

SFG2529 V3 REV

## **RESETTLEMENT PLAN**

**COASTAL CITIES SUSTAINABLE ENVIRONMENT PROJECT  
QUY NHON SUB-PROJECT, BINH DINH PROVINCE**

**NOVEMBER, 2016**

**PEOPLE’S COMMITTEE OF BINH DINH PROVINCE  
BINH DINH CIVIL AND INDUSTRIAL WORKS CONSTRUCTION INVESTMENT  
PROJECT MANAGEMENT UNIT**

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**CONSULTANTS**

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## ABBREVIATIONS

AH(s)	Affected Household(s)
PAP(s)	Project Affected Person(s)
DP(s)	Displaced Person(s)
CRC	Compensation and Resettlement Committee
CPC	Commune Peoples' Committee
CCESP	Coastal Cities Environment and Sanitation Project
CCSEP	Coastal Cities Sustainable Environment Project
DPC	District People's Committee
DMS	Detailed Measurement Survey
DOLISA	Department of Labor, invalid and Social Assistance
IMA	Independent Monitoring Agency
GoV	Government of Viet Nam
HH(s)	Household(s)
IOL	Inventory of Losses
IDA	International Development Bank of the World Bank
LURC	Land Use Rights Certificate
MOLISA	Ministry of Labor, Invalids and Social Assistance
PC(s)	Peoples' Committee(s)
PMU(s)	The Project Management Unit(s)
PPC	Provincial People's Committee
RPF	Resettlement Policy Framework
RAP(s)	Resettlement Plan
RCS	Replacement Costs Survey
WB	World Bank
USD	US Dollar
VND	Vietnamese Dong
WWTP	Waste Water Treatment Plant

## GLOSSARY

Project Impact	Any consequences directly relates to the taking of land or to restrictions in the use of legally designated parks or protected areas. People directly affected by land acquisition may lose their house, farmland, property, business or other means of livelihood. In other words, they lose their ownership, occupancy, or use rights, because of land acquisition or restriction of access
Affected Persons	Individuals, households, organizations or businesses are directly affected in social and economic terms by the involuntary taking of land and other assets under the scope of WB-funded project, that results in (i) relocation or loss of shelter, (ii) loss of assets or access to assets; or (iii) loss of income sources or means of livelihood, whether or not the affected people must move to another location. In addition, affected person is the one whose livelihoods are impacted adversely because of involuntary restriction of access to legally designated parks and protected areas.
Cut-of-date	Is the date when the Provincial PC issues the Notification of Land Acquisition before implementation of detailed measurement survey (Article 67.1 of Land Law 2013). Affected persons and local communities will be informed of the cut-off-date for each project's component, and that anyone moving in the project component areas after that date will not be entitled to compensation and assistance under the Project.
Eligibility	The criteria to receive compensation or assistance under the resettlement program.
Replacement cost	Is the term used to determine the amount sufficient to replace lost assets and cover transaction costs. For losses that cannot easily be valued or compensated for in monetary terms (e.g. access to public services, customers, and suppliers; or to fishing, grazing, or forest...), attempts are made to establish access to equivalent and culturally acceptable sources and earning opportunities.
Resettlement	In accordance with the World Bank's Operation Policy on Involuntary Resettlement (OP 4.12), it covers the involuntary taking of land that results in (i) relocation or loss of shelter, (ii) loss of assets or access to assets; or (iii) loss of income sources or means of livelihood, whether or not the affected persons must move to another location.
Entitlements	: Is the right to receive compensation and assistance for affected persons based on the type and extent of damage

Inventory of Losses		: Is process of accounting for physical assets and income affected by taking of land under project
Vulnerable groups		Special groups of people who might suffer disproportionate impacts or face the risk of being further marginalized by the effects of resettlement, include: (i) women headed household (single, widow, disabled husband) with dependents, (ii) disabled (loss of working ability), the elderly alone, (iii) poor people according to the criteria issued by the MOLISA, (iv) the landless, and (v) ethnic minority people.
Livelihood		: A set of economic activities and earning income, involving self-employment, or wage employment by using one's endowments (both human or material) to generate adequate resources for meeting the requirements of the self and household on a sustainable basis.
Income restoration	(livelihood)	: A set of activities to support affected persons who lost productive land, income, jobs or means of livelihoods. These activities are added in compensation account for land acquisition to fully restore life standard and quality, as equal as or better than pre-project level.
Severely Displaced Person		Means affected persons (i) lose 20% (10% for vulnerable and poor households) or more of their total productive land and assets, and/or more of their total income sources due to the implementation of project; and/or (ii) have to relocate or moving houses on the rest of residential land.
Stakeholders		Any and all individuals, organizations and institutions are interested in and potentially affected by project, or have ability to influence project.



## **SUMMARY**

### **Project Introduction**

1. The WB-funded Coastal Cities Sustainable Environment Project is proposed by the Vietnamese Government to be implemented in four coastal cities including Dong Hoi City of Quang Binh Province, Nha Trang City of Khanh Hoa Province, Quy Nhon City of Binh Dinh Province, and Phan Rang – Thap Cham City of Ninh Thuan Province. Quy Nhon City Sub-Project (the Sub-Project) shall focus on stormwater drainage and wastewater collection and sewerage in Quy Nhon inner-city areas, including the wards of Dong Da, Thi Nai, Quang Trung, Ghenh Rang, Ngo May, Nguyen Van Cu, Tran Hung Dao, Le Hong Phong, Ly Thuong Kiet, Tran Phu, Le Loi and Hai Cang; Expansion of the existing Nhon Binh wastewater treatment plant (WWTP) with a capacity from 14,000 m<sup>3</sup>/day to 28,000 m<sup>3</sup>/day; Expansion of the existing Long My sanitary landfill with capacity from 0.92 million m<sup>3</sup> to 2.7 million m<sup>3</sup>, the rehabilitation the existing leachate treatment plant with a capacity of 200 m<sup>3</sup>/day; and the construction of school sanitation blocks for 12 chosen schools in the City. The project includes four components:

- Component 1 – Sanitation infrastructure expansion
- Component 2 –Urban connectivity improvement
- Component 3 – Resettlement and site clearance
- Component 4 – Technical assistance and institutional reform

2. This Resettlement Plan (RP) has been prepared for Quy Nhon Sub-Project, comply with WB's guidance (World Bank's Operational Policy OP 4.12), Vietnamese's regulations and laws and the Resettlement Policy Framework agreed by the WB and GoV under the Decision No. 1078/TTg-QHQT dated 22 June 2016. The RP will guide in detail activities related to compensation and land acquisition during the implementation of the Sub-Project items.

### **Scope of land requisition**

3. The Sub-Project of the proposed CCSEP is expected to create impacts from land acquisition for six (6) households in Thanh Long hamlet of Phuoc My commune, Quy Nhon City for the expansion of the existing site of Long My sanitary landfill under Component 1 and for one (1) households in the construction site of Y-bridge. The total land area to be permanently acquired would be 196,937 m<sup>2</sup>, including 273.1 m<sup>2</sup> residential land, 100.43 m<sup>3</sup> garden land and 196,937 m<sup>2</sup> forestry land. The total number of affected households would be 7 HHs equating with 41 PAPs, of which one HH (with four families) in the proposed construction site of Y-bridge will have their residential land and garden land impacted, only to dismantle their entire houses to be relocated and resettled and 6 others living in the proposed expansion area of Long My Landfill Site will only have their forestry land impacted, but they are to be severely affected and one of whom to be of vulnerable group. Additionally, the construction of Huynh Tan Phat bridges under Component 2 of the Sub-Project would be implemented on land sites which have been cleared by other projects, including: (i)the project of building the infrastructure of residential area B on Key 1 in northern Ha Thanh river, and (ii) the resettlement plan for the construction of the commercial urban area to the north of Ha Thanh river in Quy Nhon City.

4. The Sub-Project shall temporarily acquire about 13,760 m<sup>2</sup> of land along the stormwater and wastewater collection pipelines in the wards of Dong Da, Tran Hung Dao, Le Hong Phong and Quang Trung. Temporarily acquired land areas are sidewalks, roads, public land, etc. which

will serve construction operation and material gathering. There would be some 115 HHs with their business activities and trade to be affected from project construction activities.

### **Legal framework and compensation policy**

5. The compensation policy in Quy Nhon Sub-Project will comply with the World Bank's Operational Policy on Involuntary Resettlement (OP/BP 4.12), as well as the laws and regulations of Vietnamese government and the Resettlement Policy Framework (RPF) which are approved in Decision No. 1078/TTg-QHQT dated 22/6/2016 by the Prime Minister and the WB's Letter of Non-Objection.

6. The principle applicable to the preparation of the RP is chiefly based on sufficient support to be granted to displaced persons (DPs) so that they could better their living standards, incomes and productivity or at least enjoy equivalent conditions in comparison with those prior to project implementation. All Project affected people (PAP) residing within the area of Project land areas before the cut-off date will receive compensation and/or support to make up for the losses and to facilitate economic recovery. A lack of legal bases on land use will not prevent affected households from the right to compensation and/or support for economic recovery. Lost properties will be compensated on the basis of replacement cost.

### **Implementation arrangements**

7. Compensation, support and resettlement are directly implemented by Binh Dinh Site Clearance Board or by Quy Nhon Compensation, Support & Resettlement Committee. During the implementation process, these units are to work closely with related agencies, ward/commune authorities and communities in the Project areas to ensure timely and transparent compensation-land acquisition in accordance with the approved RP.

### **Community consultation and participation**

8. The Project RP was prepared in close cooperation with local authorities, local community representatives and PAP. Ward/commune authorities and representatives of AHs were consulted and surveyed through different means and information channels including community meetings and consultation sessions, and questionnaires for all households in the Project affected areas. The information collected during consultation serves as a significant basis for devising the Project RP including plans of compensation and support, and income restoration.

### **Complaints and grievance redress mechanism**

9. The Aps can raise their complaints and grievance to the authority for timely redress. The complaints redress method and procedure are complied with the current law on complaint No. 02/2011/QH13 issued on 11 November 2011. Complaining must be proceed through 3 levels before being brought to the court for the final adjudication as regulated in the RPF. The complaints redress mechanism and procedures are: (i) the first level: at people's committee of the commune; (ii) the second level: at people's committee of district; (iii) the third level: at PPC and (iv) the final level: at court. The information on the grievance redress mechanism will be fully disseminated to DPs with appropriate measures. The local authorities at levels and PMU will redress the AP's complaints equally and timely. The Aps will not have to pay any administrative and legal fee and charge for the whole complaints redress process.

### **Monitoring and evaluation**

10. Detailed implementation of the RP will be monitored and evaluated internally. In addition, an independent monitoring unit will need to be employed by the Project Management Unit to

carry out independent monitoring and evaluation of the implementation of the RP. Frequent monitoring will help timely pinpoint and address problems and difficulties arising out of the implementation process. However, as the scope of land acquisition and the number of AHs in Quy Nhon Sub-Project are not very large, resettlement monitoring will be combined with environment monitoring and implemented by only 01 consultant, namely the Independent social-environmental monitoring consultant.

### **Implementation plan**

11. The RP will be carried out in close connection with the construction of the project work items. Site clearance is to be completed before the contractor could receive the site for construction.

### **Cost estimation.**

12. The estimated costs for the RP implementation of the Sub-Project is about VND **13,860,231,000** (equivalent to USD **620,839** at the exchange rate of VND 22,235 = USD). The estimated costs for site clearance and resettlement in this report are calculated on the basis of on Binh Dinh PPC's regulations and Project policies.. These estimates do not include training costs, which are accounted for in the investment of Component 4 of this Sub-Project. The estimates will be updated at the time of land acquisition, with the unit price for compensation for land, plants and crops set at market prices. Compensation, resettlement and assistance for the Sub-Projects will be funded by the Project counterpart budget. Training costs for RP implementation and monitoring resettlement will come from IDA funds.

### **Budget:**

13. Compensation, resettlement and assistance for the Sub-Projects will be funded by the Project counterpart budget. Training costs for RP implementation and monitoring resettlement will come from IDA funds.

## **1. PROJECT DESCRIPTION**

### **1.1. Background**

14. Vietnam has made remarkable progress in economic growth and poverty in recent years, and has recently graduated to lower middle income country status. Over the last two decades, the country has recorded among the highest growth rates in the world, which in turn enabled poverty reduction at record pace. GDP growth, however, fell from an average rate of 7.3 percent during 2000-2007 to 5.8 percent during 2008-2012. Growth has subsequently recovered to around 6.0 percent in 2014, an estimated 6.7 percent in 2015, and a forecast 6.0% in 2016. The external sector has held up well despite the global situation, but domestic demand remains weak on account of subdued private sector confidence, overleveraged SOE and (undercapitalized) banking sectors, and shrinking fiscal space. The slowing of the growth rate has had limited impact in large cities which continue to attract domestic and foreign investment. An integral part of Vietnam's transition from low-middle income to advanced status has been its transition from a largely rural to urban economy. The country's economic progress has coincided with rapid urbanization, with Vietnam sustaining a 3 percent annual urban population growth rate from 1999 to 2011. The urban population is currently 35 percent of the total population and is expected to reach 40 percent by 2020. This growth has contributed to the significant challenges in service delivery and infrastructure in the cities, in general, and specifically, for sanitation management (wastewater, drainage and solid waste).

15. The proposed Coastal Cities Sustainable Environment Project (CCSEP) will build on the success of the Coastal Cities Environmental Sanitation Project (CCESP) (P082295/P122940) which had the PDO: to improve the environmental sanitation in the project cities (Dong Hoi, Nha Trang and Quy Nhon) in a sustainable manner and thereby enhancing the quality of life for city residents. The CCESP was implemented from June, 2007 to November 30th, 2014. The design indicators of the CCESP were achieved and the following results were realized in the project areas: i) flooding decreased significantly and no wastewater was discharged onto beaches and into canals; ii) lakes, canals and rivers were upgraded; (iii) public toilets and toilets at schools have been properly operated and maintained; and; iv) capacity of the PMUs and relevant authorities was strengthened. With the gradual increase of wastewater and solid waste tariffs cost recovery and project sustainability were improved.

16. This Project will be implemented over a period of five years and will finance priority investments in the four participating project cities (Dong Hoi, Nha Trang, Phang Rang-Thap Cham, and Quy Nhon). The Project will consist of the following four components with a total estimated project cost of US\$273 million. This will be financed through (i) an International Bank for Reconstruction and Development (IBRD) loan of US\$46 million, (ii) an International Development Association credit of US\$190 million, and (iii) counterpart resources of US\$37 million from the government of Vietnam central budget, Binh Dinh Province, Quang Binh Province, Khanh Hoa Province, and Ninh Thuan Province.

17. The Project development objective is to increase access to sanitation services and enhance flood protection in selected areas, and strengthen the operational performance of sanitation utilities in selected cities. The Project comprises 4 components:

- **Component 1: Sanitation Infrastructure Expansion (US\$186.0 million).** This component will contribute to PDO achievement in increasing access to sanitation services and enhance flood protection in select areas.
- **Component 2: Urban Connectivity Improvement (US\$46.0 million).** This includes priority roads and bridges along canals, drains and rivers to support urban development - over 7km of strategic roads and four bridges.
- **Component 3: Compensation and Site Clearance (US\$4.0 million).** This component will provide funding for compensation, site clearance and resettlement site works. The Bank's funding will only be used for the construction of technical infrastructure (roads, utilities etc) for the resettlement area in Phan Rang-Thap Cham.
- **Component 4: Implementation Support and Utilities Reform (US\$13.0 million - all counterpart funding).** This component will contribute to PDO achievement (strengthen the operational performance of sanitation utilities in select cities) through a capacity strengthening program for the PMUs and relevant agencies, and reform activities related to implementation of Decree 80 (institutional reorganization, household connection policy, service contracts and private sector participation, tariffs/cost recovery

18. The CCSEP – Quy Nhon Sub-Project is a natural continuation of the Coastal Cities Environmental Sanitation Project (CCESP) – Quy Nhon Sub-Project funded by the WB. The CCSEP –Quy Nhon Sub-Project (hereafter “Sub-Project”) shall continue to address stormwater drainage, wastewater collection and treatment issues for the City’s central wards (Dong Da, Thi Nai, Quang Trung, Ghenh Rang, Ngo May, Nguyen Van Cu, Tran Hung Dao, Le Hong Phong, Ly Thuong Kiet, Tran Phu, Le Loi, and Hai Cang); expand Nhon Binh WWTP ’ capacity from of 14,000 m<sup>3</sup>/day to 28,000 m<sup>3</sup>/day; expand the sanitary solid waste landfill and rehabilitate the leachate treatment plant with a total capacity of 200 m<sup>3</sup>/day; construct or rehabilitate 12 sanitation blocks of selected schools; implement programs of communication, technical assistance and enhancement of the capacity of the Client and relevant agencies during the course of Project implementation. The total project cost for Quy Nhon City Sub-project is estimated at US\$ 55.30 million, including US\$ 50.36 million of ODA loan and US\$ 4.94 million of counterpart funding.

## 1.2. Sub-project objectives

19. The specific objectives of the subproject are: (i) Renovate stormwater drainage system of the city centre for flood control; (ii) Improve environmental sanitation conditions by constructing and development of wastewater collection system, enhancing connections from household septic tanks to the sewerage system; (iii) Solve environmental pollution caused by wastewater via expanded construction of WWTPs; (iv) Build waste collection and transportation capacity; (v) Minimize environmental pollution caused by solid waste by constructing sanitary solid waste landfill; (vi) Build capacity by providing with tools and equipment for the management of the sewerage system and WWTP, improving solid waste management capability, training operational staff to maintain and operate constructions effectively while consolidating

organizational structure; (vii) Contribute to the completion and development of urban infrastructure and landscape in order to meet development needs of the city during 2010 - 2020; (viii) Raise public awareness on environmental protection

### 1.3. Project components

20. The Sub-Project is proposed with 4 components consisting of many investment items as presented in the table below:

**Table 1. Summary of the Project's proposed investment items**

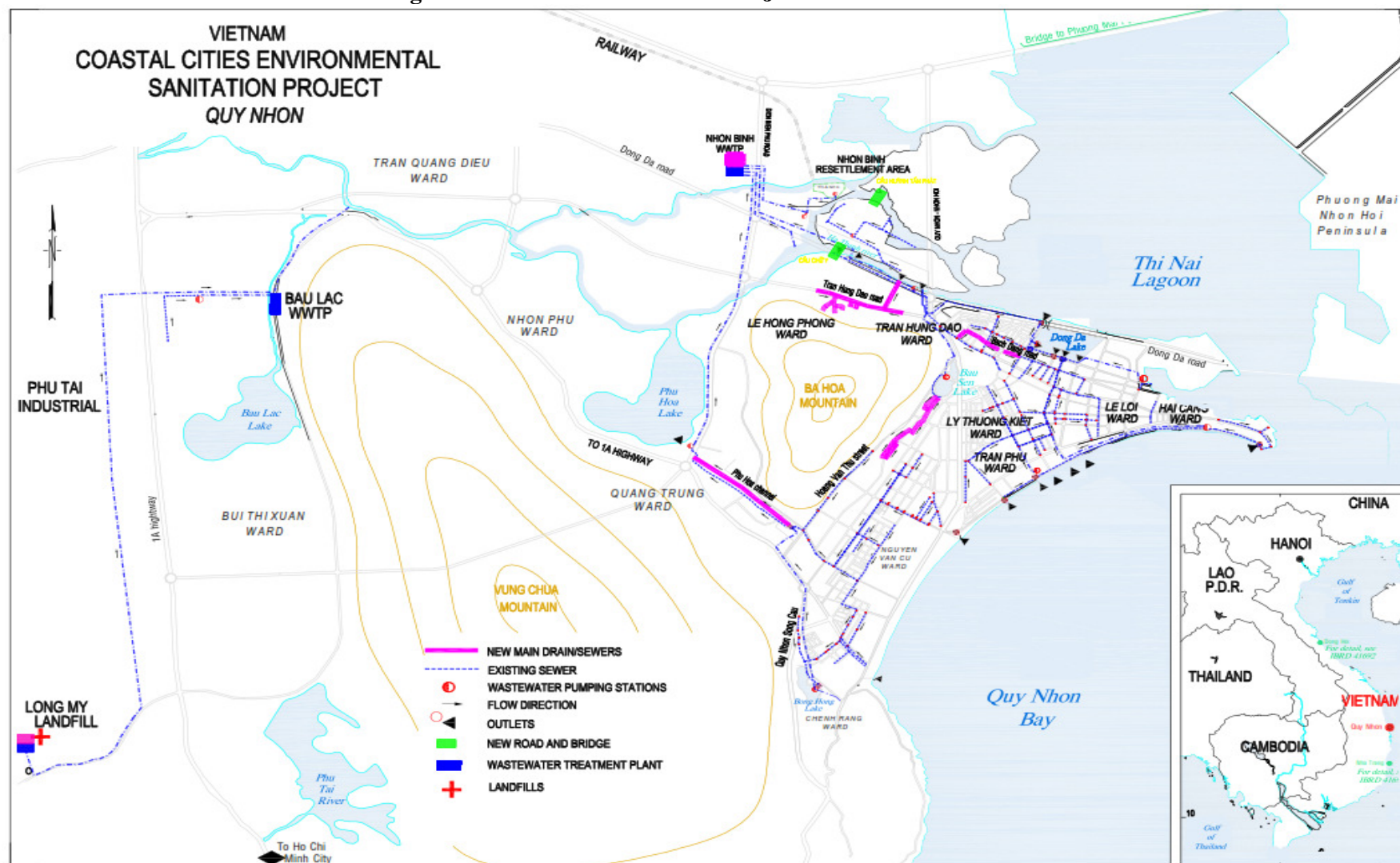
No.	Item	Description
<b>1</b>	<b>Component 1: Sanitation infrastructure</b>	
1.1	Storm-water:	<p><i>a/ Phu Hoa Canal:</i></p> <p>Proposal: Construction of double box culvert line (BxH=2x3000x1800mm) from Tran Van Ky Street to Tran Quang Khanh Street of 430m long, and box culvert line (2x3.0x2.2m) from Tran Quang Khanh Street to Dien Bien Phu Street of 763m long;</p> <p><i>b/ Upstream canal of Bau Sen Lake:</i></p> <p>From the slab-covered ditch on Vo Van Dung Street to Bau Sen Lake CSO, consisting of:</p> <ul style="list-style-type: none"> <li>+ Section 1: From Marker N1.1 to Marker N1.2 (Tran Van Ky Street) – N1.5 (Pham Ngu Lao Street) – N1.6 –Bau Sen Lake CSO: culvert dimensions: B=1000 – 1400, 800m long;</li> <li>+ Section 2: From Marker N2.1 to Marker N1.2 (Tran Van Ky Street): B1500, 40m long;</li> <li>+ Section 3: From Marker N1.6 (Branch 1)-Marker N1.7 – Regulation tank: B = 1400, 236m long.</li> </ul> <p><i>c/ Tran Hung Dao Street:</i></p> <p>To get rid of flooding risks in Hoc Ba Bep area, the Consultant's proposal for the supplementary phase of the Project is as follows:</p> <ul style="list-style-type: none"> <li>+ Section 1 (D1- D2): Round sewers D1200mm, L=261,5m from Alley 1149 THD (D1) to Phong Lan Pre-School (D2); Constructing 2 road-crossing points connected to existing sewer lines: 1) 800mm sewers of L=55m connected to D800mm sewers on Thap Doi Street; 2) D1000mm sewers of L=44.5m connected to sewers on Dang Xuan Phong Street;</li> <li>+ Section 2 (D2- D3): Round sewers ò D 1500mm, L=182m from Phong Lan Pre-School (D2) to Alley 1037 THD (D3);</li> <li>+ Section3 (D3- D5): Box culvert 2000 x 1600, of L = 184.0 m from Alley 1037 THD (D3)to Tran Quoc Toan intersection (D5);</li> <li>+ Section 4 (D4- D5): Round sewers of D1500mm, L = 241m from existing manhole (D4) to Tran Quoc Toan intersection (D5);</li> <li>+ Section5 (D5- D6): Box culvert of 3000x1600mm, L = 368m from Tran Quoc Toan – Tran Hung Dao intersection (D5) to discharge gate into Ha Thanh River on Hoa Lu – Tran Quoc Toan Street (D6);</li> </ul>

No.	Item	Description
		<p>- For Hoc Ba Bep area, the Consultant proposes the construction of the following box culvert lines:</p> <p>BxH=800x1000, 144m long;</p> <p>BXH=1000x1200, 30m long;</p> <p>BXH=1000 x1200, 25m long;</p> <p>BXH=800x1000, 122m long; and</p> <p>BXH=600x1000, 459m long.</p> <p><b><i>d/ Proposal for Bach Dang Street: construction of D600 sewer line on Bach Dang Road, consisting of 3 sections:</i></b></p> <ul style="list-style-type: none"> <li>+ Section 1: From Doan Thi Diem – Tran Hung Dao T-junction to Pham Hong Thai Street: 600x600 box culverts connected to D800 sewer line constructed in Phase 2 on Pham Hong Thai Street;</li> <li>+ Section 2: From Y Lan - Bach Dang intersection to Pham Hong Thai – Bach Dang intersection: D600mm SRC round sewers;</li> <li>+ Section 3: From Y Lan – Bach Dang intersection to Phan Dinh Phung – Bach Dang intersection: D800mm SRC sewers connected to D800 sewer line constructed in Phase 2 on Phan Dinh Phung Street.</li> </ul>
1.2	Wastewater collection	To construct tertiary sewerage network in alleys without sewerage or with too old sewerage system network, and implement connection of HHs along the roads with existing sewer lines without connections; estimated total length of the construction of PVC tertiary line (BxH=600x400 and D250-300) in the city's central area and Tran Quang Dieu Ward- is about 28,854m.
1.3	Wastewater treatment plant	Nhon Binh WWTP (WWTP 1B+1C): construction of 01 complete unit with capacity of 14,000m <sup>3</sup> /day.
1.4	School sanitation program	Proposal: construction of 12 sanitation blocks for the remaining primary and secondary schools in Quy Nhon City, providing pupils and students with good sanitation conditions
1.5	Long My landfill expansion	Constructing an additional waste burial square and procuring a number of equipment items to meet demands of proper collection and transportation of solid waste to the landfill
1.6	Supervision and project assistance consultancy for items under Component 1	Providing supervision and project assistance consultancy, via international consultancy packages for construction supervision and independent consultancy on social safeguards – resettlement, environmental safeguard supervision, independent financial auditing, and independent project assistance consultancy for need-to-do tasks in compliance with WB's regulations
<b>2</b>	<b>Component 2 – Environmental infrastructure improvement</b>	
2.1	Chu Y bridge	<p>Construction of Chu Y bridge (connecting Thap Doi Street with Key 1B residential area) consisting of approach roads and the bridge:</p> <p>- Approach roads: urban internal road standard (TCXDVN104-2007), of length L=30m connecting into Huynh Tan Phat Street: cross-section <math>B_n = 0.5 + 14.0 + 0.5 = 15.0\text{m}</math>;</p>

No.	Item	Description
		- Bridge: design load HL93, of width $B = 0.5 + 14.0 + 0.5 = 15\text{m}$ (sidewalks of same elevation as bridge surface of 2.5m wide each); 4 spans of 20m long each; total bridge length $L = 90.25$
2.2	Huynh Tan Phat Bridge	<p>Connecting residential area of Key 1B in the north of Ha Thanh river with the resettlement area serving the project of developing an urban commercial area in the north of Ha Thanh river, consisting of approach roads and the bridge:</p> <p>- Approach roads: urban internal road standard (TCXDVN104-2007), of length <math>L=89.7\text{m}</math>; <math>B_n = 0.5 + 14.0 + 0.5 = 15.0\text{m}</math>;</p> <p>- Bridge: design load HL93, of width <math>B = 0.5 + 14.0 + 0.5 = 15\text{m}</math> (sidewalks of the same elevation as bridge surface of 2.5m wide each); 5 spans of 20m long each; total bridge length <math>L = 110.3\text{m}</math></p>
2.3	Supervision and project assistance consultancy for Component 2's items	Supervision and project assistance consultancy services for Component 2's items
<b>3</b>	<b>Component 3: Resettlement and site clearance</b>	
	Compensation to and displacement of HHs affected by the Project; site clearance serving the Project and assurance of people's livelihood	
<b>4</b>	<b>Component 4 – Technical assistance and institutional enhancement</b>	
	<p>Providing technical assistance for Client and relevant management agencies via independent consultants, seminars, experience learning activities, and periodical summary meetings during implementation course, and developing management processes; assisting sector institutional enhancement to enhance operational efficiency and ensure the Project's sustainability, and sharing experience with other localities about management of ODA projects in the fields of drainage and environmental sanitation;</p> <p>Also including Client's project management tasks as well as implementation control activities in compliance with GoV's regulations, and community communication programs to provide information and raise environmental protection awareness of residents in Project area.</p>	



Figure 1. OVERALL MAP OF PROJECT INVESTMENT ITEMS



**A-1**  
70275 m²  
Ôn định tập thể nông thôn

**A-2**  
62223 m²  
Ôn định tập thể nông thôn

**A-3**  
55086 m²  
Ôn định tập thể nông thôn

**A-4**  
95237 m²  
Ôn định tập thể nông thôn

**A-5.1**  
24448 m²  
Ôn định tập thể nông thôn

**A-5.2**  
41806 m²  
Ôn định tập thể nông thôn

**A-6**  
60558 m²  
Ôn định tập thể nông thôn

**Trường Tiểu học**

**Chợ**

**Sông Gian Trác**

**Quốc lộ 14**

## 2. POTENTIAL RESETTLEMENT IMPACTS

### 2.1. Sub-project components generating impacts from resettlement

21. According to the contents of Sub-Project presented above, there are two (2) sub-project components here below whose impacts result in taking land from HHs for the project's civil works:

Component 1 – Sanitation Infrastructure: Expansion of Long My Landfill;

Component 2 – Urban Connectivity Improvement: Construction of Chu Y-bridge.

The table below describes screened land acquisition impacts attributed to project investments

**Table 2. Screened land acquisition impacts attributed to project investments**

No.	Investment components	Permanent land acquisition	
		Yes	No
<b>1</b>	<b>Component 1: Sanitation Infrastructure Expansion</b>		
1.1	<i>Drainage</i>		
a	Rehabilitation of Phu Hoa channel (1,193 m in length)		✓
b	Rehabilitation of channel upstream of Bau Sen Lake(1,076m)		✓
c	Construction of drains in Tran Hung Dao road (1,336 m) and in Hoc Ba Bep area (780 m)		✓
d	Construction of drains in Bach Dang road		✓
1.2	<i>Wastewater collection</i>		
	Construction of tertiary sewers in the city core urban areas and in Tran Quang Dieu ward with a total length of about 28,854m		✓
1.3	<i>WWTP</i>		1✓
	Expansion of Nhon Binh WWTP's capacity		
1.4	<i>School sanitation program</i>		✓
1.5	<i>Expansion of Long My Landfill Site</i>	✓	
1.6	<i>Design, supervision and project support for Comp. 1</i>		✓
<b>2</b>	<b>Component 2: Urban Connectivity Improvement</b>		
2.1	<i>Construction of Chu Y-bridge</i>	2✓	
2.2	<i>Construction of Huynh Tan Phat bridge</i>		3✓
2.3	<i>Design, supervision and project support for Comp. 1</i>		
<b>3</b>	<b>Component 3: Resettlement and Site Clearance</b>		
<b>4</b>	<b>Component 4: Technical Assistance and Institutional Reform</b>		

<sup>1</sup> The land area for this work item is inside the boundary of WWTP (CEPT) and was taken in Phase 1 of CCESP – Quy Nhon Sub-project. Due diligence assessment is referred to in Section 2.2

<sup>2</sup> The land area south of Y-bridge will be cleared by Quy Nhon Sub-project under CCSEP while the land area north of Y-bridge has been cleared by the project for Residential Area B, Island 1 north of Ha Thanh River. Assessment of due diligence to social safeguards is referred to in Section 2.3.

<sup>3</sup> The land area for the works of Huynh Tan Phat bridge is cleared by the resettlement project to serve the construction of a trade urban area north of Ha Thanh River and the construction of Residential Area B, Island 1 north of Ha Thanh River, Assessment of due diligence to social safeguards is referred to in Section 2.3.

22. From the survey carried out between 18 February 2016 and 20 May 2016 in the Project area, the scope of land acquisition can be summarized as follows:

### 2.1.1. Impacts from permanent land acquisition

23. The total land area to be permanently acquired would be 196,937 m<sup>2</sup>, including 172,67 m<sup>2</sup> residential land, 100.43 m<sup>3</sup> garden land and 196,937 m<sup>2</sup> forestry land. The total number of affected households would be 7 HHs equating with 41 PAPs, of which one HH (with four families) in the proposed construction site of Y-bridge will have their residential land and garden land impacted, only to dismantle their entire houses to be relocated and resettled and 6 others living in the proposed expansion area of Long My Landfill Site will only have their forestry land impacted, but they are to be severely affected and one of whom to be of vulnerable group, specifically as follows:

**Component 1: Sanitation Infrastructure Expansion:** As designed, the Project will expand Long My Landfill on an additional area of A4 land plot as planned for Long My Landfill site. However, the Project will acquire the land of both A4 and A5 land plots as per planning, and the remaining land area of affected lots will not be sufficient for cultivation. Therefore, A4 lot will be used for construction under this Project, while the land of A5 lot will be acquired and used as a coverage reserve when construction is executed in A4 lot. The total land area to be acquired is about 196,937m<sup>2</sup> of forestry land with a total of 6 households affected. None of them is with affected residential land, housing, or architectural works which must be relocated.

