

SOCIALIST REPUBLIC OF VIETNAM  
MINISTRY OF AGRICULTURE AND RURAL DEVELOPMENT

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**Mekong Delta Integrated Climate Resilience and Sustainable Livelihoods  
(MD-ICRSL) Project**

**Subproject: Developing stable livelihoods for people in the coastal area of  
Ben Tre to adapt to climate change in Ba Tri, Ben Tre province**

**ABBREVIATED RESETTLEMENT ACTION PLAN**

*Prepared by*

Central Project Office

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## TABLE OF CONTENTS

1. INTRODUCTION .....	8
1.1. The Mekong Delta Integrated Climate Resilience and Sustainable Livelihoods Project.....	8
1.2. Subproject 1 in Component 3: Developing stable livelihoods for people in the coastal area of Ben Tre to adapt to climate change in Ba Tri, Ben Tre province .....	9
1.3. Objective of Resettlement Action Plan .....	11
2. SCOPE OF IMPACT .....	12
2.1. Potential resettlement impacts .....	12
2.2. Impact categories .....	13
2.3. Socio-economic information of affected households .....	<b>Error! Bookmark not defined.</b>
3. LEGAL POLICY FRAMEWORK AND ENTITLEMENTS .....	14
3.1. The Legal framework of the Government of Vietnam .....	14
3.2. The World Bank's Operation Policy on Involuntary Resettlement (OP 4.12).....	16
3.3. Comparison between Government of Vietnam and World Bank approaches.....	16
4. PRINCIPLES AND POLICIES FOR RESETTLEMENT, COMPENSATION AND REHABILITATION.....	20
4.1. General principles.....	20
4.2. Compensation Policies .....	21
5. INFORMATION DISCLOSURE AND COMMUNITY CONSULTATION .....	32
5.1. Information disclosure .....	32
5.2. Community consultation .....	32
5.3. Project leaflets .....	33
6. IMPLEMENTATION ARRANGEMENTS.....	33
6.1. At Central level.....	33
6.2. At Provincial level .....	34
6.3. At District level .....	34
6.4. Commune level.....	35
6.5. Implementation procedure .....	35
7. GRIEVANCE REDRESS MECHANISM .....	40
8. MONITORING AND EVALUATION.....	42
8.1. Monitoring .....	<b>Error! Bookmark not defined.</b>
8.2. Internal monitoring .....	<b>Error! Bookmark not defined.</b>
8.3. Independent monitoring.....	<b>Error! Bookmark not defined.</b>
9. BUDGET AND COST ESTIMATE .....	43
ANNEX 1. QUESTIONARE FOR SOCIO-ECONOMIC SURVEY AND INVENTORY OF LOSSES.....	46

## Abbreviation

AP	Affected person
A-RAP	Abbreviated Resettlement Action Plan
CPC	Communal People's Committee
CPO	Central Project Office
DARD	Department of Agriculture and Rural Development
DMS	Detailed Measurement Survey
DPC	District People's Committee
DCLFD	District Center for Land Fund and Development
EMPF	Ethnic Minorities Policy Framework
EMDP	Ethnic Minorities Development Plan
ESMF	Environmental and Social Management Framework
GOV	Government of Vietnam
HH	Household
IOL	Inventory of Losses
IMA	Independent Monitoring Agency
LAR	Land Acquisition and Resettlement
LURC	Land Use Right Certificate
MOF	Ministry of Finance
MOLISA	Ministry of Labors – Invalids and Social Affairs
NGO	Non-government Organization
OP	Operating Policy
PAD	Project Appraisal Documents
PPC	Provincial People's Committee
PPMU	Provincial Project Management Unit
PRA	Participatory Rapid Assessment
REA	Rapid Environment Assessment
RAP	Resettlement Action Plan
RPF	Resettlement Policy Framework
TOR	Terms of Reference
USD	United States Dollar
VND	Vietnamese Dong
WB	World Bank

## Glossary

Project impacts	Any impacts relating directly to land acquisition or limit using legal areas or protected areas
Affected persons	Any person who, as a result of the implementation of a project, loses the right to own, use, or otherwise benefit from a built structure, land (residential, agricultural, or pasture), annual or perennial crops and trees, or any other fixed or moveable asset, either in full or in part, permanently or temporarily.
Cut-off date	Is the date when the PPC issues the Notification of Land acquisition for the relevant project (Article 67.1 of the Law on Land in 2013) before implementation of detailed measurement survey. A census survey will be done before the cut-off date is announced to establish a list of potential affected households.
Eligibility	Any person who used the land affected by the project and listed before the cut-off-date: (i) with formal legal right to land; (ii) without formal legal right to land but have a claim to such land or assets recognized under the laws of the country (iii) without recognizable legal right or claim to the land they are occupying.
Replacement cost	<p>For agricultural land, the replacement cost is the pre-project or pre-displacement, whichever is higher, market value of land of equal productive potential or use located in the vicinity of the affected land, plus the cost of preparing the land to levels similar to those of the affected land, plus the cost of any registration and transfer taxes.</p> <p>For land in urban areas, it is the pre-displacement market value of land of equal size and use, with similar or improved public infrastructure facilities and services and located in the vicinity of the affected land, plus the cost of any registration and transfer taxes.</p> <p>For houses and other structures, it is the market cost of the materials to build a replacement structure with an area and quality similar to or better than those of the affected structure, plus the cost of transporting building materials into the construction site, plus the cost of any labor and contractors' fees, plus the cost of any registration and transfer taxes. In determining the replacement cost, depreciation of the asset and the value of salvage materials are not taken into account, nor is the value of benefits to be derived from the project deducted from the valuation of an affected asset.</p>

