

# **Due Diligence Report for Land Acquisition and Resettlement**

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**VIE: THE INTEGRATED RURAL DEVELOPMENT SECTOR  
PROJECT IN THE CENTRAL PROVINCES-ADDITIONAL  
FINANCING**

**Subproject: Consolidate main canal and branch canals of Dong  
Cam irrigation scheme, Phu Yen province**

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## CURRENCY EQUIVALENTS

Currency unit: Vietnam Dong (VND) and US dollar (\$)  
Exchange rate on 14<sup>th</sup> July, 2016: \$1 = 22,270

## Abbreviations

ADB	Asian Development Bank
AP/AH	Affected households/persons
CPC	Commune People's Committee
CSB	Community Supervision Board
CWU	Commune Women's Union
DARD	Department of Agriculture and Rural Development
DMS	Detailed Measurement Survey
DOLISA	Department of Labors, Invalids and Social Affairs
DONRE	Department of Natural Resources and Environment
DPC	District People's Committee
EA	Executing Agency
GoV	Government of Vietnam
HH	Households
IoL	Inventory of Loss
LFDC	Land Fund Development Center
LURC	Land Use Right Certificate
MARD	Ministry of Agriculture and Rural Development
MoC	Ministry of Construction
MoF	Ministry of Finance
MOLISA	Ministry of Labors, Invalids and Social Affairs
MONRE	Ministry of Natural Resources and Environment
PPC	Province People's Committee
PPMU	Provincial Project Management Unit
PRA	Participation Rural Assessment
RP	Resettlement Plan
SAH	Severely Affected households
ToR	Term of Reference
USD	US Dollar
VND	Vietnamese Dong

## **NOTE**

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## I. Summary of subproject

1. The subproject of “Consolidate main canal and branch canals of Dong Cam irrigation scheme” in Tay Hoa, Phu Hoa districts and Tuy Hoa city, Phu Yen province– one of subprojects under The Integrated Rural Development Sector Project in the Central Provinces – additional financing(phase II). The proposed construction scale as following: Consolidating, completing canal systems and extending rural traffic system. Particularly, the subproject will:

(i) Upgrade 19,423.40 m main canal and branch canals of Dong Cam irrigation scheme from earth canal to concrete and reinforced concrete canals with rectangular and trapezoid cross section;

(ii) Upgrade 23,276.5m of the operation management road from earth road to concrete road.

### a. Canal and its management road:

#### **Canal:**

- Canal N3: with total length of  $L_{kc} = 7,096.69m$ .
- Canal N6: with total length of  $L_{kc} = 553.31m$ .
- Xuan Hoa 2 Canal (Lu 2): with total length of  $L_{kc} = 1,146.6m$ .
- Xuan Hoa 3 canal (Lu 3): with total length of  $L_{kc} = 775.1m$ .

#### **Management road:**

- Road for canal N3: with total design length of  $L=13,429.71m$ .
- Upgrading road from beginning of the right bank of N1 canal to Aqua cultural Production area, Phu Hoa district with total length of  $L=3,873.71m$ .

### b. South canal and its management road

#### **Canal:**

- Tan My canal: with total length of  $L_{kc} = 3,042m$ .
- N8 canal: with total length of  $L_{kc} = 1,188.1m$ .
- N8-2 canal: with total length of  $L_{kc} = 1,933m$ .
- Hoc Ram main canal: with total length of  $L_{kc} = 2,096.6m$ .
- N1 Hoc Ram canal: with total length of  $L_{kc} = 1,592m$ .

#### **Management road:**

- Tan My canal: with total length of  $L_{kc} = 3,042m$ .
- Upgrading the road from Hoi Cu- Dong Cho yard – Phu Khanh, Tay Hoa district with total length of  $L=2,931.03m$ .

2. When the subproject is completed, it will help: (i) stabilize people’s life, eradicate poverty for people in the subproject area; (ii) establish ecological landscape

and prevent droughts; (iii) reduce cost for maintenance and dredging of the canal; (iv) extend traffic roads to meet people's demands of travelling, transporting, etc.

3. The subproject areas include Tay Hoa district (Hoa Phong, Hoa Phu, Hoa Tan Tay communes), Phu Hoa district (Hoa Thang, Hoa Dinh Dong, Hoa Quang Nam, Hoa Tri communes and Phu Hoa town) and Tuy Hoa city (Hoa Kien, Binh Kien, and Ward 9) of Phu Yen province.



## **II Rational and Methodology of due diligence assessment**

### **A. Rational of due diligence report**

4. Currently, advance payment on compensation and assistance to affected household of the subproject have been made for 209 AHs of Phu Hoa district under the Decision No. 5176/QD-UBND dated 16 December 2015 of Phu Hoa DPC on approval of compensation and assistances plan and resettlement in Phu Hoa district for the implementation of “Upgrading main canal and branch canals of Dong Cam irrigation scheme” subproject in the Integrated Rural Development Sector project in the Central provinces – Additional financing (phase II).

5. At the time of conducting this Due Diligence, all households affected by the SP in Phu Hoa district received compensation on the basis of policies of the Government of Vietnam and Phu Yen province.

6. Phu Yen PPMU has draft an official letter to CPMU concerning the above advance payment for affected households for land acquisition as recorded in Annex 1.

7. The main purpose of this DDR is to find out what activities have been done for compensation and assistance to Ahs as well as procedure applied during DMS and payment in Phu Hoa district, including information disclosure, consultation and participation of affected household in these procedure, including reporting of any inconsistency detected between the compensation plan and its implementation and the prescriptions contained in the uREMDF. Where inconsistencies are identified plans will be formulated for necessary amending.