**Table 3. Summary of impacts from land acquisition by the Comp. 1**

No.	Item	Affected area (m <sup>2</sup> )	Affected land (m <sup>2</sup> )	Affected plants (m <sup>2</sup> )	Total number of PAHs	of which:	
			Forestry land	Acacia, eucalyptus and <i>hopea odorata</i> trees		Slightly affected HHs	Severely affected HHs
Comp. 1							
	Expansion of Long My landfill	196,937	196,937	196,937	6	0	6
Total		196.937	196,937	196,937	6	0	6

**Component 2: Urban Connectivity Improvement:** For the works of Chu Y-bridge, the sub-project will acquire land in the southern area of Chu Y-bridge for construction of the bridge and intersections to the south.

- ° Total area to be acquired is 273.10 m<sup>3</sup>, including 172.67 m<sup>2</sup> residential land, 100.43 m<sup>3</sup> garden land.
- ° Number of HHs to be affected and relocated: 1 HH
- ° Houses to be affected: 278 m<sup>2</sup>, including 141.95 m<sup>2</sup> strong/substantial houses and 136.5 m<sup>2</sup> of others i.e. Class 4 houses and temporary on-river or riverside ones.

- Other structures like yards, fences, ceilings, tiled floors covering an estimated area of 550 m2.

**Table 4. Summary of impacts from land acquisition by Comp. 2**

Item	Total affected land area (m2)	Affected land (m2)		Affected tree/plant crops (m2)		Affected structures/works		Total number of PAHs	Total number of relocated HHs
		Residential land	Garden land	Ornamental/ bonsai plants (pcs)	Pot plant (pot)	Houses (m2)	Other structures (m2)		
Comp .2									
Construction of Chu Y bridge	273.10	172.67	100.43	49	72	278	550	1	1
Total	273.10	172.67	100.43	49	72	278	550	1	1

**Table 5. Statistic of impacts due to land acquisition and resettlement of each investment item of the subproject**

No.	Item	Location	Total affected land area (m2)				Affected structures/works		Affected tree/plant crops (m2)			Total number of PAHs	
			Total affected land area (m2)	Residential land	Garden land	Forestry land	Houses (m2)	Other structures (m2)	Perennials (Acacia, eucalyptus and <i>hopea odorata</i> trees) (m <sup>2</sup> )	Ornamental / bonsai plants (pcs)	Pot plant (pot)	Severely affected HHs	Total number of relocated HHs
I	Comp. 1												
1.1	Expansion of Long My landfill	Phuoc My commune	196.937	-	-	196.937	-	-	196.937	-	-	6	-
II	Comp .2												
2.1	Construction of Chu Y bridge	Dong Da ward	273,10	172,67	100,43	-	278	550	-	49	72	-	1
	Total		197.210,1	172,67	100,43	196.937	278	550	196.937	49	72	6	1



24. For the northern area of Chu Y bridge and the area of Huynh Tan Phat bridge construction, the land area to be used for bridge construction has been cleared by other project(s). The section below of related projects refers to the magnitude of impacts and site clearance work carried out by other projects as relevant, which involves the northern area of Chu Y-bridge and the area of Huynh Tan Phat construction.

25. The clearance of land in the buffer zone of Nhon Binh WWTP will also be reviewed and presented in the section about the outstanding issues in Phase 1 of the CCESP-Quy Nhon Sub-Project.

### **2.1.2. Impacts from temporary land acquisition**

26. The Sub-Project shall not only create impacts from permanent land acquisition but also from temporary land acquisition for construction operations.

27. Based on the proposed construction plan, the Sub-Project shall temporarily acquire about 13,760 m<sup>2</sup> of land along the stormwater drains and sewers, and also along to-be-rehabilitated channels in the wards of Dong Da, Tran Hung Dao, Le Hong Phong and Quang Trung. The area temporarily acquired consists of sidewalks, roads, public land, etc. to serve construction operations and material gathering. Subsequently, there are about 115 business households likely to be affected by construction activities, such as causing an obstacle to the entrance to their shops, dust, noise etc., thus resulting in the possibility of a reduction in visiting customers and loss to their income. The results of public consultation No. 1 constructed in February 2016 and No. 2 in July 2016 have shown that the households along drain and sewer lines are those affected by the Project and also amongst the ones benefiting from the project, they fully support the Project and promise to provide all favorable conditions for the Project to be timely completed and put into operation. Moreover, construction operations shall take place in short periods of time with the application of a successive method, so the impacts from temporary land acquisition on the environment as well as on trading and production activities are insignificant.

28. The results of current status survey and assessment of temporary impacts during the construction of the Project items are as follows:

- *Phu Hoa Canal*: The apartment building for low-income earners on Xuan Thuy Street connected to Phu Hoa Lake

This currently is an open drainage canal for the area. Survey results show that wastewater and waste are discharged directly into the canal, causing odor pollution in summer and overflowing of dirty water in the rainy season, seriously affecting the natural environment and residents' living environment. There are HHs on both sides of the canal, with limited business activities with just some shops serving beer and drink refreshments. However, as these HHs are all relatively far from the canal, construction operations do not substantially affect production and trading activities of the HHs near this canal.

- *Channel upstream of Bau Sen Lake*: Starting from the end of Tran Thi Ky Street to Bau Sen Lake CSO

Observation shows that the channel covers have been degraded and there are no odor prevention manholes resulting in spreading foul smell and difficult travel in the area. This is a densely populated area, especially on the two sides of the channel. However, this line is in a

small and narrow alley with limited trade and service businesses (only about 10 HHs). Local businesses mainly are hair-cut, hair-wash, soup cake making, etc. serving the people residing in this alley.

- *Tran Hung Dao Street*

Section 1 from Doi Bridge area to House No. 1083 Tran Hung Dao: This is a key section of Tran Hung Dao Street, with a dense population of about nearly 800 HHs currently living on two street sides. About 200 HHs are running trade and service businesses of a relatively great scale of items from such famous trademarks as Yamaha, Mobile Phone World, etc. Trades and services consist mainly of major agents and distributors of motorbikes, bicycles, mobile phones, aluminum-glass products, cooking gas, groceries, motorbike repairs, etc.

Section 2 from Dong Da – Tran Hung Dao Intersection to House No. 858 Tran Hung Dao: This is an important road interchange of the City with the railway passing through. On this section there are some major works items such as Ngoc Nhon Vihara, a healthcare center and the People's Committee Office of Dong Da Ward. About 250 HHs are living on two sides of the road, with about 50 currently running various kinds of businesses, mainly consisting of wooden furniture and interior decoration products, wedding attire rental shops, and coffee shops.

Section 3 on Dang Xuan Phong Street from House No. 858 to Hoa Lu Street: This is not a major road, but in fact an alley of 5-6m wide connecting Hoa Lu Street and Tran Hung Dao Street. In this area, there is Thap Doi market (at the beginning of Hoa Lu Street) with a relatively dense population (of about 100 HHs). Business activities take place chiefly at the market and only 12 HHs run their own small businesses (soup cake, hair salon, groceries, engineering workshops, etc.).

- *Bach Dang Street*

Section 1 starting from Doan Thi Diem – Tran Hung Dao T-junction (from House No. 545A to House No. 498): This section is inhabited by HHs on both sides. Of about 50 current HHs, 5 are small business HHs, mostly serving locals (sizzling pancake, soup cake, motorbike repairs, installing motorbike stickers, etc.).

Section 2 starting from Phan Dinh Phung – Bach Dang intersection and ending at Pham Hong Thai – Bach Dang intersection (from House No. 492 to House No. 384 Bach Dang). Of about 100 current HHs, 18 are running family businesses, consisting mainly of trading in electronic products, providing karaoke/internet services, trading in automobile accessories, providing tailoring services, trading in scrap metals, selling soup cake, etc.

## **2.2. Outstanding issues of Phase 1 of Quy Nhon Environmental Sanitation Project**

29. Quy Nhon environmental sanitation project is one of three Coastal Cities Environmental Sanitation Projects funded by the WB from 2005 to 2014 (credit closed on 30<sup>th</sup> November 2014). Nhon Binh Chemically Enhanced Primary Treatment plant (CEPT) with a capacity of 14,000m<sup>3</sup>/day is one of the Project investment items. As proposed by Quy Nhon Sustainable Environment Project, an additional module will be invested for Nhon Binh CEPT to raise its capacity from 14,000 m<sup>3</sup>/day to 28,000 m<sup>3</sup>/day. The location planned for the new module is within the old plant, of which site clearance was completed in Phase 1.

30. Compensation, support and resettlement for the construction of CEPT were carried out in Phase 1 and divided into 3 periods: (i) Period 1: Compensation for agricultural land of the core area acquired for the construction site of the plant (completed in 2010); (ii) Period 2: housing relocation of 34 households of the inner-field residential cluster located within the construction



site of the plant (completed in 2012); and (iii) Period 3: relocation of 37 households along the concretized road and 56 households along the river bank (within the buffer area of the WWTP). However, compensation and resettlement for Period 3 have not been completed so far. According to Official Dispatch No. 608 /BQLDA-KHTC dated 22<sup>nd</sup> July 2016 of Binh Dinh Key Project Management Unit addressed to the WB, the remaining 4 HHs (Mr. Le Van Hai's HH and those HHs of his extended family, namely Mr. Le Vui, Mrs Le Thi Hieu and Mrs Le Thi Hue) have not agreed to accept the offered compensation payments, assistance and resettlement land plots. They continue to make their complaints. The PMU paid compensation amount to these HHs via transfer to the temporary account at provincial treasury as per WB's request since 2014 and 2015.

Here below are the results of complaint resolution for the four HHs as mentioned above:

- On 15th June 2016, the PPC held a dialog with Mr. Le Van Hai and other complainants. This meeting was attended by the Government Inspectorate, the Central Citizen Reception Committee, and competent agencies of Binh Dinh Province. However, Mr. Le Van Hai and other invitees did not turn up at the meeting.

- On July 19, The Office of Government called upon a meeting on resolution of complaints from Mr. Le Van Hai and other complaining HHs. It was chaired by the Deputy Prime Minister Truong Hoa Binh and attended by the representatives of MONRE, Government Inspectorate, Binh Dinh PPC and Central Citizens Reception Committee. In his conclusion, the Deputy Prime Minister assigned MONRE to carry out necessary reviews and verifications, with their report to be available for the Government's consideration and resolution.

- On August 19, 2016, the MONRE issued the Official Letter No. 3465/BTNMT-TTr dispatching a team to Binh Dinh Province to carry out necessary reviews and verifications of the complaints filed by the complainants in Binh Dinh Province. The MONRE team were working in Binh Dinh for a period of twenty (20) days, from August 24, 2016 to September 12, 2016 to undertake a review and verification of all the issues raised by the complainants. Based on the issues raised during the dialogs with the complaining households and reviews and verifications carried out, on September 13, 2016 the MONRE team presented to Binh Dinh PPC a draft report on the results of review and verification of complaints from the aforesaid households, such that the MONRE will report the above results to the Prime Minister to take them into consideration for close-out resolution. The MONRE team's draft report has pointed out that:

- They have agreed upon Binh Dinh PPC's decision on the resolution of complaints about compensation, assistance and resettlement from the complainants (Mr. Le Vui, Mrs, Le Thi Hieu and Mrs, Le Thi Hue), whereby the PPC took actions in strict accordance with the regulations under the law of Vietnam, and adequately carried out policies as relevant and in consistence with the Resettlement Policy Framework (RPF) and the Resettlement Action Plan (RAP)'
- For Mr. Le Van Hai being the household recorded as receiving the violation notice for illegal land occupation, the MONRE Team has made a recommendation as relevant, which was agreeable to the PPC to carry out by entitling this household to the policy on support and resettlement for the part of land which received the notice of violation, in the same manner as

done to the other land encroachers/occupiers not recorded as having received the notice of violation.

Accordingly, complaints redress process for these 4 AHs has not been solved. MONRE organized a meeting with affected households on November 30, 2016 to inform and discuss the outcome of MONRE's mission. In the mentioned meeting, 04 AHs only partially agree with the conclusion (equal treatment for legal and illegal affected households) and still request for land for land compensation. This is expected to be completed after the MONRE report has been submitted to the Prime Minister (in late December 2016) for review and consideration, and the PM's directions have been issued. After that, Binh Dinh PPC will make implementation arrangements following the Prime Minister's directions.

### **2.3. Related projects**

#### *2.3.1. Project of constructing the technical infrastructure of Residential Area B, Key 1 to the North of Ha Thanh river in Quy Nhon City*

31. Site clearance of 302,000 m<sup>2</sup> has been completed for the project, including the land area for the construction site of Chu Y Bridge.

- Site clearance for an area of 485m<sup>2</sup> with 2 HHs to be displaced for the construction of Chu Y Bridge has been completed together with the whole area of 302,000 m<sup>2</sup> for the project of Residential Area B, Key1 to the North of Ha Thanh river;
- Scope of impacts from the implementation of the project of Residential Area B, Key 1 to the North of Ha Thanh river:
  - + Number of AHs: 386
  - + Severely AHs:16
  - + Relocated HHs: 51
- Original state prior to site clearance: salt fields, aquaculture land, and cemetery land;
- The project of Residential Area B, Key 1 to the North of Ha Thanh river was completed by June 2012.

32. In the construction site for Chu Y Bridge, 02 HHs are re-encroaching upon the land after they received compensation for site clearance for the project of Residential Area B, Key 1 to the North of Ha Thanh river in 2008 at the compensation rate approved by the PPC under Decision No. 2799/QĐ-CTUBND dated 4<sup>th</sup> December 2007. As the land acquired from these 02 HHs has not been used during construction operations, they have re-occupied and used it for business activities (selling refreshments and repairing motorcycles).

33. In order to have a clear site for construction of Chu Y Bridge, on 5<sup>th</sup> August 2016, Binh Dinh Management Unit of Key Projects sent Official Dispatch No. 652/BQLDA-KHTC to Quy Nhon PC, proposing the PC to request these HHs to dismantle the works on the compensated land, aiming at ensuring sufficient land area for the construction of Chu Y Bridge and avoiding any complaint and delay during the construction process.

34. On 9<sup>th</sup> August 2016, Quy Nhon city PP sent Official Dispatch No. 2268/UBND-ĐT to the City's urban order team and Dong Da Ward People's Committee to check on and handle land occupation by these 02 HHs to the North of Chu Y Bridge, Dong Da Ward. As <sup>a</sup> result of the meeting, these two HHs agreed to dismantle the corrugated iron roofs before 31<sup>st</sup> August 2016

and the main parts of Grade IV houses will be dismantled before 31<sup>st</sup> July 2016 (The meeting minutes and other records are attached in Annex 6). The two HHs living in the area jointly affected by the two projects have so far settled down and stabilized their living

35. The PMU has coordinated with relevant agencies to assess the compliance with social safeguards of the project of Residential Area B, Key 1 to the North of Ha Thanh river.. Conclusions show that compensation and resettlement have complied with the Government's and Province's regulations. The project was completed and financially settled in June 2012 under Binh Dinh PPC's Decision No. 1146/QD-CTUBND dated June 6, 2012 on the approval of final account documents for the completed works of technical infrastructure in Residential Area B, Island 1 north of Ha Thanh River, in Quy Nhon City. The project does not have any existing issues. Thus, resettlement activities of the project of Residential Area B, Key 1 to the North of Ha Thanh river have met the objectives of the WB's OP4.12.

*2.3.2. Project of the resettlement site for the construction of the commercial urban area north of Ha Thanh River, Quy Nhon City*

36. This project needs to clear an area of 233,500 m<sup>2</sup>, including the area for the construction of Huynh Tan Phat Bridge.

- An area of 1,674 m<sup>2</sup> for the construction of Huynh Tan Phat Bridge (north of Huynh Tan Phat Bridge) will be cleared by the resettlement project. Currently, in this area of 1,674 m<sup>2</sup> for bridge construction, there still are 02 AHs with affected residential land with a total of 197.5m<sup>2</sup> of land to be cleared;
- Scope of impact from the resettlement project for the construction of the commercial urban area north of Ha Thanh river: Total number of AHs: 114; and 01 organization: Dong Da Ward People's Committee;
- Compensation and resettlement tasks are divided into 02 phases:
  - + Phase 1: Total land area requiring to be cleared is 154,000 m<sup>2</sup>, including agricultural land and garden land
    - o HHs with affected residential land: 66
    - o HHs to be relocated: 66
    - o HHs with affected agricultural land: 45; severely affected HHs: 45
  - + Phase 2: mainly those areas with residential houses (334 houses): The PPC has issued its Notice No. 209/TB-UBND dated September 23, 2015 granting endorsement on zoning the densely populated area to be left non-relocated (Phase 2) in order to minimize the cost of site clearance and the use of land fund for resettlement. So, the magnitude of impacts in Phase 2 is low
    - o HHs with affected residential land: 0
    - o HHs with affected agricultural land: 4; severely affected HHs: 03 ;
- Original state prior to site clearance: residential land, agricultural land, cemetery land, and traffic land.

37. Site clearance has been undertaken by the provincial Land Fund Development Center since July 2007. So far, the project has made compensation and supported the resettlement of 89 AHs

including 44 HHs with affected residential land and 45 HHs with affected agricultural land. The total area of cleared land is 167,433.3 m<sup>2</sup>, Total compensation payment already made is the affected households is VND 28,634,265,882. The unpaid remainder is VND 366,839,294. In areas that have been clearance the project has invested in constructing adequate infrastructure; divided land plots for resettlement and resettled HHs have started housing construction. As planned, site clearance for the project is expected to be completed by late 2016 (according to Official Dispatch No. 123/TTPTQĐ-BTGPMB dated 18<sup>th</sup> May 2016 by Binh Dinh Land Fund Development Center to Binh Dinh Management Unit of Key Projects).

38. In resettlement implementation, the total number of HHs with affected residential land and to be relocated is 66, of which compensation has been made to 44 HHs and 42 HHs have been resettled in 02 resettlement sites: (i) in-place resettlement in the resettlement site for the construction of the commercial urban area north of Ha Thanh river: 33 HHs, and (ii) resettlement in the resettlement site planned in Residential Area of Key 1B north of Ha Thanh river: 9 HHs.

39. The area still to be cleared consists of 25 HHs, of which 22 are with affected residential land and 03 with affected agricultural land. Among these, 02 HHs are within the land to be acquired for the construction of Huynh Tan Phat Bridge (north of the bridge). Both of these HHs have not received compensation, but one HH has moved to another place, while the other still remains.

40. The total area of affected land of these two HHs is 197.5 m<sup>2</sup>, with a total area of temporary houses of approximately 40 m<sup>2</sup> and a total area of another 40 m<sup>2</sup> for breeding facilities. The entire land area occupied by these two HHs is Ha Thanh river land, upon which they have encroached and built temporary houses after the planning had been announced. One of these two HHs have backfilled the land on its own and use it to store salt, while the other encroached upon the river and built a house to gain residential surface area. Both HHs built their houses after the planning had been publicly announced. This is verified by Dong Da Ward People's Committee in its Official Dispatch No. 73/UBND-NĐ dated 22nd March 2013.

41. According to the minutes recording the meeting of the provincial Resettlement Committee dated 24th July 2013 on “detailed plan of compensation and resettlement for land acquisition for the construction of the resettlement site for the construction of the commercial urban area north Ha Thanh river, Quy Nhon City (Round 25)” and of the meetings dated 7th and 21st November 2014 on “detailed plan of compensation and resettlement for land acquisition for the construction of the resettlement site for the commercial urban area north of Ha Thanh river, Quy Nhon City (Round 26)”, these two HHs were not eligible for compensation for residential land, housing and architectural objects. The HH that backfilled land for salt storage was entitled to support for land as regulated by the PPC, while the other HH was not. Both HHs were entitled to 100% compensation for trees and crops and would be rewarded if they could speed up the progress of site clearance.

42. The PMU has coordinated with relevant units to access the compliance with social safeguards of the project of the construction of the resettlement site for the commercial urban area north of. Accordingly, compensation and resettlement tasks for the project have been implemented in compliance with the current regulations of the Government and Binh Dinh Province. Details are as follows:

+ *Consultation activities:*

- On November 21, 2006 the Provincial Center for Land Fund Development in coordination with An Phu Thinh Construction and Tourism Development and Investment JSC and People's Committee of Dong Da Ward organized a public meeting at Dong Da Ward's headquarters to carry out the compensation and site clearance for the construction of North Ha Thanh Urban and Trade Area in Quy Nhon City. The meeting was meant to disseminate information about policies and laws pertaining to compensation, land clearance, resettlement and implementation plan.
- On February 9, 2007, the Provincial Center for Land Fund Development in coordination with An Phu Thinh Construction and Tourism Development and Investment JSC and People's Committee of Dong Da Ward organized a public meeting at Dong Da Ward's headquarters to implement Binh Dinh PPC's Decision No. 81/QD-UBND dated January 31, 2007 on the approval of the master plan for compensation, asset loss support and resettlement attributed to land clearance for the construction of North Ha Thanh Urban and Trade Area. The meeting was meant to disseminate information to the target households about policies and laws pertaining to compensation, land clearance, resettlement, during which their representative was elected to join the Site Clearance Working Group and they were also instructed on how to declare their properties, and the implementation plan was disclosed,

+ *Compensation plan were posted in public:* Immediately following the promulgation of the Decision approving the detailed compensation plan, the Provincial Center for Land Fund Development in coordination with People's Committee of Dong Da Ward arranged for posting in public the detailed compensation plan at the ward headquarters and in the residential area where there were PAHs.

+ *Livelihood restoration program:* Those households who are severely affected by agricultural land acquisition and those to be relocated for resettlement shall be entitled to support policies such as support in the form of rice provided free of charge for them to be settled down for a period of 6 to 12 months, depending on how much they are affected, also assistance in monetary value with job/livelihood change or with participation in free-of-charge job training courses provided by vocational training centers within the province, assistance in monetary value with house rental and home movement for relocated and resettled households.

+ *GRM:* To be practiced in accordance with the law on complaints and denunciations/allegations.

+ *Outstanding issues:* Up to this point, the project's site clearance has not been completed, leaving a total of 25 HHs not relocated yet, 22 of whom have their residential land affected 3 have their agricultural land affected and 2 HHs are subject to right-of-way acquisition for the construction of Huynh Tan Phat ( for the northern area of bridge). These two households have not received compensation payments yet, one of whom has moved somewhere else, leaving one only living there.

However, the two HHs in ROW acquisition are planned to be removed in November 2016 under Quy Nhon City's Decision No. 6870/QD-UBND dated September 29, 2016 and Decision No. 6864/QD-UBND dated September 29, 2016. AHs will receive all eligible compensation, support and allowances before the relocation. PMU will mobilize an independent monitoring consultant to conduct assessment of AHs of related projects when land acquisition has been completed. Since they are classified as illegal encroachers, the selected consultant will be asked to identify corrective measures (if any) to ensure the consistency with the regulation of Vietnam and the Bank requirement.

#### **2.4. Measures to minimize resettlement impacts**

43. In the preparatory phase of the project, the resettlement consultant team works on a regular basis with the technical consultant team to discuss and take into account the site and scope of project's civil works, the technical feasibility of design solutions with the aim of minimizing the need for land acquisition and resettlement. The options for reduced scope of designing the width clearance of roads and intersections have been analyzed and taken into consideration.

44. Accordingly, all channels and sewers to be constructed and rehabilitated are designed under their existing conditions and locations, which would eliminate the requirement of permanent land acquisition. The existing households and access to business establishments along the road will only be temporarily affected during the construction period:.

- + The sewers in Tran Hung Dao and Bach Dang streets are located under the pavements.
- + For the line of Phu Hoa canal, double-cell box culverts (BxH = 2x3000x1800 mm; 2x3000x2200) are proposed for use inside the existing canal, with walk paths with lighting systems, flowers, dwarf shrubs and decorative lamps to be designed as a park along the canal without any expansion on the sides.
- + Sewer line upstream of Bau Sen lake: A number of option for rehabilitating the sewer line upstream Bau Sen lake will be devised: (i) Option 1: Construction of a new SRC box culvert line to replace the existing rip-rap system, with dimensions of (1200-1400)x1500 and a length of 1300m from Vo Van Dung Street to Bau Sen Lake CSO; (ii) Option 2: Rehabilitation/dredging of the existing canal, and construction of additional manholes and concrete covers for the existing line; and (iii) Option 3: Rehabilitating the walls and bed of the existing sewer line by lining the sewer line walls and bed with thin SRC slabs; construction of odor prevention manholes and concretization of road surface. However, as the width current sewer line spans the whole width of the road surface the sewer walls are close the walls or foundations of local residential houses, and at some positions, house fences have been constructed upon the sewer walls, demolition of the existing sewers is infeasible and unsafe owing to the lack of clear surface area needed for reinforcing the sewer walls. Selection of this option would require site clearance. Option 1 which requires the construction of SRC box culverts of 1400x1500 is not very feasible as site clearance can hardly be performed in this area. In Option 2, as the existing rip-rap sewers were built of long ago, despite their continued use, some parts of the sewer walls have been damaged, eroded, and even peeled off. Dredging and rehabilitation of the sewer line therefore will not be an optimal and sustainable measure. Especially, with the current state of sewer walls and

bed, wastewater collected from tertiary pipelines can be absorbed into the ground and groundwater absorbed into the sewers, resulting in inadequate volumes of wastewater reaching the WWTP as designed. Therefore, Option 2 does not appear to be applicable. Option 3 has been chosen as it could ensure technical feasibility and does not require site clearance.

- + Chu Y Bridge item: In the initial design, the traffic interchange to the south of the bridge is to be expanded and require large land acquisition. To minimize the level of impacts from land acquisition, this traffic interchange is designed as per its current state. The scope of land acquisition is thus cut down to 01 HH

45. Apart from discussions on technical solutions with the design consultant and in order to minimize impacts on HHs living in the project areas, particularly those living along the roads/streets which are to have their drains rehabilitated or along the canals/channels which are to be rehabilitated, the resettlement consultant team organized public consultation meetings in two rounds: Round 1 in February 2016 and Round 2 in July 2016 to consult with local HHs for their support during the construction period of the project. Subsequently, temporary impacts like difficulties in traffic and hindrance to the entrance to business establishments etc will be minimized when the Contractor co-operates closely with the community, such as notifying local residents of construction plans so that they can make appropriate arrangements, design construction safety plans, set on-site warning signs (warnings, enclosing work site away from residential areas ...) delivers a construction schedule as appropriate..

### **3. OBJECTIVES AND PRINCIPLES OF THE RESETTLEMENT PLAN**

46. The RP is prepared in compliance with the articles of the Project's Resettlement Policy Framework which is approved in Document No. 1078/TTg-QHQT dated 22/6/2016 by the Prime Minister and with the World Bank's Involuntary Resettlement Policy (OP 4.12), with the following 3 main objectives:

- (i) Involuntary resettlement should be avoided to an as-much-as-possible extent or minimized by bringing out optional measures in the process of technical design;
- (ii) Wherever involuntary resettlement is unavoidable, resettlement activities should be regarded and executed as sustainable programs, necessary to supply enough investment sources to help adversely affected persons to share project's benefits. Directly or indirectly affected persons must be consulted and should participate in the process of planning and implementing resettlement programs.
- (iii) PAP 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-project levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.

47. Accordingly, all project APs who have assets or reside within the area of project land requisition before the cut-off date are entitled to compensation for their losses. Those who have lost their income and/or subsistence will be eligible for livelihood rehabilitation assistance based on the criteria of eligibility defined by the project in consultation with PAP. If, by the end of the project, livelihoods have been shown not to be restored to pre-project levels, additional measures will be provided. The main principles of the RP Plan are presented below:

- (i) The compensation rates will be determined based on the results of independent appraisal of the land/crops/assets associated with the land in a timely and consultative manner. All fees and taxes on land and/or house transfers will be waived or otherwise included in a compensation package for land and structures/or houses or businesses. The local authorities will ensure that APs choosing relocation on their own obtain, without additional costs, the necessary property titles and official certificates commensurate with similar packages provided to those who choose to move to the project resettlement sites.
- (ii) Land will be compensated for on a “land for land” basis, or in cash, according to PAP’s choice whenever possible. The choice of land-for-land compensation must be offered to those losing 20% or more of their productive land. If land is not available, the Client must assure itself, as required by World Bank, that this is indeed the case. Those losing 20% or more of their land will have to be assisted to restore their livelihood. The same principles apply for the poor and vulnerable people losing 10% or more of their productive land.
- (iii) PAP who prefer land-for-land compensation will be provided with land plots with the equivalent productive capacity for lost lands or a standard land plot in a new settlement area nearby for residential land, and cash adjustment for the difference between their lost land and the land plots provided. The resettlement site will be planned properly and implemented in consultation with the PAP. All basic infrastructures, such as water supply and drainage systems, and electricity and telephone lines will be provided.
- (iv) PAP that prefer “cash for land” will be compensated in cash at full replacement cost. These PAP will be assisted in rehabilitating their livelihoods and making their own arrangements for relocation.
- (v) Compensation for all residential and commercial works or other structures will be offered at replacement costs, without any depreciation of the structure and without deduction for salvageable materials. Structures shall be evaluated individually. Any compensation rates set by category of structure must use the value of the structure of the highest value in that group (not the lowest).
- (vi) As for the displaced HHs affected with shelter (displaced from existing residential land because the remaining land area is not eligible for building houses as regulated by the Law on Construction or the entire land is acquired), the local resettlement board needs to conduct consultations and obtain agreed solutions on assistance for new shelter benefiting PAP.
- (vii) Displaced HHs affected with shelter that are capable of building houses on the remaining land with adequate conditions as regulated by local authorities (not subject to displacement) will be subject to general policies of the project in accordance with the agreed entitlement matrix.



- (viii) PAP will be provided with full assistance (including transportation allowances) for transportation of personal belongings and assets, in addition to the compensation at replacement cost for their houses, land and other properties.
- (ix) Compensation and rehabilitation assistance must be provided to each AP at least 30 days prior to the taking of the land for those who are not to be relocated and 60 days for those who will have to be relocated. Exceptions should be made in the case of vulnerable groups who may need more time before being affected with livelihood or shelter.
- (x) If, by the end of the project, livelihoods have been shown not to be restored to pre-project levels, additional measures will be provided.
- (xi) Additional supports, such as economic rehabilitation assistance, training and other forms of assistance, should be provided to PAP losing income sources, especially to vulnerable groups, in order to enhance their future prospects toward livelihood restoration and improvement.

48. Related activities: the Project's Resettlement Policy Framework and the World Bank's Operational Policy OP 4.12 are also applied to project-related activities which lead to involuntary resettlement without being subject to financial sources. The criteria to define such related activities are as follows:

- (i) Activities which are directly or significantly related to the project;
- (ii) Activities which are essential to meet project objectives as stated in project documents; and
- (iii) Activities which are implemented or planned to be implemented in the same time frame as the project.

#### **4. SOCIO-ECONOMIC CONDITIONS OF AFFECTED HOUSEHOLDS**

49. The main objective of this section is to provide an overview of socio-economic conditions of AHs (i.e., demographic characteristics, income sources, living conditions, infrastructure and environmental sanitation, poverty etc.). They can also be used as baseline data for M & E of the project implementation.

50. **Population:** The total number of HHs affected by land acquisition for the Project is 7 HHs (one of whom is a household with 4 families living together in the same house) equating with 41 members. In terms of household size, each HH has four members on the average.

51. **Gender and age:** The total number of affected HHs is 7, equating with 41 members, who are relatively balanced in gender: 21 females and 22 males. In terms of age groups, the "below 18" group equates with 15 household members and "over 55" group equating with 7 members, and 18-55 age group with 19 members. Therefore, the people in working age account for 46%, those out of working age for 17 % and those in school age for 37%.

52. **Residence status:** Of the 7 affected HHs, 4 are currently living in Phuoc My Commune, 2 are residing in Bui Thi Xuan Ward of Quy Nhon City. who all have their agricultural land

affected by the expansion of Long My Landfill Site, and 1 (with 4 families living together in the same house) living in Dong Da ward, Quy Nhon City is to be affected by the construction of Y-bridge.

53. *Educational background:* Most of the HH members are of relatively high educational levels, with no one of normal cognition being illiterate. Those with primary school level are elders and children in the age of primary schooling. Among the 41 people of 7 AHs are 12 university/ college graduates, 9 high school graduates, 14 of secondary school level and 1 illiterate due to mental illness. Survey results have shown that the householder and breadwinners graduated and having a high qualification and knowledge, especially household (with 9 persons graduated university/college qualification) affected by land acquisition of the subproject at the construction area of Chu Y bridge. The affected householders living in the expansion area of Long My landfill have a level of senior or junior secondary education.

54. *Occupation:* The results of investigation on main or regular jobs (with highest incomes) of these HH members are as follows:

Of the total 6 HHs affected by the expansion of Long My Landfill Site, 4 earn their living as agricultural (including forestry) and husbandry producers, and small business owners in combination. These HHs live in Thanh Long village, Phuoc My commune, 2 of whom live in Bui Thi Xuan ward, and they earn their living as business people and traders, whilst those HHs living in the area of Y bridge have their members as government employees, who are also engaged in business activities as their extra work.