Resettlement	Covers all direct economic and social losses resulting from land taking and restriction of access, together with the consequent compensatory and remedial measures. Resettlement is not restricted to its usual meaning-physical relocation. Resettlement can, depending on the case, include (i) acquisition of land and physical structures on the land, including businesses; (ii) physical relocation; and (iii) economic rehabilitation of affected persons (APs), to improve (or at least restore) incomes and living standards.
Entitlements	Include compensation and assistance for APs based on the type and extent of damage.
Inventory of Losses (IOL)	Is process of accounting for physical assets and income affected by project.
Socio-economic Baseline Survey (BLS)	A socio-economic baseline survey of households, businesses, or other project-affected parties needed to: identify and accurately compensate or mitigate losses, assess impacts on household economy, and differentiate affected parties by level of impact.
Vulnerable groups	People who by virtue of gender, ethnicity, age, physical or mental disability, economic disadvantage, or social status may be more adversely affected by resettlement than others and who may be limited in their ability to claim or take advantage of resettlement assistance and related development benefits, including: (i) female householder with dependent persons (widowed or with disabled husband), (ii) invalid persons (disabled), lonely elderly; (iii) poor; (iv) person without land for livelihood; and (v) ethnic minority people.
Livelihood	Economic activities and income streams, usually involving self-employment and or wage employment by using one's endowments (both human and material) to generate adequate resources for meeting the requirements of the self and household on a sustainable basis
Income restoration	Re-establishment of sources of income and livelihoods of the affected households.
Stakeholders	Any and all individuals, groups, organizations, and institutions interested in and potentially affected by a project or having the ability to influence a project.

## SUMMARY

### Description of the subproject

The Subproject 1 in Component 3: Developing stable livelihoods for people in the coastal area of Ben Tre to adapt to climate change in Ba Tri, Ben Tre province is aimed to address the challenges related to salinity intrusion, coastal erosion, and support improved livelihoods for communities living in coastal areas of Ba Tri district, Ben Tre province. Ben Tre has built the Ba Tri's sea dyke in 2009-2010 and 11 sluice gates out of the total 20 sluice gates. The main feature of this subproject is to build the remaining 9 sluice gates so that the dyke and sluice gates could function as intended.

### Legal framework, resettlement policy and the rights of the affected people

All affected people who are identified in the project-impacted areas on the cut-off date of the subproject baseline survey will be entitled to compensation for their affected assets, and rehabilitation measures sufficient to enhance, or at least restore their livelihoods in real terms relative to pre-project levels; and to improve the standards of living of the affected poor and other vulnerable groups. These entitlements of affected people are addressed in the Section 3 of this Abbreviated Resettlement Action Plan (A-RAP) in compliance with the Resettlement Policy Framework of the project.

### Impacts of land acquisition

Land acquisition for the remaining 9 sluice gates was completed under the subproject on Sea dike of Ba Tri district, Disaster Reduction Project funded by World Bank in 2010. However, Ba Beo sluice gate in An Hoa Tay commune, Ba Tri district requires additionally permanent land acquisition of 680 m<sup>2</sup> of 2 households. Detailed impacts are as follows.

No.	Impact	Unit	Quantity	Number of affected households	Number of affected persons
1	<b>Permanent land acquisition</b>	m <sup>2</sup>	680	2	10
	Garden land	m <sup>2</sup>	680		
2	<b>Affected houses and structures</b>			2	10
	House grade 4, brick wall, iron roof	m <sup>2</sup>	15		
	Kitchen	m <sup>2</sup>	30		
	Cage	m <sup>2</sup>	60		
	Brick fence	m <sup>2</sup>	50		
	Toilet house	m <sup>2</sup>	4		
	Storage house	m <sup>2</sup>	400		
3	<b>Crops and trees affected</b>			2	10
	Mango	Tree	2		

	Waterapple	Tree	1		
	Coconut	Tree	14		
	Papaya	Tree	2		

### **Budgets and cost estimates**

All land acquisition, compensation and resettlement costs of the subproject are taken from the counterpart fund of the Ben Tre provinces and loan (if any).

The total estimate cost of compensation and assistance is 742,342,656 VND.

It is equivalent to 33,066 USD (with the exchange rate 1 USD = 22,450 VND).

### **Implementation timetable**

<b>Activity</b>	<b>Responsible party</b>	<b>Implementation plan</b>
<b>A-RAP preparation</b>		
Disclosure of social safeguards documents at Infoshop	WB	15 February 2016
Disclosure of A-RAP at office of PPMU, DPC and CPCs in Ben Tre province	Subproject owner (PPMU)	15 February 2016
Disclosure of A-RAP of subproject at CPO	CPO	15 February 2016
Approval of safeguard policy documents of project and A-RAP of sub-project	WB and the GOV	Quarter 2/2016
Training on safeguard policy frameworks for the project officers and the DCLFD	CPO and resettlement consultants	Quarter 4/2016
Recruiting the independent monitoring agency	CPO	Quarter 4/2016
A-RAP updating	CPO and resettlement consultants	Quarter 1/2017
<b>A-RAP implementation</b>		
Disseminating project information to AHs	DCLFD and CPCs	Quarter 1/2017
Inventorying affected assets and preparing compensation plans	DCLFD and CPCs	Quarter 2/2017
Paying compensation and clearing sites	Subproject owner, DCLFD, and CPCs	Quarter 2/2017
Monitoring resettlement internally every month and preparing quarterly reports	Subproject owner	Quarter 2/2017
Monitoring resettlement externally every six	Independent monitoring	Quarter 2/2017

Activity	Responsible party	Implementation plan
months and preparing monitoring reports	agency	

DRAFT FOR CONSULTATION



## 1. INTRODUCTION

### 1.1. The Mekong Delta Integrated Climate Resilience and Sustainable Livelihoods Project

The Government of Vietnam and the World Bank is preparing “Mekong Delta Integrated Climate Resilience and Sustainable Livelihoods Project”. The Project Development Objective is to enhance the capacity to manage and adapt to climate change by improving planning, promoting resilient rural livelihoods, and constructing climate smart infrastructure in select provinces in the Mekong Delta in Vietnam. The project will directly or indirectly benefit over one million people living in the three sub-regions: (a) the upper delta (An Giang, Dong Thap and Kien Giang); (b) the peninsula (Ca Mau, Bac Lieu and Kien Giang); and (c) the coastal estuary (Ben Tre, Tra Vinh and Soc Trang). Additional rural and urban households and agribusiness in upstream and downstream regions also directly or indirectly benefit from the project intervention.

**The project is envisioned to be the first phase of a long-term World Bank engagement in the Mekong Delta to strengthen integrated climate resilient management and development, across different sectors and institutional levels.** More specifically, it will support information systems, the institutional arrangements, and the roadmap for building regional and provincial-level planning capacity for sustainable Delta-wide development. In parallel, the Project will also seek opportunities for 'low regret' investments and scope out longer term development options to be financed under future phases. The project would comprise of a combination of structural and non-structural investments, and will be informed by the World Bank financed *Building Resilience in the Mekong Delta TA* (P149017). The Project is proposed to span a period of 6 years, with the financing of US\$ 403 million (\$333.6 m from IDA; \$69.4 m from GoV).

