land acquisition (Article 129,130 of Land Law 2013). <p>ALLOWANCES: Severely affected households will be provided with additional allowances for life stabilization and participating in livelihoods restoration program (see Section 8 on ALLOWANCES below).</p>	<p>PAP will be notified at least 90 days prior to land acquisition and receive compensation and allowances at the latest one month before land acquisition.</p> <p>The owner of land will hand over the land within 20 days since full compensation and allowances have been paid.</p>
	<i>Land users without</i>	Compensation for land will not be paid but cash	Binh Định PC will make decision

⁵“Remaining Land Investment Costs”, as per Land Law 2013, are costs that the land user has invested in land but have not been fully recovered by the time of land acquisition. These includes, for instance, costs of: a) landfill, b) soil fertility improvement, soil erosion prevention (for farming purpose), c) foundation preparation (for business purpose), d) other investment as appropriate to the land use purpose (Article 3, Decree 47/2014/ND-CP).

Type of Impacts	Application	Entitlements	Implementation Arrangements
	<i>formal or customary rights to land</i>	assistance will be provided - on the basis of land origin, land use history, reasons for un-eligibility, and the time when the land was put into use – as per Land Law 2013 and provincial most updated regulations.	
	<i>Leased Right</i>	<ul style="list-style-type: none"> • PAP renting land managed by government No compensation for the affected land, but for the Remaining Land Investment Cost. Compensation paid at full replacement cost for affected assets (structures, crops, trees) on rental land if they have been created before the cut-off date. • PAP renting private-owned land for farming purpose: Compensation for land at replacement cost for the land owner; Compensation for a) affected assets (structures, crops, trees) at replacement cost for the renter if the affected assets have been created before the cut-off date; and b) the remaining rental contract value. 	Remaining Land Investment Cost will be calculated on the basis of survey – in line with Article 76 of Land Law 2013.
2.RESIDENTIAL LAND	<i>Land Users with LURC, or eligible for LURC</i>	Loss of residential land with no houses/structures on it: compensation for loss of land will be paid in cash at full replacement cost.	• PAP will be notified at least 180 days prior to land acquisition.
		Loss of land with houses built thereon, and the remaining (non-acquired) land is adequate to reorganize <ul style="list-style-type: none"> • Compensation at full replacement cost for the affected land. Compensation for affected house is as follows: • Partially affected house and remaining part is usable: compensation at full replacement cost for the affected part and actual costs for repairing the remaining part without deduction of salvageable materials. 	

Type of Impacts	Application	Entitlements	Implementation Arrangements
		<ul style="list-style-type: none"> Fully affected house: compensation at full replacement cost for the entirely affected house. In case the remaining land is insufficient to build a new house, the affected household could request converting the agricultural land adjoining with the affected residential land into residential land but not exceed residential land quota – as specified by Binh Định PC. 	
		<p><i>Loss of land with houses built thereon, and remaining (non-acquired) land is not adequate to rebuild the house (relocated PAP):</i></p> <p>Compensation for loss of land and houses will be paid at full replacement cost. Affected households are entitled to allocation of a plot of land in project's resettlement site.</p> <p>In case compensation value for the affected residential land is less than the cost of a minimum land plot in the designated resettlement site, relocated households will be provided with a cash support equal to the difference to enable them to have the land plot in the resettlement site. If AHs prefer self-relocating to other place, an amount of cash support, equal to the difference between the cost of the minimum land plot in the designated resettlement area and total compensation amount for the affected residential land, will be provided to the relocating households.</p> <p>[Article 86 of Land Law 2013, Article 27 of Decree 47/2014/ND-CP].</p> <p>PAP will be provided for cash resettlement assistance (see item 8) and compensation for house/structure if created before the project date (see item 3).</p>	<ul style="list-style-type: none"> Resettlement land/house will be arranged in line with Article 86 and Article 87 of the Land Law, Decree No. 47/2014/ ND-CP, and Article 20, 22 of Decree No. 43/2014. Relocated households who have no other residential land or house within project ward/commune are entitled to buying a plot of land/an apartment and pay by instalment, or rent it for living. AHs are paid compensation and allowance at the latest one month before land acquisition.
	<i>No formal right to affected land</i>	<p><i>Loss of land with houses built thereon, and the remaining (non-acquired) land is adequate to reorganize:</i></p> <ul style="list-style-type: none"> Compensation for affected land if used before 1 July 2004. Compensation for partly or entirely affected house/structure (see Item 3). 	