55. *Income:* Generally, most of the PAHs earn a high income, mainly from cultivation and husbandry, specifically as shown in the table below:

**Table 6. Incomes of the HHs**

No.	HH name	Monthly average income (VND)	Number of income sources
1	Quang Van Binh	10,000,000	2
2	Pham Tan Toan	9,000,000	2
3	Nguyen Ba Ngu	10,200,000	3
4	Tran Kim Phung	3,000,000	1
5	Dao Thien Thao	7,000,000	2
6	Le Xuan Van	5,000,000	1

The monthly average income of these 6 affected HHs is 7,366,000 VND. The HH with highest income is Mr. Nguyen Ba Ngu's (10,200,000 VND). This HH has many members currently in the labor age range and earns incomes from up to 3 sources: agricultural production, trading and retirement payment. The HH with the lowest monthly income is Mr. Tran Kim Phung's (3,000,000 VND). Mr. Phung and his wife are old and weak and dependent on their children for daily expenditures. The remaining HHs earn monthly incomes ranging from 5 to 10 million VND. It can be concluded that the incomes of these affected HHs are relatively high, from 2 – 3 different sources. Beside income from agricultural activities (including forestry), they also earn

from husbandry and small trading. As surveyed, if the income from forestry reduces, the HHs will strengthen and focus on husbandry and trading.

For the PAHs living in the area of Y- bridge, they earn a very high income. The breadwinners an income of VND 10 million to VND 20 million/month.

56. *Spending of the HHs*: Investigation results show that the lowest-income HH has spends 1,291,500 VND/person/month on average; 03 HHs among these spend 2,000,000 to below 5,000,000 VND/person/month; 03 HHs spend over 5,000,000 VND/person/month. So, it can be seen that the living standards of the affected HHs are relatively high.

57. *Family savings*: Although most of these HHs have relatively high incomes, interview results show that their monthly spending is also very high and their savings are quite modest. The number of HHs with the highest savings (33.3% of their total income) account for 9%; 63.6% of the HHs save 20-30% of their total income. The remaining HHs save less than 10% of their total income.

58. *Vulnerable groups*: It is very important to carry out investigation on the living conditions of the AHs, as this will serve as a basis for working out livelihood recovery programs. One out of the 7 HHs is in the vulnerable group, with a female HH owner and a 17-year-old member with inborn disability (receiving monthly allowances of 270,000 VND for the last 2 years) and without working ability.

59. *Home comforts*: Investigation results show that generally, most of the HHs in the project areas are living an comfortable and adequate life. Those to be affected by the project have such modern household utilities as motorcycles, TVs, refrigerators, expensive furniture and others.

## **5. LEGAL FRAMEWORK**

### **5.1. LEGAL FRAMEWORK OF THE VIETNAM GOVERNMENT**

60. The legal framework of the Vietnam Government includes: legal documents concerning land acquisition, compensation and resettlement applied in Vietnam such as Constitution of the Socialist Republic of Vietnam (2013), Law of Land (revised in 2013), the Resettlement Policy Framework (RPF) (approved by Prime Minister in Decision No.1078/TTg-QHQT dated 22/6/2016 of the Government), and other relevant decrees, circulars, regulations by Ministries, City's/Province's Committee of People. The following legal documents are applied in the Socialist Republic of Vietnam:

- Constitution of the Socialist Republic of Vietnam adopted in 2013.
- Land Law No.45/2013/QH13 dated in 2013, effective on July 1, 2014.
- Decree No. 43/2014/ND-CP dated May 15, 2014 of the GoV on detailing a number of articles of the Land Law No.45/2013/QH13.
- Decree No. 44/2014/ND-CP dated May 15, 2014 of the GoV on land prices;
- Decree No. 45/2014/ND-CP dated May 15, 2014 of the GoV on collection of land use levies.
- Decree No. 46/2014/ND-CP dated May 15, 2014 of the GoV on collection of land rent and water surface rental.

- Decree No. 47/2014/ND-CP dated May 15, 2014 of the GoV on compensation, support and resettlement upon land recovery by the State.
- Decree No. 84/2013/ND-CP dated July 25, 2013 of the GoV on development and management of resettlement housing.
- Decree No. 38/2013/ND-CP dated April 23, 2013 of the GoV on management and use of official development assistance (ODA) and concessional loans of donors.
- Circulars No. 36/2014/TT-BTNMT dated June 30, 2014 of Ministry of Natural Resources and Environment on land pricing method; compilation of and adjustment to land price lists; determination of specific land prices and consultancy on land pricing.
- Circular No.37/2014/TT-BTNMT of the MONRE dated June 30, 2014 on compensation, support and resettlement upon land recovery by the State.
- Decision No/63/2015/QĐ-TTg of the Governmental Prime Minister dated December 10, 2015 on policy on assistance in vocational training and job search for workers whose land is withdrawn by the state.
- Decision No.1956/2009/QĐ-TTg of the Governmental Prime Minister dated November 17, 2009 on vocational training for rural.

61. Other relevant laws, decrees and regulations: : the Construction Law No.50/2014/QH13 dated June 18, 2014 on construction activities, rights and obligations of organization and individual investing in civil works construction and construction activities; Decree No.102/2014/ND-CP on sanctioning of administrative violations in the field of land; Decree No.15/2013/ND-CP dated February 6, 2013 on quality management of constructions; Decree No. 12/2009/ND-CP dated February 12, 2009 on the management of construction investment projects; Decree No.126/2014/ND-CP on marriage and family Law implementation, stipulating that all documents registering family assets and land use rights must be in the names of both husband and wife.

62. Decrees relevant to protection and preservation of cultural property include Decree No. 98/2010/ND-CP Detailed regulations for implementation of some articles of the Law on Cultural Heritage and the Law on editing and supplementing some articles of the Law on Cultural Heritage requiring that sites currently recognized as cultural and historical vestiges, should be kept intact according to current legal regulations.

63. Documents relating to complaints and resolve complaints mechanisms: Complaints Law 02/2011/QH13 dated November 11, 2011; Decree No. 75/2012/ND-CP dated March 10, 2012 on specific provisions a number of articles of the Complaints Law.

64. Decisions of provinces on compensation, assistance and resettlement in provincial territory:

- Decision 13/2015/QĐ-UBND dated July 7, 2014 of Binh Dinh PPC on compensation, support and resettlement upon land recovery by the State in Binh Dinh Province.
- Decision 41/2013/QĐ-UBND dated December 16, 2013 by Binh Dinh on the issuance of the compensation rate losses of homes, structures and graves as state land acquisition Binh Dinh province.
- Decision 40/2013/QĐ-UBND dated December 16, 2013 of Binh Định PPC on compensation prices and support for domestic animal and plants cultivated on acquired land in Bình Định city.

- Decision 37/2014 / QD-UBND December 25, 2014 of the People's Committee of Binh Dinh province land quota regulations in the province
- Decision No. 34/2014 / QD-UBND December 22, 2014 of the People's Committee of Binh Dinh province on the issuance of land price table 2015 (every 5 years) in the province of Binh Dinh

## **5.2. WORLD BANK'S POLICIES**

65. The World Bank recognizes that involuntary resettlement may cause severe long-term hardship, impoverishment, and environmental damage unless appropriate measures are carefully planned and carried out. The Bank's Resettlement Policy OP 4.12, includes safeguards to address and mitigate the economic, social, and environmental risks arising from involuntary resettlement.

66. The WB's involuntary resettlement policy objectives are the following:

- (i) Involuntary resettlement should be avoided as much as possible or minimized by bringing out optional measures in the process of technical design;
- (ii) Wherever involuntary resettlement is unavoidable, resettlement activities should be aware of and executed as sustainable programs, necessary to supply enough investment sources to help adversely affected persons to share project's benefits. Directly or indirectly affected persons need must be consulted and participated in the process of planning and implementing resettlement programs.
- (iii) 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-project levels or to levels prevailing prior to the beginning of project implementation, whichever is higher

## **5.3. COMPARISON BETWEEN VIETNAM GOVERNMENT'S AND WORLD BANK'S POLICIES ON COMPENSATION AND RESETTLEMENT ASSISTANCE**

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

**Table 7. Comparison between Government's and World Bank's policies related to compensation, assistance and resettlement**

Subject	World Bank's OP 4.12	Government of Vietnam	Project Measures
<b>1.Land Property</b>			
1.1.Policy objectives	APs (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,	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 compensation/support is not enough for resettled people to buy a minimum resettlement plot/apartment, they will be financially supported to be able to buy a minimum resettlement plot/apartment (Article 86.4 of Land Law 2013 and Article 27 of Decree 47)	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.
1.2.Support for affected households who have no recognizable legal right or claim to the land they are occupying	Financial assistance to all project affected persons to achieve the policy objective (to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher)	Only agricultural land used before July 1, 2004 is eligible for compensation. Other cases may be considered for assistance by PPC if needed	Financial assistance of an agreed amount will be given to all APs, regardless of their legal status, until their livelihoods and standards of living restore in real terms, at least, to pre-displacement levels.
1.3.Compensation for illegal structure	Compensation at full cost for all structures regardless of legal status of the AP's land and structure.	No compensation	Compensation at full replacement cost will be given for all structures affected, regardless of legal status of the land and structure
<b>2. Compensation</b>			
2.1.Methods for determining compensation rates	Compensation for lost land and other assets should be paid at full replacement costs,	Compensation for lost assets is calculated at price close to transferring the assets in local markets or the cost of newly-built structures. Provincial People's Committees are assigned to identify compensation prices for different categories of assets. Independent land valuator can be used	Independent appraiser identifies replacement costs for all types of assets affected, which are appraised by land appraisal board and approved by. Provincial People's Committee to ensure full replacement costs.

Subject	World Bank's OP 4.12	Government of Vietnam	Project Measures
		to determine land prices, which will be appraised by land appraisal board before Provincial People's Committee approval.	
2.2.Compensation for loss of income sources or means of livelihood	Loss of income sources should be compensated (whether or not the affected persons must move to another location)	Assistance in respect of income loss is given only for registered businesses. Assistance measures to restore income sources are provided	All income losses are to be compensated and, where necessary to achieve the objectives of the policy, development assistance in addition to compensation will be provided.
2.3. Compensation for indirect impact caused by land or structures taking	It is good practice for the borrower to undertake a social assessment and implement measures to minimize and mitigate adverse economic and social impacts, particularly upon poor and vulnerable groups.	Not addressed	Social assessment has been undertaken and measures identified and being implemented to minimize and mitigate adverse impacts, particularly upon poor and vulnerable groups.
2.4.Livelihood restoration and assistance	Provision of livelihood restoration and assistance to achieve the policy objectives	Livelihood restoration and assistance measures are provided. No follow-up for full livelihood restoration after resettlement completion	Provision of livelihood restoration and assistance measures to achieve the policy objectives. These will be monitored as detailed in the RAP
2.5.Consultation and disclosure	Participation in planning and implementation, specially confirming the eligibility criteria  for compensation and assistance, and access to Grievances Redress Mechanisms	Focus mostly on consultation during planning (consultation on draft plan of compensation, support and resettlement and plan for training, career change and facilitating job searching); information sharing and disclosure.	Consultation and participation incorporated into RAP design, along with information sharing with APs and stakeholders.
<b>3. Grievance redress mechanism</b>			

Subject	World Bank's OP 4.12	Government of Vietnam	Project Measures
	Grievance redress mechanism should be independent	The same governmental body makes decisions on compensation and resettlement, and also handles grievances at the first step.  However, complainants can go to court at any steps as AP wishes.	More effective Grievance and Redress mechanisms are to be established, built on the existing governmental system, with monitoring by an independent monitor
<b>4. Monitoring &amp; Evaluation</b>			
	Internal and independent 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, including both internal and independent (external) monitoring	Both internal and external (independent) monitoring is to be regularly maintained (on a monthly basis for internal and biannual basis for independent monitoring).  An end-of-project report will be done to confirm whether the objectives of OP 4.12 were achieved.



## **6. ELIGIBILITY CRITERIA AND ENTITLEMENTS**

### **6.1. Project affected people (PAP)**

68. Project affected people are those who are directly affected by the Project through the loss of land, residences, other structures, business, assets, or access to resources, specifically:

- Persons whose agricultural land will be affected (permanently or temporarily) by the Project;
- Persons whose residential land/houses will be affected (permanently or temporarily) by the Project;
- Persons whose leased houses will be affected (permanently or temporarily) by the Project;
- Persons whose businesses, agricultural activities, occupations, or places of work will be affected (permanently or temporarily) by the Project;
- Persons whose crops/ trees (annual and perennial) will be affected in part or in total by the Project;
- Persons whose other assets or access to those assets will be affected in part or in total by the Project; and
- Persons whose livelihoods will be impacted (permanently or temporarily) due to restriction of access to protected areas by the Project.

### **6.2. Identification of vulnerable groups or households**

69. According to the definition of vulnerable group/household in the Project's Resettlement Policy Framework and the definition of beneficiaries of social sponsorship in Decree No. 67/2007/NĐ-CP dated 13th April 2007 and the Decree No. 13/2010/NĐ-CP dated 27th February 2010 by the Government on support policies for beneficiaries under social sponsorship, the Project's vulnerable HHs/groups shall include:

- Woman-headed HHs (single women, widows or women whose husbands are incapable of working) with dependents;
- Handicapped people (lost working capacity), helpless elderly people;
- The poor according to MOLISA criteria;
- Landless people;
- People aged 85 and older who have no pension or social security;
- People with mental illnesses (schizophrenia, psychosis) who have been treated several times by specialized medical agencies but show no sign of recovery;
- Families and individuals adopting orphans or abandoned children;
- HHs with 02 or more severely disabled individuals incapable of taking care of themselves; and
- Ethnic minority HHs.

70. These are special groups that may suffer from inappropriate impacts or are exposed to the risks of further impoverishment from resettlement. Hence, the Compensation Board and the Project Management Unit, during the process of devising compensation, assistance and resettlement methods, must co-operate with the People's Committees of ward/communes to

survey and update the list of vulnerable groups or HHs in order to provide timely and proper assistance..

### **6.3. Eligibility**

71. The eligibility for entitlement to compensation is determined by asset ownership criteria as follows:

- (i) Those who have formal legal rights to land (including customary and traditional rights recognized under the laws of the country. In the consideration of such cases, it is also useful to document how long PAP have been using the land or the assets associated with it);
- (ii) Those who do not have formal legal rights to land at the time the census begins but have a claim to such land or assets provided that such claims are recognized under the laws of the country or become recognized through a process identified in the RP;
- (iii) Those who cannot legalize the right to land use in accordance with Vietnamese laws or have no recognizable legal right or claim to the land they are occupying.

72. Persons covered under item (i) and (ii) are provided compensation for the land they lose, and other assistance as regulated in the Resettlement Policy Framework. Persons covered under (iii) are provided resettlement assistance in lieu of compensation for the land they occupy, and other assistance, as necessary, to achieve the objectives set out in this policy, if they occupy the project area prior to a cut-off date established by the borrower and acceptable to the World Bank. Persons who encroach on 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), or (iii) are provided compensation for loss of owned or used assets other than land.

73. As defined, a cut-off-date is the date that a State competent agency issues the announcement of land acquisition before detailed measurements (Point 1, Article 67 of 2013 Land Law). However, to build a basis for designing this RP, 20<sup>th</sup> May 2016 (completion date of IOL) is defined as the temporary cut-off-date to identify the extent of impact due to land acquisition. PAP and local communities have been informed about this cut-off date and information related to the Project so that they can work out their own production/investment/construction plans, avoiding damages or losses otherwise caused by a lack of information on the Project.

74. Agricultural land: compensation for land is provided to those who have no formal or customary rights to affected agricultural land which was used before July 1, 2004. The reason for using this deadline is the starting day in effect of Land Law 2003 which prohibits acts of encroachment on land. Financial assistance for restoration will be given to all PAPs, regardless of their legal status, until their livelihoods and standards of living restore in real terms, at least, to pre-displacement levels

### **6.4. Entitlements**

75. With respect to a particular eligibility category, entitlements are the sum of compensations and other forms of assistance provided to PAP (please refer to Appendix 1 for the Entitlement Matrix).

#### **6.5. New HHs after the cut-off date**

76. Those households splitting from larger families after the cut-off-date who meet the following conditions shall be recognized as AHs:

- (i) Households with multiple generations or many couples living together on a plot of acquired land who are eligible to separate households;
- (ii) Endorsement by the District authority with verification of commune People's Committee that the household has split;
- (iii) Newly born children, spouses of persons named in the household registration books, people who have completed military service, and people who have just returned from schools to live with the AHs from the cut-off date to the date of compensation payment will be entitled to compensation and support outlined in this Framework.

## **7. VALUATION AND COMPENSATION FOR AFFECTED ASSETS**

77. As required by the WB's Involuntary Resettlement Policy Framework (OP 4.12), surveys of replacement prices are to be conducted to serve as a basis for calculating replacement prices of all impacts on land, crops, aquaculture products, assets and architectural objects affected by the Project.

### **7.1. Valuation methodology**

78. In the course of RP preparation, the Resettlement Consultant has conducted surveys on replacement prices from 18 Feb 2016 to 20 May 2016 via different channels:

- Holding face-to-face meetings with HHs in affected areas and neighboring areas to collect information on the prices of land and construction works based on actual local prices through the use of a structured questionnaire to collect information on the prices of different land types and assets attached to land in the affected areas;
- Carrying out in-depth interviews for specialized leaders/staff at provincial/city/ward/commune levels and the PMU to determine the prices of different land types, crops and other kinds of assets in the affected areas; collecting relevant issued legal documents, including those on unit prices of different land types and unit prices of other kinds of assets (including support);
- Getting access to real estate offices and visiting local websites for information.

79. Besides, the consultant has also studied the method used by Binh Dinh Province People's Committee in defining land prices and the price bracket for different types lands, which is to apply and comply with: i) Decree No. 44/2014/NĐ-CP dated 15th May 2014 by the Government on land prices; and ii) Circular No. 36/2014/TT-BTNMT dated on 30th June 2014 of MONRE regulating detailed calculation of land prices, establishment and adjustment of the land price table; land pricing and land price consulting.

### **7.2. Replacement cost survey (RCS)**

80. Between 18th February 2016 and 20th May 2016, the RP preparation consultant has Replacement cost survey t in the Project area, the results of which are as follows:

- *Agricultural land and forestry land:*
  - There has been almost no transfer or trading of agricultural land and forestry land and other land types in the past years. Transfers of agricultural land, if any, took place only within certain families (between parents and children or between siblings), which have not or not yet been endorsed by commune/ward PCs. It is therefore impossible to determine the land values in these cases.
  - The leaders of Quy Nhon City's Land Fund Development Center also reveal that it is not easy to determine replacement prices as there has been no transfer of agricultural land and forestry land in the Project area. However, according to interviewed residents and leaders of the Center, , the compensation unit prices for agricultural land and forestry land are currently low.
  - Consultation results obtained from affected AHs on forestry land in Long My Landfill and Phuoc My Commune's PC areas show that transfer prices range within 150 million VND – 250 million VND/ha.
  - The unit prices for agricultural land regulated by Binh Dinh PPC are issued in Decision No. 34/2014/QĐ-UBND dated 22 Dec 2014, established to be stable for the

5 years from 2015 to 2019 for Binh Dinh Province (with annual surveys for calculating the adjustment coefficients in case of fluctuations), by using the income method. Accordingly, the unit price for forestry land in Quy Nhon City, Location 1, Group 1 is 6,500 VND/m<sup>2</sup> ((65 million VND/ha). This unit price rate is considered to be low. Yet, together with support amounts which are twofold the unit price as provided for by the Province's regulations (about 130 million VND/ha), the total compensation will be about 195 million VND/ha, which is regarded as appropriate to the practical land value in the locality. However, at the time of planning detailed compensation, the unit prices for land, trees and crops will be determined on the basis of market prices and approved by the PPC.

- *Residential land:*

The prices of residential land of affected HHs in Chu Y bridge construction area have changed and are now different the unit prices regulated by Binh Dinh PPC in 2015 (for 5-year periods). According to the AHs in this area, local land prices vary from 19 to 20 million VND/m<sup>2</sup>. According to officials of the Land Fund Development Center, the prices of land in this area are about 2.5 – 3 times higher than those issued by the provincial authorities(5.2 million VND/m<sup>2</sup>). Survey results for this area have been shared by the Resettlement Consultant with the Province's Land Fund Development Center, and the Center is known to be presently formulating documents on devising detailed compensation plans for Hoa Lu Street Extension Project (including HHs affected by the construction of Chu Y Bridge) in conformity with Decision No. 2199/QĐ-UBND dated 28<sup>th</sup> June 2016 by Binh Dinh PPC approving the adjustment coefficient for land prices and detailed land prices for compensation and resettlement tasks in Hoa Lu Street Extension Project in Quy Nhon City. Accordingly, the price of land in the area of Chu Y Bridge construction is approved at 15,500,000 VND/ m<sup>2</sup>.

- *Crops and plants:*

The PPC has issued Decision No. 40/2013/QĐ-UBND dated 16 December 2013 on promulgating compensation unit prices for tree and crop losses upon land acquisition by the State in Binh Dinh Province.

- *Housing and architectural objects:*

Binh Dinh PPC has issued Decision No. 41/2013/QĐ-UBND dated 16<sup>th</sup> December 2013 promulgating compensation unit prices for losses of housing, architectural objects and graves land acquisition by the State in Binh Dinh Province.

However, in the stage of preparing detailed compensation plans for each project, there shall be a decision approving specific unit prices for each project based on surveys of market prices. Therefore, the cost estimates for compensation and resettlement support to AHs in the expansion area of Long My Landfill in this stage are formulated on the basis of current unit prices provided for by the PPC.

## **8. RESETTLEMENT MEASURES**

81. Resettlement measures are based on the following principles and policies on compensation, support and resettlement:

### **8.1. General principles**

82. All PAP who have assets within or reside within the area of project land before the cut-off date are entitled to compensation for their losses. Those who have lost their income and/or subsistence will be eligible for livelihood rehabilitation assistance based on the criteria of eligibility defined by the project in consultation with the PAPs. If, by the end of the project,

livelihoods have been shown not to be restored to pre-project levels, additional measures will be provided.

## **8.2. Compensation policy for permanent impacts**

### **8.2.1. For loss of agricultural land<sup>4</sup>**

#### **83. Legal and/or legalizable land users:**

- (i) “Land for land” compensation must be prioritized if the local land fund is available and the PAP choose this form of compensation. Land compensation must meet the following principles: a) equivalent to the affected land area but not exceeding the limit of local land assignment; b) same type of soil (or equal productive capacity); c) at a location satisfactory to the PAP; d) legitimate land use rights for household head and his/her wife/husband (if any); and e) non-payment of taxes, charges and fees for registration of land use rights or for transfer of land use right. If land compensation is smaller in size or lower in quality, PAP will be entitled to compensation in cash equivalent to the differences. For all assets on acquired land, PAP will receive compensation in cash at replacement cost.
- (ii) If land is not available in the locality or PAP prefer to receive cash compensation, they will receive compensation in cash for the loss of affected agricultural land and assets on the acquired at full replacement cost.
- (iii) If the area of remaining land after acquisition is not enough to continue cultivation, the Project will acquire the entire piece of land and compensation will be implemented in one of the two forms as defined in point (i) and (ii) of this section.
- (iv) In addition to compensation of land for land or in cash for land acquisition as specified above, PAP will receive allowances for economic recovery as stated in item 3.2.5 of this RPF.
- (v) In case the acquired land exceeds the limit of local land assignment (except for land owned by inheritance, donation or transfer of land use rights) PAP are not entitled to land-for-land compensation but will receive financial support to make investment in the remaining land area. The Provincial People's Committee will consider the granting of this support on the basis of actual local reality.

#### **84. Users with temporary or leased rights to use communal/public land:**

- (i) For PAP currently using land assigned by State-owned agricultural or forestry farms on a contractual basis for agricultural, forestry, or aquaculture purposes (excluding land of special use forests and protective forests), compensation shall be provided for investments made on the land at full replacement cost, but not for the land itself, and these PAP will also receive additional support for income rehabilitation if they are directly involved in agricultural activities in accordance with the Government’s regulations.
- (ii) Where PAP receive land from contracts signed with individuals, HHs, or organizations other than organizations specified above, they shall only receive compensation for investments made on the land at 100% investment costs.

#### **85. Land users who do not have legal or customary rights to affected land**

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<sup>4</sup> Classification of agricultural land as provided for in Article 10 of Vietnam’s Law on Land

- (i) For agricultural land which was used before July 1, 2004, of which the users are HHs and individuals directly engaged in agricultural production, PAP will receive compensation at full replacement cost as provided for in Article 77.2 of the Land Law.
- (ii) For other cases, instead of compensation, PAP will receive financial assistance at an amount equivalent to the investment in the remaining land; this financial assistance amount will be determined by the PPC.
- (iii) In case access to resources or residents' business facilities is physically impeded by the Project, PAP will receive necessary additional compensation or financial supports.

#### **8.2.2. For loss of land for non-agricultural production and business**

86. Organizations and individuals whose land for non-agricultural production and business is acquired will be compensated in each of the following cases:

- (i) All affected HHs and individuals with land use right certificate (LURC or legalizable land use rights: i) If local land fund is available, "land for land" compensation is prioritized; ii) If local land is not available, compensation in cash is made for loss of land and assets on the land acquired at full replacement cost.
- (ii) HHs and individuals who are using leased land with annual rental payment or lump-sum rental payment but are exempted from rental will not be compensated for land but compensated at an amount equivalent to the values invested in the remaining land and assets on land at full replacement cost .
- (iii) Legitimate organizations (economic organizations, public non-business organizations with financial autonomy) using land for non-agricultural production and business with lump-sum rental payment (not funded by the State budget) with LURC or legalizable land use rights will be compensated "land for land" if the local land fund is available; if local land is not available, , these organizations will be compensated in cash at full replacement cost.
- (iv) Legitimate organizations (economic organizations, public non-business organizations with financial autonomy) using land for non-agricultural production and business with annual rental payment or lump-sum rental payment but are exempted from rental will not be compensated for land but compensated at an amount equivalent to the values invested in the remaining land and assets on the land at full replacement cost.

87. In addition to the compensation amounts mentioned above, the Project will provide allowances and assistance to the removal and relocation of production & trade establishments of organizations/individuals mentioned in item 3.2.5 of this RPF.

#### **8.2.3. For loss of residential land**

88. Users who are affected with residential land will be compensated as follows:

##### Loss of land without structures:

- (i) *For legal or legalizable land users:* all compensation for loss of land will be made in cash at full replacement cost.
- (ii) *For land users who have no land use right or no recognizable land use right:* financial assistance will be provided corresponding to the remaining investment in the land. The amount will be determined by the PPC.

89. Loss of residential land with structures built thereon, where the remaining land is adequate for building new housing as regulated by the PPC (PAP to make their own arrangements):

- (i) Compensation for loss of land will be made in cash at full replacement cost for legal and legalizable land users;
- (ii) Financial assistance of an agreed amount will be provided to land users who do not have recognizable land use rights. The amount will be determined by the PPC.
- (iii) Compensation for affected structures will be made at full replacement cost.
- (iv) If houses or structures are partly affected, users will receive an allowance for repairing and finishing the remaining structures as mentioned in Section 3.2.5 of this RPF.

90. Loss of residential land with structures built thereon, and the remaining land is not adequate for rebuilding as regulated by the PPC (PAP to be relocated):

- (i) The PAP, who have legal or legalizable rights to the affected land, can choose any of the following compensation modes:
  - If PAP choose "land for land" compensation: PAP will be compensated a land plot/house in the Project's resettlement site with adequate infrastructure and the allocation of such resettlement land plot/house will be made in accordance with regulations by the PPC, depending on availability in the local land fund. PAP will be provided with a certificate of land/apartment use rights without paying any fees;
  - In case the compensation amount to be paid is greater than the cost of the allocated land plot/house in the Project's resettlement site, the difference will be paid in cash to PAP;
  - In case the compensation (or support) amount to be paid is less than the minimum cost of a land plot /house in the Project's resettlement site, and PAP don't have any other places to move in, they will receive an amount to enable them to acquire such new land plot/house without paying any additional fee;
  - If PAP choose not to be compensated "land for land", compensation for the loss of the entire acquired land will be made in cash at full replacement cost, plus relocation allowance prescribed by the provincial authorities for self-relocation;
  - In case the remaining land is not large enough to rebuild a house but is located in the same plot of land for pond/ garden/ agricultural land, PAP may propose converting part of pond/ garden/agricultural land into residential land as prescribed by the PPC to be able to rebuild another house on site.
- (ii) PAP who are not eligible for land compensation or do not have legal or legalizable rights to the affected land are entitled to the following:
  - An amount of financial assistance to be reviewed and decided the PPC;
  - If PAP have no place to move in, they will be allocated a minimum land plot/house in the resettlement site which they will pay for in installments or rent for living.

91. In case the relocated PAP belong to poor or vulnerable groups or HHs, additional assistance (in cash or in kind) will be provided to enable them to fully relocate in a new site. The PPC will decide on this amount of assistance.

#### **8.2.4. For loss of affected architectural works/structures**

92. Loss of affected architectural works/structures:



(i) Owners of affected works/structures will be compensated as follows:

- Compensation in cash will be made for all affected houses/structures at full replacement cost, regardless of whether or not they have title to the affected land or a construction permit for such affected houses/structures. The compensation amount will be sufficient to rebuild another house/structure of the same quality.
- If the house/structure is partially affected, a financial assistance will be provided to enable PAP to repair the affected house/structure and restore it to former conditions, or better, at no additional cost.
- Cash compensation will be at full replacement cost. No deductions will be made for depreciation or salvageable materials.
- The calculation of rates will be based on the actual affected area and not the useable area.

(i) Tenants of State-owned or organization-owned houses will be entitled to rent or buy a new apartment of an area at least equal to their affected ones at their wishes; or provided a financial assistance equivalent to 60% of replacement cost of the affected land and houses. The affected structures, crops, trees... created by PAP before cut-off date will be compensated for at full replacement cost.

(ii) Tenants who are leasing a private house for residential purposes will be provided with transportation allowance for moving assets and will be assisted in identifying alternative accommodation.

93. For affected graves:

- (i) Compensation for the removal of graves/tombs will include the cost of excavation, relocation, reburial and other reasonably related costs necessary to satisfy customary requirements. The compensation amount will be determined the PPC.
- (ii) For affected derelict graves, the PMU will sign a contract with an independent unit for compensation and relocation.
- (iii) Family clan and individual graves are considered physical cultural resources (PCR) and even though the costs associated with their relocation will be covered in the RP, the WB OP 4.11 on Physical Cultural Resources should be triggered and relevant cross references should be made to the Environmental Management Plan or Project Implementation Manual.

#### **8.2.5. For loss of crops, trees and livestock**

94. For affected crops and trees, regardless of the legal status of the land, compensation will be paid to households who cultivate the land at full replacement cost. For plants which can be brought to another location, transportation and re-planting costs will be provided.

95. For livestock (including aquaculture products) PAP will be compensated in cash at replacement cost at the time of land acquisition. Compensation will not be made for livestock which can be brought to another location or are nearing harvest time, but transportation cost and damages caused by transportation must be compensated.

#### **8.2.6. For loss of other assets**

96. In case affected HHs are equipped with telephone system, water meter, electric meter, cable TV, or Internet access (subscription), they shall be compensated according to the unit prices of installing new units as regulated by service providers.

### **8.2.7. For loss of public structures**

97. In case where public structures such as schools, bridges, factories, water sources, traffic roads, sewage systems, waste collection facilities ...are affected by the Project, the PPC and the PMU will ensure that these public infrastructures are repaired or restored as the case may be, at no cost to the community.

98. Public infrastructures directly related to people's livelihoods and development needs, such as irrigation canals, schools, clinics, roads, electricity supply lines, optic fiber cables...will be restored or rebuilt to pre-project or higher quality levels or compensated at replacement cost.

### **8.3. Compensation policies for temporary impacts during construction**

99. If the project needs temporary construction sites, the PMU will hire land from land owners in accordance with the Civil Code.

100. Losses of architectural works of individuals or public works arising during the construction period are compensated as follows:

- (i) The cost for recovery of damaged assets will be borne by construction contractor. This will be done immediately after the completion of construction works;
- (ii) Pursuant specific terms in civil contracts, the contractor is required to take greatest care in order to avoid damages to assets during construction operations. In case of loss or damage, the contractor is required to repair the damages and to compensate immediately to affected HHs/groups at the compensation rate applied to all other assets affected by the Project.

### **8.4. For secondary impacts**

101. This compensation policy will apply for PAP affected by land acquisition for the development of scattered resettlement or concentrated resettlement sites. As secondary PAP are likely to be affected in similar ways as primary PAP, they will be entitled to compensation and rehabilitation assistance in accordance with the same respective provisions for all other primary PAP.

### **8.5. Other impacts that may be identified during implementation**

102. Any other impacts that may be identified during implementation will be compensated in accordance with the principles of this RPF and the World Bank's OP 4.12. Any disruption of business will be compensated in accordance with the principles of this RPF.