**The project concept and approach builds up from the vision articulated in the Mekong Delta Plan developed by the Dutch,** whereby the delta was viewed as different hydro-ecological zones cutting across provinces and sectors. During the scoping of the proposed project, the task team has placed heavy emphasis on coordination with other Bank projects, and those of other development partners. The five components proposed under the project are:

**Component 1: Knowledge Management, Planning, and Institutions** (*Estimated US\$50 million, of which US\$44 million will be financed by IDA*). This component seeks to provide an integrated information and institutional framework for effective multi-sectoral planning and management of the Mekong Delta in order to (i) increase resilience to climate and development risks, improve synergy across stakeholders in the delta provinces, (ii) improve effective utilization of modern monitoring and IT tools to analyze planning and operational scenarios, and make informed investment decisions, and (iii) build capacity for multi-sectoral approaches. The work would build on existing institutions, capacity, and tools, and potentially include the following activities:

**Component 2: Managing Floods in the Upper Delta** (*Est. US\$ 99 million, of which US\$ 81 million will be financed by IDA*). The primary objective of this component is to protect and/or reclaim the benefits of controlled flooding (flood retention) measures while increasing rural incomes and protecting high value assets in An Giang and Dong Thap provinces. This will potentially consist of: i) modifying water and agricultural infrastructure to allow for more beneficial flooding (expanding flood retention capacity) in rural areas and offer new agricultural/aquaculture cropping alternatives; ii) providing livelihoods support measures to farmers so they have alternatives to the wet season rice crop, including aquaculture; iii)

constructing/upgrading infrastructures for protecting select high value assets; and iv) facilitating agricultural water use efficiency in the dry season.

**Component 3: Adapting to Salinity Transitions in the Delta Estuary** (*Est. US\$ 149 million, of which US\$ 122.2 million will be financed by IDA*). This component aims to address the challenges related to salinity intrusion, coastal erosion, sustainable aquaculture and improved livelihoods for communities living in the coastal areas of Ben Tre, Tra Vinh, and Soc Trang provinces. This will potentially consist of: i) construction of coastal defenses consisting of combinations of compacted earth embankments and coastal mangrove belts; ii) modification of water and agricultural infrastructure along the coastal zone to allow flexibility for sustainable aquaculture activities and adapt to changing salinity levels; iii) support to farmers to transition (where suitable) to more sustainable brackish water activities such as mangrove-shrimp, rice-shrimp, and other aquaculture activities; and iv) supporting climate smart agriculture by facilitating water use efficiency in the dry season.

**Component 4: Protecting Coastal Areas in the Delta Peninsula** (*Est. US\$ 95 million, of which US\$77.9 million will be financed by IDA*). This component aims to address the challenges related to coastal erosion, groundwater management, sustainable aquaculture, and improved livelihoods for communities living in the coastal and river mouth areas of Ca Mau and Kien Giang. This will potentially consist of: i) restoration of coastal mangrove belts and construction/rehabilitation of coastal dikes in erosion areas; ii) modification of water control infrastructure along the coastal zone to allow flexibility for sustainable aquaculture activities; iv) control of groundwater abstraction for agricultural/aquaculture and development of freshwater supplies for domestic use; v) support to farmers to practice more sustainable brackish water activities such as mangrove-shrimp and other aquaculture activities; and vi) supporting climate smart agriculture by facilitating water use efficiency.

**Component 5: Project Management and Implementation Support.** This component will be split into project management support and capacity building for MONRE and MARD. This component is expected to provide incremental running costs and consultant and advisory services for overall project management, financial management, procurement, safeguards and monitoring and evaluation.

## **1.2. Subproject 1 in Component 3: Developing stable livelihoods for people in the coastal area of Ben Tre to adapt to climate change in Ba Tri, Ben Tre province**