8. This report summarizes the findings of these investigations and proposes solutions with related corrective action-plans to ensure that the due payment of these supplementary entitlements to APs are implemented and meet the requirement of the uREMDF approved measures and ADB’s policy.

### **B. Methodology**

9. This Due diligence report was prepared from May 2016 to June 2016 in 4 communes and 1 town of Phu Hoa district including Hoa Thang, Hoa Dinh



Dong, Hoa Quang Nam, Hoa Tri communes and Phu Hoa town. The evaluation team includes resettlement specialist, gender specialist and M&E specialist. The team collected data, surveyed 20% of AHs and consulted with the Center for Land Fund development of Phu Hoa district, representatives from CPCs and AHs of 4 communes and 1 town in Phu Hoa district, Phu Yen province. Main activities include:

- (i) Collect data and legal documents related to compensation, assistance and resettlement in Phu Yen PPC, Phu Hoa LFDC;
- (ii) Work with representatives of 4 communes and 1 town on completed activities related to compensation, assistance and resettlement and organizations whose land is acquired;
- (iii) Consult with AHs per commune;

10. Details of assessment activities are listed below:

- (i) Work with local authorities, related parties (district, commune and AHs) to review information dissemination activities.
- (iv) Discuss with LFDC on DMS, replacement cost, compensation plan and payment to AHs;
- (v) Review complaints, and grievance procedures of AHs.
- (vi) Interview, consult with the local authorities, AHs who got compensation, assistances and resettlement, and DMS procedures, making compensation plan and information dissemination forms.
- (vii) Compare applied policies with the approved updated compensation, Assistances and resettlement policy framework to figure out differences.

11. Discuss with LFDC and representatives of CPCs, town and consult AHs per commune in terms of compensation, resettlement implementation in Phu Hoa district with participation of Phu Yen PPMU.

12. Opinions and list of participants in the meeting is attached with the meeting minutes and public consultation meeting minutes for each commune.

**Annex 2** is a sample from one commune. Other minutes will be submitted if required.

13. The following table is a summary of issues discussed with related parties:

**Table 1** A summary of issues and activities

No.	Organizations	Discussed issued	Results
1	PPMU, LFDC, CPCs	<ul style="list-style-type: none"> <li>(i) Discuss about Policy Framework and compliance;</li> <li>(ii) Issues related to compensation, Assistances, and land acquisition (information dissemination, participation during the DMS, setting up plans, payment, complaints, etc.)</li> <li>(iii) Study on procedures of making replacement cost, and feedbacks of people on the price.</li> <li>(iv) Meetings conducted, and comments;</li> <li>(v) Land fund for production of the commune;</li> <li>(vi) Impacts of land acquisition.</li> </ul>	<ul style="list-style-type: none"> <li>(i) Contents in materials used for information dissemination, participation of AHs were recorded in the meeting minutes including comments of households and reply from the local authorities;</li> <li>(ii) AHs take part in DMS, making compensation plan;</li> <li>(iii) Classification of AHs according to updated resettlement policy framework, including severely AHs and the vulnerable groups;</li> <li>(iv) Making replacement cost to compensate to the AHs complied with methods and also included consultation with the local authorities and AHs;</li> <li>(v) Detailed compensation plan is posted and includes people's feedback before approval;</li> <li>(vi) Compensation and payment happened from 28 January 2016 to 24 March 2016;</li> <li>(vii) Some complaints during DMS were addressed immediately.</li> <li>(viii) The commune has available land fund to compensate to HHs whose land was acquired if the HHs have demand, however location and quality is not good therefore HHs agreed to receive cash;</li> <li>(ix) Impacts of land acquisition on life of AHs were marginal, no HHs suffered from loss of over 10%;</li> <li>(x) According to the approved updated policy framework, screening on the vulnerable has not been done yet. LFDC provided Assistances to the poor HH according to province's policy.</li> </ul>
2	AHs	(vii) Project policy framework;	(i) HHs were aware of project information via speaker system

No.	Organizations	Discussed issued	Results
		(viii) Information dissemination of the subproject and issues related to land acquisition; (ix) DMS, applicable prices and making compensation plan of LFDC; (x) Comments of the HHs on prices and compensation plan; (xi) Procedures of grievance, complaints during DMS and in compensation plan.	and meetings in the communes; (ii) HHs was informed about the DMS schedule and took part in meetings to discuss about compensation options. HHs agreed with the compensation options and Assistancess; (iii) Some recommendations that the area should be returned to the people as the same condition as before the subproject. (iv) It is required to publicize construction plan so that people are aware of the cultivation plan.

14. There were total 94 people, including commune staff and representatives from AHs taking part in the consultation. Number of people taking part in the meeting of each commune is presented below:

**Table 2** Number of staff and affected people

No.	Commune/town	participants		
		Total	Male	Female
1	Phu Hoa	8	3	5
2	Hoa Thang	4	3	1
3	Hoa Quang Nam	20	8	12
4	Hoa Tri	50	37	13
5	Hoa Dinh Dong	12	7	5
	<b>Total</b>	<b>94</b>	<b>58</b>	<b>36</b>

### III Scope of impacts

15. Identification of AHs and DMS was conducted by LFDC of Phu Hoa district from 09 April to 17 September 2015.

16. DMS shows that 7,243.7 m<sup>2</sup> will be acquired to construct the subproject in Phu Hoa district, of which 5.95 % (430,9 m<sup>2</sup>) is the public land area under management of 4 People's Committee of Ward/Communes and 94.05% (6,812.8 m<sup>2</sup>) is used by HHs. Land area acquired from HHs is for growing

rice/crops, residential land, garden and forest land. Land managed by the CPC is mainly for growing rice.