Type of Impacts	Application	Entitlements	Implementation Arrangements
		<p><i>Loss of land with houses built thereon, and remaining (non-acquired) land is not adequate to rebuild the house (relocated PAP):</i></p> <p>Compensation for land and house is as follows:</p> <ul style="list-style-type: none"> • If PAP uses non-agricultural land⁶ with house on it - prior to 1 July 2004, and the land was obtained by encroachment, PAP will be provided with a new residential land plot - with levy collection, in the project's resettlement site, or are entitled to buying a new resettlement house if they have no place to move by the time of land acquisition <i>Article 7 of Decree 47/2014/ND-CP, Article 80 of Land Law 2013</i>]. • If PAP is not eligible for LURC (as specified at Article 22 of Decree 43/2014/ND-CP) and is using land with house on it, and their violation with the Land Law has not been settled with preventive action by local authority, PAP will be compensated for house in accordance with PPC's regulations. <p>In addition to compensation payment, affected households are entitled to a) transportation allowances (see <i>Allowances</i> under Section 5.2.3), b) participating in the Livelihoods Restoration Program (see Section 5.2.4 below for <i>LRP</i>), and conditional bonus (as specified by Bình Định PC by the time of compensation payment).</p>	
3.HOUSES/ SECONDARY STRUCTURES/ EQUIPMENT/ PRODUCTION LINE, ETC.		<p><i>For non-movable houses and secondary structures, compensation will be at full replacement costs for affected houses and structures - regardless of the legal status of the affected land, houses, or structures.</i></p> <p><i>For movable houses and structures such as those that are pre-engineered to allow disassembly and re-installation,</i></p>	Replacement costs includes a) market cost of the materials to build a replacement structure with an area and quality similar, or better than those of the affected structure, or to repair a partially affected structure, b) the cost of

⁶Non-agricultural land – as prescribed at Article 10 of Land Law 2013, include land such as public land, river land, industrial land, production land, etc.

Type of Impacts	Application	Entitlements	Implementation Arrangements
		<p>compensation will cover all costs of disassembly, transportation, re-installation, and other costs incurred during this entire process, which is equivalent to 30% of total costs of construction of a new, similar building (Article 91 of Land Law 2013, Article 23 of Decree No. 47/2014/NĐ-CP. In case where the 30% compensation rate is not sufficient as full replacement costs, costs evaluation will be done by City/District PC, or independent price appraisal consultant to assure a full replacement cost is paid.</p> <p><i>For equipment and/or production line</i>, affected business who own the equipment or production lines will be compensated for all costs associated with the disassembly, transportation, re-installation of the affected equipment and/or production line. A consulting firm specialized in appraisal for such equipment/production lines will be engaged by the TSPMU to estimate the costs which are subject to review and approval of Bình Định PC. Costs associated to this process will be paid at full replacement cost.</p> <p><i>For small assets requiring specialized installation</i>, including landline phone, water connection, electric connection, cable TV, internet connection, etc., all costs related to uninstallation and re-installation at new house/business premise will be compensated at full replacement costs.</p>	<p>transporting building materials to the construction site, c) the cost of any labour and contractors' fees, d) the cost of any registration and transfer taxes. Structures shall be evaluated with regards to its value individually.</p>
4. CROPS, TREES, AND AQUACULTURE PRODUCTS.	LURC, eligible and not eligible for LURC	For annual and perennial trees, standing crops, or aquaculture products, compensation in cash will be paid at full replacement cost, irrespective of the legal status of the land, and are in line with Article 90 of the Land Law	<ul style="list-style-type: none"> • Calculation of compensation for crop is based on the highest productivity of one crop of the last 3 years.

Type of Impacts	Application	Entitlements	Implementation Arrangements
		<p>2013.</p> <p>Movable crops such as orchard trees will not be compensated but transportation of the trees to new location is supported as specified by District Board for Compensation and Land Acquisition. If replanting of trees in new location incurs costs, such full costs will be compensated for.</p> <p>Aquaculture that reaches harvest time by the time of land acquisition will not be compensated for.</p>	<ul style="list-style-type: none"> • Calculation of compensation for trees is based on age and diameter of the tree. • PAP has the right to use salvageable trees.
5. BUSINESSES		<p><i>For economic loss resulting from contract termination:</i></p> <p>For households/individual who rent government- or private-owned land for non-farm business, and the land rental is made on renewable contract basis. By the time when the affected land must be returned to government but the land lease contract is still valid, compensation will be paid – as agreed upon in the land lease contract, if any.</p> <p><i>For affected assets, such as houses, structures, equipment, production line, and other small assets,</i> compensation will be paid at replacement costs principle.</p> <p><i>For loss of income incurred by business owner, the mechanism for compensation is as follows:</i></p> <ul style="list-style-type: none"> • For registered businesses, compensation will be paid in cash for the loss of net business income, equivalent to 50% of the annual average net income - as declared with the tax agency during the recent three years (This amount is equivalent to 100% of monthly net income for 6 months). • For non-registered businesses, whose operations are recognized by local authority and whose net income for non-registered businesses are affected, compensation will be paid in cash for the income losses for at least three 	<p>PAPs will be given priority for business relocation at conveniently located place in order to maximize their benefit from business opportunities. At the time of compensation, allowances will be adjusted to account for inflation.</p>