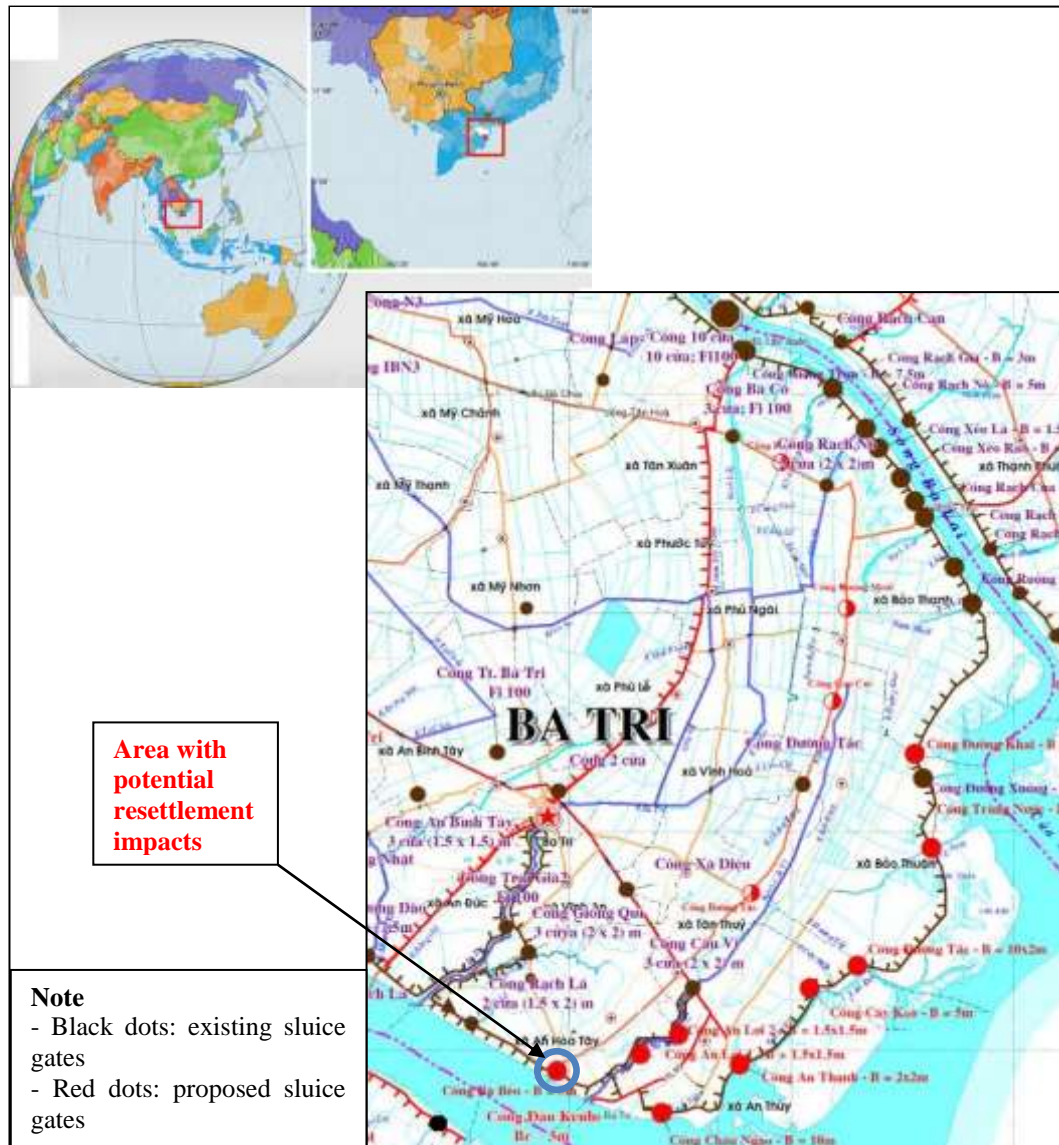
The subproject area is located in the Ba Tri district, Ben Tre Province in the Mekong Delta. As of 2014, the district had a population of 187,161. The district covers an area of 358 km<sup>2</sup>. The total population of Ba Tri district is 187,161 (2014) with 46,790 households. The average person per household is 4. About 90% of the population lives in rural areas. Per capita income in 2014 was 24.038 million VND. The number of poor households in the district is 10,030 households, accounting for 15% of all households in the district (2014). One of strong sectors of Ba Tri is fishery. In 2014, Ba Tri has 1,668 ships, including 1,202 offshore fishing ships. The total output of seafood is 71,250 ton. There are 5213 hectares of aquaculture, including 1,699 hectares of shrimp farming. Its yield is 16,810 ton in 2014, including 8,480 ton of shrimp, 7030 ton of fish and 1,300 ton of shells. Salt output reached 31,634 ton in 2014. As for transportation, the total length of road is 756 km, of which 378.5 km are asphalted and concrete, 220 km was upgraded with composite stone. Transportation by car to 24 communes and towns in the district is very convenient. The national

power grid covers all communes and towns, serves for 99.35% of all households in the district. As for health care, the district had a general hospital with 240 beds. Communal health centers have 127 beds. Average doctor per 1 thousand people is 12.29.

The project site is located in the estuary zone which is characterized by low flows during the dry season which allow saline water to extend far inland. Over the past twenty years, closed freshwater systems designed for rice production have been developed in this area consisting of large polders ringed by dikes and with sluice gates to control saline water intrusion. The long-term sustainability of this strategy is questionable due to reduced dry season water availability and sea-level rise. In addition, farmers are rapidly converting to more profitable shrimp farms along the coast, often accompanied by destruction of mangrove forests. The primary objective of this subproject is to address the challenges related to salinity intrusion, coastal erosion, and support improved livelihoods for communities living in coastal areas of Ba Tri district, Ben Tre province. Irrigation system in Ba Tri can serve for 39,291 ha of rice area with the average yield of 5 to 6 ton/ha. The rice output of Ba Tri is 200,500 ton, accounting for about 1/3 of the province's rice output. The irrigation system does not only serve for irrigation of rice fields, but also provide fresh water for daily activities of the people, and create conditions for conversion of dunes into gardens. Fruit trees, sugarcane, crops and livestock sector grow considerably. The main objectives of this subproject are:

- Complement the irrigation system in North Ben Tre to maximize the regional impact
- Prevent high tides for production stabilization in the region

The above mentioned system consists of 20 sluice gates of which 9 sluice gates will be financed under this project, remaining 11 were previously constructed in the 2009-2010 period.



**Figure 1. Locations of 9 sluice gates in the subproject area**

### 1.3. Objective of Resettlement Action Plan

The RAP is prepared based on the guidance set forth in project's Resettlement Policy Framework, as well as the World Bank's OP 4.12 Involuntary Resettlement, and relevant regulation and laws of Vietnam. The RAP is developed to (i) identify the full range of people affected by the project and justifies their displacement after consideration of alternatives that would minimize or avoid displacement; (ii) outline eligibility criteria for affected parties, establishes rates of compensation for lost assets, and describes levels of assistance for relocation and reconstruction of affected households. This RAP will be updated after the completion of the detailed design and Detailed Measurement Survey (DMS) which will identify the exact scope and level of impact of subproject.

## 2. SCOPE OF IMPACT

### 2.1. Potential resettlement impacts

The subproject has been defined in August 2015 following selection of sub-projects. At this project preparation stage, it is expected that the subproject to be proposed would involve construction of 9 sluice gates which will have potential impacts (positive and negative) on land, assets and income. Change in types of livelihoods is likely to occur and appears to be an important social issue. Such social impacts are covered under the Regional Social Assessment.

Inventory of loss (IOL) was implemented basing on technical design of the construction mentioned above for collecting data on people, land, structure, crops, etc. affected by the subproject. According to the result, there are two households affected by the subproject in An Hoa Tay commune, Ba Tri district. Besides, a socio-economic survey (SES) was conducted with all of 2 affected households. The questionnaires of IOL and SES are presented in the Annex 1. Overall estimates of land acquisition and resettlement are shown in the following table.

**Table 1. Summary of potential resettlement impacts of subproject**

<b>Total</b>	<b>Ethnic minorities</b>	<b>Permanent impacts</b>				<b>Temporary impacts</b>	
Name. of AH	No. of AH	No. of AH	No. of physically displaced HH	Production land acquisition (m2)	Residential land acquisition (m2)	No. of AH	Land acquisition (m2)
Total	0	2	0	680	0	0	0
Tran Van Lot	0	1	0	500	0	0	0
Dao Van Dung	0	1	0	180	0	0	0

## 2.2. Impact categories

### 2.2.1. Impacts on land

The survey data show that in An Hoa Tay commune, Ba Tri district, 2 households are affected by permanent land acquisition of 680 m<sup>2</sup> of garden land. They had Land Use Right Certificate of these affected land. Because percentages of their land loss are less than 20%, they are not considered as severely affected household.