**Table 3 Area of land acquired by types of land in Phu Hoa district**

Unit: m<sup>2</sup>

Commune	Agricultural land	Residential land	Garden land	Forest land	Commune land	Total acquired land area
Hoa Dinh Dong	1,534	21.4			28.6	1,584
Hoa Thang	134					134
Hoa Quang Nam	1,127	4.5	98.3		212.2	1,442
Hoa Tri	2,433.2	78.5			3.5	2,515.2
Phu Hoa town	1302			79.9	186.6	1,568.5
<b>Total</b>	<b>6,530.2</b>	<b>104.4</b>	<b>98.3</b>	<b>79.9</b>	<b>430.9</b>	<b>7,243.7</b>

17. 209 HHs (691 people) and CPC of 4 communes are affected by land acquisition in Phu Hoa district. Of 209 AHs, 177 AHs are affected on land and assets; 32 AHs (who borrowed CPC land for cultivation) are affected on assets only (crops and trees). No AHs losing more than 10% of agricultural land area. 3 AHs are the poor (2 AHs in Hoa Quang Nam, 1 AH in Hoa Tri commune). Affected assets of 209 AHs includes 4,365 m<sup>2</sup> of rice and crops, 3,131 trees of all types and structures (fence, yard, etc.)

**Table 4 Number of AHs in Phu Hoa district**

No.	Commune	AH	AP	AHs with land and assets affected	AHs with only assets affected	Vulnerable AHs (poor AHs)
1	Hoa Dinh Dong	45	164	39	6	
2	Hoa Thang	4	23	4	0	
3	Hoa Quang Nam	36	114	35	1	2
4	Hoa Tri	86	284	82	4	1
5	Phu Hoa town	38	106	17	21	
	<b>Total</b>	<b>209</b>	<b>691</b>	<b>177</b>	<b>32</b>	<b>3</b>

#### IV Main findings

##### A Implementation procedures

18. Land acquisition and relevant implementation activities in Phu Hoa district are summarized according to the timeline in table below

**Table 5 Schedule of implementing activities**

No.	Contents of work	Implementation time
1	Decision No. 1100/QD-UBND on approval of subproject	24/6/2015
2	Invited people to participate in meeting on information dissemination of the subproject and consulted people living in the subproject area ( <i>Community consultation</i> )	From 05/5/2015 to 08/5/2015
3	Measurement Unit: conducted measurement, set up landmarks of land acquisition scope for each HH and investigated the list of affected HHs as well as area affected by the subproject	From 11/05/2014 to 30/05/2014
4	Issued detailed announcement on land acquisition for each HH ( <i>Community consultation</i> )	27/02/2015
5	Minutes of handing over measurement scope and landmarks of land acquisition scope in site	30/12/2014
6	Organized consultation meeting on information dissemination on effect scope and gave announcement on land acquisition to each HH as well as list of acquired assets on land ( <i>Community consultation</i> )	03/4/2015
7	Invited HHs together with Site clearance Board to visit the site to conduct DMS for affected assets within the land acquisition scope	06/4/2015 17/9/2015
8	Conducted reviewing and checking in CPCs to determine: types of land, location of land, origin of land and proportion of lost land	From 24/5/2015 to 30/6/2015
9	Conducted reviewing and investigation of vulnerable groups: poor HHs, ethnic minority HHs, women headed HHs and HHs under preferential treatment policy	From 24/5/2015 to 30/6/2015
10	Determined replacement cost for land, crop and structures	17/9/2015
11	Established detailed plan for each HH	From 22/9/2015 to 20/9/2015
12	LFDC directly provided compensation plan for affected HHs and publicly posted the plan at locality	From 30/9/2015 to 15/10/2015
13	Invited people to participate in meeting on information dissemination on detailed construction drawing and consulted people living in the subproject's area	From 30/9/2015 to 15/10/2015

No.	Contents of work	Implementation time
	<i>(Community consultation)</i>	
14	Resolved grievance and complaint of each affected HH	<i>From 16/10/2015 to 20/10/2015</i>
15	Organized meeting on terminating posting of compensation plan ( <i>Consultation meeting</i> )	<i>30/9/2015 (HHs agreed so it was finished before the schedule)</i>
16	Submitted compensation plan to Division of Environment and Natural Resource of Phu Hoa district for appraisal	<i>10/11/2015</i>
17	Carried out meeting with participation of Appraisal Council on compensation plan for affected HHs	<i>25/11/2015</i>
18	Approved compensation plan and compensation fund	<i>16/12/2015</i>
19	Issued Decision on detailed land acquisition for each affected HH	<i>16/12/2015</i>
20	Issued Decision on detailed compensation for each affected HH	<i>30/12/2015</i>
21	Organized community meeting to give Decision on land acquisition and compensation and conducted compensation payment for each affected HH	<i>10/01/2016</i>
22	Affected HHs agreed to receive compensation amount and signed on commitment minutes on handing over the site on regulated deadline.	<i>From 28/01/2016 to 24/3/2016</i>

## **B Implemented public consultation and information disclosure activities**

19. Information disclosure and public consultation was organized by the local officials on a regular basis during subproject implementation from 2014 to date. All APs participated in DMS process and were consulted about the compensation plan as well as their entitlements.