### **8.6. Livelihood rehabilitation assistance**

103. Besides direct compensation for affected assets, PAP will also be provided with financial assistance to cover their expenses during the transition period. Assistance rates will be adjusted, taking into account such factors as inflation and price increase to be appropriate to real-time payment. These assistance amounts include, but are not limited to:

#### **8.6.1. For impacts on residential land**

104. Transportation allowance to relocated PAP: For PAP who move to a new location will receive financial assistance in cash. The allowance amount will be determined by the PPC.

105. House renting allowance: This assistance will be provided to PAP who may be forced to be displaced from their original homes and are still awaiting replacement land plots or apartments. The allowance amount will be determined by the PPC.

106. Relocation allowance: Relocated HHs or individuals that are eligible for being resettled by the Project but wish to resettle by themselves, in addition to compensation for acquired residential land at full replacement cost, will receive an assistance cash amount equivalent to the cost of investing in the infrastructure of a land plot/apartment in the Project's resettlement site. Specific amounts will be determined by the PCC.

107. Repair allowance: If the house/structure is partially affected and the remaining structure is viable for continued use, the project will provide a repair allowance to enable PAP to restore it to former or better conditions. Specific support amounts will be determined by the PCC.

108. For households/individuals relocated by residential-business land acquisition, the project will provide an allowance for vocational training, job change and job creation in conformity with the provisions by the PPC for current HH members in the working age.

109. Assistance for living settlement: PAP who are to be relocated or to rebuild their house on the remaining land area will receive assistance for living settlement in the transition period. This amount will be determined by the PPC.

#### **8.6.2. For impacts on agricultural land**

110. Allowance for living settlement (during the transition period): PAP with affected agricultural land acquisition will receive assistance in cash equivalent to 30kg of rice/person/month, specifically:

- (i) PAP losing 20 - 70% of their agricultural land (or 10 - 70% for the poor and vulnerable groups) will be provided with the said assistance for a period of 6 months if they do not have to relocate, and 12 months in case of relocation. In some special cases and in extremely difficult areas, assistance may be provided for a maximum of 24 months;
- (ii) PAP losing more than 70% of their agricultural land will be assisted at the above rate for a period of 12 months if they do not have to relocate, and 24 months in case of relocation. In some special cases and in extremely difficult areas, the assistance may be provided up to a maximum of 36 months;
- (iii) HHs affected by a loss of less than 20% of land, where the remaining land is rendered unviable for continued cultivation, will be assisted with the above support for a period of 12 months.

111. Allowance for production rehabilitation: Households and individuals that are compensated with agricultural land will receive support for production rehabilitation, including: support with plant varieties and animal breeds for agricultural production; services such as agricultural/forestry extension, plant protection, veterinary care, cultivation techniques, animal husbandry and professional techniques of production and trade; industrial-commercial services. The form and specific rates of such supports are provided for by the PCC.

112. Allowance for job training, job and job creation: The maximum support rate will not exceed 05 times the agricultural land price of the same type stated in the local land price list for the whole acquired land area of HHs and individuals directly engaged in agricultural production.

The land area eligible for assistance will not exceed the limit of land allocation in the locality. Specific rates of support will be determined by the PCC.

113. Assistance for agricultural, garden and pond land adjacent to residential areas but not included in the category of residential land will be provided in accordance with the provisions by the PCC.

#### **8.6.3. For loss of income and/or business**

114. Allowance for production and business rehabilitation:

- (i) Businesses/HHs with registered business will be compensated or supported. The maximum compensation/support is 30% of after-tax income of 01 year based on their average annual income which is declared to tax authorities for three most recent years;
- (ii) HHs that have no business license but have performed their tax obligations will be entitled to compensation/support equivalent to 50% of the support rate for businesses/HHs with registered business.

115. Support for removal of production/trade establishments: Organizations and PAP with land allocated or leased by the State or currently using land lawfully and have to relocate their production and/or business establishments upon land acquisition are entitled to financial support for dismantling, relocating and re-installing such establishments. Support rates will be determined on the basis of actual costs at the time of removal, of self-declaration by such organizations and of the verification by the agency in charge of compensation, before being submitted to relevant authorities for approval.

116. Allowance for interrupted employment: Employees who work on contractual bases in affected manufacturing facilities or businesses will receive allowance equivalent to the minimum salary as provided for by regulations during a maximum transition period of 6 months. These affected employees will receive assistance in finding other jobs if they wish to.

#### **8.6.4. For loss of public land of communes, wards or towns**

117. If the acquired land belongs to public land funds of communes, wards or townships, the maximum financial assistance may be equal to the compensation rate. This assistance amount may be used only in investments into the construction of infrastructure works, or for public utilities in communes, wards and townships as stipulated in Article 24 of Decree 47/2014/ND-CP.

#### **8.6.5. Allowance/assistance targeted to vulnerable HHs**

- (i) For landless HHs: Assistance is given through the provision of an apartment in the form of PAP's purchase or rent for residential purposes (at PAP's choice). Additional assistance will be considered if needed to ensure the PAP have a place to live.
- (ii) For beneficiary HHs of social policy: Relocated HHs with heroic mothers, armed forces' heroes/heroines, labor heroes/heroines, war veterans, war invalids or fallen heroes will be provided with support as regulated by the PCC (to be certified by local authority).
- (iii) Poor HHs: in addition to assistance under the provisions, poor HHs affected by the Project enjoy support for vulnerable groups as follows:
  - Poor HHs who are relocated or lose 10% or more of their agricultural land, or lose less than 10% of their agricultural land but the remaining area is not sufficient for

continued cultivation will be supported in cash equivalent to 30kg of rice/person/month for a period of 24 months or in conformity with the policy by the PCC, whichever higher.

- Other affected poor HHs will be supported in cash equivalent to 30kg of rice/person/month for a period of 6 months or in conformity with the policy by the PCC, whichever higher.

(iv) Other vulnerable groups: Female-headed HHs with dependents, HHs with handicapped persons, elderly people with no source of support and ethnic minority HHs will get the same support given to poor HHs or receive support in cash equivalent to 30kg of rice/person/month for a period of 6 months or in conformity with the policy by the PCC, whichever higher..

#### **8.6.6. Other allowances/assistance**

118. Incentive Bonus: All PAP who vacate the affected land immediately after receiving compensation and allowances will be given an incentive bonus depending on the provincial policies.

119. PAP that will lose income sources will be entitled to take part in Income Restoration Programs. Rehabilitation measures such as agricultural extension services, job training and creation, credit access, allocation of non-agricultural business land and/or other measures as appropriate will be given to PAP losing income sources, so as to ensure their livelihood could be restored to pre-project levels.

120. Apart from the assistance and supports mentioned above, , the Project may take into account the actual situation to consider other types of assistance to secure the stabilization of cultural & spiritual life, production and livelihoods of PAP.

#### **8.7. Resettlement and income restoration**

121. HHs having affected residential land and having to relocate will identify and select options of whether to resettle on their existing plots or to move to land plots provided by the PC of district/city or to receive cash compensation to make their own arrangements for relocation. In the case that any businesses have to relocate, HHs will be assisted to find viable new sites, and the HH members in the working age (if they wish to) will be supported to have job training and to finds as regulated by the PPC.

122. HHs households with acquired agricultural land, apart from the aforesaid compensation and assistance, are entitled to the policy on assisting in job creation and vocational training for the members in the working age (Decision No.52/2012/QD-TTg and Decree No.47/2014/ND-CP). They will be provided:

- (i) Support for vocational training including: short-term vocational training courses (elemntary level with vocational training courses of less than 3 months) or vocational training at intermediate and college levels, and the State will pay the tuition for one training course. The expenditure for vocational training is taken from the total expenditure of the investment project or from the approved plan on compensation, assistance and resettlement;
- (ii) Support for job creation in the country: consultation on vocational training, free introduction of jobs at job introduction centers under DOLISA. Any production/trade

establishments receiving many working people whose agricultural land is acquired will be entitled to preferential policies on land, credit and taxes as regulated by the laws.

123. Besides, AHs who are compensated with agricultural land will be assisted in stabilizing production, including: assistance in plant varieties and animal breeds for agricultural production, agriculture and forestry services, plant protection services, veterinary care, cultivation techniques, breeding techniques, professional techniques of production and business, and industrial-commercial services. Appropriate livelihood restoration programs will be designed and implemented in consultation with PAP during Project implementation.

#### **8.8. Vulnerable groups, gender and ethnic minorities**

124. The Project realizes that there are certain social groups that have fewer possibilities to restore their living conditions, livelihoods, and income levels and the Project has integrated these issues in project preparation and implementation activities through the application of a process of planning preparation and decision making with the participation of PAP. Women contribute their definite part to economic development of the family and community livelihood. They will be empowered to become active members in community and Project activities to obtain their participation in supporting project implementation and monitoring.

125. During the implementation process, the Project will pay special attention to the women and female-headed HHs as the Project beneficiaries. Women will participate equally in the whole process of project implementation to enhance the Project sustainability. Active participation of women and the ethnic minority group (if any) will ensure that design of restoration measures suits their specific needs or concerns, e.g. groups of people without land, the poor and female householders, the handicapped, the elders and children who have no assistance sources. In case there needs to be a full resettlement action plan that is suitable and agreed by all relevant parties, a strategy of gender and specific actions for the ethnic minority groups will be incorporated.

### **9. SELECTION AND PREPARATION OF RESETTLEMENT SITE**

126. Quy Nhon Sustainable Environment Project is to carry out site clearance in those areas serving the expansion of Long My Landfill and construction of Chu Y bridge. Consequently, the one AH, with 4 families living together in the same house, in the area of Chu Y-bridge will have to be relocated and resettled.

127. Due to a very small number of to-to-relocated and resettled HHs, the sub-project will not have to prepare and construct its own settlement site, so those HHs to be relocated will be arranged to move to the existing resettlement sites in Quy Nhon City, such as the resettlement site serving the construction of North Ha Thanh Urban and Trade Area or being resettled in the planned residential area along the extended Hoa Lu road (near the land parced acquired from the AH). During the project preparation, the Client had discussion meetings with the Provincial Center for Land Fund Development to reach an agreement that the land area to be taken from AHs for the construction of Chu Y bridge equals 1.5 times as much as the designated limit of residential land allocation up to less than 3 times as much as the limit of residential land allocation (i.e. from 80 m<sup>2</sup> to 240 m<sup>2</sup>); so one household may be allocated 2 housing plots, but not exceeding the acquired land area and be resettled in the planned residential area along the extended Hoa Lu road. The two housing plots to be allocated for the above-mentioned HH shall be established as:

- Plot No. 2: covering an area of 94.8 m<sup>2</sup>, with road 15 m in ROW width in the planned residential area along the extended Hoa Lu road;
- Plot No. 3: covering an area of 86.1 m<sup>2</sup>, with road 15 m in ROW width in the planned residential area along the extended Hoa Lu road.

## **10. RESTORATION MEASURES**

128. In the implementation of the project, in addition to enormous socio-economic significance brought about by construction works, the assistance to PAP so that they could have normal living will be the assurance of the sustainable development of the Project. Quy Nhon Sub-Project requires permanent acquisition of 273.10 m<sup>2</sup> residential land and garden land from one HH in the area of Chu Y-bridge 196,937 m<sup>2</sup> of forestry land from 6 HHs in the expansion area of Long My Landfill Site, thus affecting their living condition. However, for the affected household living in the area of Y bridge, since its members are government employees and engaged in sustainable business activities, their income is quite high. The resettlement relocation is likely not to have much impact on these households' sources of income. As a result, the income restoration program primarily focuses on the affected households living in the expansion area of Long My Landfill.

129. The objective of the Income Restoration Program is to help AHs restore the income sources to pre-project or higher levels and ensure these AHs adapt themselves to the new conditions in the soonest possible time.

130. The project is to ensure adequate compensation and full support for affected land, structures and assets at replacement cost. Besides, the entitlement policies on assisting PAP' in restoring income are ensured and fully stated in the Project's Resettlement Framework that has been approved by the GoV.

131. Measures to restore livelihoods for PAP are being discussed among the PMU, the Consultant, local authorities, and related agencies such as DOLISA, the provincial Vocational Training Center, and the local Social Policy Bank in order to build an appropriate Income Restoration and Support Program with community participation..

132. Consultation results on affected HHs show that they will continue production on the remaining land area, strengthen husbandry and small trading activities and share a common suggestion that the project should: (i) support the HHs to maintain their living; and (ii) consider and carry out suitable compensation and support measures to ensure people's interests.

133. Basically, these suggestions are compliant with the Project's proposed criteria/principles. Support in cash, job creation and livelihood recovery are measures which will help PAP to promptly stabilize their living. However, as the number of affected HHs in this case is too small, it is very difficult to develop a comprehensive and efficient community support program. Therefore, this issue was raised for discussion in consultation meetings with relevant departments and agencies on 19th July 2016 at the PMU's office. In the opinion of DOLISA, Binh Dinh authorities are currently running a vocational training program for rural labor under Decision No. 1956/QĐ-TTg dated 27th November 2009 by the Prime Minister. Participants of this program are people under preferential treatment, including HHs affected by land acquisition. As a result, the income recovery program for the AHs with affected forestry land in the expansion area of Long My Landfill is proposed to be combined with the said vocation training program. The program provides training courses on jobs related to agricultural production,

forestry and husbandry; processing and sourcing livestock feed; disease prevention and treatment for livestock; production of rattan/bamboo items; and other jobs at AHs' request. AHs can register for these courses at the following vocational schools and vocational training centers in the Province s:

1. Binh Dinh Art Craft Intermediate School

Add: Group 5, Quarter 5, Nhon Phu Ward, Quy Nhon City

Tel.: 056.3848647 - Fax: - Email: nhiep60@gmail.com

2. Binh Dinh Vocational Training Center - Youth Job Introduction Center:

Add.: 44 Vo Thi Sau, Nhon Binh Ward, Quy Nhon City

Tel. : 056.3848647 - Fax: - Email: nhiep60@gmail.com

3. Binh Dinh Center for Vocational Training and Support for Farmers:

Add.: Quarter 5, Nhon Phu Ward, Quy Nhon City;

Tel. : 0563648464 - Fax: 0563648464 - Email: daynghenongdanbinhdinh@gmail.com

4. Binh Dinh Women Union's Vocational Training Center:

Add.: No. 30 Nguyen Van Be, Quy Nhon City, Binh Dinh Province

Tel.: 0563813852 - Fax: - Email: tt\_daynghe\_hlhpnb@yahoo.com.vn

AHs participating in this program under the Decision No. 1956/QĐ-TTg will be exempted from training fees and will receive support of subsistence expenses.

## **11. RESPONSIBILITIES OF PROJECT STAKEHOLDERS**

134. The implementation of resettlement activities requires the involvement of agencies and organizations at national, provincial, district and commune levels. The PC of each Province engaged in the Project will take overall responsibility for the implementation of the general resettlement policy framework and specific resettlement plan of the sub-project of that Province. The provisions and policies of this RPF and the RAPs will form the legal basis for the implementation of compensation and resettlement activities in the Coastal Cities Sustainable Environment Project. To Quy Nhon city Subproject, it is planned that PMU will sign a contract with Binh Dinh Provincial Site Clearance Board or Binh Dinh PPC will assign the Provincial Site Clearance Board to take care of entire compensation/ support and resettlement. Binh Dinh Provincial Site Clearance Board works directly under administration of Binh Binh PPC and was established since the 01 August 2015 under the Decision No. 2610/QĐ-UBND dated 28 July 2015 of Binh Dinh PPC. The site Clearance Board takes the role of assisting PPC to conduct site clearance for the key projects, implement compensation and arrange resettlement, including hosting and coordinating with relevant agencies and districts PC in site clearance process. Detailed responsibilities of the Project's stakeholders are as follows:



### **11.1. At provincial level**

135. The Provincial People's Committees (PPC) in each involved province is fully responsible for the performance of compensation, site clearance and resettlement in the province. The PPC will be responsible for:

1. Approving the Resettlement Policy Framework (if authorized by the Government);
2. Issuing announcements or authorizing the district PCs to announce information on land acquisition when the Sub-Project location has been selected;
3. Appraising and approving RAPs after their final drafts are approved by the Bank;
4. Approving land acquisition and allocation in the Project;
5. Making final decision and releasing unit prices of compensation and assistance rates, and support policies towards AHs and vulnerable groups on the basis of this Policy Framework and the approved RAPs;
6. Directing the coordination among concerned agencies and provincial departments to implement compensation, assistance and resettlement in accordance with the approved RAPs;
7. Fully funding resettlement activities;
8. Ensuring that the resettlement activities of the Sub-Project comply with the Policy Framework and the approved RAPs; ensuring that the objectives of the RP are achieved after errors have been detected through internal/ independent monitoring in the implementation of the RAP;
9. Considering resettlement locations for AHs if requested.

### **11.2. Project Management Unit**

136. The Project Management Unit (PMU) is the standing agency responsible for the implementation of the RP of the Project. The PMU's responsibilities include the following:

- (i) To provide with the RAP and RPF to PMU as the basis for compensation and resettlement
- (ii) To implement and monitor all compensation and resettlement activities within the Project, under the management of the PPC;
- (iii) To prepare plans, coordinate and monitor the RP in general;
- (iv) To update and/or prepare RPs in accordance with the approved RP and Policy Framework and submit them to the PPC and WB for approval before deploying these approved RPs;
- (v) To guide all RP activities in conformity with the policies and guidelines of the Project RP;
- (vi) To establish model procedures/processes regarding information campaigns and relevant consultation organization such as sending a monthly notification to the communities on the Project activities; to coordinate with other components and other agencies involved in the RP in implementing and monitoring resettlement activities;
- (vii) To coordinate with the Provincial Site Clearance to check and advise the PPC on the compensation prices of land and other assets in coordination with other related government departments and agencies of the Province, on the basis of the principles of this Resettlement Policy Framework;

- (viii) To coordinate, supervise, and monitor the implementation of RP activities in the Project;
- (ix) After the Provincial Site Clearance Board completed the detailed measurements and inventory of losses, completing compensation plans, preparing summary lists and tables of compensation, , and setting up detailed compensation and resettlement plans, PMU will submit to DONRE for appraisal and PPC for approval or the Provincial Site Clearance Board will directly submit to DONRE and PPC (if the PPC assigns the Provincial Site Clearance Board to undertake compensation and resettlement for this subproject);
- (x) To prepare the construction of resettlement sites and procedures of land allocation to displaced HHs; to manage land plots in resettlement sites to serve the resettlement of HHs and individuals being relocated within the Project;
- (xi) To establish a contact mechanism to ensure suitable technical assistance and logistics for the implementation of compensation and resettlement;
- (xii) To set up database criteria on PAP for each component as well as for the entire Project;
- (xiii) To establish procedures on internal monitoring to supervise the compliance with the project policies;
- (xiv) To establish procedures on monitoring coordination between contractors and local communities, ensuring timely and prompt identification and compensation for impacts on public and private properties during construction;
- (xv) To select , monitor, and implement recommendations from the independent monitoring agency;
- (xvi) To set procedures on promptly implementing necessary measures of adjustments and advising the project owner in handling complaints;
- (xvii) To coordinate with related agencies to provide employment related to the Project for PAP (by consulting the contractor on career opportunities for locals and providing information for PAP on such opportunities and how to take up such opportunities);
- (xviii) To take over acquired land from HHs and hand it over to construction units;
- (xix) To cooperate closely with the independent monitoring agency; and
- (xx) To report periodically on resettlement activities to the WB.

Quy Nhon PMU has a great advantage in implementing social safeguard policies as they involved in the Coastal Cities Environment and Sanitation Project. PMU has staff who work dedicatedly on land acquisition, compensation, and resettlement. However, given the experience in Quy Nhon, more trainings will be provided to PMU staff, especially on social safeguard policies. The budget for these activities are come from item capacity building and technical assistance in Component 4.

### **11.3. Binh Dinh Provincial Site Clearance Board**

137. Binh Dinh Provincial Site Clearance Board is the unit specialized for operations of site clearance and resettlement, directly under administration of PPC. The board includes 20 staff with high educational qualification and experience in site clearance for construction projects. The board has functions of:

- (i) Implementing the detailed IOL and the compensation plans, preparing summary tables for compensation to assist PMU and submit to DONRE and PPC for appraisal and approval.
- (ii) Being responsible for consistency and accuracy of inventory data and assets to be compensated which are presented in the Compensation and Resettlement Plan.
- (iii) Ensuring the rationality between land acquisition and compensation in a same period of time; taking care of compensation payment and support measures to assist PMU; consulting and disseminating information to people to maintain an effective communication channel among parties for implementation of RP.
- (iv) Closely coordinating with PMU in compensation, support and resettlement for the subproject.

#### **11.4. City/ district level**

138. The City/District People's Committees (DPCs) are responsible for:

- (i) Making announcements on land acquisition if authorized by the PPC;
- (ii) Approving compensation plans prepared by the CRC and submitting the same to the PPC for endorsement;
- (iii) Issuing decisions on acquiring land from individuals and HHs;
- (iv) Handling complaints and grievances of the PAP within jurisdiction.

139. The City/District's Compensation and Resettlement Committees/Councils (CRCs) shall take responsibility for carrying out compensation and site clearance for works located in their respective city/districts, including:

- (i) Planning and implementing all daily RP activities within the city/district;
- (ii) Making inventories of acquired land, completing compensation lists and tables, and preparing sum-up tables to be submitted to competent authorities for approval and paying compensation directly to each affected person after receiving compensation funds;
- (iii) Preparing allocated land and procedures on land for the resettlement of relocated HHs;
- (iv) Appointing staff for conciliation and handling of complaints by PAP on compensation policy and rights to compensation;
- (v) If necessary, establishing commune/ward CRCs and direct them in implementing RP activities;
- (vi) Paying special attention to the needs and aspirations of particular groups of people (ethnic minorities) and vulnerable people (children, the elderly, female/single householders); and coordinating closely with independent monitoring agencies.

#### **11.5. Ward/ Commune level**

140. The Ward/Commune People's Committees will be responsible for:

- (i) Establishing ward-level working groups and manage their operations; assigning ward/commune staff to assist the Site Clearance Board and the PMU in preparing DMS for the Project, preparing documents on land acquisition, preparing RAPs and implementing resettlement operations;

- (ii) Verifying PAP's legal titles or certifying their land use or transfer to meet the requirements of compensation;
- (iii) Assisting other units and agencies, including the PMU, in posting or disseminating information; holding community meetings; and consulting APs for comments;
- (iv) Assisting other units and agencies, including the PMU, in carrying out demographic surveys, replacement cost surveys, detailed measurement and inventory surveys, and other resettlement activities;
- (v) Participating in all operations of land acquisition and allocation, resettlement, recovery support, and social development support;
- (vi) Supporting PAP in all RP activities and living standard restoration;
- (vii) Notifying PAP on compensation schedule, monitoring compensation implementation; and signing in documents on compensation with PAP; and
- (viii) Ensuring full implementation of the mechanism of handling complaints from AHs; recording all complaints and filing all documents on complaints; supporting and advising AHs ; and promptly resolve complaints.

#### **11.6. Project Affected people (PAP)**

141. The PAP are responsible for:

- (i) Coordinating with survey teams in carefully checking and certifying affected land and other assets as well as their entitlements;
- (ii) Participating in all phases of the RP preparation and implementation and giving feedback to improve the quality of the RP and devise solutions for implementing the RP smoothly; and
- (iii) Moving to new sites in a timely manner after receiving full compensation for entitlements.

### **12. PUBLIC CONSULTATION AND INFORMATION DISSEMINATION**

#### **12.1. Objectives of public consultation and information dissemination**

142. Disseminating information to PAP and stakeholders is an important part of project preparation and implementation. Consultation with PAP and assurance of their active participation will reduce potential conflicts and the risk of slowing down the Project. This also allows the Project to design a resettlement and rehabilitation program as a general development program, meeting PAP's needs and priorities and therefore, maximizing economic and social efficiency of investment funds. The objectives of a information and community consultation program include:

- Disseminating information to PAP and stakeholders to reduce potential conflicts and the risk of slowing down the Project. PAP's involvement during project implementation will be allowed to continue by making proposals to the city/war/commune authorities to invite representatives of PAP to act as members of the CRCs and to take part in resettlement activities (property valuation, compensation, resettlement, and monitoring);
- Sharing information to PAP on planned work items and operations of the Sub-Project;

- Obtaining PAP's information on needs and priorities and receiving their feedback on planned policies and activities;
- Ensuring that PAP are fully informed of decisions which directly affect their income and living standards and that they have the opportunity to participate in activities and make decisions on issues directly affecting them;
- Gaining the cooperation and participation of PAP and communities in the activities, which is necessary for planning and implementing resettlement tasks; and
- Ensuring transparency in all activities related to land acquisition, compensation, resettlement and income restoration.

## 12.2. Community consultation during project preparation stage

143. During project preparation stage, information dissemination and community consultation are aimed at gathering information for assessing impacts from project resettlement and introducing recommendations on possible options. This will help reduce and/or eliminate potential negative resettlement impacts on local residents and prepare in addressing potential matters or problems that may emerge during project implementation.

144. Information dissemination and community consultation may be carried out by including the method of rapid appraisal with the participation and advice from stakeholders, through the use of such techniques as paying visits to affected households and locations, holding community meetings, holding group meetings and discussions and carrying out joint socio-economic surveys.

145. Right in the stage of Project preparation, local government, local associations/unions, residents in the Project area and affected households/organizations are informed of the Project, project objectives and activities. They are consulted and participate actively in discussions on development demands and priorities of their locality.

### 12.2.1. First public consultation

146. Binh Dinh Key Projects Management Unit has already sent an official dispatch to the PCs and Fatherland Front Committees of the wards/communes within the Project's research area to ask for comments during the preparation of the EIA, SA and RP reports. The PCs of the wards have already sent invitation letters to most of the affected HHs, representatives of residential groups, quarters, ward/commune associations and unions, etc.

The time, venue and participants of each community consultation at communes/wards are shown in the following table:

**Table 8. Time, venue and participants of the first public consultation**

Date	Venue	Participants	Total attendance		
			Total	Women	
				Number	Percentage (%)
22/2/2016	Nhon Binh	<ul style="list-style-type: none"> <li>○ PMU representatives;</li> <li>○ Representatives of local authorities;</li> </ul>	18	8	44.44
22/2/2016	Nhon Phu		10	5	50.00
23/2/2016	Dong Da		15	6	40.00
23/2/2016	Tran Quang		10	4	40.00

	Dieu	○ Representatives of local organizations and unions; ○ HHs in project area; ○ Consultant’s representatives.			
24/2/2016	Hai Cang		12	5	41.67
24/2/2016	Quang Trung		19	8	42.11
25/2/2016	Thi Nai		11	5	45.45
25/2/2016	Le Hong Phong		12	5	41.67
26/2/2016	Tran Hung Dao		12	5	41.67
26/2/2016	Ngo May		14	6	42.86
27/2/2016	Ly Thuong Kiet		12	4	33.33
29/2/2016	Le Loi		14	4	28.57
29/2/2016	Tran Phu		13	3	23.08
1/3/2016	Nguyen Van Cu		10	4	40.00
1/3/2016	Ghenh Rang		12	5	41.67
2/3/2016	Phuoc My		18	8	44.44
Total			212	85	40.09

147. Each of the meetings lasted about 3 hours, in which the following contents were informed to the participants:

- Introduction on the Project (objectives, position & location, scale and plan of the Project ...);
- Technical proposals of the Project;
- Items/works to be implemented in the wards/communes;
- Policy relating to resettlement by the Government of Vietnam and the WB;
- Consulting delegates for comments on the Project and issues relating to compensation, support and resettlement.

148. Regarding to the project, all delegates agreed on the contents of the presentation and expressed the wish that the Project would be deployed soon to meet the local people's pressing demand related to wastewater and environmental hygiene. The delegates also requested Binh Dinh Key Projects Management Unit to comply with the policies on compensation, support and resettlement of the Project as stated in the Resettlement Policy Framework prepared separately for the Project. Detailed response and feedback from the Employer are presented in the summary table below:

**Table 9. Summary of information on community consultation and information dissemination**

<b>Content Time/venue</b>	<b>Participants</b>	<b>Participants' comments</b>	<b>Feedback from PMU/Consultant</b>
1.Dong Da Ward PC	<ul style="list-style-type: none"> <li>- PMU representatives</li> <li>- Local government representatives</li> <li>- Consultant</li> </ul>	<ul style="list-style-type: none"> <li>- As designed solution, there's pipeline passing Tran Hung Dao Street. This is an important pipeline of the city in general and of the ward in particular. Participants fully support the</li> </ul>	<ul style="list-style-type: none"> <li>- Comments and opinions of the government and residents will be mentioned in the report for better</li> </ul>

	<p>representatives</p> <ul style="list-style-type: none"> <li>- Representative HHs in the project area</li> </ul>	<p>Project's guidelines;</p> <ul style="list-style-type: none"> <li>- Schools, State agencies and non-business agencies should be prioritized for connection to the drainage system.</li> <li>- The project will have positive impacts on residents by addressing many sanitation issues.</li> <li>- There needs to be satisfactory and sufficient compensation benefiting PAP, especially HHs affected by land acquisition in the bridge construction area.</li> <li>- Upon implementation, the Project may employ local unskilled laborers.</li> <li>- Mitigation measures are to be implemented during construction.</li> <li>- As there are many business HHs on either side of the line, construction operations should be performed in such a manner that would minimize impacts on business activities.</li> </ul>	<p>project implementation efficiency.</p> <ul style="list-style-type: none"> <li>- Compensation: WB will work out a most suitable policy framework by giving prime importance to people's welfare.</li> <li>- PMU agrees on these comments and opinions.</li> </ul>
2.Le Hong Phong Ward PC	<ul style="list-style-type: none"> <li>- PMU representatives</li> <li>- Local government representatives</li> <li>- Consultant representatives</li> <li>- Representative HHs in the project area</li> </ul>	<ul style="list-style-type: none"> <li>- Participants express support for the Project and hope Project implementation will be sped up.</li> <li>- There should be satisfactory compensation and support policies benefiting local residents.</li> <li>- The Project will have positive impacts on socio-economic development as well as the environment.</li> <li>- Attention is to be paid to such negative impacts as heavier traffic, higher levels of dust, exhaust gases and during construction.</li> <li>- Mitigation measures must be implemented during construction to cut down impacts on the environment during construction.</li> <li>- Construction operations may affect people's travel or cause</li> </ul>	<ul style="list-style-type: none"> <li>- These issues shall be mentioned in the report.</li> <li>- PMU/Consultant agrees on the comments.</li> <li>- Compensation: WB will work out a most suitable policy framework by giving prime importance to people's welfare .Detailed examination and assessment must be carried out on environmentally sensitive locations and there must be mitigation measures which are scientific, feasible</li> </ul>

		sinking of residential houses.	and suitable to local conditions.
		<ul style="list-style-type: none"> <li>- Construction operations should be carried out in a scientific manner by using the successive construction method (construction taking place in one half of the road, with the other half allowing for traffic and travel).</li> </ul>	<ul style="list-style-type: none"> <li>- The role of the community and local government is to be promoted in environment supervision during Project implementation.</li> </ul>
3. Ngo May Ward PC	<ul style="list-style-type: none"> <li>- PMU representatives</li> <li>- Local government representatives</li> <li>- Consultant representatives</li> <li>- Representative HHs in the project area</li> </ul>	<ul style="list-style-type: none"> <li>- Project information has been adequately disseminated to the public.</li> <li>- Residents agree on support and propose project implementation.</li> <li>- This is an important project, helping improve the City's image and address environmental issues.</li> <li>- Construction operations will affect people's life.</li> <li>- Drainage from AHs will be affected during construction.</li> <li>- Dust and noise generation needs to be minimized; materials must be neatly gathered so as not to affect construction and residents' travel.</li> <li>- Proper attention must be paid to people's travel and daily activities as well as local security &amp; order.</li> </ul>	<ul style="list-style-type: none"> <li>- Comments and opinions from local government and residents will be included in the report.</li> <li>- Compensation: WB will work out a most suitable policy framework by giving prime importance to people's welfare..</li> <li>- Detailed examination and assessment must be carried out on environmentally sensitive locations and there must be mitigation measures which are scientific, feasible and suitable to local conditions..</li> <li>- The role of the community and local government is to be promoted in environment supervision during Project implementation..</li> </ul>
4.Quang Trung Ward PC	<ul style="list-style-type: none"> <li>- PMU representatives</li> <li>- Local government representatives</li> </ul>	<ul style="list-style-type: none"> <li>- During construction, attention needs to be paid to narrow road sections that must be reinstated immediately to avoid adverse</li> </ul>	<ul style="list-style-type: none"> <li>- WB will work out a most suitable policy framework by giving prime</li> </ul>



	<ul style="list-style-type: none"> <li>- Consultant representatives</li> <li>- Representative HHs in the project area</li> </ul>	<ul style="list-style-type: none"> <li>impacts on people's travel and living.</li> <li>- Participants support the Project and its development objectives; wish the project will soon be implemented to improve environmental quality and living standards of local residents.</li> </ul>	<p>importance to people's welfare .Detailed examination and assessment must be carried out on environmentally sensitive locations and there must be mitigation measures which are scientific, feasible and suitable to local conditions.</p> <ul style="list-style-type: none"> <li>- The role of the community and local government is to be promoted in environment supervision during Project implementation.</li> </ul>
5. Tran Hung Dao Ward PC	<ul style="list-style-type: none"> <li>- PMU representatives</li> <li>- Local government representatives</li> <li>- Consultant representatives</li> <li>- Representative HHs in the project area</li> </ul>	<ul style="list-style-type: none"> <li>- Local government authorities and residents strongly support the Project. Tran Hung Dao Ward is a hot spot in terms of wastewater, and business HHs are eager to be connected to the common wastewater drainage system.</li> <li>- Participants hope the Project will be implemented, with clear-cut progress schedule and speeding up of construction operations.</li> <li>- The Project will have positive impacts by improving environmental sanitation.</li> <li>- Construction will have definite impacts on residents (dust, road surface excavation, etc.)</li> <li>- Construction of drainage sewers to a higher elevation than house floors should be minimized.</li> <li>- The Project is practical for local conditions.</li> <li>- The Project should be implemented in close co-ordination with local government, with attention paid to propagation</li> </ul>	<ul style="list-style-type: none"> <li>- PMU/Consultant acknowledged comments from local government and residents;</li> <li>- The Project undertakes to carry out effectively measures to mitigate environmental impacts.</li> </ul>

and encouragement.