Type of Impacts	Application	Entitlements	Implementation Arrangements
		<p>months.</p> <ul style="list-style-type: none"> For households who do retail business. They do not have business license and do not pay tax, including also <i>squatter</i> whose business are located on the right of the way, compensation will be a one-time allowance of 3 million VND per household. <p><i>For loss of income incurred by business employees:</i></p> <ul style="list-style-type: none"> Employees who permanently lose their existing job due to acquisition of land on which the business are located will receive an unemployment allowance at the basic wage level for up to 6 months. Cash assistance for vocational training will be provided to the affected employee. Bình Định PC will decide on the assistance level for vocational training. If they lose their income only temporarily during the business transition period, they will be supported with an allowance as specified by City/District PC. 	
6. GRAVES		<p>Compensation payment for affected graves includes full costs associated with a) land for re-burial, b) excavation, c) relocation, d) reburial, e) construction of new tombs, and f) other reasonable related costs which are necessary to meet local customs and habits.</p> <p>Land for relocation of all affected graves will be provided at a graveyard designated by the District PC. In District graveyard is not available, compensation payment will cover costs for buying land for reburial.</p> <p>In case owner of the affected graves could not be identified, public announcement have to be made (on TV, popular newspaper) for a number of times to look for the grave owners. Within a reasonable time, if grave owners could not show up, the relocation of graves</p>	<p>The relocation of graves should be done on the basis of full consultation with the affected households to meet customs and habits of affected households.</p> <p>Affected households will be informed of the location of this graveyard so that they can decide where to relocate the affected graves (to the designated graveyard, or to somewhere else in accordance with their customs and habits).</p>

Type of Impacts	Application	Entitlements	Implementation Arrangements
		should be done by a specialized unit in consultation with the District Department of Health. The geographical location and status of the graves (with photos taken in details), the procedure of grave relocation, and the new location of the graves have to be documented carefully for the owner's use at a later time.	
7. PUBLIC STRUCTURES/ COMMUNITY ASSETS		Where public structures such as schools, health centers, libraries or other cultural centers, recreational parks, public roads, water transmission pipelines, and electricity transmission lines are affected, such affected works will be restored/repaired to ensure normal operation at no cost to the local community.	
8. ALLOWANCES	Affected residential land/houses and relocation	<ul style="list-style-type: none"> • Transportation Allowance: • For households who need to resettle in a new residential area, an amount of 6,000,000 VND will be provided if they physically relocate within the area of Bình Định province. If relocating outside of province, the transport allowance will be 10,000,000VND, or Bình Định's regulations, whichever higher. House Renting Allowance/ Temporary Accommodation: House renting allowance or temporary accommodation will be provided to relocating households, and re-organizing households (where required) for the actual time during which they have no other accommodation due to having to hand the affected land over (as required by the project) while having not completed yet construction of the new house. An actual amount will be provided to each relocating household for a period of 6 months. For re-organizing households, this amount will be provided for three-month period. Subsistence allowance: equivalent to the market value of 30 kg of rice/person/month for 3 months if PAP have to rebuild house on their remaining land and for 6months if PAP have to relocate to new site. 	Relocation plan needs to be discussed clearly with affected households to minimize the time duration for temporary accommodation as this may affect the income generation activities/livelihoods of the affected households.
	Severely affected	Allowance for Livelihood Stabilization (during	

Type of Impacts	Application	Entitlements	Implementation Arrangements
	agricultural land	<p><i>transition period</i>):</p> <ul style="list-style-type: none"> i. PAPs losing 20% - 70% of their agricultural landholding (or 10% - 70% for the poor, near-poor, and vulnerable groups) will be provided with an allowance of 500.000VND/person/month for 6 months if they do not have to relocate, and for 12 months in the case of relocation. In some special cases, allowance may be provided up to 24 months; ii. PAPs losing more than 70% of their agricultural landholding will be assisted at the above rate for a period of 12 months if they do not relocate, and 24 months in the case of relocation. In some special cases, the allowance may be provided up to a maximum of 36 months; iii. PAPs affected by less than 20% of the land and their remaining land is not economically viable will receive the allowance for 12 months. <p>HHs with no recognized land use right will receive allowance equal to 60 % of the above rate provided for the legal, legalizable land users of agricultural land.</p>	
	Allowance of job training/creation	<ul style="list-style-type: none"> • Affected households directly engaged in agricultural production: supported on job training/job change and job creation with an amount of cash not exceeding 5 times the compensation value of affected agricultural land [Article 20 of Decree No. 47/2014/NĐ-CP]. Those at work age wishing to be trained for a particular job will be admitted to local training school and supported to find a new job and borrow loan for the new job. • Affected households running business at their residential land with the main income derived from this business: Those at working age wishing to be trained for a job will be admitted to local training school and supported to find a new job and borrow 	TSPMU/PPMU will conduct a training needs assessment for all severely affected households to develop a training plan. Budget for job training will be provided by TSPMU. Loans for new job will be considered by District PC and District Department of Labour, Invalids and Social Affair, and will be provided under a suitable loan program of Bình Định PC - as recommended by respective City/District PC.