**Table 2. Land acquisition**

Householder	Area of permanent land acquisition (m <sup>2</sup> )	% of land loss	Land type	Land Use Right Certificate	Temporarily affected area (m <sup>2</sup> )
Tran Van Lot	500	8%	Garden land	Yes	0
Dao Van Dung	180	4%	Garden land	Yes	0
Total	680				0

### 2.2.2. Impacts on houses and structures

One household is affected on his house with area of 15 m<sup>2</sup>. However, it affects a little on the house that does not make the household to displace physically. The other affected structures include cook house, cage, brick fence, storage house.

**Table 3. Affected houses and structures**

Householder	House (m <sup>2</sup> )	Kitchen (m <sup>2</sup> )	Cage (m <sup>2</sup> )	Brick fence (m <sup>2</sup> )	Toilet house (m <sup>2</sup> )	Storage house (m <sup>2</sup> )
Tran Van Lot	15	30	0	50	0	400
Dao Van Dung	0	0	60	0	4	0
Total	15	30	60	50	4	400

### 2.2.3. Impacts on trees

The construction site also affect some trees in the gardens of the AHs. They are listed in the following table.

**Table 4. Affected trees**

Householder	Mango	Waterapple	Coconut	Papaya
Tran Van Lot	2	1	6	2
Dao Van Dung	0	0	8	0
Total	2	1	14	2

### 2.2.4. Expectation of resettlement compensation and livelihood restoration

Consultation with AHs shows that all of them want to receive compensation in cash as the land acquisition is not large and it is convenient for them to use compensation amount to for other purposes. They intend to use the amount of compensation to repair and improve their current houses, or invest in reproduction. At the moment, they want to maintain their main works of agriculture and fishery.

### **3. LEGAL POLICY FRAMEWORK AND ENTITLEMENTS**

#### **3.1. The Legal framework of the Government of Vietnam**

The GOV's Legal Framework: The legal framework with respect to land acquisition, compensation and resettlement is based on the Constitution of the Socialist Republic of Vietnam (2013), and the Land Law 2013 (revised), and other relevant decrees/guidelines. The principal legal documents applied for this RPF include the followings:

- Constitution of Vietnam 2013;
- The Law on Water Resources No.17 / 2012 / QH13 June 21, 2012
- The Law on Dike No. 79/2006 / QH11 November 29, 2006
- The Law on Land No. 45/2013/QH13, effective since July 1, 2014;
- Decree No.43/2014/ND-CP dated on May 15, 2014 guiding in detail some articles of the Law on Land 2013;
- Decree No.44/2014/ND-CP dated on May 15, 2014 provides on method to determine land price; make adjusted land price brackets, land price board; valuate specific land price and land price consultancy activities;
- Decree No. 47/2014/ND-CP dated on May 15, 2014 providing compensation, assistance, resettlement when land is recovered by the State;
- Decree No. 38/2013/ND-CP dated on April 23, 2013, on management and use of official development assistance (ODA) and concessional loans of WB;
- Decree No. 201/2013 / ND-CP dated on November, 27, 2013 of the Government detailing the implementation of some articles of the Law on Water Resources;
- Circular No. 36/2014 / TT-BTNMT dated on 30 June 2014, regulating method of valuation of land; construction, land price adjustment; specific land valuation and land valuation advisory;
- Circular No. 37/2014/TT-BTNMT dated on 30 June 2014, regulating compensation, assistance and resettlement when the State acquires land;
- Decision No. 1956/2009/QD-TTg, dated on November 17, 2009, by the Prime Minister approving the Master Plan on vocational training for rural labors by 2020;
- Decision No. 52/2012/QD-TTg, dated on November 16, 2012, on the assistance policies on employment and vocational training to farmers whose agricultural land has been recovered by the State;

- Decision of PPCs / city project implementation issued regulations on compensation, support and resettlement when the State recovers land in the locality;
- Other laws, decrees and regulations relevant to land management, land acquisition and resettlement include the Construction Law 50/2014/QH13, dated on 18 Jun 2014, on construction activities, rights and obligations of organization and individual investing in civil works construction and construction activities; Decree 102/2014 / ND-CP on sanctioning of administrative violations in the field of land replaced by Decree No. 15/2013 / ND-CP dated on February, 06, 2013 on quality management of constructions; Decree No. 12/2009/NĐ-CP of the Government, dated 12 February 2009 on the management of construction investment projects and replacing the Decree 16/2005/ND-CP, the Decree 38/2013/ND-CP of the Government on the management and use of Official Development Assistance (ODA) fund, and Decree 126/2014/ND-CP of the Government 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; Decisions of project provinces relating to compensation, assistance and resettlement in provincial territory will be also applied for each relevant project province.
- 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.
- Documents related to complaints and resolve complaints mechanisms: Complaint Law 02/2011/QH13 dated on November 11, 2011, Decree No. 75/2012/ND-CP of the Government dated on March 10, 2012: Specific provisions a number of articles of the Law on Complaint.

Besides the general policy of the Government of Vietnam, the People's Committee of Ben Tre province has also introduced legislation to apply the Decree of the Government circulars and guidelines of the agencies and departments of land acquisition and clearance. The following decision issued regulations on compensation and assistance when the State acquires land area in Ben Tre province as follows:

- Decision No. 35/2014/QĐ – UBND dated December 19, 2014 of Ben Tre province in issuing price of lands in Ben Tre province from 2015 to 2019.
- Decision No. 19/2014/QĐ-UBND dated July 16, 2014 of Ben Tre on issuing unit price of house, structure in Ben Tre province.
- Decision No. 31/2015/QĐ-UBND dated November 9, 2015 of Ben Tre province on issuing unit price of trees.
- Decision No. 40/2014/QĐ -UBND dated December 31, 2014 of Ben Tre in issuing on compensation, support and resettlement when land acquisition, land allocation, land for lease by the State locating in Ben Tre province.