- Construction on narrow roads without road boundaries must limit impacts on traffic and people's travel.
- Construction should be performed in a successive and neat manner neat without creating impacts on residents.

Attention should be paid to re-examination of loan grants to poor and marginally poor HHs so that they can get connected to the drainage system.

6. Tran Quang Dieu Ward PC	<ul style="list-style-type: none"> <li>- PMU representatives</li> <li>- Local government representatives</li> <li>- Consultant representatives</li> <li>- Representative HHs in the project area</li> </ul>	<ul style="list-style-type: none"> <li>- Tran Quang Dieu is a suburban ward, with drainage pipelines mostly in the Ward's main roads, with a very low percentage of HHs connected to the drainage system in small alleys; participants express their support for the Project and wish the Project will soon be implemented.</li> <li>- The residents desire that their houses will be connected to the city's common wastewater drainage system.</li> <li>- Construction needs to be prompt and does not last long.</li> <li>- Construction operations will affect people's travel, especially with accident risks in the rainy season.</li> <li>- There must be measures to mitigate dust and noise during construction.</li> <li>- The project should provide financial support for local infrastructural improvement.</li> <li>- Construction must be sped up.</li> <li>- Technical design should take into consideration HHs located away from tertiary pipelines as these HHs also need to get connected.</li> <li>- However, connections to HHs will give rise to problems of housing rehabilitation and connection expenses. Residents wishing to get connected have not received any instructions on detailed procedures. The project owner is proposed to disseminate information to the public on procedures for connection and to provide instructions to each specific case.</li> </ul>	<ul style="list-style-type: none"> <li>- PMU/Consultant acknowledged comments from local government and residents;</li> <li>- The Project undertakes to carry out effectively measures to mitigate environmental impacts.</li> </ul>
7. Phuoc My Commune PC	<ul style="list-style-type: none"> <li>- PMU representatives</li> <li>- Local government representatives</li> <li>- Consultant</li> </ul>	<ul style="list-style-type: none"> <li>- Participants agree on the plan for acquisition of over 12ha (A4 and A5 squares in planning).</li> <li>- Acquired land is mostly for growing forest trees (eucalyptus,</li> </ul>	<ul style="list-style-type: none"> <li>- PMU/Consultant acknowledged comments from local government authorities and</li> </ul>

	<p>representatives</p> <ul style="list-style-type: none"> <li>- Representative HHs in the project area</li> </ul>	<p>acacia, and a number of other trees). Detailed acquisition plan must be communicated to residents upon land acquisition.</p> <ul style="list-style-type: none"> <li>- Exact inventorying must be carried out for kinds of trees on each hectare.</li> <li>- Low areas (near roads, suitable for tree planting, etc.) need to be fully acquired. Otherwise, roads must be constructed for tree planting convenience.</li> <li>- Seriously affected HHs need to be compensated and supported for life settlement in compliance with WB's relevant policies.</li> <li>- Compensation must be paid on the basis of market prices.</li> <li>- The project will help environmental protection, improve local sanitation, and boost socio-economic development.</li> <li>- Attention must be paid to negative impacts (dust, traffic accidents, people's travel in the Ward, etc.);</li> <li>- The project should be promptly implemented and completed to minimize impacts on residents.</li> </ul>	<p>residents;</p> <ul style="list-style-type: none"> <li>- PMU/Consultant commit to make compensation on market prices and detailed inventorying;</li> <li>- PMU/Consultant is to co-operate closely with local government authorities in implementing the project;</li> </ul>
8. Nhon Binh Ward PC	<ul style="list-style-type: none"> <li>- PMU representatives</li> <li>- Local government representatives</li> <li>- Consultant representatives</li> <li>- Representative HHs in the project area</li> </ul>	<ul style="list-style-type: none"> <li>- Participants express their support of the city's project implementation plan, but propose the following: <ul style="list-style-type: none"> <li>- The PMU is to completely get rid of bad odor generated from Nhon Binh WWTP;</li> <li>- Separating green trees are to be planted in the buffer area as per project design;</li> <li>- Compensation and displacement of HHs living in the buffer area of the WWIP must be thoroughly performed.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>- PMU/Consultant acknowledged comments from local government authorities and residents;</li> <li>- PMU is co-operating with the Consultant to optimize the treatment technology for the WWTP;</li> <li>- PMU is co-operating with the city's PC to complete</li> </ul>

compensation, support and settlement arrangements for HHs who have not moved out of the buffer area.

- The ward PC, officials of residential quarters and other related agencies are proposed to take part in persuading the HHs to receive compensation payment and resettlement land, and hand over cleared land for the Project to plant green trees as designed by the Project.

#### ***12.2.2. Consultation with provincial departments/ agencies on resettlement policies***

149. On 26th April 2016, the PMU in coordination with the RP Consultant conducted consultation with relevant department and agencies on social safeguards and the RP Framework of the Project. The participants consisted of:

- Representatives of the PMU
- Representatives of the provincial Land Fund Development Center
- Representatives of the city Land Fund Development Center
- Representatives of DOLISA
- Representatives of DONRE
- Representatives of DARD
- Representatives of the city's Women's Union
- The Consultant
- Total number of participants: 15, in which there were 6 females, accounting for 40%.

150. The comments from the participants are summarized in the following table:

**Table 10. Summary of comments from provincial authoritative departments/ agencies**

No.	Comments	Feedback from PMU/ Consultant
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1	<p>General comments from provincial departments/ agencies:</p> <p>Policies applied to the Project are more open and beneficial to the people than the Government's policies.</p>	Acknowledging comments
2	<p>Representatives of Department of Justice:</p> <p>Section on Compensation for loss of income or livelihood means: as defined by the Project, all losses of income/ livelihood must be compensated for and when the needs arise for meeting the policy's objectives, development supports will be added to compensation.</p> <p>“ when the needs arise’: It is necessary to clarify such ‘needs’, to work out identification procedures and how these procedures will be conducted</p> <p>2. The terms used in the text should be consistent: "legal" and "legalized". The terminology should be in line with the Land law.</p> <p>3. Identification of vulnerable groups/HHs: there need to be clear-cut criteria for the poorest HH group.</p> <p>4. Is there any difference between ‘the poorest women-headed HHs’ and poor women-headed HHs? (regarding compensation policies)</p> <p>5. Handling of complaints needs to comply with the laws of Vietnam (Law on Complaints and Denunciation)</p> <p>6. There should be a uniform method of calculating replacement cost stated in Paragraph 30 (sections (i) and (ii) and point 4.3 (section i, ii, iii)</p>	<p>Acknowledging comments</p> <p>The RP prepared for the Project will clarify the issues commented by DOJ.</p>
3	<p>Representatives of the sub-department of land administration of DONRE:</p> <p>1. The term ‘compensation’ should be used in conformity with Vietnam's laws.</p> <p>2. The identification of investment cost in land needs instructions and specific criteria.</p>	Agreeing with comments by DONRE
4	<p>Land Fund Development Center of the City:</p> <p>Decision No. 13/2015/QĐ-UBND dated 7th July 2015 by Binh Dinh PPC issuing compensation and resettlement policies when the State acquires land in Binh Dinh Province: There is a big difference between the</p>	<p>Agreeing with comments.</p> <p>RP will take these issues into consideration.</p>

	compensation unit price for residential land and that for garden land adjacent to residential houses in inner-city areas.	
5	DOLISA:  Section 57: Unemployment allowance program: As the GoV has launched such programs, consideration should be taken to avoid repetition.	Agreeing with comments
6	Provincial Land Fund Development Center:  Suggestion: the relocation of graves will be undertaken by commune/ ward PCs.	Agreeing with comments

### 12.2.3. Second Public consultation

151. Acquiring comments from communities in the first public consultation meetings (February 2016) the PMU has coordinated with the Resettlement Consultant in completing the draft RP. Second community consultation meetings were later held in early July 2016 at the wards/communes in the Project area. The dates, venues and participants of each meeting in the communes/wards are presented in Table 8 below:

**Table 11. Time, revenue and participants of second community consultation meetings**

Date	Meeting venue	Participants	No. of participants		
			Total	Females	
				Amount..	Percentage (%)
7/7/2016	Nhon Binh	Representatives of PMU; Representatives of local authority; Representatives of local organizations; HHs in Project area; Representatives of Consultant	16	6	37.50
			13	5	38.46
8/7/2016	Dong Da		18	7	38.89
4/7/2016	Tran Quang Dieu		12	4	33.33
4/7/2016	Hai Cang		12	5	41.67
5/7/2016	Quang Trung		18	8	44.44
5/7/2016	Thi Nai		10	5	50.00
8/7/2016	Le Hong Phong		14	6	42.86
6/7/2016	Tan Hung Dao		14	5	35.71
6/7/2016	Ngo May		14	6	42.86
11/7/2016	Ly Thuong Kiet		10	4	40.00
11/7/2016	Le Loi		9	4	44.44
12/7/2016	Tran Phu		15	3	20.00
12/7/2016	Nguyen Van Cu		10	4	40.00
12/7/2016	Ghenh Rang		8	3	37.50
7/7/2016	Phuoc My		15	8	53.33
Total			208	83	39.9

**Table 12. Summary of information on second community consultation**

No.	Comments from people in wards/communes	Feedback from PMU/ Consultant/ Next steps
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No.	Comments from people in wards/communes	Feedback from PMU/ Consultant/ Next steps
1	<b>Nhon Binh Ward:</b> <ul style="list-style-type: none"> <li>- The people and community in the Project area agree to participate in mitigating negative impacts.</li> <li>- The project owner is requested to get rid of bad odor from the WWTP.</li> <li>- The Ward PC proposes prompt and timely handling of complaints from HHs in the WWTP area.</li> </ul>	PMU agrees on, acknowledges and summarizes the comments to work out the most rational options.
2	<b>Dong Da Ward:</b> <ul style="list-style-type: none"> <li>- The people and community in the Project area express their support for the Project and agree to participate in impact mitigation.</li> <li>- The people want the Project to be promptly implemented and propose the Government to take market prices of land into consideration to benefit the people; they also express the wish to be resettled.</li> <li>- The Ward PC will coordinate with the project owner in compensation and relocation of HHs in area of Chu Y Bridge.</li> </ul>	- PMU agrees on and acknowledges the comments.
3	<b>Tran Quang Dieu Ward:</b> <ul style="list-style-type: none"> <li>- The people and community in the Project area express their support for the Project and agree to participate in impact mitigation.</li> </ul>	- PMU agrees on and acknowledges the comments.
4	<b>Hai Cang Ward:</b> <ul style="list-style-type: none"> <li>- The people and community in the Project area express their support for the Project and agree to participate in impact mitigation.</li> </ul>	- PMU agrees on and acknowledges the comments.
5	<b>Quang Trung Ward:</b> <ul style="list-style-type: none"> <li>- The people and community in the Project area express their support for the Project and agree to participate in impact mitigation.</li> </ul>	PMU agrees on and acknowledges the comments.
6	<b>Thi Nai Ward:</b> <ul style="list-style-type: none"> <li>- The people and community in the Project area express their support for the Project and agree to participate in impact mitigation.</li> </ul>	- PMU agrees on and acknowledges the comments.
7	<b>Le Hong Phong Ward:</b> <ul style="list-style-type: none"> <li>- The people and community in the Project area express their support for the Project and agree to participate in impact mitigation.</li> </ul>	- PMU agrees on and acknowledges the comments.



No.	Comments from people in wards/communes	Feedback from PMU/ Consultant/ Next steps
	<ul style="list-style-type: none"> <li>- The construction of the upstream canal of Bau Sen Lake must be carried out in such a manner as not to cause slides and erosion to houses on both sides.</li> </ul>	
8	<b>Tran Hung Dao Ward:</b> <ul style="list-style-type: none"> <li>- The people and community in the Project area express their support for the Project and agree to participate in impact mitigation.</li> </ul>	<ul style="list-style-type: none"> <li>- PMU agrees on and acknowledges the comments.</li> </ul>
9	<b>Ngo May ward:</b> <ul style="list-style-type: none"> <li>- The people and community in the Project area express their support for the Project and agree to participate in People impact mitigation.</li> </ul>	<ul style="list-style-type: none"> <li>- PMU agrees on and acknowledges the comments.</li> </ul>
10	<b>Ly Thuong Kiet Ward:</b> <ul style="list-style-type: none"> <li>- The people and community in the Project area express their support for the Project and agree to participate in impact mitigation.</li> </ul>	PMU agrees on and acknowledges the comments.
11	<b>Le Loi Ward:</b> <ul style="list-style-type: none"> <li>- The people and community in the Project area express their support for the Project and agree to participate in impact mitigation</li> </ul>	<ul style="list-style-type: none"> <li>- PMU agrees on and acknowledges the comments.</li> </ul>
12	<b>Tran Phu Ward:</b> <ul style="list-style-type: none"> <li>- The people and community express their support for the Project and want it to be implemented in the soonest possible time.</li> <li>- The people and community in the Project area express their support for the Project and agree to participate in impact mitigation.</li> </ul>	<ul style="list-style-type: none"> <li>- PMU agrees on and acknowledges the comments.</li> </ul>
13	<b>Nguyen Van Cu Ward:</b> <ul style="list-style-type: none"> <li>- The people and community express their support for the Project and want it to be implemented in the soonest possible time.</li> <li>- The people and community in the Project area express their support for the Project and agree to participate in impact mitigation</li> </ul>	<ul style="list-style-type: none"> <li>- PMU agrees on and acknowledges the comments.</li> </ul>
14	<b>Ghenh Rang Ward:</b> <ul style="list-style-type: none"> <li>- The people and community in the Project area express their support for the Project and agree to participate in impact mitigation</li> </ul>	PMU agrees on and acknowledges the comments.

No.	Comments from people in wards/communes	Feedback from PMU/ Consultant/ Next steps
16	<b>Phuoc My Ward:</b> <ul style="list-style-type: none"> <li>- The people and community express their support for the Project and want it to be implemented in the soonest possible time.</li> <li>- APs expect full support and compensation for damages and losses</li> </ul>	<ul style="list-style-type: none"> <li>- PMU agrees on and acknowledges the comments.</li> </ul>

### 12.3. Consultation during Project Implementation stage

152. Information dissemination and community consultation: during project implementation, the PMU/DPC/DCRC, with the assistance of the Project consultants, will undertake the following tasks:

- (i) Providing information to relevant agencies at all levels via training workshops.; providing detailed information on Project policies and implementation procedures;
- (ii) Organizing information dissemination and consultation for all PAP during project implementation;
- (iii) After DMS have been carried out, updating the unit prices for compensation in the RAP. District CRCs will re-confirm the scope of land acquisition and impacts on assets before holding consultation meetings and completing the compensation plan for each AH;
- (iv) The compensation plan will clearly specify affected assets and compensation entitlements of HHs. This must be signed by the PAP to reflect their consent on the valuation results. Any questions and queries from PAP on the contents of the compensation plan must be recorded at this same time;
- (v) Resettlement options must be sent to all PAP to be relocated (a) to inform them of resettlement options (with clear explanation of the selection of each option), (b) to request PAP to confirm their choice of resettlement option and their preliminary confirmation of resettlement site location, and (c) to propose PAP to specify the services that they are currently using such as education/health care/market and the distances of access to such services, with a view of developing future infrastructure services; and
- (vi) Consulting PAP on their expectations towards the livelihood rehabilitation plan. This will be applied to severely affected people and vulnerable groups. District CRCs will notify PAP on the plan and their entitlements to technical assistance before requesting them to specify their desire towards rehabilitation support.

153. Community Consultation: During the preparation of the detailed compensation plan or the plan for job training and job change the PMU/DCRC will organize community meetings at each affected commune to provide PAP with additional information and give them an opportunity to participate in open discussions on resettlement policy and procedures. Invitations will be forwarded to all PAP before the meeting is held. The aim of this meeting is to clarify the information updated at the meeting time and create opportunities for PAP to discuss issues of concern and clarify information. In addition to a letter informing the PAP, other means will be used to inform PAP and the general public such as posters in prominent locations in the communes and districts where PAP currently reside. Radio and newspapers will also be used to

convey information and elicit response. These announcements and notices will advise the time and location of the meeting, and who can attend. Both men and women from affected households will be encouraged to attend, as well as other interested community members. In the meetings, there will be explanations about the Project, rights and entitlements of HHs, and the meetings will be an opportunity to raise related questions. Similar meetings will be organized periodically throughout the project cycle. Comments and remarks must be recorded in minutes to be certified by commune PCs, by representatives of communal Fatherland Front Committees and by PAP with acquired land.

### **Community meetings:**

154. Prior to starting detailed design, a community meeting will be held in each ward/commune to provide PAP with additional information and an opportunity for open discussion about resettlement policies and procedures in each affected commune. A letter of invitation will be sent to all PAP before the meeting to be held in their area. This meeting is intended to clarify information that has been given to such date and to provide PAP with the opportunity to discuss issues of concern and obtain clarification. In addition to a letter informing the PAP, other means will be used to inform PAP and the general public such as posters in prominent locations in the communes and districts where PAP currently reside. Radio and newspapers will also be used to convey information and elicit response. These announcements and notices will advise the time and location of the meeting, and who can attend. Both men and women from affected households will be encouraged to attend, as well as other interested community members. The meeting will explain the Project, and households' rights and entitlements. There will be opportunities to ask questions. Such meetings will be conducted periodically during Project implementation.

155. Relevant information will be given to PAP at the meetings (verbally, graphically, and/or on printed information sheets). Extra copies of the printed information sheets will be available at township and district offices throughout the Project area. The meetings are proposed to have the following format:

- (i) Explanations are given verbally and in visual format, including written information and drawings of the proposed design for the different works supported by the Project;
- (ii) Adequate opportunities will be provided for PAP to respond with questions and comments. PAP will be encouraged to contribute their ideas for PAP rehabilitation options.
- (iii) CRCs will establish a complete list of all PAP present at the meetings.
- (iv) CRCs will make a complete record of all questions, comments, opinions and decisions that arise during information/consultation meetings, and present a report of all the meetings to the PMU.

### **The following information will be given to PAP:**

- (i) **Project components and sub-projects.** This includes the places where they can obtain more detailed information about the Project.
- (ii) **Project impacts.** Impacts on the people living and working in the affected areas of the project, including explanations about the need for land acquisition for each project.
- (iii) **PAP's rights and entitlements.** These will be defined for PAP. A cut-off date will be announced to establish eligibility. The rights and entitlements for different

impacts on PAP, including the entitlements for those losing businesses, jobs and income, will be explained. Available options include for land-for-land and cash compensation, options regarding reorganizing and individual resettlement, provisions and entitlements to be provided for each PAP, entitlement to rehabilitation assistance and opportunities for project-related employment will all be discussed and explained.

- (iv) **Grievance mechanism.** PAP will be informed that the project policies and procedures are designed to ensure their pre-project living standards are restored. PAP will also be informed that if there is any confusion or misunderstanding about any aspect of the Project, the Site Clearance Board can help resolve problems. If they have complaints about any aspect of the land acquisition, compensation, resettlement, and rehabilitation process, including the compensation rates being offered for their losses, they have the right to make complaints and to have their complaints heard. PAP will receive an explanation about how to access grievance redress procedures. They will be given information with details of which office to contact and local contact points for grievance redress.
- (v) **Right to participate and be consulted.** The PAP will be informed about their right to participate in the planning and implementation of the resettlement process. The PAP will be represented and involved in meetings of the Site Clearance Board to ensure their participation in all aspects of the project is assured.
- (vi) **Resettlement activities.** PAP will be given an explanation regarding compensation calculations and compensation payments; monitoring procedures which will include interviews with a sample of PAP; relocation to an individual location/self-relocation; and preliminary information about physical works procedures.
- (vii) **Organizational responsibilities.** PAP will be informed about the organizations and levels of Government involved in resettlement and the responsibilities of each, as well as the names and positions of the government officials with phone numbers, office locations, and office hours if available.
- (viii) **Implementation schedule.** PAP will receive the proposed schedule for the main resettlement activities and informed that physical works will start only after the completion of all resettlement activities and clearance. It will be clarified that they will be expected to move only after receiving full payment of compensation for their lost assets. Implementation schedules and charts will be provided to Site Clearance Board.

156. **Project Leaflet:** A Project Leaflet providing project information will be prepared and handed out to PAP in the project preparation and implementation stages to ensure that the people are well aware of the project benefits. The project leaflet will provide detail of the compensation and assistance policies mentioned in this RPF so as to propose social impact mitigation measures in case of land acquisition and site clearance by the sub-project.

#### **12.4. Information Disclosure**

157. As per Bank's requirement, the RAP disclosed in Vietnamese at local level, particularly at the office of the PMU, District PCs, Ward/Commune PCs on October 4, 2016. The English version of this RAP will be also disclosed at the World Bank's Operation Portal before and after the project appraisal.

### 13. COST ESTIMATION

158. In this phase, Quy Nhon City Sub-project shall only carry out site clearance on the acquired land area for the expansion of Long My Landfill. Compensation and resettlement costs include:

159. Estimated cost for the implementation of RP includes:

- Cost for compensation, assistance and resettlement: including items described in the entitlements matrix of the RP;
- Independent supervision cost:  
Owing to the small number of AHs of this Project an independent monitoring consultant will not be employed for the implementation of the RP. Instead, the RP will be monitored together with independent environmental monitoring tasks. The project owner will integrate resettlement monitoring into the TOR of independent environment monitoring package. The Independent Supervision Consultant shall prepare technical and financial proposals for the bidding process. Actual cost shall be determined based on the value of contract for the Independent Environment and Resettlement Supervision Consultant.
- Compensation, support, resettlement implementation cost: including detailed surveying, preparation of land acquisition documentation and independent price appraisal costs, etc., estimated to be 2% of total compensation and recovery support costs.
- Contingencies: Contingencies are roughly estimated to be 20% of total compensation and RAP preparation cost. The provisional budget shall be used in case of compensation price adjustment due to inflation or any other adjustments during implementation of approved RAP.

160. Total cost estimates for the RP is presented below:

**Table 13. Total costs for implementation of RP**

No	Item	Unit	Quantity	Unit price	Amount Exchange rate: 22,325 VND = 1USD	
					VND	USD
1	Land				3,902,146,360	174,788
1.1	- Forestry land (Group 1 preliminarily estimated)	m2	196,937	6,500	1,280,090,500	57,339
1.2	Residential land & agri-land (Mrs. Le Thi Ngoc Anh's parcel of land)	m2	273.10		2,622,055,860	117,449
	- Residential land area in legally recognized limit of residential land	m2	150.00	15,500,000	2,325,000,000	104,143
	- Residential land area exceeding legally	m2	22.27	12.120.000	274,760,400	12,307

No	Item	Unit	Quantity	Unit price	Amount Exchange rate: 22,325 VND = 1USD	
					VND	USD
	recognized limit of residential land					
	– Agricultural land area (garden land)	m2	100.43	220,000	22,295,460	999
2	Tree crop				896,077,000	40,138
	- Acacia (19,694 ha) x 3.500 trees/ha (preliminary estimated)	tree	68,929	13,000	896,077,000	40,138
3	House(s), structures, architectural object, vegetable crops owned by Mrs. Le Thi Ngoc Anh – HH affected by Chu Y bridge)				754,017,200	33,775
4	Temporarily affected	Preliminarily estimated			2,650,000,000	118,701
5	Support and bonus				3,337,181,000	149,482
	- Occupational change and job creation support	m2	196,937	13,000	2,560,181,000	114,678
	- Life settlement support	HH member	25	5,400,000	135,000,000	6,047
	- House rental support for Mrs. Anh	month	6	2,500,000	15,000,000	672
	- Vulnerable HH support	HH member	5	5,400,000	27,000,000	1,209
	Bonus for speeding-up the progress for household of Ms. Le Thi Ngoc Anh if land is handed over earlier than expected	HH	1	5,000,000	5,000,000	224
	- Other supports – if any (policy HHs, production settlement, etc.)	Preliminarily estimated			595,000,000	26,652
6	<b>Total (1+2+3+4 +5)</b>				<b>11,539,421,560</b>	<b>516,883</b>

No	Item	Unit	Quantity	Unit price	Amount Exchange rate: 22,325 VND = 1USD	
					VND	USD
7	Communication	Preliminarily estimated			330,000,000	14,782
8	Independent supervision	Preliminarily estimated			500,000,000	22,396
9	<b>Total (6+7 +8)</b>				<b>12,369,421,560</b>	<b>554,061</b>
10	Management & implementation cost (8*2%)	project			230,788,440	10,338
11	<b>Total (9+10)</b>				<b>12,600,210,000</b>	<b>564,399</b>
12	Contingencies (20%)	project			1,260,021,000	56,440
	<b>Grand-total</b>				<b>13,860,231,000</b>	<b>620,839</b>

161. The estimated cost for implementing the RP of the Sub-Project is about VND **13,860,231,000** (equivalent to USD **620,839** at the exchange rate of VND 22,325 = USD 1). The estimated cost for site clearance and resettlement in this report is calculated based on Binh Dinh PPC's regulations and project policies. This estimation does not include training cost because this item has been included in the investments in Component 4 of this Sub-Project. The cost estimates for project implementation shall be updated at the time of land acquisition. Compensation unit prices for land, trees and crops will be determined based on market prices. The budget for compensation, resettlement and assistance for the sub-projects will be taken from the project counterpart fund. Training cost for RP implementation and independent monitoring will come from IDA fund.

#### 14. GRIEVANCE AND REDRESS MECHANISMS

162. In order to ensure that all PAP's grievances and complaints on any aspect of land acquisition, compensation and resettlement are addressed in a timely and satisfactory manner, and that all possible avenues are available to PAP to air their grievances, a well-defined grievance redress mechanism needs to be established. All PAP can send any questions to implementation agencies about their rights in relation with entitlement of compensation, compensation policy, exchange rates, land acquisition, resettlement, supports and income rehabilitation. PAP are not required to pay any fee during any of the procedures associated with seeking grievance redress including if resolution requires legal action to be undertaken in a court of law. This cost is included in the budget for the implementation of RAPs.

163. The mechanism of complaint and grievance redress will follow these steps:

**First level : Ward/Commune People's Committee (CPC).** An aggrieved AH may bring their complaint to any member of the CPC, either through the hamlet chief or directly to the CPC, in writing or verbally. The said member of the CPC or the hamlet

chief is to notify the CPC about the complaint. The CPC will meet personally with the aggrieved AH and will have 5 days following the lodging of the complaint to resolve it (in remote or mountainous areas, the complaint may be resolved within 15 days). The CPC secretariat is responsible for documenting and keeping file of all complaints that it handles.

Upon the issuance of decision by the CPC, the HH can make an appeal within 30 days. If a second decision has been issued and the HH is still not satisfied with such decision, the HH can elevate their complaint to the DPC.

**Second level: *City people's committee (CPC)*:** Upon receiving a complaint from a claimant, the CPC will have 15 days (or 30 days for remote and mountain areas) to resolve the case. The CPC is responsible for filing and storing documents on all complaints that it handles.

After the CPC has issued the final decision, the claimant can appeal within 30 days. If the second decision has been issued but the claimant is still not satisfied with the decision, he/she can appeal to the PPC.

**Third level: *Province's People's Committee (PPC)*:** Upon receiving a complaint from a claimant, the PPC will have 15 days (or 30 days for remote and mountain areas) to resolve the case. The PPC is responsible for filing and storing documents on all complaints that it handles.

When PPC has issued a decision, the claimant can appeal within 45 days. If the second decision has been issued and the claimant is still not satisfied with the decision, he/she can appeal to the court within 45 days. The PPC will then have to pay the compensation into an escrow account.

**Final level: *Provincial Court of Law*:** Should the complainant file his/her case to the court and the court rule in favor of the complainant, then the PPC will have to increase the compensation to a level to be decided by the court. In case the court rules in favor of the provincial governmental authority, then the amount deposited with the court is what the complainant will receive.

164. Decisions on solving complaints must be sent to the aggrieved PAP and concerned parties and must be posted at the office of the People's Committee where the complaint is solved. After three days, the decisions/results on solution will be available at commune/ward level and after seven days at district or provincial level.

165. In order to minimize complaints elevated to the provincial level, the PMU will coordinate with the city's Site Clearance Board to participate in and consult on settling complaints.

166. Personnel: The environmental and resettlement staff assigned by the PMU will formulate and maintain a database of PAP's grievances related to the Project including information such as the nature of the grievances, the sources and dates of receipt of grievances, the names and addresses of the aggrieved PAP, actions to be taken and the current status.

167. In case of verbal claims, the reception board will record these inquiries in the grievance form at the first meeting with PAP

168. The independent social and environment monitoring Consultant will be responsible for checking the procedures for and resolutions of grievances and complaints. The independent monitoring Consultant may recommend further measures to be taken to redress unresolved grievances. While monitoring the grievance redress procedures and reviewing the decisions, the independent monitoring agency should closely cooperate with the Vietnam Fatherland Front as



well as the Front's members responsible for supervising law enforcement related to appeals in the area

169. The grievance resolution process of the Project will require the names and contact details of the staff receiving and resolving complaints. This information will be disseminated through information brochures and posted in the offices of the People's Committees at the communes/wards and city and of the PMU.

170. At the same time, an escrow account for resettlement payments should be used when grievances are being resolved to avoid excessive delay of the Project while ensuring compensation payment after the grievances have been resolved.

171. To ensure that the grievance mechanism described above is practical and acceptable by PAP, consultation has been carried out with local authorities and communities, taking into account specific cultural attributes as well as traditional-cultural mechanisms for raising and resolving complaints and conflicting issues. Ethnic minority objects and efforts have also been identified and determined to find out solutions.

## **15. IMPLEMENTATION PLAN**

172. The implementation plan for a land acquisition of the CCSEP - Quy Nhon Sub-Project is shown in the below table, including: (i) preparing the completed RP; (ii) land acquisition activities; and (iii) independent social and environmental monitoring activities.

***Disseminating information about land acquisition mechanism:*** The information dissemination meetings will be held in affected wards to inform to community about: (i) scale of the project, (ii) impacts, (iii) entitlement to losses, (iv) the schedule of detailed survey, (iv) organizational responsibilities and (v) complaints redress mechanism. The papers (pictures, photos and leaflets) about the project are prepared and distributed to residents of affected wards. The information dissemination and consultation activities should be regularly implemented during project implementation.

**A contract of implementation of compensation, support and resettlement** for the subproject according to the approved RP will be signed between the PMU and Binh Dinh Provincial Site Clearance Board (or Binh Dinh PPC assigns the Site Clearance Board to implement).

***Training for resettlement staff:*** It is expected that Binh Dinh Provincial Site Clearance Board will undertake compensation, support and resettlement for the subproject by itself. This is a specialized unit for compensation and resettlement with 20 high qualified and experience staff. Thus, training is carried out only for PMU's persons in charge and some staff of PC of wards/communes. The Site Clearance Board will be provided with the approved RP and underlain policies by the PMU. Staff of PMU and ward's/commune's PC will be participating in training with assistance from consultants. The topics include:

- Purposes, principles and policies applicable
- Methods of consultation and information dissemination
- Implementation procedures and schedule

- Complaints redress mechanism
- Rights and obligations of individuals/ organizations participating in resettlement program

**DMS:** After a AP receives decision of land acquisition, the DMS will be conducted to identify origin, natures of land and assets

**Update the replacement cost:** PPC will approve the unit price of land to serve compensation and resettlement process

**Prepare and submit the detailed compensation, support and resettlement plan:** The Provincial Site Clearance takes responsibility for pricing and preparing the detailed information about the AHs. This option will be appraised by the PMU and authorities in terms of prices, inventory of losses and entitlement of APs before notifying to each commune/ ward for getting comments from residents. The inventory tables must be checked and confirmed by APs with their signatures.

**Payment of compensation and support:** Compensation and support monies will be paid at PC of ward/ commune under supervision of PMU and APs

**Monitoring and evaluation:** The internal and external monitoring and evaluation activity will be regularly carried out during implementation of land acquisition to ensure project's transparency.

Land acquisition activity should be completed before the civil contractor receives plan for construction.