Type of Impacts	Application	Entitlements	Implementation Arrangements
		<p>loan for the new job.</p> <p>Free job consultation/orientation are offered at local Job Service Center.</p>	
	Vulnerable Households	<p>Female headed households with dependents and economic difficulties, households with disabled persons, elderly without any source of support, households from ethnic minority groups will be provided with an amount of not less than VND 3 million per household.</p> <p>Relocating households with heroic mothers, heroic armed force personnel, labour hero, war veterans, wounded or dead soldiers, will be provided with support.</p> <p>Households with poor household certificate, or categorized as near-poor will be supported in cash with an amount from 3 to 5 million VND/ household.</p>	
	Incentive Bonus	All affected households who hand the affected land over to local authority at the date specified after receiving compensation payment and allowances will be given an incentive bonus. Bonus rate will be determined at the time of compensation payment.	
9.LIVELIHOODS RESTORATION PROGRAM		All households who are severely affected and who are vulnerable – as defined from Section 4.2 will be eligible to participate in the Livelihood Restoration Program (LRP), which include trainings on agricultural extension, new job training, credit access and other measures as recommended and appropriate to support the livelihoods restoration of affected households to ensure their livelihood is restored to the pre-project level, or even improve. The LRP will be developed in consultation with affected households after the Resettlement Action Plan (as approved by Bình Định PC and the World Bank) are	Livelihood Restoration Programs will be designed on the basis of assessment of the needs of affected households. LRP will be mainstreamed into on-going local development program that support affected/poor households who relocate as a result of development project.

Type of Impacts	Application	Entitlements	Implementation Arrangements
		disclosed fully to the affected households to ensure the consultation on measures to restore livelihoods for severely affected households meaningful and realistic. Costs related to implementing LRP will be borne by the Project Owner.	
B. TEMPORARY IMPACTS			
10.TEMPORARY IMPACT ON LAND/ LOCAL BUSINESS		<ul style="list-style-type: none"> Temporarily affected land, including assets associated with affected land, will be compensated for - as agreed with the land owner. Upon return of affected land to local people, the affected land must be restored to its original condition – as agreed with the affected households. In case the construction affect temporarily the business activities of local households outside the project area, resulting in loss of income that derive from such business, loss of income should be compensated for the entire period of impact – as agreed with the affected households. 	Contractors will be informed of this RAP and should explore alternative construction method to avoid temporary impact. If avoidance is not possible, contractors will compensate for the above temporary impact in accordance with this RAP. Temporary impact is subject to both internal and external monitoring).
11.DAMAGES CAUSED BY CONTRACTORS		Damaged property will be restored to its former condition by contractors, immediately upon completion of civil works.	Contractors will be required to take extreme care to avoid damaging property during construction. Where damages occur, contractor will be required to repair damages or pay compensation to the affected families, groups, communities, or government agencies at the same

Type of Impacts	Application	Entitlements	Implementation Arrangements
			compensation rates as specified under this RAP.
C. UNPREDICABLE IMPACTS DURING IMPLEMENTATION			
		Any other impacts identified during project implementation will be compensated in accordance with the compensation principles set for in this RAP and in line with the World Bank's OP 4.12.	

Appendix 2 - The questionnaire for IOL and social and economic survey of affected assets

CENTRAL HIGHLAND CONNECTIVITY IMPROVEMENT PROJECT Inventory of Loss

PART 1: GENERAL INFORMATION

1.1	Sector:	1. NH19 renovation	2. An Khê bypass	3. Pleiku bypass		
1.2	Commune:	District:	Province			
1.3	Household owner:					
1.4	Age	(0). Under 18	(1). 18 - 30	(2). 31 - 45	(3). 46 - 60	(4). Over 60
1.5	Gender	1 - Male		2 - Female		
1.6	Group:					
1.7	Education:	1- Litteracy	2- Under primary	3- Primary		
		4- Secondary	5- High school	6. Intermediate / College / University		
1.8	Occupation:					
1.9	Monthly average income of ownerV ND				
1.10	Marital status	1 - Single	2 - Married	3. Divorced	4 - Widowed	5 – Young (under 18)
1.11	Object:	1. Poor	2. Phụ nữ chủ hộ có người phụ thuộc	3. Hộ dân tộc thiểu số		
		4. Hộ gia đình chính sách (Thương binh, có công...)	5. Người già/trẻ em/người tàn tật làm chủ hộ	6. Khác (ghi rõ):		
1.12	Number of family member?	16-60 years old		Under 16		
		Male	Female	Male	Female	
1.13	HH average income/month?VND/month				

PART 2: SOCIO-ECONOMICAL STATUS OF AFFECTED HOUSEHOLD

1. Family member

No	Relationship w. owner (1=Owner; 2=spouse; 3=parents; 4=Bio children; 5=Son/daughter in law; 6=grandchild; 7=other)	Gender [1=Male 2=Female]	Age [0=Under 18; 1=18 – 30; 2=31 – 45; 3=46 – 60; 4=over 60]	Group [1=Kinh; 2=Thái; 3=Tày; 4=Nùng; 5=Mường; 6=Hoa; 7=Ê đê; 8=Gia rai; 9=Khác (ghi rõ)]	Occupation [1= Agri 2=Customer service 3=worker 4=Officer 5= Student 6=housewife 7=wage earner 8=driver 9=Other(detail)]	Education [0=Litteracy 1=Primary 2=Secondary 3=High school 4=Intermediate and College 5=Undergraduate and higher 6=Other(detail)]	Marital status (1=single; 2=married; 3=divorced; 4=widow/widower)
----	---	------------------------------------	--	---	--	--	---