20. The main information materials disseminated included: (i) General information about the subproject; (ii) The land acquisition needed for project implementation; (iii) The compensation and support policy to be applied; (iv) The declaration of DMS implementation plan in the field; (v) The compensation payment time; and (vi) The work construction time;

21. The information was disseminated via: (i) Meetings at communes; (ii) Loudspeakers of communes where land is to be acquired; (iii) Hand-over of documents, which consist of policy decisions on compensation, support and

resettlement when the State acquisition land in Phu Yen province; and (iv) publicly posting the land acquisition notifications and compensation plans prescribed by the People's Committee of Phu Yen province.

22. The agencies/units in charge of the information dissemination were the Phu Hoa LFDC and People's Committees of communes where the land is acquired since June 2015 and continued in DMS.

23. During DDR preparation, consultation meeting was held for five communes and Phu Hoa LFDC. The number of participants and their feedbacks is shown in table 3 above. Sample of minute of these meetings with the number of participants by gender and their feedbacks is presented in Annex 2. Other minutes will be presented when requested.

24. The results of discussions with LFDC, commune official and interviews with APs show that: All Aps agree with this subprojects. Meetings were organized in communes/town to discuss about the whole of project, detailed measurement survey and compensation unit price. The LFDC carried out DMS and compensation plans that has complied with the process of announcing and publishing when conducting DMS; the LFDC has announced the DMS plan to each commune/town and CPC will inform affected HHs of the plan. The affected HHs agreed with the DMS results (affected land and assets). The result of DMS and compensation amount of households were publicly posted at the office of communes. All of the affected HHs signed on the DMS minutes.

### **C Resettlement policy framework applied for subproject**

25. Phu Yen PPC issued decisions related to compensation, assistance, and land clearance of the subprojects "Consolidate main canal and branch canals of Dong Cam irrigation scheme" in Phu Hoa district

- Decision No. 1737/QD-UBND dated 20 September 2015 on approval of specific prices for land acquired to construct canal N3 (sections through Hoa Dinh Dong, Hoa Thang, Hoa Quang Nam and Hoa Tri communes) and Canal N1 (sections through Phu Hoa Town, Hoa Dinh Dong commune);
- Land acquisition plan of Phu Hoa DPC no. 35/KH-UBND dated 25 March 2015; no. 46/KH-UBND dated 25 April 2015 on "Land acquisition, survey,

DMS for canal N1, N3 for the subproject of “Consolidate main canal and branch canals of Dong Cam irrigation scheme” in Phu Hoa district”;

- Decision No. 5176/QD-UBND dated 16 December 2015 of Phu Hoa district on approval of compensation plan, assistance and resettlement for the subproject of Consolidate main canal and branch canals of Dong Cam irrigation scheme under the Integrated Rural development Sector Project in the Central Provinces – Additional Financing (phase II);
- Decision No. 1737/QD-UBND dated 20 September 2015 on approval of specific unit price for calculating compensation when land is acquired by the State to construct N3 canal (the section passing communes of Hoa Trinh Dong, Hoa Thang, Hoa Quang Nam and Hoa Tri) and canal N1 (the section passing Phu Hoa town, Hoa Dinh Dong commune).
- Compensation unit price for crop is applied in accordance with Decision No. 01/2015/QD-UBND dated 06 January 2015 and
- Compensation unit price for structure is applied in accordance with Decision No. 55/2015/QD-UBND dated 29 December 2014 by Phu Yen PPC.
- Decision No. 01/2015/QD-UBND dated 06 January 2015 on issuance of compensation prices for trees in Phu Yen province;
- Decision No. 57/2015/QD-UBND dated 29 December 2014 on regulations of compensation, assistance, resettlement when the state acquires land in Phu Yen province;

26. According to the uREMDF, depending on the level of impacts, the APs of SP could be entitled to receive the following allowances: (i) subsistence for severely AHs who lose 10% or more of agricultural production (ii) job changing/creation assistance in the event of agricultural land recovery by the State; (iii) assistance for vulnerable affected households. All AHs received compensation and allowances as per Phu Yen’s policy, including allowance for poor AHs. The level of allowance for poor AHs with affected agricultural land according to Phu Yen’s policy is based on the scale of impact. By consulting with local authorities and AHs, this level is reasonable and accepted by AHs. Remaining allowances for other vulnerable Ahs have not been paid yet.



## **D Preparation and approval of compensation plans**

27. Detailed compensation, Assistance, resettlement data are prepared by Phu Hoa LFDC and approved by Phu Hoa DPC (under the decision No. 5176/QD-UBND dated 16 December 2015). Compensation, Assistance and resettlement plans are made and approved by regulations under the policy of the People's Committee of Phu Yen Province issued on the basis of Land Law 2013 and Decrees.

28. According to surveyors, all of the affected HHs agree with compensation unit price due to three reasons: (i) there is no transferring of agricultural land in locality so that there is no market price; (ii) currently, agricultural land is not favourable for cultivation due to lack of water so the compensation level is reasonable, and (iii) after completing this subproject, productivity of HHs' agricultural land may increase thanks to irrigation capacity. Thus, most of affected HHs satisfy with compensation unit price;

29. All of the surveyed HHs satisfy with compensation level for structures, crops and trees in accordance with compensation price framework of the province. Thus, none of them has complaint about the compensation level for their affected assets;

30. According to policy of Phu Yen province, AHs with agricultural land affected by the subproject will receive allowance for training on occupational changing equal to two times of value of affected land. And all affected HHs have received the allowance.