**Table 14. Plan of implementing land acquisition and compensation**

Activities	Plan
Disseminating information	Throughout project implementation
Preparation work: Sign contract with the Provincial Site Clearance Board; training resettlement staff; preparing cadastral documents	To be completed in Quarter III/ 2017
Survey and detailed measurements	To be completed in Quarter III/ 2017
Updating unit prices of replacement cost	To be completed in Quarter III/ 2017
Preparing detailed plan for compensation and site clearance	To be completed in Quarter III/ 2017
Paying compensation and support	To be completed in Quarter III/ 2017
Handing over cleared ground and performing construction operations	Quarter IV/2017

Internal monitoring and independent monitoring	One month after starting construction until completion of construction operations
Final monitoring of independent monitoring agency	6 - 12 months after completion of construction operations

## 16. MONITORING AND EVALUATION

### 16.1. Monitoring

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

174. Monitoring serves 2 purposes:

- (i) To verify whether project activities are efficiently completed or not, including quantity, quality and time; and
- (ii) To assess whether these activities have achieved the objectives and purpose of the Project or not, and to what extent.

175. The executive agency (PMU) as well as the independent social and environmental monitoring consultant which are contracted with the PMU shall regularly monitor and supervise the RP implementation.

### 16.2. Internal Monitoring

176. Internal monitoring of the RP implementation of the sub-projects is the main responsibility of the implementation agency with the support of project consultants. The implementation agency will monitor the progress of RP preparation and implementation through regular progress reports.

177. Internal monitoring aims to;

- (i) Ensure that compensation payment to AHs for the different types of damage is properly implemented in conformity with the compensation policy agreed in the RPF and RAPs;
- (ii) Ensure that resettlement activities are implemented in conformity with the compensation policy agreed in the RPF and RAPs;
- (iii) Determine whether the conversion process, income restoration measures and resettlement assistance are provided on time or not;
- (iv) Evaluate whether the income restoration supports have been provided or not and propose corrective measures if the targets of income restoration for HHs have not been achieved;
- (v) Disseminate publicly information on and procedures of consultation;
- (vi) Determine whether the complaint procedures have been complied with or not and whether there is any outstanding issue needing the attention of management levels or not;
- (vii) Prioritize interests and needs of PAP, especially poor and vulnerable HHs;

- (viii) Ensure that the transition between relocation, site clearance and start of the construction of civil works is smooth and that construction sites will not be handed over until AHs have been satisfactorily compensated, supported and resettled.

178. The executive agencies will collect information on monthly basis from different CRCs. A database tracking project resettlement implementation will be maintained and updated monthly, including the resolution of complaints and grievances, if any.

179. The executive agencies will submit internal monitoring reports on the RP implementation as a part of the quarterly report they are supposed to submit to the WB. The reports should contain the following information:

- (i) Number of PAP listed by types of impacts and by project component, and the status of compensation, relocation and income recovery for each item;
- (ii) Costs allocated to the activities or to compensation payment and disbursed cost for each activity;
- (iii) List of proposals;
- (iv) Final results on resolving complaints and any outstanding issues that demand management agencies at different levels to resolve;
- (v) Issues arising in the implementation process; and
- (vi) Updated RP implementation progress.

### **16.3. Independent Monitoring**

180. As mentioned above in Paragraph 13. *Cost estimate*: Due to the small size of the impacts, the Project will not set up an independent monitoring unit for the RP. The monitoring contents and indicators for the implementation of the RP will be performed in conjunction with independent environment monitoring tasks and is carried out by a single consultant (social and environmental monitoring consultant).

181. Objectives: The independent social and environmental monitoring consultant is to ensure the general objectives of an independent monitoring unit, which is periodically provide independent monitoring and assessing results on the implementation of the resettlement objectives, on the changes in living standards and occupations, income recovery and social status of PAP, efficiency, impacts and sustainability of PAP's entitlements, and on the necessity of additional mitigation measures (if any) and to draw out strategic lessons for devising future policy and planning.

182. Responsible agencies: In accordance with the World Bank's requirements for consultant employment, the PMU will hire an organization for independent monitoring and evaluation of RP implementation. This organization is called the Independent Monitoring Agency (IMA) which specializes in social sciences and has experience in independent monitoring of RPs. The IMA should start its work as soon as the project implementation commences.

183. Monitoring and evaluation objectives: The following indicators will be monitored and evaluated by the independent social and environmental monitoring consultant::

- (i) Payment of compensation will be as follows: a) full payment to be made to all PAP before land acquisition; (b) adequacy of payment to replace affected assets;

- (ii) Provision of assistance for displaced people who have to rebuild their houses on their remaining land, or build their houses in new places as arranged by the Project, or on newly assigned plots;
- (iii) Support for recovering income sources;
- (iv) Community consultation and public dissemination of compensation policy: (a) PAP should be fully informed and consulted about land acquisition, leasing and relocation activities; (b) the independent social and environment monitoring consultant should attend at least one community consultation meeting to monitor community consultation procedures, problems and issues that arise during the meetings, and propose solutions; (c) public awareness of the compensation policy and entitlements will be assessed among PAP; and (d) assessment of awareness of various options available to PAP as provided for in the RAPs;
- (v) PAP should be monitored regarding restoration of productive activities;
- (vi) PAP's satisfaction on various aspects of the RP will be monitored and recorded. The operation of the grievance redress mechanism and the speed of complaint settlement will be monitored; and
- (vii) Through the implementation, trends on living standards will be observed and surveyed. Any potential issues in the recovery of living standards will be reported and suitable measures will be proposed to ensure the project objectives.

184. Appendix 5 of this RP presents the indicators for monitoring and evaluation including but not limited those to be implemented by the independent social and environment monitoring consultant.. These indicators will be associated with other qualitative and quantitative parameters through survey and investigation to form a tool for the process of evaluating and analyzing the impacts of the Project through periodic monitoring rounds and will be presented in monitoring reports.

#### **16.4. Methodology for Independent Monitoring**

##### Sample Survey

- Socio-economic survey will be required before, during and after resettlement implementation to provide a clear comparison of success/failure of the RP. Monitoring will cover all AHs in the project area.

##### Database Storage

- The independent social and environmental monitoring consultant will maintain a database of resettlement monitoring information. This database will contain files on results of independent monitoring and HHs monitored, and will be updated based on information collected in successive rounds of data collection. All databases compiled by the PMU and the WB will be fully accessible by the independent social and environmental monitoring consultant.

##### Reports

- The independent social and environmental monitoring consultant must submit periodical reports every 6 months which states the findings in the monitoring process. This monitoring report will be submitted to the PMU, and then the PMU will submit the same to the WB in the form of appendixes of the progress reports.

- The independent social and environmental monitoring report should contain (i) a report on the progress of RP implementation; (ii) deviations, if any, from the provisions and principles of the RAP; (iii) identification of outstanding issues and recommended solutions so that the executive agencies are informed about the ongoing situation and can resolve problems in a timely manner; and (iv) progress of the follow-up of problems and issues identified in the previous report.

#### Follow-Up Monitoring Report

- The monitoring reports will be discussed in a meeting between the IMA and the PMUs. PMUs will hold these meetings immediately after receiving the report. Necessary follow-up activities will be carried out based on the problems and issues identified in the reports and follow-up discussions.

#### Ex-post Evaluation Report

- In fact, this is the evaluation at a given point of time of the impact of resettlement and the achieved objectives. The independent social and environmental monitoring consultant will conduct an evaluation of the resettlement process and impacts 6 to 12 months after the completion of all resettlement activities. The survey questionnaires for evaluation are used based on the database in the project database system and sample questions used in the monitoring activities.
- Ultimately, a summary of ex-post resettlement evaluation included in Project Completion Report (PCR) will be prepared before closure of the Project. The evaluation covers project impacts (number of AHs, scope of land acquired by the Sub-Project, compensation paid to PAP, any pending issues resulting from land acquisition) and provides information if the PAP's livelihood is restored, or at least maintained to pre-project implementation levels.
- Resettlement implementation cannot be considered complete until an ex-post evaluation and a project completion audit confirm that all the affected HHs have received fully all compensation, assistance and life restoration processes as planned.

## APPENDIX 1 - ENTITLEMENT MATRIX

Type of Loss/Impacts	Application		Entitlements	Implementation Arrangements
	Level of Impact	Eligible Persons		
I - Permanent impact				
1.1. Agricultural land <sup>5</sup>	<b>1.1.1. Marginal loss (&lt;20% of land holding or &lt;10% for vulnerable group)</b> The remaining area of affected plot is still economically viable for use or meets the expected personal yield.	1.1.1.1. All AHs with LURC, or legalizable	For affected agricultural land: (i) Compensation “land for land” if local land fund is available and PAP choice. (ii) If land is not available or the PAP prefers to receive cash compensation, they will receive compensation for loss of land in cash at 100% replacement cost <sup>6</sup> . (iii) If area of remaining land after acquisition is not enough to continue cultivation, the project will acquire the entire piece of land and compensation would implement in one of two forms as defined in point (i) and (ii) of this section. (iv) In the case of acquired land exceeding the limit of local (except for land by inheritance, donation or receive transfer of land use rights) are not entitled to compensation for land but supported remaining values invested in such lands. Provincial People's Committee may consider providing this support suitable to the local realities.  Compensation for assets on the land acquisition, please refer to section 1.4, 1.5, 1.6, 1.7, 1.8 of this entitlement matrix. Rehabilitation assistance will be provided, including: allowance for production rehabilitation; allowance for vocational training and job creation (please refer to	<ul style="list-style-type: none"><li>▪ Affected households to be notified at least 90 days before land recovery by the Project.</li><li>▪ The owner of land will hand over the land within 20 days from the date District Compensation Board fully pays compensation for land.</li><li>▪ In the case that compensation “land for land” is applied, the projects will approval land compensation in the order of priority from severely affected households to marginal affected households.</li><li>▪ Land compensation must meet the following principles: a) equivalent to the affected land area but not exceeding the limit of local; b) same type of soil (or equal productive capacity); c) satisfactory to the AP; d) there is land use rights for the head of household and his/her wife/husband (if any); and e) non-payment of taxes, charges and fees for registration of land use rights. If land compensation size is smaller or lower quality, APs will be entitled to compensation on cash equivalent the differences.</li><li>▪ If area of land acquisition is different between actual measured and recorded on Land Use Right</li></ul>

<sup>5</sup>Classification of agricultural land as stipulated in Article 10 of the Land Law

<sup>6</sup>When domestic laws do not meet the standard of compensation at full replacement cost, compensation under domestic law is supplemented by additional measures necessary to meet the replacement cost standards.

Type of Loss/Impacts	Application		Entitlements	Implementation Arrangements
	Level of Impact	Eligible Persons		
			item 3.1.1 of this entitlement matrix). In addition to above, for agricultural, garden and pond land adjacent to, but not included in the category of residential land, PAPs will receive assistance according to the provisions of the PPC.	Certificate (LURC), land acquisition will be compensated according to actual measured area unless otherwise occupied.
		1.1.1.2. Land Users with temporary or leased rights to use land.	(i) For the affected families are using land relocated by the State for purposes of agriculture, forestry or aquaculture (excluding special-use forest, protection forest) of <u>State Forest Enterprises</u> (SFEs), APs are not compensated for land. Cash compensation at 100% replacement cost for remaining values invested in such lands and affected assets created before the cut-off date. (ii) Users who are leased <i>rights to use land</i> on the basis of contracts with individuals, families, or organizations, other than the cases specified in point (i) of this section shall be compensated compensation for remaining values invested in such lands and affected assets created before the cut-off date at 100% replacement cost.	
		1.1.1.3. Land Users who do not have formal or customary rights to the affected land	<ul style="list-style-type: none"> <li>▪ Agricultural land used before July 1, 2004 which land users are households and individuals directly engaged in agricultural production will be compensated at 100% of the replacement cost according to Article 77.2 of the Land Law.</li> <li>▪ AP will receive assistance equivalent to remaining values invested in such lands. This assistance will be decided by PPC.</li> </ul>	<ul style="list-style-type: none"> <li>▪ In case the project restricts access to resources or base of local residents, they will receive compensation or necessary additional support.</li> </ul>
	1.1.2. Loss ≥20% or ≥10% for vulnerable groups	1.1.2.1. All AHs with LURC, or legalizable	<ul style="list-style-type: none"> <li>▪ Compensation and assistances as applicable for sub-item 1.1.1.1 of this matrix, priority for compensation "land for land" if local land fund is available and PAP choice.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Rehabilitation assistance will be applied in case if the option "land for land" cannot be available. The forms of assistance should be consulted closely with appropriate</li> </ul>



Type of Loss/Impacts	Application		Entitlements	Implementation Arrangements
	Level of Impact	Eligible Persons		
			<ul style="list-style-type: none"> <li>In addition, they will receive assistance for living rehabilitation as specified in item 3.1.2 of this matrix.</li> </ul>	and effective measures of agricultural encouragement to assist the poor to restore their income generating capacity and income levels.
		<i>1.1.2.2. Land Users with temporary or leased rights to use land.</i>	<ul style="list-style-type: none"> <li>Compensation and assistances as applicable for sub-item 1.1.1.2 of this matrix.</li> <li>For the affected families are using land relocated by the State for purposes of agriculture, forestry or aquaculture (excluding special-use forest, protection forest) of <u>State Forest Enterprises</u> (SFEs) and direct participation in agricultural production will be receiving rehabilitation assistances as: production rehabilitation; allowance for vocational training and job creation (please refer to item 3.1.2 of this entitlement matrix).</li> </ul>	
		<i>1.1.2.3. Land Users who do not have formal or customary rights to the affected land</i>	<ul style="list-style-type: none"> <li>Compensation and assistances as applicable for sub-item 1.1.1.3 of this matrix.</li> </ul>	
<b>1.2. Land for non-agricultural production and business</b>	<b>1.2.1. Marginal loss</b> <ul style="list-style-type: none"> <li>Land is still viable for use and not requiring relocation</li> </ul>	<i>Household/ individual/ organization with legal and/or legalizable, leased rights to use land</i>	<p>For affected land:</p> <ul style="list-style-type: none"> <li>(i) All affected households, individuals with LURC or legalizable: i) if local land fund is available and PAP choice, Compensation “land for land” is priority; ii) If land is not available or the PAP prefers to receive cash compensation, they will receive compensation in cash for loss of land acquisition at 100% replacement cost.</li> <li>(ii) Households and individuals who use leased land acquisition with annual rent payment or lump-sum rent payment but was exempted from rent will not be compensated for land but compensated equivalent to remaining values invested in such at 100% replacement cost .</li> <li>(iii) Valid organizations (economic</li> </ul>	<ul style="list-style-type: none"> <li>Affected persons/organizations to be notified at least 180 days before land recovery by the Project.</li> <li>The owner of land will hand over the land within 20 days from the date District Compensation Board fully pays compensation for land.</li> <li>If area of land acquisition is different between actual measured and recorded on Land Use Rights Certificate (LURC), land acquisition will be compensated according to actual measured area unless otherwise occupied.</li> </ul>

Type of Loss/Impacts	Application		Entitlements	Implementation Arrangements
	Level of Impact	Eligible Persons		
			<p>organizations, public organizations in accordance with financial autonomy) using land for non-agricultural production and business with lump-sum rent payment (rent unused the state budget) with LURC or legalizable will be compensated "land for land" if local land fund is available, if not, will be compensated in cash at 100% of replacement cost.</p> <p>(iv) Valid organizations (economic organizations, public organizations in accordance with financial autonomy) using land for non-agricultural production and business with annual rent payment or lump-sum rent payment but was exempted from rent will not be compensated for land but compensated equivalent to remaining values invested in such at 100% replacement cost .</p> <p>Compensation for assets on the land acquisition, please refer to section 1.4, 1.5, 1.6, 1.7, 1.8 of this entitlement matrix.</p> <p>In addition to the compensation mentioned above, the project will provide allowances and rehabilitation assistance (please refer to section 3.3 of this matrix.</p>	
	<b>1.2.2. Relocated APs</b>	<i>Household/ individual/ organization with legal and/or legalizable, leased rights to use land</i>	<ul style="list-style-type: none"> <li>▪ Compensation and assistances as applicable for item 1.2.1 of this matrix, priority for compensation "land for land" if local land fund is available and PAP choice.</li> <li>▪ In addition, they will receive allowances/assistances for production rehabilitation, interrupted work (please refer to section 3.3 of this matrix.</li> </ul>	<ul style="list-style-type: none"> <li>▪ The project will assist in finding alternative site with advantage about location and physical attributes similar to the land lost to access easy to customers; satisfactory to the PAP with priorities such as relocation of business to the location near highway/village street/canal near bridge or the bridge in order to maximize ability to generate profits and business opportunities where PAP accept</li> </ul>

Type of Loss/Impacts	Application		Entitlements	Implementation Arrangements
	Level of Impact	Eligible Persons		
<b>1.3. Residential land</b>	<b>1.3.1. Marginal loss</b> <ul style="list-style-type: none"> <li>Loss of residential land without structures</li> </ul> Or <ul style="list-style-type: none"> <li>Loss of residential land with structures built thereon, where the remaining (non-acquired) land is adequate to rebuild the structure (reorganizing PAP)</li> </ul>	<i>1.3.1.1. Legal and/or legalizable land users</i>	<ul style="list-style-type: none"> <li>(i) All compensation for loss of land will be made in cash at 100% replacement cost</li> <li>(ii) Compensation for assets on the land acquisition, please refer to section 1.4, 1.5, 1.6, 1.7, 1.8 of this entitlement matrix.</li> </ul>	<ul style="list-style-type: none"> <li>Affected persons/organizations to be notified at least 180 days before land recovery by the Project.</li> <li>The owner of land will hand over the land within 20 days from the date District Compensation Board fully pays compensation for land.</li> <li>If area of land acquisition is different between actual measured and recorded on Land Use Rights Certificate (LURC), land acquisition will be compensated according to actual measured area unless otherwise occupied.</li> </ul>
		<i>1.3.1.2. Land Users with temporary or leased rights to use land.</i>	<ul style="list-style-type: none"> <li>No compensation for land. Compensation for assets creates before the cut-off date on the land acquisition by the PAPs, please refer to section 1.4, 1.5, 1.6, 1.7, 1.8 of this entitlement matrix.</li> </ul>	
		<i>1.3.1.3. PAP who have no recognizable land use right</i>	<ul style="list-style-type: none"> <li>(i) PAP will not be compensated for land. Financial assistance will be provided corresponding to the remained investment put on the land. The amount will be determined by provincial-level People's Committees.</li> <li>(ii) Compensation for assets on the land acquisition, please refer to section 1.4, 1.5, 1.6, 1.7, 1.8 of this entitlement matrix.</li> </ul>	
	<b>1.3.2. Relocated APs</b>	<i>1.3.2.1. Relocating PAPs with LURC, or legalizable</i>	<p>Relocating PAPs can opt to one of the followings:</p> <ul style="list-style-type: none"> <li>(i) Compensation "land for land": PAP will be compensated land plot/apartment in the project's resettlement site where invested fully infrastructure and allocation resettlement land plot/apartment land will be made according to the provisions of provincial-level People's Committees, dependence on local land fund. PAP will be provided with a certificate of land/ apartment use without paying any fees</li> </ul> Or <ul style="list-style-type: none"> <li>(ii) Compensation for loss of land in cash at 100% replacement cost.</li> </ul>	<ul style="list-style-type: none"> <li>Affected persons/organizations to be notified at least 180 days before land recovery by the Project.</li> <li>In case the compensation amount to be paid is more than the cost of land plot/apartment compensation in the project's resettlement site, the difference amount will be paid in cash to AP.</li> <li>In case the compensation amount to be paid is less than the cost of a minimum land plot /apartment in the project's resettlement site, PAPs will be given the support needed to allow them to acquire the new land plot/apartment without paying</li> </ul>

Type of Loss/Impacts	Application		Entitlements	Implementation Arrangements
	Level of Impact	Eligible Persons		
			<p>Compensation for assets on the land acquisition, please refer to section 1.4, 1.5, 1.6, 1.7, 1.8 of this entitlement matrix.</p> <p>Resettlement assistance will be provided, including: Transportation allowance; House renting allowance; Support for self-relocation; Allowance for living rehabilitation... (Please refer to item 3.2.1 of this entitlement matrix).</p>	<p>any fee.</p> <ul style="list-style-type: none"> <li>■ In the case of the remaining land is not large enough to rebuild house, but in the same plot of land for pond/ garden/ agricultural land, households may propose converting part uses pond/ garden/agricultural land into residential according to the provisions of the PPC to be able to rebuild house on site.</li> <li>■ The specific provisions on allocation of land / apartment resettlement will be set after consultation with DPs, the local government by DCRC and approved by PPC.</li> </ul>
		<i>1.3.2.2. Land Users with temporary or leased rights to use land.</i>	<p>(i) No compensation for land. Compensation for assets created before the cut-off date on the land acquisition by the PAPs, please refer to section 1.4, 1.5, 1.6, 1.7, 1.8 of this entitlement matrix.</p> <p>(ii) Compensation in cash for the residual value of land lease contract</p> <p>(iii) Transportation Allowance will be provided please refer to item 3.2.2 of this entitlement matrix.</p>	
		<i>1.3.2.3. PAPs who have no recognizable land use right</i>	<p>(i) No compensation for land. Amount of financial assistance will be reviewed and decided by provincial-level People's Committees.</p> <p>(ii) Compensation for assets on the land acquisition, please refer to section 1.4, 1.5, 1.6, 1.7, 1.8 of this entitlement matrix.</p> <p>(iii) If the PAP has no place to move, a land plot or an apartment satisfactory to them will be provided in the resettlement site and they can either pay in installment or rent it for living.</p>	<ul style="list-style-type: none"> <li>■ In case the relocated PAPs belong to poor or vulnerable groups or households, additional assistance (in cash and kind) will be provided to ensure that they are able to fully relocate to a new site</li> </ul>

Type of Loss/Impacts	Application		Entitlements	Implementation Arrangements
	Level of Impact	Eligible Persons		
<b>1.4. House/structure</b>	<b>1.4.1. Partial impact</b> Unaffected portion of the house is still viable for use and could be remained from the technical viewpoints, therefore, require no relocation.	<i>1.4.1.1. Owners of affected structures created before the cut-off date regardless of whether or not they have title to the affected land or permit to build the affected structure</i>	(i) Compensation in cash for affected structures at 100% replacement cost. Compensation amount is enough to rebuild new structures equivalent to the existing one. If house/structure is partially affected and the remaining structure is viable for continued use, the project will provide Repair Allowance (please refer item 3.2.1 of this entitlement matrix). (ii) Compensation and assistance will be paid in cash, without any depreciation of the structure and without deduction for salvageable materials. (iii) The compensation is calculated according to the actual area affected.	
	<b>1.4.2. Full impact</b> (including house is partially acquired by the project but no longer viable for continued use or the entire structure is acquired).	<i>1.4.2.1. Owners of affected structures created before the cut-off date regardless of whether or not they have title to the affected land or permit to build the affected structure</i>	Compensation and assistances as applicable for sub-item 1.4.1.1 of this matrix.	
		<i>1.4.2.2. Tenants of the state or organization's houses</i>	(i) Tenants of state or organization's houses will be: (i) entitled to rent or buy a new apartment of the area at least equal to their affected ones; or (ii) provided an assistance equal 60% of replacement cost of the affected land and houses. Any investments such as structures, trees, crops etc. created before the cut-off date on the land by the PAPs will be compensated at their full replacement cost. (ii) The tenants who are leasing a private house for living purposes will be provided with transportation allowance for moving their assets. They will also be assisted in identifying alternative accommodation according to the provisions of provincial-level People's Committees.	

Type of Loss/Impacts	Application		Entitlements	Implementation Arrangements
	Level of Impact	Eligible Persons		
<b>1.5. Grave and tombs</b>	<i>Have to move the graves or tombs</i>	Household and individual have to move the graves or tombs created before the cut-off date regardless of the legal status of the land	<ul style="list-style-type: none"> <li>■ Compensation for the removal of graves/tombs will include the cost of excavation, relocation, reburial and other related costs which are necessary to satisfy customary requirements. The compensation amount will be determined by provincial-level People's Committees.</li> <li>■ Household and individual graves are considered physical cultural resources (PCR) and even though the costs associated with their relocation will be covered in the resettlement plan, the WB OP 4.11 on Physical Cultural Resources should be triggered and relevant cross references should be made to the Environmental Management Plan or Project Implementation Manual.</li> </ul>	<ul style="list-style-type: none"> <li>■ Removal grave and tomb is implemented according to local custom, so DCRC should arrange compensation payment for AHs at relevant time.</li> <li>■ For ownerless affected graves, PMU will sign a contract with an independent unit for compensation and relocate them to new site.</li> </ul>
<b>1.6. Crops and Trees, livestock</b>	<b>1.6.1. Loss of, or damage crops and/or trees</b>	Owners of affected crops and trees created before the cut-off date of the legal status of the land	For annual and perennial standing crops, regardless of the legal status of the land, compensation will be paid to households who cultivate the land; according to full replacement cost will be paid to the affected persons who cultivate the land. For plants which have not been harvested yet but can be brought to another location, the transportation cost and the actual damage due to the transportation and re-planting must be compensated.	<ul style="list-style-type: none"> <li>■ PAPs to be notified at least 90 days before land recovery by the Project.</li> </ul>
	<b>1.6.2. Loss of, or damage livestock (animals, fish,...)</b>	Owners of affected aquatic animals created before the cut-off date regardless of the legal status of the land	For aquatic livestock which are not due to be harvested at the time of land recovery, the actual damage due to the early harvest will be compensated in cash at replacement cost at the time of land acquisition. In case the aquatic livestock can be brought to another location, the transportation cost and the damage caused by the transportation must be compensated.	<ul style="list-style-type: none"> <li>■ PAPs to be notified at least 90 days before land recovery by the Project to arrange harvest them or stop breeding.</li> </ul>

Type of Loss/Impacts	Application		Entitlements	Implementation Arrangements
	Level of Impact	Eligible Persons		
1.7. Other assets	<b>Loss of, or damage other assets</b> <ul style="list-style-type: none"> <li>Such as telephone system, water meter, electric meter, cable TV, internet access...</li> </ul>	Owners/ users affected assets created before the cut-off date regardless of the legal status of the land	In the case of the affected households is equipped with telephone system, water meter, electric meter, cable TV, internet access (subscription), well shall be compensated according to unit price of installing new units offer service announcement or relocation costs due to service providers regulations	
1.8. Public structures	<b>Loss of, or damage to assets</b>	Owners/ users affected assets created before the cut-off date regardless of the legal status of the land	<ul style="list-style-type: none"> <li>In cases where community infrastructure such as schools, factories, water sources, roads, sewage systems, medical centers, distribution/transmission, communication and fiber cable are damaged and the community wishes to reuse them, the PPC, PMU will ensure that these are restored or repaired as the case may be, at no cost to the community.</li> <li>Public infrastructure directly related to people's livelihoods and developmental needs, such as irrigation canals, school, clinic, etc. will be (i) compensated at replacement cost, as determined through consultation with the affected community; or (ii) restored/rebuilt to pre-project or higher quality levels.</li> </ul>	<ul style="list-style-type: none"> <li>For public structures directly related to people's livelihoods and developmental needs will be carried out by the owners prior to the start of works.</li> </ul>
<b>II. Secondary impact</b>				
2.1. Secondary PAPs	<b>Those affected by development of individual resettlement or group resettlement sites</b>	Owners/ users affected land and/or assets created before the cut-off date regardless of the legal status of the land	<ul style="list-style-type: none"> <li>Because all secondary DPs are likely to be affected in similar ways as primary ones, they will be entitled to compensation and rehabilitation assistance in accordance with the same respective provisions for all other PAPs.</li> </ul>	
<b>III. Allowances and Rehabilitation Assistance</b>				
3.1. For Impacts on Agricultural Land	<b>3.1.1. Marginal loss (&lt;20% of land holding or &lt;10% for</b>	Land users: i) have LURC or legalizable; and ii) contracted by the	<ul style="list-style-type: none"> <li><u>Allowance for Vocational Training and</u></li> </ul>	

Type of Loss/Impacts	Application		Entitlements	Implementation Arrangements
	Level of Impact	Eligible Persons		
	<b>vulnerable group)</b> The remaining area of affected plot is still economically viable for use or meets the expected personal yield.	State and directly engaged in agricultural production	<p><u>Job Creation:</u>The maximum support will be 05 times of agricultural land price of the same kind in the local land price list for the whole acquired area but not exceeding the limit of local allocation. The level of specific support will be determined by provincial-level People's Committees.</p> <p>▪ <u>Allowance for production rehabilitation:</u> Households, individuals who are compensated by agricultural land will be, supported production rehabilitation, include: Support for plant varieties and animal breeds for agricultural production, services such as agricultural/forestry extension, plant protection, animal health, cultivation techniques, animal husbandry and professional techniques for manufacturing, business and commercial services. Form and level of specific support according to the provisions of provincial-level People's Committees.</p>	



Type of Loss/Impacts	Application		Entitlements	Implementation Arrangements
	Level of Impact	Eligible Persons		
	<b>3.1.2. Loss <math>\geq 20\%</math> or <math>\geq 10\%</math> for vulnerable groups</b>	Land users: i) have LURC or legalizable; and ii) contracted by the State and directly engaged in agricultural production	<p>Compensation and assistances as applicable for item 3.1.1 of this matrix.</p> <p>In addition, they also receive the following allowances:</p> <p><u>Allowance for living rehabilitation</u> (during transition period): in cash equal 30kg of rice per person per month, specific:</p> <p>(i) PAPs losing 20 -70% of their agricultural landholding (or 10 - 70% for the poor and vulnerable groups) will be provided with compensation of 6 months if they do not have to relocate, and 12 months in case of relocation. In some special cases, in extremely difficult areas, the compensation may be provided for a maximum of 24 months;</p> <p>(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 have to relocate, and 24 months in case of relocation. In some special cases, in extremely difficult areas, the compensation may be provided up to a maximum of 36 months;</p> <p>(iii) Households affected by loss of less than 20% of land, where the remaining land is rendered unviable for continued use, will be assisted with the above support plus any additional support as determined, for a period of 12 months.</p>	<ul style="list-style-type: none"> <li>Price of rice is the market price at time of compensation</li> <li>PPC based on the actual situation will determine the level of support.</li> </ul>
<b>3.2. For Impacts on Residential Land</b>	<b>3.2.1. Marginal impact</b> <ul style="list-style-type: none"> <li>House/structure is partially affected, the remaining can still continue to use</li> </ul>	Owners of affected house/structure created before the cut-off date regardless of the legal status of the land	<ul style="list-style-type: none"> <li><b>Repair Allowance:</b> If house/structure is partially affected and the remaining structure is viable for continued use, the project will provide a repair allowance to enable PAPs to restore it to former or better conditions. The level of specific support will be determined by provincial-</li> </ul>	

Type of Loss/Impacts	Application		Entitlements	Implementation Arrangements
	Level of Impact	Eligible Persons		
			level People's Committees.	
	<b>3.2.2. Relocated APs</b>	Households relocated to another place or rebuilt in the remaining land.	<ul style="list-style-type: none"> <li>▪ <u>Transportation Allowance</u> to relocating PAP: For PAPs who move to new location will be financial assistance in cash. The amount will be determined by provincial-level People's Committees</li> <li>▪ <u>House Renting Allowance</u> in cash will be provided to PAPs who may be forced to relocate from their original homes and are still awaiting the replacement land plots or apartments. The allowance amount will be determined by provincial-level People's Committees.</li> <li>▪ <u>Support for self-relocation</u>: Relocated households which eligible for resettlement, but self-accommodation will be supported for investment in infrastructure for a minimum land plot /apartment in the project's resettlement site. The specific level of support will be determined by provincial-level People's Committees.</li> <li>▪ <u>Assistance for living rehabilitation</u>: PAP who is relocated or rebuilt house on the remaining land area will receive assistance for living rehabilitation in the transition period. The amount will be determined by provincial-level People's Committees.</li> <li>▪ For households/individuals relocated by residential land acquisition that combines business: the project will be provided an allowance for vocational training and job creation according to the provisions of the PPCs for demographic in the working age.</li> </ul>	

Type of Loss/Impacts	Application		Entitlements	Implementation Arrangements
	Level of Impact	Eligible Persons		
3.3. Loss of Income and/or business	Loss of Income and/or business because of interrupted production, business	Owners of affected production, business establishments, employees	<p><u>Allowance for production, business rehabilitation:</u></p> <p>(i) For businesses / households with business registration will be compensated or supported. The maximum compensation/support is 30% of after-tax income of 01 years based on their average annual of the last three years which declared the tax authorities;</p> <p>(ii) For households without business license but have made their tax obligations will be entitled to compensation equivalent to 50% of support level for businesses/households with business registration.</p> <p><u>Removal Support:</u> In addition to Allowance for production, business rehabilitation as above, organizations and PAPs that are relocated or leased land by the state or are lawfully using land and have to relocate their productive and/or business establishments are entitled to financial support for dismantling, relocating and re-installation of the establishment. Support levels will be determined by actual costs at the time of removal, based on self-declaration of the organizations and verification by the agency in charge of compensation. This will then be submitted to the relevant authorities for approval.</p> <p><u>Allowance for interrupted work:</u> Employees who worker in affected production, business establishments with labor contract will receive allowance equivalent to the minimum salary as per the regulations to affected employees during the transition period which can be for a maximum of 6 months.</p>	<p>■ After-tax income is determined based on financial statement audited or approved by tax authorities; in case it has not been audited or approved by the tax authorities, the determination of after-tax income will be based on after-tax income by the unit declared in financial reports which submitted to tax authorities.</p>