)
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							

2. Living condition

2.1	Cooking water source	1. Rain 2. Dug well 3. Bored well	4. Pubic tap water 5. Tap water	6. River, lake, pond 7. Other (detail)
2.2	Bathing water source	1. Rain 2. Dug well	3. Bored well 4. Tap water	5. River, lake, pond 6. Other (details)
2.3	Toilet type?	1. detritus tank 4. temporary	2. semi-detritus tank 5. no toilet	3. 2 filters 6. Other
2.4	Light energy?	1. grid 2. generator	3. Oil 4. Gas/biogas	5. Battery 6. Other (detail)
2.5	Cooking energy?	1. Grid 2. Generator	3. Oil 4. Wood	5. Gas 6. Other (detail)
2.6	Do you have any properties?	1. Bicycle 2. Motorbike 3. Car 4. Truck 5. TV	6. Disc player 7. Generator 8. Pump 9. Cooker 10. Telephone	11. Fan 12. Refrigerator 13. Computer 14. Air condition 15. Other

3. Income, expense

3.1. Monthly income source

No.	Source	Amount of money (VNĐ)
1	Agriculture	
2	Bussiness, customer service	
3	Salary/ benefit	
4	Wage earner	
5	Other	
Total		

3.2. Monthly expense

No.	Source	Amount of money (VNĐ)
1	Food	
2	Health	
3	Education	
4	Traveling, festival...	
5	Other (Details...)	
Total		

PART 3: AFFECTED LAND

Affected land type		Area		Current status of use		
		Total area (m ²)	Affected area (m ²)	LURC / có thể hợp thức hóa	Rent/ temporary use	No right/ illegal
		1	2	3	4	5
3.1	Urban residential					
3.2	Rural residential					
3.3	Non-agricultural					
3.4	Agricultural land					
3.5	Aquatic land					
3.6	Garden					
3.7	Forestry land					
3.8	Other (detail)					

PART 4: BUILDING

4.1 MAIN WORK

No.	Work	Total area (m ²)	Affected area (m ²)	Level	Current use	Người BAH có thuê công trình hay không?		How affected?	
						Yes	Monthly price (VND)	Entire	A part
4.1	Level 1								
4.2	Level 2								

Cấp công trình:

1- Level 1 = Villa

2- Level 2

= Reinforced concrete floors, building materials and high-quality equipment

3- Level 3

= Reinforced concrete floors, building materials and average quality equipment

4- Level 4

= Brick walls, wooden frame with tiled roof

5-

Temporary = Bamboo or wooden frame, with thatched roof or tiled roof

Current use:

1- only for living

4- public work (school, etc)

2-

only for business

5- trade

3-

living and business (detail)

6- other

4.2 Minor work: (shop, kitchen, WC, stall, well, fence, tomb...)

No.	Work	Affected land	Notes
-----	------	---------------	-------

		m ²	M	Quantity	
	1	2	3	4	
4.2.1					
4.2.2					
4.2.3					
4.2.4					
4.2.5					
4.2.6					
4.2.7					
4.2.8					

*Building material:

Bamboo

Wood

Brick

(detail)

1-

4- Concrete

2-

5- Metal

3-

6.- Other

PART 5: AFFECTED ANNUAL PLANT AND AQUACULTURAL LAND

	Plant	Affected area (m ²)	Notes
5.1	Rice		
5.2	Other annual plant		
5.3	Vegetable		
5.4	Water surface for aquaculture		
5.5	Other (details):		

PART 6: PERENNIALS, FRUIT AND TIMBER TREES AFFECTED

No.	Plant	Affected area		Notes
		Quantity	M ²	
		2	3	
6.1				Group 1: Fruit trees (coconut, mango, star apple, durian, longan, orange, tangerine, grapefruit,...); Group 2: papaya, bananas and other crops Group 3: Coffee, cashew, pepper, Group 4: Timber trees (eucalyptus, conch, ...) Group 5: Tree magazine, shrubs
6.2				
6.3				
6.4				
6.5				

PART 7: OTHER BUSINESS AND INCOME AFFECTED

No.	Business*	Status of business tax registration		Employee		Everage clear income/month (VND)
		Yes	No	Full time	Part time	
		2	3	4	5	
	1	2	3	4	5	6

7.1						
7.2						
7.3						

*Business:

1- Shop
4- Storage

Retail store

Gas station, garage

Service (haircut...)

Other:.....