31. Some AHs having agricultural land inside residential land area are also assisted in accordance with policy of the province. And all AHs have received the allowance;

32. There is no AH whose agricultural land is affected more than 10% of their total agricultural landholding so there is no assistance for living stability;

33. Allowance for vulnerable groups: Phu Hoa LFDC has reviewed poor AHs and the province has provided assistance for the poor AHs in accordance with policy of Phu Yen province. Specifically, AHs and individual under the poor AHs (with code) will be assisted to overcome poverty within three years when agricultural production land is acquired, specifically:

Proportion (%) of acquired agricultural production land area/ agricultural land area being used	x	Number of persons in the poverty certificate	x	Poverty line in accordance with current regulation	x	36 months
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According to the approved compensation plan, the province has assisted three poor AHs (two AHs in Hoa Quang Nam commune and one AH in Hoa Tri commune). Allowance for these poor AHs is calculated in accordance with policy of the province and is not the same allowance level as regulation in uREMDF of the project. Other AHs under the vulnerable groups have not been surveyed.

### **E Payment of compensation and allowances:**

34. The LFDC of Phu Hoa District, in collaboration with the Commune People's Committees, organized the payment of compensation and support under the plans approved by the District People's Committees. The amount of compensations and allowances were paid at once for households included in the approved plans. The payment was carried out at the offices of the Commune People's Committees. The decisions on approving the compensation plans were publicly posted at the offices of the Commune People's Committees before compensations and allowances for affected households were paid. The households were informed about the time and place of compensation payment 3 to 7 days earlier. As of 30 May 2016, compensation and assistance payment was made to 209 affected HHs and 4 communes/ward in Phu Hoa district. Table below summary the payment amount in Phu Hoa district that have been paid to Ahs.

35. Data of compensation, assistances, and resettlement in Tay Hoa district, Tuy Hoa city are being prepared by the city and district LFDC and will be submitted to People's Committee for approval. It is expected that city/district LFDC will finish compensation, assistances and resettlement in August 2016 when RP is approved.

**Table 6 Compensation amount paid to AHs in Phu Hoa district**

Unit: VND

Commune		Hoa Dinh Dong	Hoa Thang	Hoa Quang Nam	Hoa Tri	Phu Hoa town	Total
Compensation for land		85,928,750	5,348,000	59,319,000	144,230,200	96,215,100	391,041,050
Assistances for garden in the residential area		10,960,000		26,835,000	56,052,400	128,273,600	222,121,000
Assistances for communal land		915,200		6,977,900	112,000	5,971,200	13,976,300
Compensation for structure		169,784,149	0	24,718,272	116,060,507	44,074,880	354,637,808
Compensation for rice and crops		3,824,250	467,950	3,815,200	6,689,150	1,035,850	15,832,400
Compensation for trees		19,089,423	0	9,424,511	34,579,102	71,509,850	134,602,886
Assistances	Assistances for job changing and creation	239,713,714	21,392,000	161,472,000	292,116,800	50,664,000	765,358,514
	Assistances for poor AHs			1,585,152	610,560		2,195,712
<b>Total amount for compensation and Assistances</b>		<b>530,215,487</b>	<b>27,207,950</b>	<b>294,147,035</b>	<b>650,450,719</b>	<b>397,744,480</b>	<b>1,899,765,670</b>

**F Grievance and grievance redress**

There was not a single complaint in writing; only three AHs have complained about the DMS data and they were explained by LFDC and then all of them agreed with the DMS data. During the consultation process, there have been some complaints about additionally marking wooden piles outside concrete site clearance sign post. The PPMU has explained that marking wooden piles is for UXO clearance purpose and will be dismantled after completing. By the time of preparation of this DDR, there has been no complaint.

**V. Gaps of uREMDF with applied policy for subproject:**

36. The payment of compensation and assistance to Ahs before REMDP approval does not comply with ADB's policy then this DDR is prepared;

37. Missing assistance to other vulnerable AHs as prescribed in uREMDF;

**VI. Conclusion**

38. HHs affected by subproject "Consolidate main canal and branch canals of Dong Cam irrigation scheme" in the territory of Phu Hoa district consider themselves as HHs directly benefited from the subproject so they agree with the

construction plan of subproject, agree with land acquisition and receive compensation.

39. Basically, the implementation of compensation and assistance of the subproject “Consolidate main canal and branch canals of Dong Cam irrigation scheme” is suitable manner for requirement of the Government of Vietnam and ADB policies.

40. Comparing to the approved updated REMDF of the project and compensation and assistance plan for affected HHs in the territory of Phu Hoa district under the subproject “Consolidate main canal and branch canals of Dong Cam irrigation scheme”, Phu Hoa LFDC has not reviewed the number of vulnerable AHs (exception of poor AHs). The lack of implementing assistance for the vulnerable groups will be required to be supplemented to ensure the compliance with principles, requirement and regulations in the updated REMDF of the project.

41. The compliance assessment team discussed with Phu Yen PPMU and the LFDC and they agreed to implement the corrective action plan in parallel with implementation of compensation, assistance and resettlement of other districts and cities under the subproject “Consolidate main canal and branch canals of Dong Cam irrigation scheme” when resettlement plan for subproject is approved. Reason for implementing the additional plan for Phu Hoa district, under the subproject is to ensure the consistency in implementing different components of the project.

## **VII. Corrective action plan**

42. Phu Yen PPMU is requested to cooperate with Phu Hoa LFDC and relevant communes to identify the number of vulnerable Ahs (except poor AHs) and pay the assistance according to uREMDf, in parallel with implementation of compensation, assistance and resettlement of other district (Tay Hoa district) and city (Tuy Hoa City) under the subproject “Consolidate main canal and branch canals of Dong Cam irrigation scheme” when resettlement plan for subproject is approved. It is expected to be approved in August 2016 and completion all compensation and allowances in mid of September.