Type of Loss/Impacts	Application		Entitlements	Implementation Arrangements
	Level of Impact	Eligible Persons		
<b>3.4. For public land</b>	<b>Land acquisition of public land funds of communes, wards or townships</b>	Communes, wards and towns manage acquired land	For land acquisition of public land funds of communes, wards or townships: no compensation for land must be made but support will be provided. The maximum support is equal compensation for land and will be determined by provincial-level People's Committees.	<ul style="list-style-type: none"> <li>Financial assistance will be included in the annual budget estimates of the CPC. It is used to invest construction of infrastructure projects, used for public interest purposes of communes, wards and townships as stipulated in Article 24 of Decree 47/2014/ND-CP.</li> </ul>
<b>3.5. Other Allowances/Assistances</b>	<b>3.5.1. Allowance / Assistance targeted to Vulnerable Households</b>	Affected vulnerable groups regardless level of impact	<ul style="list-style-type: none"> <li><b>For landless households:</b> assistance through provision of an apartment that PAP can either pay in installment to buy or rent it for living (depending on the choice of the PAPs). Additional assistance will be considered if necessary to ensure the affected people have inhabited.</li> <li><b>Social Policy</b> Relocated Households that include heroic mothers, heroic armed force, heroic labor, war veterans, wounded or dead soldiers families will be provided with support as regulated by the (to be certified by local authority)</li> <li><b>Poor households:</b> in addition to receiving assistance under the provisions, poor households affected will be assisted vulnerable as follows: <ol style="list-style-type: none"> <li>Poor households who are relocated, or loss 20% or more of their agricultural landholding, loss less than 20% of their agricultural landholding but the remaining area is not enough to cultivate will be supported by cash equivalent 30kg of rice per person per month for 24 months or according to the policy of provincial-level People's Committees. The policy which supports higher rates will apply.</li> <li>Other affected poor households will be supported by cash equivalent</li> </ol> </li> </ul>	<ul style="list-style-type: none"> <li>The vulnerable groups were identified in the "GLOSSARY" part.</li> <li>Price of rice is the market price at time of compensation</li> </ul>

Type of Loss/Impacts	Application		Entitlements	Implementation Arrangements
	Level of Impact	Eligible Persons		
			<p>30kg of rice per person per month for 6 months or according to the policy of provincial-level People's Committees. The policy which supports higher rates will apply.</p> <ul style="list-style-type: none"> <li>▪ <b>Other vulnerable groups:</b> female headed households with dependents, households with disabled persons, and elderly without any source of support, and ethnic minority households will get the same support given to other affected poor households in accordance with the provincial policy but not less than 30 kg of rice per person per month for 6 months.</li> </ul>	
	<b>3.5.2. Incentive Bonus</b>	PAPs move out of the affected areas on time	<b>Incentive Bonus:</b> All PAPs who vacate the affected land immediately after receiving compensation and allowances will be given an incentive allowance. The amount will be determined by provincial-level People's Committees.	
	<b>3.5.3. Additional allowances/supports (if necessary)</b>		<ul style="list-style-type: none"> <li>▪ <b>PAPs</b> that will lose income sources will be entitled to take part in Income Restoration Programs. Rehabilitation measures like agricultural extension services, job training and creation, credit access and/or other measures as appropriate will be given to PAPs losing income sources to ensure their livelihood could be restored to the pre-project level.</li> <li>▪ Apart from the assistances mentioned above, based on the actual situation, the Project may consider other assistances to secure life stabilization, culture, production and livelihoods of PAPs.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Income and Livelihood Restoration Programs will be designed in combination with current programs of the locality and with the assistance of livelihoods experts.</li> <li>▪ The programs will target the needs of both men and women.</li> </ul>
<b>IV - Temporary Impact during Construction</b>				

Type of Loss/Impacts	Application		Entitlements	Implementation Arrangements
	Level of Impact	Eligible Persons		
<b>4.1. For temporary loss of agricultural land</b>	<b>Loss of, or damage to agricultural land and/or assets on affected land</b>	Owners/ users affected land and/or assets created before the cut-off date regardless of the legal status of the land	<ul style="list-style-type: none"> <li>▪ Compensation for one harvest of crops/trees at full market prices or replacement cost;</li> <li>▪ Compensation for loss of net income from subsequent crops that cannot be planted for the duration of project temporary use;</li> <li>▪ Restoration of land to its previous or better quality by providing measures to improve land quality in cases of land being adversely affected or acidified, and</li> <li>▪ If the duration of project's use the land exceed more than two years, then the DPs have option to: (1) Continue using land, or, (2) "Give it to the Project and be compensated as permanent loss.</li> </ul>	<ul style="list-style-type: none"> <li>▪ If the quality of land is radically changed when returned to PAPs, requiring PAPs to change in the types of land use; then PAPs should be compensated for all envisaged cost of losses.</li> </ul>
<b>4.2. For temporary loss of residential land</b>	<b>Loss of, or damage to residential land and/or assets on affected land</b>	Owners/ users affected land and/or assets created before the cut-off date regardless of the legal status of the land	<ul style="list-style-type: none"> <li>▪ Compensation for all damaged or lost assets, including trees, crops at full replacement cost</li> <li>▪ Restoration of land to its previous or better quality.</li> </ul>	
<b>4.3. For temporary impact on business</b>	<b>Temporary impact on business</b>	Owners regardless of whether or not the business license	<ul style="list-style-type: none"> <li>▪ Compensation for loss of income no less than the net income that would have been derived from the affected property during disruption;</li> <li>▪ Compensation for all damaged or lost assets, including trees, crops at full replacement cost</li> <li>▪ Restoration of land to its previous or better quality.</li> </ul>	
<b>4.4. For impact arising from the construction</b>	<b>Damages caused by contractors to private or public structures</b>	Owners/ users affected assets	<ul style="list-style-type: none"> <li>▪ Damaged property will be restored to its former condition by contractors, immediately upon completion of civil works.</li> <li>▪ Under their contract specifications, the contractors will be required to take extreme care to avoid damaging property during their construction activities. Where damages do occur, the contractor</li> </ul>	<ul style="list-style-type: none"> <li>▪ In case of impacts on livelihoods of PAPs, the contractors, construction units have to agree with the households on payment for disruption of business.</li> </ul>

Type of Loss/Impacts	Application		Entitlements	Implementation Arrangements
	Level of Impact	Eligible Persons		
			will be required to repair the damage and may also be required to pay compensation to the affected families, groups, communities, or government agencies at the same compensation rates that are applied to all other assets affected by the Project.	
<b>V. Other impacts</b>				
<b>5.1. Other impacts</b>	<b>Any other impacts that may be identified during implementation</b>	Individuals, organizations in the project area	<ul style="list-style-type: none"> <li>Entitlements to compensation and other assistance could be provided in accordance with the compensation policy.</li> <li>Secondary impacts on production and business or PAPs isolated from access to resources temporarily have to be compensated and supported in accordance with OP4.12 of WB.</li> </ul>	

## APPENDIX 2– INFORMATION PROTECTION AND PROPERTY AFFECTED

### Component 1: Sanitation Infrastructure Expansion

*Item: Expansion of Long My Landfill Site*

No.	Household	Forestry land			
		Total area(m <sup>2</sup> )	Affected area(m <sup>2</sup> )	% affected(m <sup>2</sup> )	Affected plant
1	Quang Van Binh	21,250	13,000	61	Acacia, Eucalyptus
2	Nguyen Ba Ngu	30,000	27,146	90	Acacia, Eucalyptus
3	Tran Kim Phung	94,600	49,000	52	Acacia, Eucalyptus
4	Pham Tan Toan	30,000	15,000	50	Acacia, Eucalyptus
5	Dao Thien Thao	70,000	37,000	53	Acacia, Eucalyptus
6	Le Xuan Van	88,000	55,791	63	Acacia, Eucalyptus
<b>TOTAL</b>		333.850	196,937		

### Component 2: Urban Connectivity Improvement

*Item: Construction of Chu Y-bridge*

No.	Household	Total land area (m2)	Total affected land area (m2)	Affected land (m2) ( m2		Affected tree/plant crops (m2)		Affected structures/works	
				Residential land	Garden land	Ornamental/ bonsai plants (pcs)	Pot plant (pot)	Houses (m2)	Other structures (m2)
7	Le Thi Ngoc Anh	273.10	273.10	172.67	100.43	49	72	278	550



## APPENDIX 3- MINUTES OF PUBLIC CONSULTATION

CỘNG HÒA XÃ HỘI CHỦ NGHĨA VIỆT NAM  
Độc lập - Tự do - Hạnh phúc  
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### BIÊN BẢN HỌP THAM VẤN KHUNG CHÍNH SÁCH TÁI ĐỊNH CƯ DỰ ÁN MÔI TRƯỜNG BỀN VỮNG CÁC THÀNH PHỐ DUYÊN HẢI

Tiểu dự án: Quy Nhơn

#### I. THÔNG TIN CHUNG

1. Thời gian: Bắt đầu: 08h00 ngày 19 tháng 7 năm 2016

Kết thúc: 14h00 ngày 19 tháng 7 năm 2016

2. Địa điểm: Ban QLDA cải tạo, di dời, nâng cấp khu vực kinh doanh

#### II. THÀNH PHẦN THAM GIA:

Tổng số đại biểu: 14 (xem danh sách kèm theo), trong đó:

Số đại biểu nữ/tổng số đại biểu: 5, chiếm 35,71%

#### III. NỘI DUNG THAM VẤN

##### 1. Giới thiệu dự án VÀ Khung chính sách tái định cư

Trình bày và công bố các vấn đề sau:

- Giới thiệu về dự án (mục tiêu, vị trí, quy mô và kế hoạch của dự án...);
- Chính sách liên quan đến môi trường và xã hội của Dự án.

##### 2. Ý kiến tham vấn

STT	Họ tên	Ý kiến	Phản hồi của BQL/Tư vấn/ Hành động tiếp theo
1	Lê Kim Chính (Sở Tư pháp)	hình thức... thu nhập... mặt... tiền... xác định... các... khi... thiết... quy... đặt... 2. Dùng thuật ngữ... "chấp thuận" và "bếp..." (sử dụng từ theo hướng...)	



STT	Họ tên	Ý kiến	Phản hồi của BQL/Tư vấn/ Hành động tiếp theo
6	Trần Văn Phân? (Cố LATBNU)	1. Mục 5.3 về hồ sơ dự tạo, chúng tôi gửi kèm mục 5.3.1? Các thành viên chủ chốt Việt Nam đã chúng tôi đã gửi kèm về để thể hiện lại.	
7	Lê Văn Công (CTPTCĐ TP).	1. Di sản văn hóa do UBND Phường, xã làm	
8			
9			

Quy Nhơn, ngày tháng năm 2016

**ĐẠI DIỆN CHỦ ĐẦU TƯ**

**ĐẠI DIỆN SỞ/BAN/NGÀNH**



Long Hoang

Phan Thanh Lập

Đinh Hạnh

Lê Văn Long

Lê Kim Chính

Trần Văn Khẩn

Huỳnh Quốc Nguyễn

**ĐẠI DIỆN ĐƠN VỊ TƯ VẤN**








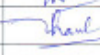


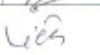
**ĐẠI DIỆN HỘI/ĐOÀN THỂ**

Ngô Thị Thuý Hằng

Đặng Thị Hồng Ngọc

CỘNG HOÀ XÃ HỘI CHỦ NGHĨA VIỆT NAM  
Độc lập – Tự do – Hạnh phúc  
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**DANH SÁCH ĐẠI BIỂU**  
**THAM GIA HỌP THAM VẤN KHUNG CHÍNH SÁCH TÁI ĐỊNH CƯ**  
**DỰ ÁN MÔI TRƯỜNG BỀN VỮNG CÁC THÀNH PHỐ DUỖN HẢI**  
**Tiểu dự án: Quy Nhơn**

STT	Họ và tên	Địa chỉ	Xác nhận	Ghi chú
1.		UBND tỉnh		
2.		UBND TP Quy Nhơn		
3.	Hoàng Phúc Nguyên	Sở TNMT tỉnh Bình Định		CCQL&D
4.		Sở Kế hoạch đầu tư		
5.		Sở xây dựng		
6.		Sở tài chính		
7.	Lê Kim Chinh	Sở Tư pháp		
8.	Lê Thị Hoàng Kiều	TT phát triển quỹ đất tỉnh		
9.	Lê Văn Công	TT PT quỹ đất TP		
10.	Nguyễn Văn Bảo	Sở NN&PTNT		
11.	Trần Văn Khanh	Sở LD&TBXH		0916230260
12.	Đặng Thị Hồng Nga	Hội phụ nữ Thành phố		
13.	Nguyễn Thị Thuý	Hội Phụ nữ Tỉnh		
14.	Võ Thị Phấn	Chi cục BVMT tỉnh		
15.	Đinh Công Hoàng	PG-Đ. Ban QLDA		
16.	Đinh Thành	Cán bộ kỹ thuật - QLDA		
17.	Phạm Thanh Lập	Cán bộ QLDA		
18.	Trần Thị Hồng	Tư vấn		
19.	Nguyễn Thị Hồng Vân	Tư vấn		

**BIÊN BẢN HỌP THAM VẤN**  
**DỰ ÁN MÔI TRƯỜNG BỀN VỮNG CÁC THÀNH PHỐ DUYÊN HẢI**

Tiểu dự án: Thành phố Quy Nhơn

**I. THÔNG TIN CHUNG:**

Thời gian:

Bắt đầu: 2 h. 00 ngày 2 tháng 3 năm 2016.

Kết thúc: 11 h. 00 ngày 2 tháng 3 năm 2016.

Địa điểm: UBND xã Phước Mỹ

**II. THÀNH PHẦN THAM GIA:**

1. Đại diện chủ đầu tư:

- Ông/bà: Trần Thành Chức vụ: CB - Ban QL DA

- Ông/bà: Phạm Bích Hoa Chức vụ: CB - Ban QL DA

2. Đại diện đơn vị tư vấn:

- Ông/bà: Trần Thị Hương Chức vụ: Chuyên gia ATMT/KH

- Ông/bà: Nguyễn Hưng Hải Chức vụ: Chuyên gia ATMT/KH

3. Đại diện UBND phường/xã Phước Mỹ:

- Ông/bà: Đoàn Văn Lý Chức vụ: Phó Chủ tịch UBND xã

- Ông/bà: Đoàn Văn Sinh Chức vụ: Đa thành viên TMT

- Ông/bà: Nguyễn Văn Phong Chức vụ: Trưởng thôn Phước Lương

4. Đại diện các hội/đoàn thể địa phương:

- Ông/bà: Đoàn Văn Nhật Chức vụ: CT UBND xã

- Ông/bà: Lê Văn Phú Chức vụ: CT Hội Phụ nữ xã

- Ông/bà: Nguyễn Văn Hoàng Chức vụ: Bí thư Đoàn TNCSHCM xã

- Ông/bà: Nguyễn Thị Bích Phượng Chức vụ: CT Hội Phụ nữ xã

- Ông/bà: Đoàn Văn Đức Chức vụ: CT Hội CB xã

5. Đại diện các hộ gia đình/tổ chức: 18 người (có danh sách kèm theo), trong đó:

Số đại biểu nữ/tổng số đại biểu: 2 người, chiếm 11%

**III. Nội dung tham vấn:**

**1. Giới thiệu dự án**

Trình bày và công bố các vấn đề sau:

- Giới thiệu về dự án (mục tiêu, vị trí, quy mô và kế hoạch của dự án...);
- Các đề xuất kỹ thuật của dự án;
- Các hạng mục/ công trình thực hiện tại địa bàn xã Phước Mỹ;
- Chính sách liên quan đến môi trường và tái định cư của Chính phủ Việt Nam và WB.



2. Ý kiến tham vấn

STT	Họ tên	Ý kiến	Phản hồi của BQL/Tư vấn/ Hành động tiếp theo
1	Nguyễn Hồng Phong	- Người dân ủng hộ chủ tướng thành lập chi an - Là trường thôn sẽ phối hợp với UBND xã, tư vấn, ban QLDA trung với thời điểm an cơng việc điều tra, khảo sát phục vụ lập dự án	
2	Trương Văn Lý PC UBND xã	- Xã ủng hộ chủ trương thực hiện dự án - UBND xã sẽ tạo điều kiện và phối hợp với địa vị trí vào trong thời gian thực hiện công việc tại địa phương UBND xã sẽ cung cấp các số liệu cần thiết cho dự án - Cần xác định ranh giới thực địa để vẽ pho bản chính xác bởi thường việc trò cho người bị ảnh hưởng	
3	Đỗ Ngọc Anh Anh CB địa chính	- Sẽ phối hợp với địa vị trên trong việc xác định các hộ BAH và ranh giới thực địa	
4	Quang Văn Bính người BAH	- Đồng ý với chủ trương thực hiện dự án địa nhà mới - Cần sớm pho bản chính sắc bởi thường, tiền giá bởi thường cho người dân - Cần nghiên cứu kỹ để tránh thiệt hại cho người dân	

STT	Họ tên	Ý kiến	Phản hồi của BQL/Tư vấn/ Hành động tiếp theo
	ly'kieu dung của các hộ dân là UBND xã	- Cần đánh báo vấn đề vấn đề về không an hưởng đến sức khỏe của người dân khu vực được	- Ban QL dự án giữ nhân các ý kiến đóng góp của các chủ hộ tham gia hợp tác viên
		- Xem xét vấn đề xử lý nước rỉ rác để không ảnh hưởng đến việc sản xuất của người dân	
		- Ủy ban chỉ hướng dẫn lưu giữ rác và tạo điều kiện để các chủ hộ bớt	- BQL dự án nên hoàn thành việc lắp báo cáo ATM và kế hoạch tái chế cát và là tổ chức hợp tác để ý kiến đóng góp của UBND xã và các hộ gia đình cho các báo cáo này và các ý kiến đóng góp cho việc thực hiện dự án



STT	Họ tên	Ý kiến	Phản hồi của BQL/Tư vấn/ Hành động tiếp theo

ĐẠI DIỆN CHỦ ĐẦU TƯ

....., ngày.....tháng 2 năm 2016  
ĐẠI DIỆN CHÍNH QUYỀN ĐỊA PHƯƠNG



CHỦ TỊCH  
CHỦ TỊCH

Chương Văn Lý

ĐẠI DIỆN ĐƠN VỊ TƯ VẤN

ĐẠI DIỆN HỘI/ĐOÀN THỂ ĐỊA PHƯƠNG

Ko Thi Kiang

CỘNG HÒA XÃ HỘI CHỦ NGHĨA VIỆT NAM  
Độc lập - Tự do - Hạnh phúc  
-----8008-----

BIÊN BẢN HỌP THAM VẤN  
DỰ ÁN MÔI TRƯỜNG BỀN VỮNG CÁC THÀNH PHỐ DUỖN HẢI - TIỂU DỰ ÁN  
THÀNH PHỐ QUY NHƠN

I. THÔNG TIN CHUNG:

Thời gian:

Bắt đầu: 8 h 00 ngày 7 tháng 7 năm 2016

Kết thúc: 11 h 00 ngày 7 tháng 7 năm 2016

Địa điểm: Hội trường UBND xã Phước Mỹ

II. THÀNH PHẦN THAM GIA:

1. Đại diện chủ đầu tư:

- Ông/bà: Đinh Long Hoàng Chức vụ: Phó GP. BQL

- Ông/bà: Phan Bích Tròn Chức vụ: Cán bộ BQL

2. Đại diện đơn vị tư vấn:

- Ông/bà: Nguyễn Hùng Anh Chức vụ: Chuyên gia môi trường

- Ông/bà: Nguyễn Thị Ngọc Vân Chức vụ: Chuyên gia tài chính

3. Đại diện UBND phường/xã Phước Mỹ:

- Ông/bà: Đặng Tài Tuệ Chức vụ: Phó CT. UBND xã

- Ông/bà: Đỗ Nghiêm Đĩnh Chức vụ: CT địa phương xã

- Ông/bà: Chức vụ:

4. Đại diện các hội/đoàn thể địa phương:

- Ông/bà: Cao Văn Nhứt Chức vụ: CT MTTT xã

- Ông/bà: Nguyễn Thị Bích Phương Chức vụ: CT Hội Lữ Động xã

- Ông/bà: Chức vụ:

- Ông/bà: Chức vụ:

- Ông/bà: Chức vụ:

5. Đại diện các hộ gia đình/ tổ chức: 15 người (có danh sách kèm theo). Số đại biểu nữ/tổng số đại biểu: 8 người.

III. Nội dung tham vấn:

1. Giới thiệu dự án

Trình bày và công bố các vấn đề sau:

- Giới thiệu về dự án (mục tiêu, vị trí, quy mô và kế hoạch của dự án...);
- Các đề xuất kỹ thuật của dự án;
- Các hạng mục/ công trình thực hiện tại địa bàn xã Phước Mỹ;
- Chính sách liên quan đến môi trường và tái định cư của Chính phủ Việt Nam và WB.

2. Ý kiến tham vấn

Ý kiến của cộng đồng về đánh giá tác động môi trường - xã hội

a. Người dân trong vùng có đồng ý tham gia thực hiện dự án?

Có ☒

Không ☐



Nếu không, vì sao? .....

- b. Ý kiến của cộng đồng về các tác động tích cực về Môi trường – xã hội (bao gồm cả môi trường tự nhiên và xã hội: môi trường sinh thái, môi trường vật lý, truyền thống văn hóa và sinh hoạt cộng đồng...)

Trước khi xây dựng: .....

Trong khi xây dựng: .....

Sau khi xây dựng: .....

Tác động tích cực đến môi trường và xã hội: môi trường khu vực đẹp hơn, các tiện ích, tiện nghi.

- c. Ý kiến của cộng đồng về các tác động tiêu cực tiềm tàng (bao gồm cả môi trường tự nhiên và xã hội: môi trường sinh thái, môi trường vật lý, truyền thống văn hóa và sinh hoạt cộng đồng...)

Trước khi xây dựng: .....

Bụi, tiếng ồn trong quá trình xây dựng, chuyển đổi đất đai.

Trong khi xây dựng: .....

Nước chảy tràn, mùi hôi, các vấn đề an ninh trật tự các địa phương.

Sau khi xây dựng: .....

- d. Người dân và cộng đồng trong vùng DA có đồng ý tham gia công tác giảm thiểu tác động môi trường như: a) Làm sạch nơi xây dựng công trình, thu gom rác thải, chất bẩn về đúng nơi quy định; b) Cam kết thực hiện đúng các quy định về hành lang an toàn điện (như không được trồng cây lâu năm hay xây dựng công trình ...); c) Thực hiện công tác phòng chống cháy nổ, các tai nạn do điện giật gây ra?

Có ☒

Không ☐

Nếu không, vì sao? .....

- e. Người dân và cộng đồng trong vùng DA có thể tham gia giám sát sự tuân thủ kế hoạch quản lý môi trường trong toàn bộ quá trình trước khi xây dựng, trong khi xây dựng và sau khi xây dựng kết thúc không?

Có ☐ Không ☐

Nếu không, vì sao? .....

.....

**Ý kiến của cộng đồng về bồi thường, hỗ trợ và tái định cư**

a. Các hộ bị ảnh hưởng lựa chọn các hình thức chi trả đền bù nào dưới đây:

- Phương thức đền bù:
  - Nhận tiền đền bù: ☒
  - Nhận đất Tái định cư của dự án: ☐
  - Tự tìm nơi ở mới: ☐
- Phương án khôi phục thu nhập:
  - Hỗ trợ việc làm: ☐
  - Hỗ trợ đào tạo nghề: ☐
  - Được vay vốn: ☐
  - Nguyên vọng khác, ghi rõ: ☐

b. Hộ bị ảnh hưởng lựa chọn các hình thức ưu tiên tái định cư nào sau đây?

- Đền bù đất theo giá thay thế/thị trường: ☐
- TĐC ngay trên phần đất còn lại của gia đình: ☐
- Dễ làm ăn buôn bán tại Khu TĐC: ☐
- Cơ sở hạ tầng tại Khu tái định cư phải phù hợp: ☐
- Môi trường tại KTĐC phải đảm bảo cho sức khỏe: ☐
- Nguyên vọng khác, ghi rõ: ☐

c. Đối với mồ mà phải di dời, các hộ bị ảnh hưởng lựa chọn các hình thức di dời nào dưới đây:

- Tự lo địa điểm di dời: ☐
- Di dời tới nghĩa trang tập trung: ☐
- Hình thức khác, cụ thể: ☐

d. Người dân và cộng đồng trong vùng có dự án có đồng ý tham gia công tác giảm thiểu tác động tiêu cực gây ra bởi dự án (do chiếm dụng đất đai, nhà cửa phải di dời...) như:

- Thực hiện đúng quy trình kiểm kê, đền bù, GPMB và tái định cư;
- Thực hiện đúng quy trình khiếu nại.

Có ☒ Không ☐

Nếu không, vì sao? .....

.....

e. Các ý kiến tham vấn khác của người dân và cộng đồng:

*- Các tình nguyện viên của chính quyền địa phương, các bên liên quan cấp cho dân, để tìm lại đất và khôi phục các tác hại lâu dài.*

- Đơn giá đất bù phải tương đương đất về đất và cây trồng trên đất
- Bộ hình nghiên cứu chi phí trước chi triển khai với chi phí như về với tương đương. Bảo bảo quy hoạch, đường dẫn sinh cho người dân xung quanh khu vực để đi.

ĐẠI DIỆN CHỦ ĐẦU TƯ



Đinh Công Hoàng

phước Mỹ ngày 7 tháng 1 năm 2016  
ĐẠI DIỆN ĐƠN VỊ TƯ VẤN

Lion

ĐẠI DIỆN CHÍNH QUYỀN ĐỊA PHƯƠNG



Đặng Thị Tuyết Nhung

PHÓ CHỦ TỊCH

CÁC HỘI ĐOÀN THỂ

Cao Văn Nhứt

Trần Kim Phụng

Nguyễn Bá Ngự

Lương  
Trần Thị Lương  
CH phụ nữ Đoàn

Nguyễn Hồng Phương





## APPENDIX 4- PUBLIC CONSULTATION PICTURES





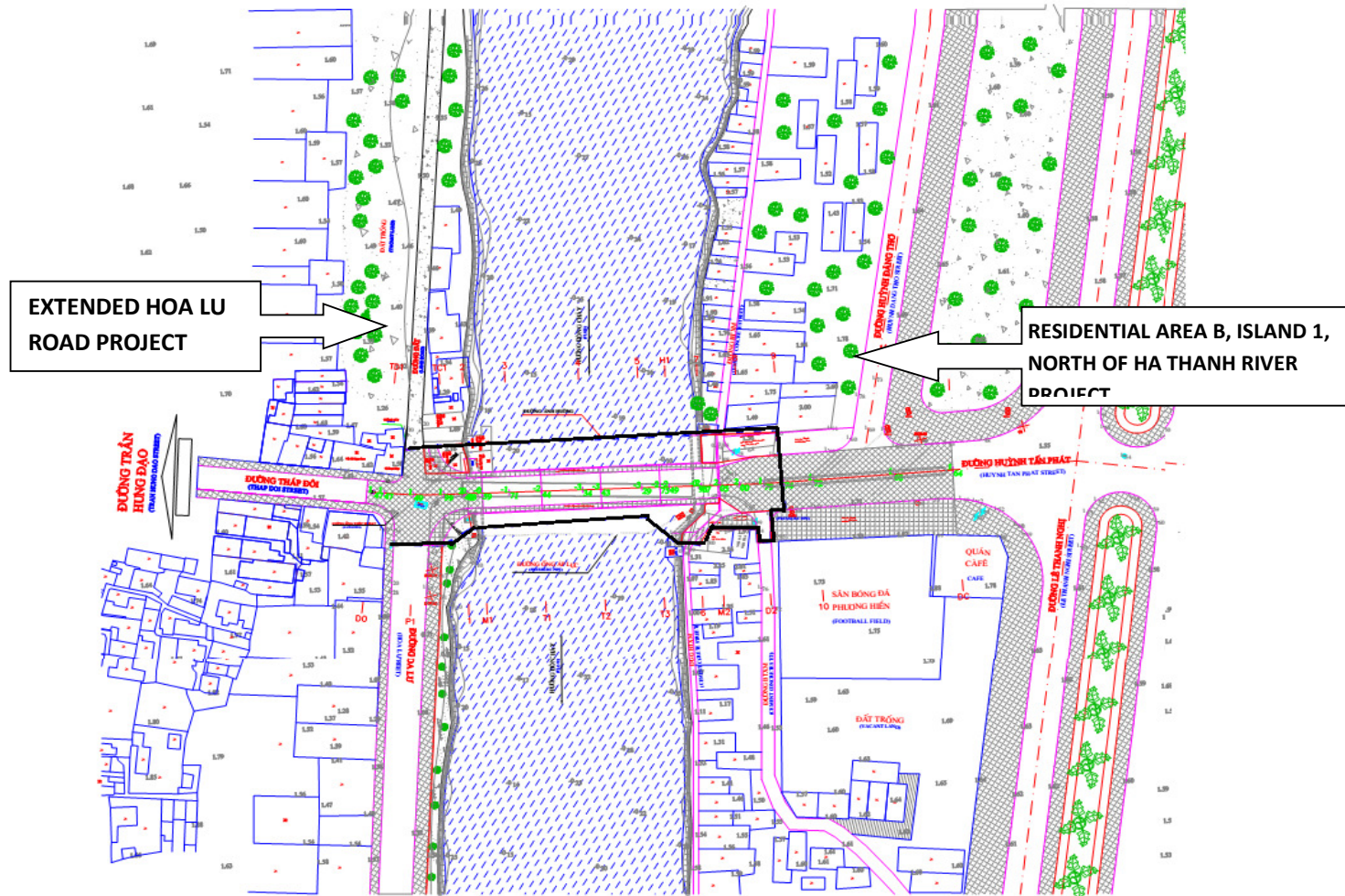
## APPENDIX 5 – THE INDICATORS OF MONITORING AND EVALUATION

Indicators	Information Required in Monitoring and Evaluation
Monitoring implementation of DMS	<ul style="list-style-type: none"> <li>✓ All affected land and properties must be measured accurately; the results of the DMS have been disclosed.</li> <li>✓ Complaints or questions of the affected households based on the results of the DMS shall be resolved promptly and satisfactorily.</li> </ul>
Monitoring compensation payments and cash assistance	<ul style="list-style-type: none"> <li>✓ Compensation for affected land; if compensation for loss of land for equivalent land (land for land), such as equal surface, location, productive capacity, living conditions or not; if cash compensation for loss of land, compensation is equivalent to replacement cost at time of payment or not;</li> <li>✓ Compensating for all affected works equivalent to the replacing cost of materials and labor on the basis of standards and characteristics of the works, not deducting and amortizing the old materials which were salvaged;</li> <li>✓ Compensation for affected trees/crops has been paid according to the full market price of affected trees/crops or not.</li> <li>✓ Assurances as mentioned in the RPs have been paid fully for the affected households or not; paid once or several times.</li> </ul>
Monitoring implementation of disclosure information and public consultation	<ul style="list-style-type: none"> <li>✓ Have the project documents been provided to relevant communities (RPF, RP, project leaflets, and other relevant documents).</li> <li>✓ Has information been disclosed in a public places (results of DMS, compensation prices, payments ...).</li> <li>✓ The affected households have been consulted fully about land acquisition, compensation policies, relocation, living rehabilitation and grievance redress procedure or not.</li> <li>✓ How were these concerns, suggestions of affected households resolved in the process of resettlement implementation</li> </ul>
Monitoring resettlement implementation of affected households	<ul style="list-style-type: none"> <li>✓ Consider living condition, income in resettlement areas such as infrastructure (road, electricity, supply water/drainage...), and their livelihoods.</li> <li>✓ Resettlement planning and implementation: residential consultant about resettlement activates resettlement plan, participate in building the relocation plan, announcement relocation plan and supports for displaced households.</li> <li>✓ Rehabilitation of living and production after resettlement: How have the project affected households been rehabilitated their living and production?</li> </ul>