2-

5-

3-

6-

PART 8: COMPENSATION OPTION

8.1	<u>Productive land:</u> If your family has affected agricultural land or shrimp/fish pond or other productive land, what type of compensation do you want?	1- Alternative land with same area
		2- Cash
		3- Not decide
8.2	<u>Residential land:</u> Is the remaining land enough to build another work?	1- Yes
		2- No
8.3	If you can't rebuild another work, how do you want to resettle?	1- Self relocated to your other plots
		2- Self relocated to new places
		3- Resettlement areas available
		4- Assigned to the planning area
8.4	Other comments?	1- Yes (in detail):
		2- No

INTERVIEWEE

INTERVIEWER

Appendix 3 –Photos from Field Trip



Tay Thuan Commune



Tay Giang Commune



Tay Thuan Commune



Tay Giang Commune



Tay Thuan Commune



Tay Giang Commune

Appendix 4 – Suggestive Indicators for RAP Monitoring and Evaluation

<i>Hierarchy of resettlement activities</i>	<i>Resettlement process</i>	<i>Indicators</i>	<i>Means of verification</i>	<i>Monitoring Frequency</i>
INPUT	Budget commitment and availability Appointment of social specialist on PMU Training of PMU's social specialist	<ul style="list-style-type: none"> • Timely availability of budget for compensation payment • Is appointment made after project appraisal completes. • Timely availability of budget for compensation payment 	IM, EM	
ACTIVITIES/PROCESS	Additional consultation with PAP	<ul style="list-style-type: none"> • Is additional consultation with PAP carried out during RAP updating exercise? • To which extent the consultation is conducted, covering the following key areas: <ul style="list-style-type: none"> ○ Proposed replacement costs for affected assets; ○ Proposed financial support for affected assets; ○ Proposed livelihood restoration activities are consulted with affected households 	IM, EM	
	Disclosure of final updated RAP	<ul style="list-style-type: none"> • Is <u>updated RAP</u> disclosed locally in at project site and on Bank's website following Bank's No Objection and Binh Dinh PC approval; • Is Project Information Booklet (PIB) delivered to affected households following 	IM, EM	<ul style="list-style-type: none"> • Following appraisal completion; •
OUTPUT	Compensation payment	<ul style="list-style-type: none"> • % of households receiving full compensation package within agreed timeline? • Total compensation and support made vs total amount committed. 	IM, EM	<ul style="list-style-type: none"> • Monthly • Quarterly
	<u>Grievances</u>	<ul style="list-style-type: none"> • Number of grievances lodged (as monitored by PMU) per month • Number of grievances solved per month • Number of grievances submitted at 	IM, EM	<ul style="list-style-type: none"> • Monthly • Quarterly

<i>Hierarchy of resettlement activities</i>	<i>Resettlement process</i>	<i>Indicators</i>	<i>Means of verification</i>	<i>Monitoring Frequency</i>
		PMU/Ward level? • Number of grievances submitted at District level?		
	Resettlement	• Is resettlement sites ready for physical relocation as per approved updated RAP?	IM, EM	• Monthly • Quarterly
	Livelihood Restoration	• Is Livelihood Restoration carried out in accordance with the approved updated RAP – in terms of timeline and number of activities?	IM, EM	• Monthly • Quarterly (following completion of compensation payment)
OUTCOME	Livelihood Restoration Program	• Does Livelihood Restoration achieve the planned objective as indicated in the approved updated RAP? • % of households participating Livelihood Restoration Program confirm their full Livelihood Restoration (to pre-project level) after six months	IM, EM	• Monthly • Quarterly (monitoring started six months upon full completion of a) physical resettlement and b) re-establishment of new businesses in the new location.
	Sustainability of Livelihood Restoration Program	• Confirm if the Livelihood Restoration Program works, indicative of it's a) outcome and b) its sustainability.	IM, EM	• Monthly • Quarterly

Appendix 5 – Sample Minutes of Consultation

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

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

Tên dự án: Dự án “Tăng cường kết nối giao thông khu vực Tây Nguyên”

Thời gian họp: ngày....tháng....năm

Địa chỉ nơi họp:.....Xã Tây Nguyên.....Tây Sơn.....Bình Định.....

1. Thành phần tham dự

1.1. Đại diện UBND xã/thị trấn, đoàn thể và Cộng đồng dân cư

Ông/bà:

Ông/bà:

Ông/bà:

Ông/bà:

Ông/bà:

Ông/bà:

Ông/bà:

Ông/bà:

Ông/bà:

Ông/bà:

1.2. Đại diện Chủ dự án/đơn vị tư vấn lập báo cáo đánh giá tác động môi trường:

Ông/bà:

Ông/bà: Phan Thị Loan.....Trần Văn Nhân.....

2. Nội dung và diễn biến cuộc họp

2.1. Ông/bà:.....- Đại diện UBND xã/phường.....

Đơn vị chủ trì cuộc họp thông báo lý do cuộc họp và thành phần tham dự.

2.2. Ông/bà:..... – Đại diện Chủ dự án trình bày tóm tắt dự án gồm các nội dung của dự án, các tác động tích cực và tiêu cực của dự án đến môi trường, kinh tế, văn hóa và sức khỏe cộng đồng.

2.3. Các ý kiến phát biểu, thảo luận và trao đổi giữa cộng đồng dân cư chịu tác động trực tiếp với chủ dự án, UBND xã/phường về các vấn đề mà chủ dự án đã trình bày tại cuộc họp.

..... 'Đầu tiên từ vấn đề môi trường và chủ đầu tư giải thích về dự án và các ảnh hưởng có thể có'

..... *..... Ý kiến của người dân.....