## **List of Annexes**

**Annex 1: Official explanation letter of Phu Yen PPMU on implementing compensation payment before RP is approved**

**Annex2: Sample minutes**

- 1. Minutes of working with local authority**
- 2. Minutes of consultation with affected HHs in Hoa Nhi commune, Phu Hoa district**

**Annex 3: Some consultation photos when establishing the assessment report**

**ANNEX 1: Official explanation letter of Phu Yen PPMU**

**SỞ NÔNG NGHIỆP VÀ PTNT  
BAN QUẢN LÝ CÁC DỰ ÁN  
NÔNG NGHIỆP**

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

Số: 34/DANN-NTTH

Phú Yên, ngày 26 tháng 5 năm 2016

V/v giải trình kinh phí tạm ứng cho các hộ dân bị ảnh hưởng khi Nhà nước thu hồi đất để triển khai thi công xây dựng dự án thành phần Kiên cố kênh chính và kênh nhánh - Kênh Bắc và kênh Nam hệ thống thủy nông Đồng Cam, tỉnh Phú Yên.

**BAN QUẢN LÝ CÁC DỰ ÁN NÔNG NGHIỆP  
DỰ ÁN PTNT TỔNG HỢP MIỀN TRUNG**  
**CÔNG VĂN BẢN**  
Số:.....  
Ngày: 26 tháng 5 năm 2016.

*Kc: C. Văn  
- xin ý kiến ra xin ý  
kết quả  
= Lưu W  
M*

Kính gửi: Ban quản lý dự án Trung ương - Dự án Phát triển nông thôn tổng hợp các tỉnh miền Trung - Khoản vay bổ sung.

Được sự quan tâm của Chính phủ, các Bộ ngành Trung ương và đặc biệt là Nhà tài trợ Ngân hàng Phát triển Châu Á (ADB), tỉnh Phú Yên được hỗ trợ kinh phí thực hiện 04 dự án thành phần (i) Nâng cấp kè, đường giao thông, công ngăn mặn và thoát lũ An Cư - An Hiệp - An Hòa, huyện Tuy An (ii) Kiên cố kênh chính và kênh nhánh - Kênh Bắc và kênh Nam hệ thống thủy nông Đồng Cam, huyện Tây Hòa, Phú Hòa và Thành phố Tuy Hòa; (iii) Nâng cấp đập dâng Suối Cầu và đường quản lý kết hợp giao thông, huyện Đồng Xuân; (iv) Nâng cấp kênh tưới thuộc hệ thống thủy lợi hồ chứa nước Đồng Tròn, huyện Tuy An và Đồng Xuân.

Trong đó dự án thành phần: Kiên cố kênh chính và kênh nhánh - Kênh Bắc và kênh Nam hệ thống thủy nông Đồng Cam được UBND tỉnh Phú Yên phê duyệt Báo cáo nghiên cứu khả thi đầu tư xây dựng tại Quyết định số 1100/QĐ-UBND ngày 24/6/2015, dự án được thực hiện trên địa bàn các huyện: Tây Hòa, Phú Hòa và Thành phố Tuy Hòa, đây là công trình nhằm hoàn thiện hệ thống thủy nông Đồng Cam là công trình thủy lợi đặc biệt quan trọng của tỉnh Phú Yên.

Nhằm đáp ứng tiến độ yêu cầu về việc giải ngân nguồn vốn đối ứng của dự án theo kế hoạch ứng vốn năm 2015 đã được UBND tỉnh bố trí cho hạng mục Đền bù, giải phóng mặt bằng, Ban Quản lý dự án Tỉnh cùng phối hợp với Trung tâm Phát triển quỹ đất huyện Phú Hòa đã hoàn tất các thủ tục (đo đạc, kiểm đếm, quy chủ và định giá đất cụ thể) trên phần việc thu hồi bồi thường, hỗ trợ và tái định cư thuộc địa bàn huyện Phú Hòa, được UBND tỉnh phê duyệt giá đất cụ thể để áp giá lập phương án thu hồi, bồi thường tại Quyết định số 1737/QĐ-UBND ngày 20/9/2015, trên cơ sở đó UBND huyện Phú Hòa phê duyệt Phương án bồi thường, hỗ trợ và tái định cư để thực hiện dự án Kiên cố kênh chính và kênh nhánh - Kênh Bắc và kênh Nam hệ thống thủy nông Đồng Cam phần đi qua huyện Phú Hòa tại Quyết định số 5176/QĐ-UBND ngày 16/12/2015; và Ban quản lý dự án Tỉnh đã chuyển kinh phí cho Trung tâm Phát triển quỹ đất huyện Phú Hòa để tạm ứng trước cho người dân bị ảnh hưởng trên địa bàn huyện Phú Hòa với giá trị là 1.899 triệu đồng. Riêng phần công trình nằm trên địa bàn huyện Tây Hòa và Thành phố Tuy Hòa, đến nay Trung tâm Phát triển quỹ đất đã thực hiện các bước đo đạc,

### ANNEX 3: SAMPLE MINUTES

*Dự án Phát triển nông thôn tổng hợp các tỉnh miền Trung - Khoản vay bổ sung*

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

DỰ ÁN PHÁT TRIỂN NÔNG THÔN TỔNG HỢP  
CÁC TỈNH MIỀN TRUNG - KHOẢN VAY BỔ SUNG  
**BIÊN BẢN HỌP THAM VẤN CỘNG ĐỒNG**  
Về Chính sách an toàn Tài định cư và Dân tộc thiểu số