### **3.2. The World Bank’s Operation Policy on Involuntary Resettlement (OP 4.12)**

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.

The WB’s involuntary resettlement policy objectives are the following:

- (i) Involuntary resettlement should be avoided where feasible, or minimized after exploring all viable alternatives in project design;
- (ii) Where resettlement cannot be avoided, resettlement activities should be conceived and executed as sustainable development programs, providing sufficient investment resources to enable the people affected by the Project to share in benefits. Affected Persons should be meaningful consulted and should have opportunities to participate in 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.

### **3.3. Comparison between Government of Vietnam and World Bank approaches**

There basic conformity 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 current law (Law on Land No. 45/2013/QH13) offering guidance on (i) the determination of market prices/replacement and paid compensation and support for multiple asset classes affected, (ii) selection of the land - for - land and compensation and support in cash; (iii) provide relocation assistance and support for displaced families in the transition period; (iv) ground-level resettlement housing and property rights are secured; (v) additional support for households affected and vulnerable; (vi) support to restore livelihood and training, and (vii) notification/information disclosure, consultation and appeal mechanisms. 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 support for the affected households, which will be applied under this project, including measures to resolve differences.

As a WB member country, the GOV has committed that, should the international agreements signed or acceded to by GOV with the WB contain provisions different from those in the present resettlement legal framework in Vietnam, the provisions of the international agreements with the WB shall prevail. According to Clause 2 of Article 87 of the Land Law 2013, “for the projects using loans from foreign and international organizations for which the State of Vietnam has committed to a policy framework for compensation, support, resettlement, the framework is applied”.

**Table 12: Comparison of Vietnam’s and World Bank’s Policies related to Involuntary Resettlement**

Subjects	Bank's OP 4.12	Government of Vietnam	Project Measures
<b>Land Property</b>			
<i>Policy objectives</i>	<i>PAPs (Project Affected Persons) should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher</i>	<p>Not mentioned.</p> <p>However, 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).</p> <p>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)</p>	Livelihoods and income sources will be restored in real terms, at least, to the pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.
<i>Support for affected households who have no recognizable legal right or claim to the land they are occupying</i>	<i>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)</i>	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 PAPs, regardless of their legal status, until their livelihoods and standards of living restore in real terms, at least, to pre-displacement levels.
<i>Compensation for illegal structures</i>	<i>Compensation at full cost for all structures regardless of legal status of the PAP's</i>	No compensation	Compensation at full replacement cost will be given for all structures

	<i>land and structure.</i>		affected, regardless of legal status of the land and structure.
<b>Compensation</b>			
<i>Methods for determining compensation rates</i>	<i>Compensation for lost land and other assets should be paid at full replacement costs,</i>	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 granted to identify compensation prices for different categories of assets. Independent land valuator can be used to determine land prices, which will be appraised by land appraisal board before Provincial People's Committee approval.	Independent appraiser recruited by District People Committee identifies replacement costs for all types of assets affected, which are appraised by land appraisal board and approved by. Provincial People's Committees to ensure full replacement costs.
<i>Compensation for loss of income sources or means of livelihood</i>	<i>Loss of income sources should be compensated (whether or not the affected persons must move to another location)</i>	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.
<i>Compensation for indirect impact caused by land or structures</i>	<i>It is good practice for the borrower to undertake a social assessment and implement measures to minimize and</i>	Not addressed.	Social assessment has been undertaken and measures identified and being

<i>taking</i>	<i>mitigate adverse economic and social impacts, particularly upon poor and vulnerable groups.</i>		implemented to minimize and mitigate adverse impacts, particularly upon poor and vulnerable groups.
<i>Livelihood restoration and assistance</i>	<i>Provision of livelihood restoration and assistance to achieve the policy objectives.</i>	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
<i>Consultation and disclosure</i>	<i>Participation in planning and implementation, specially confirming the eligibility criteria for compensation and assistance, and access to Grievances Redress Mechanisms</i>	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 PAPs and stakeholders.
<b><i>Grievance redress mechanism</i></b>			
	<i>Grievance redress mechanism should be independent</i>	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 PAP wishes.	More effective Grievance and Redress mechanisms are to be established, built on the existing governmental system, with monitoring by an independent monitor

<b>Monitoring &amp; Evaluation</b>				
	<i>Internal and independent monitoring required</i>	<i>and are</i>	<p>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).</p> <p>There is no explicit requirements on monitoring of the resettlement works, including both internal and independent (external) monitoring</p>	<p>Both internal and external (independent) monitoring is to be regularly maintained (on a monthly basis for internal and bi-annual basis for independent monitoring). An end-of-project report will be done to confirm whether the objectives of OP 4.12 were achieved.</p>

## **4. PRINCIPLES AND POLICIES FOR RESETTLEMENT, COMPENSATION AND REHABILITATION**

### **4.1. General principles**

All projects affected people (PAP) who have assets within or reside within the area of project land-take 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.

- 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 PAP 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.
- Land will be compensated “land for land”, or in cash, according to PAP’s choice whenever possible. The choice of land for land must be offered to those losing 20% or more of their productive land. If land is not available, Project Management Unit (PMU)

must assure itself, 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 landholding.

- PAPs who prefer “land for land” will be provided with land plots with the equivalent productive capacity for lost lands or a combination of land (a standard land plot) in a new residential area nearby for residential land, and cash adjustment for difference between their lost land and the land plots provided. The resettlement area will be planned properly and implemented in consultation with the PAPs. All basic infrastructures, such as paved roads, sidewalks, drainage, water supply, and electricity and telephone lines, will be provided.
- PAPs who prefer “cash for land” will be compensated in cash at the full replacement cost. These PAPs will be assisted in rehabilitating their livelihoods and making their own arrangements for relocation.
- Compensation for all residential, commercial, or other structures will be offered at the replacement cost, without any depreciation of the structure and without deduction for salvageable materials. Structures shall be evaluated individually. Any rates set by category of structure must use the highest value structure in that group (not the lowest).
- Households whose income generation activities, or livelihoods are affected as a result of water cut during dam/reservoir rehabilitation (temporary impact) will be compensated for at replacement costs principle.
- The PAPs will be provided with full assistance (including a transportation allowance) for transportation of personal belongings and assets, in addition to the compensation at replacement cost of their houses, lands and other properties.
- Compensation and rehabilitation assistance must be provided to each PAP at least 30 days prior to the taking of the assets 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.
- If, by the end of the project, livelihoods have been shown not to be restored to pre-project levels, additional measures will be provided.
- Additional efforts, such as economic rehabilitation assistance, training and other forms of assistance, should be provided to PAPs losing income sources, especially to vulnerable groups, in order to enhance their future prospects toward livelihood restoration and improvement.