..... +..... Về rừng đường gây ra nạn sét, rừng đống, đề nghị dự án có biện pháp can thiệp hạn chế ô nhiễm.....

..... +..... Về phóng một bình sẽ có liên quan tới đất ở của nhân dân cần làm rõ diện tích đất ảnh hưởng, phương án đền bù.....

..... +..... Khi thi công qua khu dân cư, nên có những thiết rào và có an ninh đầy đủ.....

..... +..... Người dân cần giải thích rõ hơn về cái chính sách đền bù đất có sổ đỏ và đất lấn chiếm. Từ vấn đề giải thích rõ về cơ chế đền bù.....

..... +..... Các hộ kinh doanh, tiểu thương muốn tiếp tục được đền bù như thế nào. Các hộ này cần được minh định những ảnh hưởng này và làm việc cụ thể với địa phương để được thống nhất với chủ dự án.....

..... +..... Các tác động gây rừng, mất nhà trong quá trình thi công cần được đền bù thỏa đáng. Trong trường hợp đó cái đền bù nên làm việc với nhau để có phương án trả đền bù cụ thể.....

..... +..... Thi công muốn cần đào sâu để tránh ảnh hưởng tới rừng, mất khi dân nếu.....

..... +..... Giá đền bù cần được tăng với giá thị trường, thi công ảnh hưởng cấp quang cần được đền bù thỏa đáng.....

..... +..... Đã có các giải định mặt đất chúng tôi đi đến chỗ đi ở, cần đền bù đất, làm rõ để đi mua đất tại địa phương.....

..... +..... Về an toàn giao thông, các công trình làm đứt đường, không bị dễ tránh gây tai nạn, hoặc có biện pháp cụ thể.....

..... +..... Không làm mất mát những nếp nhà lâu đời.....

+ Bỏ tư sản, tạo thiết bị, tạo điều kiện để người dân mua ra vào.
+ Công nhân khi làm thủ công thì nghỉ bán vì lương, thông tin,
đang ký, không đi công nhân vì phạm nội quy, gây phiền
nhảm cho nhân dân.
+ Có đoàn cần bị ngập lụt.
+ Các đoàn của che tâm như, nhiên ô tô từ nên sát để bị
tư nhân giao thông.

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

3. Người chủ trì cuộc họp tuyên bố kết thúc cuộc họp

ĐẠI DIỆN UBND XÃ/ PHƯỜNG

ĐẠI DIỆN CHỦ DỰ ÁN



**KT. CHỦ TỊCH
PHÓ CHỦ TỊCH**







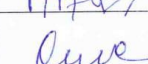
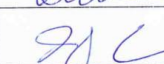

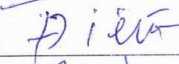



Châu Thị Phương Trang

Phạm Thị Trà

DANH SÁCH THAM DỰ CUỘC HỌP THAM VẤN

Dự án “Tăng cường kết nối giao thông khu vực Tây Nguyên”

(Ngày tháng năm)

TT	Họ và tên	Chức vụ	Chữ ký
02	Bùi Trọng Hùng	HĐ ND	
03	Đoàn Lê Thị Mỹ Tiên	ND xã Tây Giang	
04	Âu Đình Thuận		
05	Ngô Hoàng Xuân Trạ		
06	Võ Đình Bắc		
07	Lê Hồng Hậu		
08	Hồ Thanh		
09	Lê Hồng Đức		
10	Nguyễn Khương		
11	Đặng Vĩnh Bình		
12	Đặng Văn Hữu		
13	Nguyễn Văn Mạnh		
14	Trần Thị Hồng Hạnh		

Appendix 6 – Social Due Diligence of BOT

The National Highway 19 (NH19) has a total length of 247km, starting at the Quy Nhon Port (Quy Nhon City, Binh Dinh Province) and ending at the Le Thanh border gate (Gia Lai Province).

The two BOT sections (Km 17 – 51 and Km 90 – 131) provide rehabilitation for 75 km of the NH19, of which 34 km running through Binh Dinh province and 41 km running through Gia Lai province. The upgraded road has two lanes for motorbikes and two lanes for four-wheel vehicles. The proposed upgraded road would be from 9 to 15m wide with 173 culverts, 2 toll gates and 11 bridges. The BOT project has been completed and in its operation phase. The route passes 12 communes/wards of Binh Dinh and Gia Lai provinces.

The project started on December 12, 2013 as per Decision No. 3796 / QD-BGTVT dated November 21, 2013 approving the project and separating the project site clearance sub-project to the People's Committees of Gia Lai (Dac Po and Mang Yang District) and Binh Dinh (An Nhon and Tay Son District). The official start date of site clearance sub-project is 22/12/2013. Completion of site clearance on 29/04/2015 (The last 4 houses were handover for the project owner in Mang Yang pass). The route that is expected to be implemented by the remaining funds of the BOT project is not known when it will be implemented as the final settlement and re-evaluation of the effect has been awaited by the State Audit for examination as a basis for consideration.