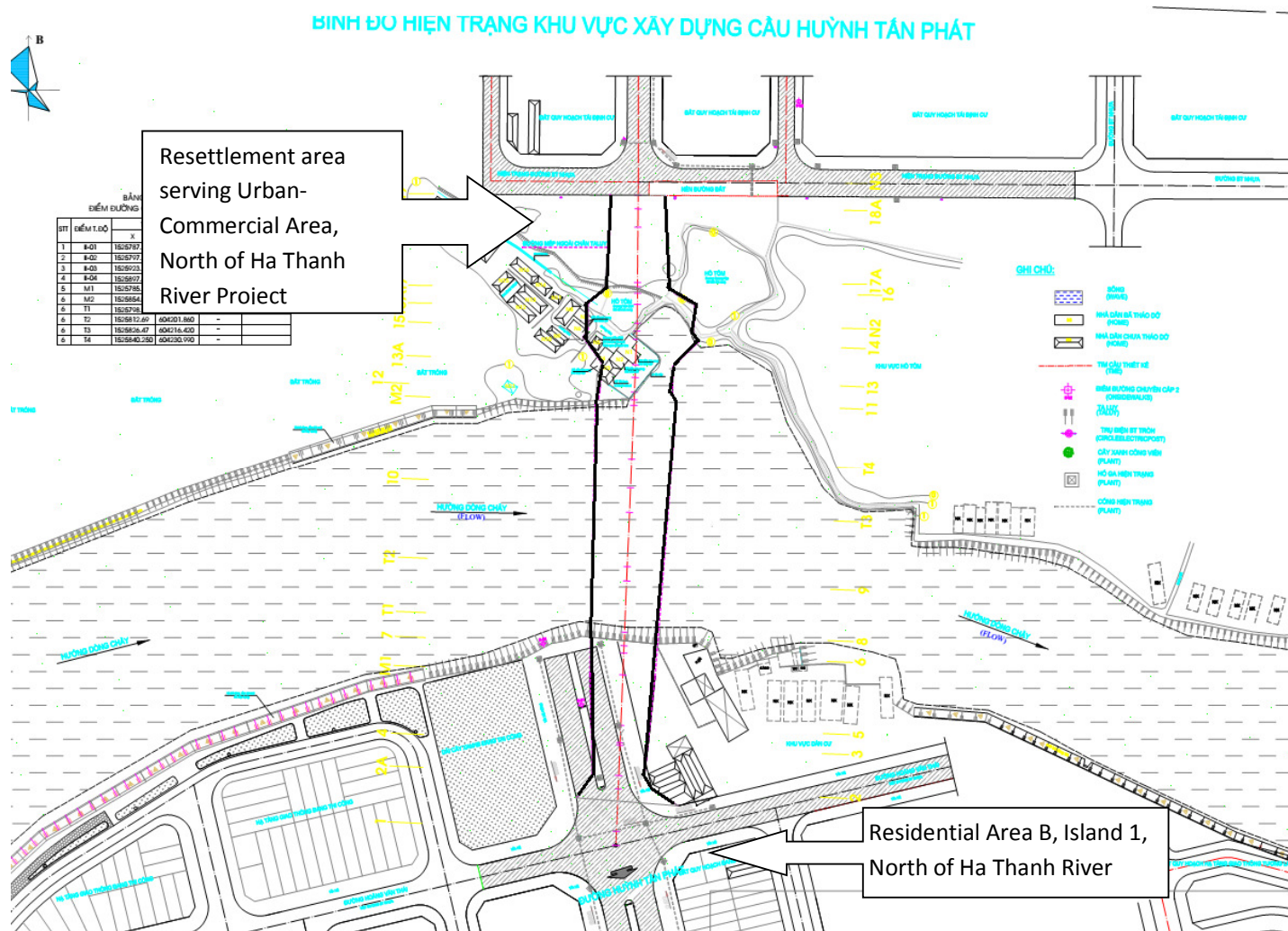
Monitoring income restores and living rehabilitation	<ul style="list-style-type: none"> <li>✓ Supports for income restores have been provided adequate or not; Effectiveness of the supports (training, credit support ...).</li> <li>✓ Problems that PAHs are facing in process of their income restores and living rehabilitation.</li> </ul>
Monitoring and evaluating satisfaction level of PAHs	<ul style="list-style-type: none"> <li>✓ Satisfaction level about DMS;</li> <li>✓ Satisfaction level about information disclosure, public consultation;</li> <li>✓ Satisfaction level about compensation payments, support;</li> <li>✓ Satisfaction level about income restores and living rehabilitation activities;</li> <li>✓ Satisfaction level about resettlement sites</li> </ul>
Monitoring grievance redress procedure of affected households	<ul style="list-style-type: none"> <li>✓ Efficiency level of grievance redress procedure (solving time and efficiency...);</li> <li>✓ Results of resolution of complaints at different levels;</li> <li>✓ Satisfaction level about grievance redresses procedure.</li> </ul>
Coordination between activities of resettlement and construction process	<ul style="list-style-type: none"> <li>✓ The construction works are just started;</li> <li>✓ Land acquisition and resettlement activities (compensation, support and moving) for the work items have been completed;</li> <li>✓ All issues that related to project area have to be solved.</li> <li>✓ Income restoration program has been established.</li> </ul>
Issues of gender and ethnic minorities	<ul style="list-style-type: none"> <li>✓ The turn number of participation of women in land acquisition and resettlement activities; impact of land acquisition and resettlement for women's livelihood; issues of income restoration for women.</li> <li>✓ Refer opinion and announce to households of ethnic minorities and community affected; the measures have been carried out to avoid, minimize negative impacts for land acquisition of community of local ethnic minorities; complain about negative impacts and the issues of income restoration for the affected ethnic households</li> </ul>



# APPENDIX 6- REVELANT PROJECTS Land acquisition for construction of Y bridge




## Land acquisition for construction of Huỳnh Tan Phat Bridge





**COMMUNITY MEETING MINUTES**  
**LAND ACQUISITION POLICY PUBLICATION**

*Project of the resettlement site for the construction of the commercial urban area north of Ha Thanh River, Quy Nhon City*

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

**Họp triển khai công tác bồi thường GPMB để đầu tư xây dựng  
Khu đô thị - thương mại phía Bắc sông Hà Thanh, TP Quy Nhơn**

Hôm nay, lúc 14 giờ, ngày 21 tháng 11 năm 2006 tại UBND phường Đồng Đa có tổ chức cuộc họp.

**Nội dung :**

- Triển khai công văn số 2511/UBND-XD ngày 30/8/2006 của UBND tỉnh Bình Định về việc thu hồi đất, lập phương án đền bù, GPMB khu đô thị - thương mại phía Bắc sông Hà Thanh, thành phố Quy Nhơn.
- Phổ biến các chính sách pháp luật liên quan đến bồi thường GPMB và tái định cư.
- Phát tờ khai và hướng dẫn tờ khai.
- Kế hoạch thực hiện.

**THÀNH PHẦN DỰ HỌP**

1. ĐẠI DIỆN TRUNG TÂM PHÁT TRIỂN QUỸ ĐẤT :  
Ông : Nguyễn Phú Hải..... Chức vụ : Tổ phó.....

2. TỔ CÔNG TÁC : gồm các thành viên có tên trong Quyết định số 637/QĐ-TTPTQĐ ngày 24/10/2006 của Trung tâm Phát triển quỹ đất.

3. ĐẠI DIỆN CT CP PT ĐẦU TƯ XD & DU LỊCH AN PHÚ THỊNH :  
Ông : Lê Hữu Nghi..... Chức vụ : Nhân viên.....  
Ông : ..... Chức vụ : .....  
Ông : ..... Chức vụ : .....

4. ĐẠI DIỆN UBND PHƯỜNG ĐỒNG ĐA :  
Ông (Bà) : Nguyễn Bích Nga..... Chức vụ : Chủ tịch UBND.....  
Ông (Bà) : Trần Hữu Nghi..... Chức vụ : Có địa chỉ.....  
Ông (Bà) : Lê Thị Ngọc Anh..... Chức vụ : Đi thư Đảng ủy.....  
Ông (Bà) : Nguyễn Thị Thuần..... Chức vụ : Phó Đ. thư Đảng ủy.....  
Ông (Bà) : Lê Văn Thừa..... Chức vụ : CT. HÒA MI.....

Cuộc họp bắt đầu vào lúc 14 giờ  
Ông Nguyễn Phú Hải - Tổ phó tổ công tác  
thông báo về các chính sách về bồi thường  
hồi tị sản bị thiệt hại, giới thiệu các thức  
mức của các hộ dân liên quan đến công tác đền  
bù, giải tỏa





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

BIÊN BẢN

Hợp triển khai công tác bồi thường GPMB để đầu tư xây dựng  
Khu đô thị - thương mại phía Bắc sông Hà Thanh, TP Quy Nhơn

Hôm nay, lúc .đ. giờ, ngày .đ. tháng 02 năm 2007 tại UBND phường Đống  
Đa có tổ chức cuộc họp.

Nội dung :

- Triển khai Quyết định số 81/QĐ-UBND ngày 31/01/2007 của UBND tỉnh Bình Định về việc phê duyệt Phương án tổng thể về bồi thường, hỗ trợ thiệt hại tài sản và tái định cư do GPMB xây dựng Khu đô thị - thương mại phía Bắc sông Hà Thanh.
- Phổ biến các chính sách pháp luật liên quan đến bồi thường GPMB và tái định cư.
- Các hộ dân bầu người đại diện dân có tài sản bị thiệt hại tham gia Tổ công tác GPMB.
- Phát tờ khai và hướng dẫn tờ khai.
- Kế hoạch thực hiện.

THÀNH PHẦN DỰ HỌP

1. ĐẠI DIỆN TRUNG TÂM PHÁT TRIỂN QUỸ ĐẤT :

Ông : Trần Văn Trung..... Chức vụ : Phó Giám đốc.

2. TỔ CÔNG TÁC : gồm các thành viên có tên trong Quyết định số 637/QĐ-TTPTQĐ ngày 24/10/2006 của Trung tâm. Phát triển quỹ đất.

3. ĐẠI DIỆN UBND PHƯỜNG ĐỐNG ĐA :

Ông (bà) : <u>Nguyễn Thị Thuận</u> .....	Chức vụ : <u>Phó Giám đốc</u> .....
Ông (bà) : <u>Nguyễn Thị Bích Nga</u> .....	Chức vụ : <u>Phó Giám đốc</u> .....
Ông (bà) : <u>Lê Văn Thuận</u> .....	Chức vụ : <u>TN. Đống Đa. CT. UBND TP. Quy Nhơn</u> .....
Ông (bà) : <u>Đỗ Xuân Thống</u> .....	Chức vụ : <u>Phó Giám đốc</u> .....
Ông (bà) : <u>Trần Thanh Huyền</u> .....	Chức vụ : <u>CT. Hội nông dân phường</u> .....
Ông (bà) : <u>Trần Hữu Nghĩa</u> .....	Chức vụ : <u>CB. Địa chính. phường</u> .....
Ông (bà) : .....	Chức vụ : .....
Ông (bà) : .....	Chức vụ : .....

4. ĐẠI DIỆN CTY CP PT ĐẦU TƯ XD & DU LỊCH AN PHÚ THỊNH :

Ông (Bà) : <u>Lê Hữu Nghị</u> .....	Chức vụ : <u>Cán bộ</u> .....
Ông : <u>Nguyễn Văn Hòa</u> .....	Chức vụ : <u>Cán bộ</u> .....
Ông : .....	Chức vụ : .....

5. ĐẠI DIỆN HỘ DÂN CÓ TÀI SẢN BỊ THIẾT HẠI :

Ông : <u>Lê Văn Hòa</u> - KV9
Ông : <u>Võ Ngọc Ân</u> - KV9
Ông : <u>Đông Hữu Ch�</u> - KV9
Ông : <u>Trần Văn Suốt</u> - KV9



### NỘI DUNG CUỘC HỌP

[illegible]

Biên bản kết thúc vào lúc 11 giờ cùng ngày và các thành phần tham gia cùng ký vào biên bản.

Quy Nhơn, ngày ..2/02/2007

Người viết biên bản

Châu Quốc Thịnh

ĐD TT PHÁT TRIỂN QUỸ ĐẤT

Strong

**ĐD UBND PHƯỜNG ĐÔNG ĐÀ**

John

ĐD CTCPPPTĐTXD&amp;DL AN PHÚ THỊNH

Le Hân Nghi

## ĐD HỌ DÂN BỊ THIẾT HẠI

[illegible]

*Project of constructing the technical infrastructure of Residential Area B, Key 1 to the North of Ha Thanh river in Quy Nhon City*

UBND TỈNH BÌNH ĐỊNH  
BAN QLDA CÁC CT TRỌNG ĐIỂM

Số: 652/BQLDA-KHTC

Về việc thông báo tháo dỡ công trình  
lấn chiếm đất của 02 hộ ở phía Bắc  
đầu cầu chữ Y, phường Đồng Đa

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

Bình Định, ngày 05 tháng 8 năm 2016

Kính gửi: Ủy ban nhân dân thành phố Quy Nhon

Hiện nay, Ban QLDA các công trình trọng điểm tỉnh Bình Định (Ban QLDA) đang thực hiện lập Dự án đầu tư xây dựng công trình và các báo cáo thành phần cho Dự án Môi trường bền vững các thành phố duyên hải – Tiểu dự án thành phố Quy Nhon (gọi tắt là Dự án) để trình UBND tỉnh và Ngân hàng thế giới (WB) phê duyệt.

Theo thiết kế, phạm vi thu hồi đất để xây dựng hạng mục Cầu chữ Y thuộc Dự án sẽ ảnh hưởng tới phần diện tích đất tại phía Bắc đầu Cầu chữ Y của 02 hộ gia đình là hộ ông Phạm Văn Dư (bố là ông Phạm Tài) và hộ ông Lê Văn Minh đều thuộc khu vực 9, phường Đồng Đa, trước đây đã được Dự án khu dân cư đảo 1B Bắc sông Hà Thanh thực hiện bồi thường và giải phóng mặt bằng. Do những diện tích đất này chưa được nhà nước sử dụng nên hai hộ gia đình trên đang lấn chiếm, tận dụng làm mặt bằng kinh doanh.

Để đảm bảo có mặt bằng sạch khi Dự án triển khai việc đầu tư xây dựng Cầu chữ Y, Ban QLDA kính đề nghị UBND thành phố Quy Nhon có thông báo để các hộ gia đình nói trên tự tổ chức tháo dỡ các công trình trên đất đã được bồi thường và giải phóng mặt bằng, để đảm bảo đáp ứng cho diện tích đất xây dựng hạng mục Cầu chữ Y và tránh mọi khiếu nại, khiếu kiện và chậm trễ sau này trong quá trình thực hiện đầu tư xây dựng.

Mặc khác, để có cơ sở thẩm định Dự án của Đoàn công tác WB vào ngày 05/9/2016 tại Quy Nhon, Bình Định, Ban QLDA kính mong nhận được sự quan tâm giải quyết sớm của UBND thành phố Quy Nhon đến trước ngày 15/8/2016 để báo cáo cho WB.

Trân trọng cảm ơn!

Nơi nhận:

- Như trên;
- Lãnh đạo Ban;
- Tư vấn Viwase;
- Tổ QLDA-MT; Ph.KH-TC;
- Lưu: VT.



Lê Văn Lịch



**BINH DINH PROVINCIAL PEOPLE'S COMMITTEE  
KEY PROJECTS MANAGEMENT UNIT**

-----  
No. 652/BQLDA-KHTC

**SOCIALIST REPUBLIC OF VIETNAM  
Independence – Freedom – Happiness**

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Binh Dinh, August 5<sup>th</sup>, 2016

About request on dismantling of land-encroachment  
items of 2 HHs in the north of Y bridge end in Dong Da  
Ward

To: Quy Nhon City's People's Committee

At present, Binh Dinh Province's Key Projects Management Unit (PMU) is preparing Work Construction Investment Project and componential reports for Coastal Cities Environmental Sanitation Project - Quy Nhon City Sub-project (hereafter called the Project) to submit PPC and World Bank (WB) for approval.

As per design, land acquisition for construction of Y bridge under the Project will affect land areas in the north of Y bridge end of 2 HHs of Mr. Pham Van Du (with Mr. Pham Tai as his father) and Mr. Le Van Minh, both residing in Area 9 of Dong Da Ward and previously already compensated for site clearance under project of constructing the technical infrastructure of Residential Area B, Key 1 to the North of Ha Thanh river in Quy Nhon City. These land areas have not been used by the State, and these HHs are currently using them (encroachment) as business premise.

To ensure cleared land for construction of Y bridge, PMU kindly requests Quy Nhon City's PC to issue notice requesting these HHs to dismantle all items on these land areas, which have already been compensated and cleared, to ensure cleared area for construction of Chu Y bridge and avoid possible grievances and delays during construction investment course.

On the other hand, in order to have bases for appraisal by WB Task Team on 05 September 2016 in Quy Nhon, Binh Dinh, PMU hopes for early attention and settlement of Quy Nhon City's PC by 15 August 2016 at the latest to report to WB.

Best regards,

**Receivers:**

- As above;
- PMU leaders;
- VIWASE Consultant;
- PM-E Team; DOPF
- Saved as office file

**DIRECTOR**

**Le Van Lich**

(signed and sealed)

ỦY BAN NHÂN DÂN  
THÀNH PHỐ QUY NHƠN

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

Số: 2268/UBND-ĐT  
Về việc kiểm tra, xử lý 02 hộ  
lấn chiếm đất ở phía Bắc đầu  
cầu chữ Y, phường Đồng Đa,  
thành phố Quy Nhơn.

Quy Nhơn, ngày 09 tháng 8 năm 2016



Kính gửi:

- Đội Trật tự đô thị thành phố;
- UBND phường Đồng Đa.

UBND thành phố nhận được văn bản số 652/BQLDA-KHTC ngày 05/8/2016 của Ban QLDA các công trình trọng điểm tỉnh về việc thông báo tháo dỡ công trình lấn chiếm đất của 02 hộ ở phía Bắc đầu cầu chữ Y, phường Đồng Đa, thành phố Quy Nhơn (Văn bản được photo kèm theo).

Chủ tịch UBND thành phố có ý kiến như sau:

Giao UBND phường Đồng Đa chủ trì, phối hợp với Đội Trật tự đô thị thành phố, Ban QLDA các công trình trọng điểm tỉnh và các đơn vị có liên quan tiến hành kiểm tra làm rõ nội dung vụ việc; trường hợp phát hiện hộ gia đình ông Phạm Văn Dư (bố là ông Phạm Tài) và hộ ông Lê Văn Minh, thuộc khu vực 9, phường Đồng Đa có hành vi vi phạm thì yêu cầu các hộ nghiêm túc chấp hành tự giác tháo dỡ công trình, vật kiến trúc, trả lại nguyên hiện trạng ban đầu. Trường hợp không chấp hành thì lập đầy đủ hồ sơ thủ tục xử lý nghiêm theo đúng quy định pháp luật. Thời gian hoàn thành và báo cáo kết quả thực hiện về UBND thành phố trước ngày 15/8/2016.

Yêu cầu UBND phường Đồng Đa và Đội trật tự đô thị thành phố khẩn trương thực hiện. /

Nơi Nhận:

- Như trên;
- CT, các PCT UBND TP;
- Ban QLDA các CTĐT tỉnh (phối hợp);
- VP (LĐ+C11, C15);
- Lưu VT, C15.



Nguyễn Công Vịnh

**PEOPLE'S COMMITTEE****Independence – Freedom - Happiness**No. 2268 /UBND-DT *Binh Dinh, dated September 8, 2016*

Ref. Site inspection and actions  
to be taken on two encroachers  
at the north end of Chu Y bridge in  
Dong Da ward, Quy Nhon City

To :

- City's Urban Order Team
- People's Committee of Dong Da ward

With reference to the Official Letter No. 652/BQLDA-KHTC dated August 5, 2016 received from Binh Dinh Key Projects Management Unit informing of the required dismantling /demolition of structures of the two land encroachers at the north end of Chu Y-bridge in Dong Da ward, Quy Nhon City, the CPC Chairman has the following comments:

People's Committee of Dong Da ward is assigned to lead and work in coordination with the City's Urban Order Team, Provincial Key PMU and related agencies to conduct a site inspection for the clarification of such cases. In case where the households of Mr. Pham Dinh Du (his father Pham Van Tai) and Mr. Le Van Minh living at KV 9, Dong Da ward are identified as having committed the action of violation, they will be requested to strictly follow the regulations by dismantling/demolishing their facilities, structures ... and to hand over the land area as originally required. Any failure of these HHs to abide by the regulations shall result in the preparation of necessary and adequate procedures for actions to be taken as stipulated by the law. The deadline date for accomplishing the tasks and reporting the results of actions taken to the CPC is August 15, 2016.

The People's Committee of Dong Da ward and the City's Urban Order Team are requested to urgently implement the instructions in the context of this Official Letter.

**For CHAIRMAN**

**(signed and sealed)**  
**Nguyen Cong Vinh**

cc:

- As above;
- CPC Chairman, Vice-Chairmen;
- Binh Dinh Key PMU;
- CPC Office (LD11&C11, C15)
- Records: VT, C15.

Cộng hòa xã hội chủ nghĩa Việt Nam  
Độc lập - Tự do - Hạnh phúc

### BIÊN BẢN LÂM VIỆC

Hôm nay vào lúc 15h00 ngày 11/8/2016, tại tổ 46, khu vực 9, phường Đồng Đa  
Thành phần tham gia:

\* Đại diện Ban ALDA các công trình trong diện tình:

- Ông Phạm Thanh Láp

- Ông Hồ Quang Tung

\* Đại diện Trung tâm PT&Đ thành phố

- Ông Trần Ngọc Anh

\* Đại diện UBND phường Đồng Đa

- Ông Phan Tấn Vũ

- Ông Đỗ Ngọc Huy

- Ông Trần Tuấn Chiến

\* Đại diện Ban TĐT Thành phố

- Ông Võ Tấn Tín

### NỘI DUNG

Thực hiện công văn số 2268 /UBND-ĐT ngày 09/8/2016 của UBND thành phố ủy nhân  
về việc kiểm tra, xử lý tình trạng hợp công kể văn minh ở tổ 46, khu vực 9

Nay tổ công tác đến kiểm tra hiện trường thực tế và làm việc cụ thể với  
hộ ông Lê Văn Minh. Qua kiểm tra hiện trường, ông Lê Văn Minh chưa bị giải  
thoát đồ phân chuyển tích đã bị nhà nước thu hồi và dựng mái tôn, xây cất trên đất công  
(đất dự án quy hoạch khu dân cư đảo 16 Bắc sông Đà Thanh)

Nay tổ công tác yêu cầu gia đình ông Lê Văn Minh bị giải thoát đồ phân mái  
tôn, xây cất trên đất công và phân nhà cấp 4 đã bị nhà nước thu hồi.

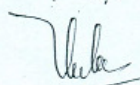
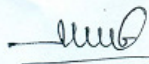
Thời gian cho ông Minh tháo dỡ phần mái tôn và trước ngày 31/8/2016.


Tướng hợp ông Minh không bị giải chấp hành thì tổ công tác sẽ kiến  
nghị UBND phường xử lý theo quy định pháp luật. Mọi thỏa thuận, mọi việc  
ông Minh chịu hoàn toàn trách nhiệm.

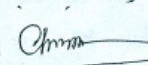


trên bản hồ sơ lúc 15<sup>h30</sup> ngày, đã thông qua các bên liên quan và thống nhất ký.

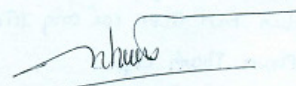
Đại diện UBND phường  
**KT. CHỦ TỊCH**  
**PHÓ CHỦ TỊCH**  
  
  
**Phan Tấn Vũ**


Đại diện Ban QLDA công trình, tăng thêm  
  
Phan Thanh Hiệp  
  
Ho Quang Trung


Đại diện TPT Gò Thành phố  
  
Trần Ngọc Anh

Đại diện UBND  
  
Trần Hữu Chiến

Người giữ biên bản

  
Đỗ Ngọc Duy

Đại diện Ban TPT thành phố  
  
Vu Tấn Tín

Đại diện hộ dân  
Nhất trí theo đề xuất  
Hội ngày 31/8-2016. phân định  
số tiền từ quy hoạch giải tỏa  
tên số tiền là 100 triệu đồng  
nhà nước trước ngày 31-01-2017  
Ký tên.  
  
Lê Văn Kiên

## **SOCIALIST REPUBLIC OF VIETNAM**

Independence – Freedom - Happiness

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### **MINUTES OF SITE INSPECTION**

On this 11th day of August, 2016, at 15:00 hrs at To 46, KV 9 of Dong Da Ward. In attendance are the participants as follows:

#### **I. Participants**

1. Representatives of Binh Dinh Key Projects Management Unit (PMU);
  - Mr. Pham Thanh Lap – Manager, Planning and Financial Division
  - Mr. Ho Quang Trung – Manager, Project Management Division.
2. Representatives of Center for Land Fund Development of the city
  - Mr. Tran Ngoc Anh – Vice-Manager, Land Clearance Division
3. Representatives of People's Committee of Dong Da Ward
  - Mr. Phan Tan Vu – Vice-Chairman
  - Mr. Do Ngoc Huy – Cadastral and Construction Officer
  - Mr. Tran Huu Chien – Chief, KV 9
4. Representatives of City's Urban Order Team
  - Mr. Vo Tan Tin – Construction Team Leader

#### **II. Contents of the Minutes**

Acting on the instructions in Quy Nhon CPC's Official Letter No. 2268/UBND-DT dated August 9, 2006 regarding site inspection and actions to be taken on the case of Mr. Le Van Minh at To 46, KV 9 in Dong Da ward, we, Task Team, have conducted a site inspection in reality and worked specifically on such case with Mr. Le Van Minh. The site inspection showed that Mr. Le Van Minh had not yet dismantled those structures and/or part of his house occupying the land area already acquired by the State, but also he set up a metal sheet roof and steel columns/posts encroaching on public land (the land managed by the Project for Residential Area Planning on Island 1B of North Ha Thanh River).

Now we strongly request Mr. Le Van Minh's household to carry out the dismantling of part of the metal sheet roof, steel columns encroaching on public land, and part of his Class 4 house with its land area already acquired by the State. The deadline date for the required dismantling is August 31, 2016. In case where Mr. Minh fails to do the dismantling and demolition as required, the Task Team will request People's Committee of Dong Da ward to take actions as stipulated, as such the principal householder shall assume full responsibilities for any damage and loss.

The Minutes has its recordings closed at 15:30 hrs the same day and has been read out, cleared and signed by the participants.

Dong Da Ward PC  
(signed and sealed)  
Phan Tan Vu, Vice-Chairman

Minutes Recorder  
(signed and sealed)  
Do Ngoc Huy

Binh Dinh Key PMU  
(signed) (signed)  
Pham Thanh Lap & Ho Quang Trung

City's Urban Order Team  
(signed)  
Vo Tan Tin

City's Center for Land Fund Development  
(signed)  
Tran Ngoc Anh

KV 9  
(signed)  
Tran Huu Chien

Representative of Encroacher's Household

My family agrees and pledges to dismantle the metal sheet eave-roof before August 31, 2016, and to dismantle and demolish the required part of my Class 4 house with its land area under land clearance plan, and to hand over the land to the State before January 31, 2017.

(signed)  
Le Van Minh

Cộng hòa xã hội chủ nghĩa Việt Nam  
Độc lập - Tự do - Hạnh phúc

## BIÊN BẢN LÃNH VIỆC

Hôm nay vào lúc 14<sup>h</sup>30 ngày 11/8/2016, tại tổ 46, khu vực 9, phường Đống Đa.

Thành phần tham gia:

\* Đại diện Ban ALDA công nhân tương đồng tình:

- Ông Phạm Thanh Lập - Trưởng phòng KCH-TC
- Ông Hồ Quang Tung - Trưởng phòng ALDA

\* Đại diện Tổng tâm PTGD thành phố:

- Ông Trần Ngọc Anh - Chuyên viên Phó phòng GPMĐ

\* Đại diện UBND phường Đống Đa:

- Ông Phan Tấn Vũ - PCT UBND phường
- Ông Đỗ Ngọc Túy - CB.ĐC-XD phường
- Bà Lê Thị Luyện Ái - "
- Ông Trần Hữu Chiến - KV Trưởng KVG

\* Đại diện đơn TĐT thành phố:

- Ông Võ Tôn Tú - Tổ trưởng Tổ xây dựng.

\* Đại diện hộ gia đình:

- Ông Phạm Văn Dư - chủ hộ
- Bà Lê Thị Kim Tia - vợ chủ hộ.

## NỘI DUNG

Thực hiện công văn số 2268/UBND-ĐT ngày 09/8/2016 của UBND thành phố ủy nhiệm về việc kiểm tra, xử lý tương hợp ông Phạm Văn Dư do chiếm đất công tại tổ 46, khu vực 9 phường Đống Đa.



Nay tổ công tác tiến hành kiểm tra hiện trường thực tế và làm việc cụ thể với hộ ông Phạm Văn Dư. Qua kiểm tra hiện trường, hộ ông Phạm Văn Dư có hành vi chiếm đất công (đất chỉ án quy hoạch khu dân cư thuộc Bắc sông Hà Thanh), dựng mái tôn, tu sửa và chưa tự giác tháo dỡ phần diện tích nhà cấp 4 để được nhà nước bồi thường hồ sơ và nhận đất tái định cư.




Nay tổ công tác yêu cầu gia đình ông Phạm Văn Dư từ chối tháo dỡ toàn bộ diện tích nhà cấp 4 đã được nhà nước đến hi hộ tịch và phần mái lợp lán chiếm. Thời gian cho gia đình ông Dư từ chối tháo dỡ đến hết ngày 31/8/2016. Trường hợp gia đình ông Dư không từ chối tháo dỡ thì tổ công tác sẽ đề nghị UBND phường đồng ý xử lý theo quy định. Mọi thủ tục, mặt mốc chủ hộ chủ hoàn toàn tách riêng.

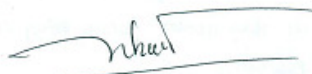
Đến bản kết thúc lúc 15h00 ngày, đã thông qua các bên công nghệ và thống nhất ký.

Đại diện UBND phường đồng ý  
  
**KT. CHỦ TỊCH**  
**PHÓ CHỦ TỊCH**  
  
**Phan Tấn Vũ**


Đại diện Ban QLDA công trình trong đêm  
  
**Phan Thanh Hạp**  
  
**Hồ Quang Cường**


  
**Nguyễn Thị Lệ**

Người ghi biên bản

  
**Nguyễn Huy**

Đại diện TTĐT  
 Đại diện Phường 9  
  
**Võ Tấn Tiến**

Đại diện TTĐT  
 Đại diện Phường 9  
  
**Trần Ngọc Anh**

Đại diện khu vực 9  
  
**Trần Văn Chiến**

Đại diện hộ dân  
 gia đình từ chối ký các kết quả  
 ghi phía mặt lợp lán ngày  
 31/8/2016. Phần nhà cấp 4  
 thì gia đình từ chối tháo dỡ  
 ngày 01/2018.

  
**Phạm Văn Dư**

## SOCIALIST REPUBLIC OF VIETNAM

Independence – Freedom - Happiness

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### MINUTES OF SITE INSPECTION

On this 11th day of August, 2016 2016, at 14:30 hrs at To 46, KV 9 of Dong Da Ward. In attendance are the participants as follows:

#### I. Participants

1. Representatives of Binh Dinh Key Projects Management Unit (PMU);
  - Mr. Pham Thanh Lap – Manager, Planning and Financial Division
  - Mr. Ho Quang Trung – Manager, Project Management Division.
2. Representatives of Center for Land Fund Development of the city
  - Mr. Tran Ngoc Anh – Vice-Manager, Land Clearance Division
3. Representatives of People's Committee of Dong Da Ward
  - Mr. Phan Tan Vu – Vice-Chairman
  - Mr. Do Ngoc Huy – Cadastral and Construction Officer
  - Ms. Le Thi Luyen Ai
  - Mr. Tran Huu Chien – Chief, KV 9
4. Representatives of City Order Team
  - Mr. Vo Tan Tin – Construction Team Leader
5. Representatives of the encroacher's family household
  - Mr. Pham Van Du – Principal householder
  - Ms. Le Thi Kim Ha– Householder's wife

#### II. Contents of the Minutes

Acting on the instructions in Quy Nhon CPC's Official Letter No. 2268/UBND-DT dated August 9, 2006 regarding site inspection and actions to be taken on the case of Mr. Pham Van Du having encroached on public land at To 46, KV 9 in Dong Da ward, we, Task Team, have conducted a site inspection in reality and worked on such case with Mr. Pham Van Du. The site inspection showed Mr. Pham Van Du as having committed the action of public land encroachment (the land managed by the Project for Residential Area Planning on Island 1B of North Ha Thanh River). There appeared a metal sheet roof supported by wooden columns, and that Mr. Du has not yet dismantled part of his Class 4 house, for which he did receive compensation package, assistance and a resettlement land plot.

Now we strongly request Mr. Pham Van Du's household to carry out the dismantling of part of his Class 4 house occupying the entire area which was compensated for by the

State, and dismantling of the encroached eave roof. The deadline date for the required dismantling is August 31, 2016. In case where Mr. Du fails to do the dismantling and demolition as required, the Task Team will request People's Committee of Dong Da ward to take actions as stipulated, as such the principal householder shall assume full responsibilities for any damage and loss.

The Minutes has its recordings closed at 15:00 hrs the same day and has been read out, cleared and signed by the participants.

Dong Da Ward PC		Minutes Recorder
(signed and sealed)	(signed)	(signed and sealed)
Phan Tan Vu, Vice-Chairman	Le Thi Luyen Ai	Do Ngoc Huy

Binh Dinh Key PMU	City's Urban Order Team
(signed) (signed)	(signed)
Pham Thanh Lap & Ho Quang Trung	Vo Tan Tin

City's Center for Land Fund Development	KV 9
(signed)	(signed)
Tran Ngoc Anh	Tran Huu Chien

Representative of Encroacher's Household

My family agrees and pledges to dismantle the metal sheet roof before August 31, 2016, and to dismantle and demolish the required part of my Class 4 house within January 2017.

(signed)

Pham Van Du