Hội Trại, ngày 26 tháng 5 năm 2016

Tên DATP: *Khu C' kinh chỉnh là kinh venh - kinh Bắc Cao*  
*Kinh Nam An Thới Huyện rừng Đông Cao*  
Xã *Hoà Trị* huyện *Phước Sơn* tỉnh *Phước Yên*

I. Thành phần tham dự:

- Ông/Bà <i>Tham Trí Trí</i>	Chức vụ <i>Tổ trưởng LIC TĐC</i>
- Ông/Bà <i>Trần Côn Sơn</i>	Chức vụ <i>CS CSAT PPAW</i>
- Ông/Bà <i>Nguyễn Minh Thảo</i>	Chức vụ <i>CS địa chính xã</i>
- Ông/Bà <i>Nguyễn Anh Tuấn</i>	Chức vụ <i>..</i>
- Ông/Bà <i>Nguyễn Phương</i>	Chức vụ <i>CT Xã Hoà Trị</i>
- Ông/Bà <i>Lê Trọng Bình</i>	Chức vụ <i>CS địa chính</i>
- Ông/Bà <i>Phạm Nhung</i>	Chức vụ <i>PCT UBND xã</i>

- Đại diện những hộ bị ảnh hưởng *50* người.

(Xem danh sách đại biểu tham dự đính kèm)

II. Nội dung

2.1 Các nội dung phổ biến thông tin:

- Phổ biến thiết kế của dự án: các thông tin chung về dự án như mục tiêu, địa điểm, phạm vi xây dựng...
- Phổ biến thông tin về phạm vi ảnh hưởng và Khung Tài định cư và phát triển DTTS.
- Phổ biến tiến độ thực hiện, quy trình khiếu nại, giám sát, đánh giá.
- Phát tờ rơi thông tin dự án.

2.2 Tham vấn cộng đồng:

- Tham vấn về phạm vi ảnh hưởng và các tác động của việc thực hiện dự án, các vấn đề về tài định cư, các tác động dự kiến, các biện pháp giảm thiểu tối đa các tác động tiêu cực đến người bị ảnh hưởng.
- Tham vấn về giá thay thế, chính sách đền bù và quyền được đền bù, hỗ trợ của người bị ảnh hưởng.
- Tham vấn về nhu cầu hỗ trợ và các biện pháp phục hồi cuộc sống phù hợp cho người bị ảnh hưởng.
- Thu thập các ý kiến khác liên quan đến công tác đền bù tài định cư.

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III. Ý kiến thảo luận

- Nhờ trước khi thi công đơn lập một bưng thì nên thi công phải lập một bưng xong thì phải bỏ lại một bưng lại cho dân.
- Khi tổ chức thi công thì đơn thì TTĐ ký kết không một người dân BSA trực tiếp chấp hành, vì đơn chi trả thì bên nhà quản.
- Chủ quản là quản dân địa phương thì phải xây dựng các an các loại kỹ thuật về việc quản sát thì công thì công tư được lâu dài.
- Trước đây báo xã có hệ thống kênh mương xây dựng năm 2008 thì xây dựng, không hiệu quả.
- Một số hộ bị ảnh hưởng bị thi công thì ảnh hưởng đến phân vùng quản tại các hộ; dẫn đến việc BSA giao sát như không về bên thống phân ảnh hưởng quá trình thi công.
- Một số hộ trên địa bàn BSA giao các hộ quản lâu dài thì phân chia đất đai về quản lại cho họ quản.
- Các hộ dân trước một hợp về phân vùng phân vùng thì thống nhất về phân vùng và phân vùng, bên thống nhất tại.

Họp họp tham vấn kết thúc vào lúc 11h ngày 24 tháng 5 năm 2016

Đại diện Ban QLDA tỉnh

*[Signature]*  
Đại diện Cộng đồng



Đại diện UBND xã  
HỮU TỊCH  
*[Signature]*  
Nguyễn Phụng  
Đại diện tư vấn

*[Signature]*

*[Signature]*



**DANH SÁCH ĐẠI BIỂU THAM DỰ CUỘC HỌP**

(Tham vấn cộng đồng về Chính sách an toàn Tái định cư và Dân tộc thiểu số)

(Danh sách đính kèm biên bản cuộc họp ngày 14 tháng 5 năm 2016 tại Hòa Thuận)

Tên DATP: Kiến Lộ Kiên An, Kiên An, Kiên Bình và Kiên Nam

Xã: Hòa Thuận huyện: Phước Hòa tỉnh: Phước Yên

STT	Họ và tên	Giới tính	Chức vụ/Địa chỉ	Ký tên
1	Phan Thị Mộng Liên	Nữ	Lâm nông	Liên
2	Lê Tuấn	Nam	Phung Tường 2	Tuấn
3	Lê Văn Học	Nam	Long Phung	Học
4	Trinh Thị Thu	Nữ	Phung Tường 2	Thu
5	Trần Ngọc Tôn	Nam	Long Phung	Tôn
6	Nguyễn Công Khảm	Nam	Long Phung	Khảm
7	Khánh Văn Uịch	Nam	Qui Hòa	Uịch
8	Lê Trung Ba	Nam	Long Phung	Ba
9	Lê Văn Năm	Nam	Long Phung	Năm
10	Lê Xuân Hằng	Nam	Long Phung	Hằng
11	Nguyễn Thị Châu	Nữ	Long Phung	Châu
12	Nguyễn Công Ngọc	Nam	Phung Tường 2	Ngọc
13	Nguyễn Hồng	Nữ	Long Phung	Hồng
14	Lê Thái Ấy	Nam	Phung Tường 2	Ấy
15	Nguyễn Khánh	Nam	Phung Tường 2	Khánh
16	Phạm Xuân Hiệp	Nam	"	Hiệp
17	Hiền Thuận Dương	Nam	"	Dương
18	Hà Văn Nhân	Nam	Qui Hòa	Nhân
19	Phan Ngọc Thọ	Nam	Phung Tường 2	Thọ
20	Lê Văn Địch	Nam	"	Địch
21	Nguyễn Thị Hương	Nữ	Long Phung	Hương
22	Nguyễn Thị Thảo	Nữ	"	Thảo
23	Nguyễn Thị Chú	Nữ	Phung Tường 2	Chú
24	Trần Khai	Nam	"	Khai
25	Đoàn Thị Sen	Nam	"	Sen
26	Lê Thị Mai	Nữ	"	Mai