The NH19 route under the BOT project runs mainly through agriculture land, forestry land, residential land, road surface and abandon land. Population density is at moderate level and people's main jobs are associated with agriculture and small trading. There are some physical and Spiritual Cultures (PCRs) along the route such as Huynh Kim Church (at Km16+800, Nhon Hoa ward), Khuat Tam Church (at Km23+700 of Nhon Tho commune), Dieu Quang Pagoda (at Km23+800 in Nhon Tho commune), and Châu Khê Parish (at Km130+600).

The Project permanent acquired about 8.2 ha of land including 5.5 ha of agriculture land (garden, cash crop land), 1.4 ha of residential land; 1.2 ha of forest land and 0.6 ha of other land (road side land and abandon land). The project adversely impacted 2,403 households of which 88 households were to be relocated. To manage the potential impacts in the pre-construction stage, the BOT project has prepared a resettlement plan as per the Vietnamese regulations. The total amount for compensation, support and resettlement is VND 34098942711. Although land compensation has been largely disbursed, houses are yet to be relocated as resettlement area has not been finalized yet. Some households could not be paid due to dispute among the family members.

The land Details:

Road Section on the two BOT:

- An Nhon town:

For land acquisition:

Total area: 30,594.86m².

In which:

+ Residential land: 9,385.06m² (*Nhon Hòa ward: 4,366.08m²; Nhon Thọ commune: 3,194.96m² and Nhon Tân commune: 1,823.52m²*).

+ Garden land: 13,397.30m² (Nhơn Hòa ward: 5,847.01m²; Nhơn Thọ commune: 4,550.54m² and Nhơn Tân commune: 2,999.75m²).

+ Rice crop land: 1,532.50m² (Nhơn Hòa ward: 710m²; Nhơn Tân commune: 822.5m²).

+ Other annual crop land: 22.3m² in Nhơn Tân commune.

+ Other land...: 6,527.70m² (Nhơn Hòa ward: 5,985.7m²; Nhơn Tân commune: 272m²).

For compensation, support and resettlement:

a) Total amount of compensation, clearance support approved for 107 plans: VND 58,685,077,777 to pay for 1,112 households, individual and organizations.

In which:

- In Nhơn Hòa ward: Approved 61 plans with total amount of 29,940,555,903 to pay for 503 households, individual and organizations;
- In Nhơn Thọ commune: Approved 29 plans with total amount of 19,027,400,547 dong to pay for 365 households, individual and organizations;
- In Nhơn Tân commune: Approved 17 plans with total amount of 9,717,121,327 dong to pay for 244 households, individual and organizations;

Difficulties:

For site clearance, 85 households and individuals in An Nhơn communes have land acquired, eligible to be relocated. However, the source for building resettlement area is not assured, so the resettlement arrangements have not been implemented yet. In details:

- In Nhơn Hòa ward: 33 households, in which 03 households need relocated.
- In Nhơn Thọ commune: 33 households lost at least 40m², eligible for allocation of land with fees.
- In Nhơn Tân commune: 19 households lost at least 40m², eligible for allocation of land with fees.

Besides, because the demand of resettlement is urgent, especially the household lost all land, the People's Committee of An Nhơn commune approved the detailed plan for construction with 1/500 scale and compensation plan, supporting land clearance for affected households with total amount of VND 2,582,880,322 and 21,255.30m². But the fund for these activities is not enough to implement.

- Tây Sơn district, Bình Định:

+ Route length: from Km30+200 to Km50 (19.8km)

Site clearance area: 50,424 m²

In which:

Residential land: 4,936.865 m²

Garden land: 17,707.125 m²

Rice crop: 3,934.1 m²

Other planting land: 12,066.4 m²

Forest land: 11,779.5 m²

+ The People's Committees approved 21 compensation plans, supporting 1,291 affected households and organizations = 31,516,062,389 đ

The social impacts are managed through the following measures: Register with local authorities about temporary residency for the workers, minimizing the disturbed areas, not using land outside the boundary of the construction site without the agreement from the community and local authority, having in place the workers' code of conduct such as prohibition of gambling, drinking, drug abuse, fighting or any activities that may affect local security; and providing training on HIV/AIDS.

Other potential environmental and social impacts during the road's operational phase are considered, including: i) Dust and exhaust gases, ii) noise and vibration, iii) river bed erosion due to new bridge pier installation, iii) traffic safety issues. To mitigate these impacts, the measures proposed include placing speed limit warning signs, regular maintenance of road surface, tree planting as segregation line, upgrading road surface, reducing friction with asphalt layering, periodic road washing, collecting waste on the road maintenance of drainage system, interceptor, filter tanks to ensure the water drainage capacity.

Action Plan for outstanding issues:

Following are the actions to be taken to address outstanding issues in BOT sections:

Un-disbursed Compensation: The un-disbursed compensation has already been transferred to an account managed by local authority. The land owners can withdraw the amount once the ownership dispute is resolved. The interest rate as per regulation will be applicable.

Resettlement Sites: Since no resettlement area in the BOT section was available, government offered self-relocation which was accepted by all displaced households.

Monitoring: During implementation support mission, Bank staff will ensure that all displaced households have been paid assistance for self-relocation.