#### **4.2. Compensation Policies**

All APs who are identified in the project-impacted areas on the cut-off date of the Project baseline survey (BLS) will be entitled to compensation for their affected assets, and rehabilitation measures sufficient to enhance, or at least restore their livelihoods in real terms

relative to pre-project levels; and to improve the standards of living of the affected poor and other vulnerable groups. The cut-off date is the date when the PPC issues the Notification of Land acquisition for the relevant project (Article 67.1 of Land Law 2013) before implementation of DMS. Those who encroach into the investment area or building their new assets (rehabilitation, construction of houses/structures, new tree planting) after the cut-off date will not be entitled to compensation or any other assistance.

Based on the feasibility study report, the baseline social survey (BLS), initial social impact assessment, impact of resettlement: the group of people affected, download the affected land and other impacts through IOL. Based on the objectives of the policy and policy harmonization land acquisition, resettlement is proposed for the project, the interests of the affected people are required by law. The specific benefits for each group of affected people are mentioned in the entitlement matrix below.

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**Table 13: Matrix of entitlements**

Type of Loss/ Impacts	Application	Entitlements	Implementation Arrangements
<b>1. Productive land<sup>1</sup></b> (Agricultural, garden, pond land, etc.) either in or out of the residential area.	<b><u>Legal land users</u></b>  <b>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.	Cash compensation at replacement cost (free from taxes and transaction costs) for the affected area of the land.	<ul style="list-style-type: none"> <li>- Affected households to be notified at least ninety 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> </ul>
	<b>1.2. Loss of no less than 20% or no less than 10% for vulnerable groups</b>	Land for land compensation should be as the preferred option. If land is not available, or at the PAP's choice, cash compensation can be provided for the lost area at 100% of land replacement cost. The PAP will be provided with the additional rehabilitation measures to restore the lost income sources.	<ul style="list-style-type: none"> <li>- Other assistance options which city could decide based on the locality conditions.</li> <li>- Affected households to be notified at least ninety days before land recovery by the Project.</li> <li>- The owner of land will hand over the</li> </ul>

<sup>1</sup>The sub-categories of productive land such as agricultural, forestry, garden, aquaculture and pond will be compensated at different rates. These will be specified and detailed in the Resettlement Action Plans to ensure the compensation is reflective of current rates and takes into account geographic variation. Land on which businesses are located will be compensated as detailed in the section on relocation of business.



Type of Loss/ Impacts	Application	Entitlements	Implementation Arrangements
			<p>land within 20 days from the date District Compensation Board/ has paid compensation and other allowances in full.</p> <p>- For poor, vulnerable and severely affected farmers, including landless, allocation of arable land equal to per capita arable land in commune, or if there no land available for allocation or, on the PAPs request through informed choice, training/ rehabilitation programs will be provided to at least restore, if not improve, their income and living standards.</p>
	<b>Land Users with temporary or leased rights to use land.</b>	Cash compensation at the amount corresponding to the remaining investment on the land.	
	<b>Land Users who do not have formal or customary rights to the affected land</b>	<p>PAPs will receive assistance corresponding to 80% of land replacement cost. Agricultural land used before July 1, 2004 will be compensated at 100% as per Article 77.2 of the land law. In addition to above, rehabilitation/training assistance will be provided.</p> <p>In case the PAP uses public land where there</p>	

Type of Loss/ Impacts	Application	Entitlements	Implementation Arrangements
		was previous agreement to return the land to the Government when so requested, they will not be compensated for the acquired public land but will be compensated for structures, crops, trees and other assets on the land at 100% of the replacement cost.	
	3.1.1.		For poor or vulnerable PAPs who have no other residential land in the same as their affected commune, the project will provide an apartment and the PAPs can either pay in installment to buy or rent it for living.
<b>3. Houses</b>	<b>3.1. 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.	<ul style="list-style-type: none"> <li>- If house/structure is partially affected and the remaining structure is viable for continued use, the project will provide a house/structure repair cost, in addition to the compensation for affected portion at replacement cost, to enable PAPs to restore it to former or better conditions.</li> <li>- Compensation for other structures/fixed assets will be at full replacement cost and will be in cash.</li> </ul>	The calculation of rates will be based on the actual affected area and not the useable area.
	<b>3.2. Full impact</b> (i.e., house is partially acquired by the	- Compensation in cash for entire affected structures will be provided at 100% of the full	The calculation of rates will be based on the actual affected area and not the

Type of Loss/ Impacts	Application	Entitlements	Implementation Arrangements
	project but no longer viable for continued use or the entire structure is acquired).	<p>replacement cost for materials and labor, regardless of whether or not they have title to the affected land or permit to build the affected structure. The amount will be sufficient to rebuild a structure the same as the former one at current market prices. No deductions will be made for depreciation or salvageable materials.</p> <p>- Compensation for other structures/fixed assets will be at full replacement cost and will be in cash. 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. made on the land by the PAPs will be compensated at their full replacement cost.</p> <p>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.</p>	useable area.
<b>4. Crops and Trees,</b>	Owners regardless of tenure	For annual and perennial standing crops or trees,	PAPs will be given notice several

Type of Loss/ Impacts	Application	Entitlements	Implementation Arrangements
aquaculture products	status	aquaculture products regardless of the legal status of the land, compensation in cash will be paid to the affected persons, who cultivate the land, at full replacement cost in local markets to ensure the compensation is sufficient to replace the lost standing crops, trees or aquaculture products.	months in advance regarding evacuation. Crops grown after issuance of the deadline will not be compensated.
<b>8. Loss of Income/ Livelihood due to loss of productive land</b>	<p>Impacts due to permanent loss of 20% or more of their total productive land or where &lt;20% land affected but the remaining land is rendered unviable.</p> <p>(Legal, legalizable land users and PAPs with lease agreement over the affected land)</p>	<p><b>- Allowance for Loss of Livelihood:</b> Affected person will be compensated with 30kg of rice/person/month, including:</p> <p>(a) : Affected households losing 20% to 70% of their agricultural land will be assisted for 6 months if the remaining land is viable for continued use, and for 12 months in case the remaining land is rendered unviable and entire land is acquired by the project. In some special cases, in extremely difficult areas, the assistance may be given up to a maximum of 24 months;</p> <p>(b) Affected households losing more than 70% of their agricultural land acquired will be assisted for 12 months if the remaining land is viable for continued use, and for 24 months in case the remaining land is rendered unviable and entire land is acquired by the project. In some</p>	