**DANH SÁCH ĐẠI BIỂU THAM DỰ CUỘC HỌP**

(Tham vấn cộng đồng về Chính sách an toàn Tài định cư và Dân tộc thiểu số)

(Danh sách đính kèm biên bản cuộc họp ngày 24 tháng 5 năm 2016 tại Hòa Tiến)

Tên DATP: Kiên cơ' kens chas' nlan' - 10 thị trấn Bình Sơn

Xã Hòa Tiến huyện Phước Hòa tỉnh Phước Yên

STT	Họ và tên	Giới tính	Chức vụ/Địa chỉ	Ký tên
1	Bùi Thị Thoa	Nữ	Mường Tuyền 2	tho
2	Thân Thị Thiệp	Nữ	"	Hiệp
3	Lê Thị Cay	Nữ	"	Chay
4	Đào Thị Tả	Nữ	Mường Tuyền 2	Tả
5	Nguyễn Văn Tào	Nam	Long Mung	Tào
6	Nguyễn Văn Tâm	Nam	Mường Tuyền 2	Tâm
7	Võ Thanh Xuân	Nam	"	Xuân
8	Nguyễn Văn Triết	Nam	"	Triết
9	Lê Trọng Diễm	Nam	Long Mung	Diễm
10	Hương Công Sĩ	Nam	Mường Tuyền 2	Sĩ
11	Nguyễn Văn Tuấn	Nam	"	Tuấn
12	Trần Quốc Tuấn	Nam	"	Tuấn
13	Bùi Nhân	Nam	Long Mung	Nhan
14	Nguyễn Văn Khánh	Nam	"	Khánh
15	Lê Văn Tự	Nam	"	Tự
16	Nguyễn Văn Nhân	Nam	"	Nhan
17	Nguyễn Thị Nôi	Nữ	Mường Tuyền 2	Nôi
18	Lê Khánh	Nam	"	Khánh
19	Phạm Thống	Nam	"	Thống
20	Trần Văn	Nam	"	Trần
21	Đào Văn Hải	Nam	"	Hải
22	Nguyễn Văn Sĩ	Nam	Long Mung	Sĩ
23	Đào Văn Minh	Nam	Mường Tuyền 2	Minh
24	Bùi Văn Mỹ	Nam	Long Mung	Mỹ
25				

**DỰ ÁN PHÁT TRIỂN NÔNG THÔN CÁC TỈNH MIỀN TRUNG-KHOAN VAY BỔ SUNG-L3173**  
**(INTEGRATED RURAL DEVELOPMENT SECTOR PROJECT IN CENTRAL PROVINCES - ADDITIONAL FINANCING)**

**DANH SÁCH THAM DỰ HỌP**  
**(LIST OF PARTICIPANTS OF MEETING)**

án thành phần: *Kiểm có kinh doanh & kinh doanh - Kỹ thuật và Kinh doanh HT Thủy Nông Dự án - Cam.*

Ngày (date) : *24/5/2015* ..... Địa điểm (Location) : *Xã Hòa Thọ 1, T. Hòa Thọ, Thị xã*

Họ tên (Name)	Chức vụ (Position)	Cơ quan/Đơn vị (Agency)	Chữ ký (Signature)	Điện thoại (Tel)	Ghi chú (Note)
<i>Nguyễn Phương</i>	<i>Chủ tịch</i>	<i>Xã Hòa Thọ 1</i>	<i>[Signature]</i>	<i>0977884496</i>	
<i>Lê Trung Bình</i>	<i>Động viên</i>	<i>Xã Hòa Thọ 1</i>	<i>[Signature]</i>		
<i>Phạm Nguyễn Xuân</i>	<i>P. Chủ tịch</i>	<i>"</i>	<i>[Signature]</i>		
<i>Nguyễn Mạnh Xuân</i>	<i>Động viên</i>	<i>"</i>	<i>[Signature]</i>		
<i>Nguyễn Phú Quốc</i>	<i>Động viên</i>	<i>"</i>	<i>[Signature]</i>		
<i>Lê Quốc Tuấn</i>	<i>CB</i>	<i>Tây Sơn PT &amp; A</i>	<i>[Signature]</i>	<i>098624645</i>	
<i>Nguyễn Hoàng Kiên</i>	<i>CB</i>	<i>"</i>	<i>[Signature]</i>	<i>0935202822</i>	
<i>Cô Huỳnh Hải,</i>	<i>CB</i>	<i>"</i>	<i>[Signature]</i>	<i>0985349409</i>	
<i>Bà Minh Khai</i>	<i>CB</i>	<i>"</i>	<i>[Signature]</i>	<i>0977776274</i>	

**ANNEX 3: SOME CONSULTATION PHOTOS**



Consultation in Hoa Tri commune



Worked in Land Fund Development Centre of Phu Hoa district



Consultation in Hoa Quang Nam commune