Type of Loss/ Impacts	Application	Entitlements	Implementation Arrangements
		<p>special cases, in extremely difficult areas, the assistance may extend to a maximum of 36 months; In addition, these PAPs will be targeted for livelihood restoration program;</p> <p>(c) households affected by loss of &lt;20% of land and the remaining land is rendered unviable for continued use, the PAPs will be provided assistance for 12 months;</p> <p><b><i>Assistance for agricultural, garden and pond land in the residential area adjacent to residential land, but not recognized as residential land:</i></b> Additional assistance (40% of the cost of compensation for the adjacent residential plot) for garden land and pond land; and (at 50% of the cost of compensation for the adjacent residential plot) for agricultural land.</p> <p>In case of land-for-land compensation, PAP will be assisted with seedlings, agricultural-forestry extension programs, husbandry etc.</p> <p><b><i>Vocational conversion assistance:</i></b> Every PAP affected by loss of productive land, irrespective of the degree of impact, will be provided with additional assistance equivalent to at most 5 times the agricultural land price established by</p>	

Type of Loss/ Impacts	Application	Entitlements	Implementation Arrangements
		<p>PPC.</p> <p><b>Support for vocational training and job creation:</b> At least one member of households affected by loss of productive land will be entitled to vocational training and assistance in getting employment in the province. The PAPs participating in such training programs will be exempted from payment of tuition fees course will be paid directly to the vocational training centers. After finishing training courses, they will be given priority to be recruited in local manufacturing industries.</p>	
<p><b>10. Allowances /Assistance Targeted to Vulnerable Households</b></p>	<p><b>Loss of land and non-land assets</b></p> <p><i>Affected vulnerable groups regardless of severity of impacts. The vulnerable groups were defined as in Terms of Terminology</i></p>	<p>Specific assistance to vulnerable groups would be as follows:</p> <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.</li> <li>- <b>Social Policy:</b> (i) 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 PPCs; (ii) Poor Relocated Households or Poor Households where 20% or more of their productive land is affected or</li> </ul>	<ul style="list-style-type: none"> <li>- Allowance for households as per Government regulation (social policy households, heroic mothers, wounded, dead soldiers). If the household eligible to more than one additional support allowance for the vulnerable people, only one package with the highest value will be applied</li> </ul>

Type of Loss/ Impacts	Application	Entitlements	Implementation Arrangements
		<p>where &lt;20% land is affected but the remaining land is rendered unviable and to be certified by local authority).</p> <ul style="list-style-type: none"> <li>- <b>Other vulnerable groups</b> affected by the Project, whether they have to relocate or not, (female headed households with dependents, households with disabled persons, elderly without any source of support, ethnic minority households) will get the same support given to poor households in accordance with the provincial policy.</li> <li>- These households are entitled to take part in Income Restoration Program</li> </ul>	
<b>11. Other Allowances/ Assistances</b>	<b>Loss of land and non-land assets</b>	<p><b>Incentive Bonus:</b> All PAPs who vacate the affected land immediately after receiving compensation and allowances will be given an incentive allowance in accordance with the provincial policy.</p> <p><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 equivalent of 20% of compensation for the affected part of the structure to enable</p>	

Type of Loss/ Impacts	Application	Entitlements	Implementation Arrangements
		<p>PAPs to restore it to former or better conditions.</p> <p>The relocating households with children who are going to schools will be supported with 1-year tuition as regulated by the Ministry of Education</p> <p>Based on the actual situation of the locality, the PPC Chairman issues other allowances to ensure accommodation and livelihood restoration for PAPs.</p>	
<b>13. Any other impacts that may be identified during implementation</b>	<b>Individuals, organizations in the project area</b>	<p>Entitlements to compensation and other assistance would be provided in accordance with the compensation policy.</p> <p>Secondary impacts on production and business or PAPs isolated from access to resources temporarily have to be compensated and supported in accordance with RAP.</p>	<p>In case of impacts on livelihoods of PAPs, the contractors, construction units have to agree with the households on payment for disruption of business.</p>



## **5. INFORMATION DISCLOSURE AND COMMUNITY CONSULTATION**

### **5.1. Information disclosure**

As per Bank's requirement, the A-RAP will be disclosed in Vietnamese at local level, particularly at the office of PPMU, DPCs, CPCs and at the Central Project Office in Hanoi before and after it is approved by the Government of Vietnam. The English version of this A-RAP will be also disclosed at the World Bank Info Shop in Washington D.C. prior to project appraisal.

### **5.2. Community consultation**

#### ***Consultation during A-RAP preparation***

During A-RAP preparation in October, 2015, all of 2 affected households participated in the consultation meeting on the contents of:

- (i) Information to local authorities and the PAPs of the sub-project in a democratic manner, completely and freedom.
- (ii) Notification about the A-RAP implementation to local authorities at district/city and commune/ward/town level.

Besides, they also provide their information, including:

- The impacts on the people's life in the sub-project area, the advantages and difficulties of resettlement, their idea of compensation and resettlement.
- The impacts on the people's life in the local area, infrastructure, the advantages and difficulties of resettlement.
- Comments on the compensation and proposed A-RAP

After the draft A-RAP is completed, the second public consultation will be implemented in affected area. The purpose of the consultation meeting on resettlement action plan is to provide information and consultation with the PAPs and other organizations and individuals concerned about: (i) the results of estimated losses projected in the unit cost of compensation and benefits, (ii) the procedures for paying compensation and resettlement activities.

- Collect adequate and exact comments of local affected persons, which can create opportunity for affected persons participate fully in resettlement plan preparation to ensure the democracy in development.

#### ***Consultation during A-RAP implementation***

Before starting the updated A-RAP in accordance with the detailed design, the PPMUs, District Resettlement Committees, DPCs, CPCs will hold public meetings in each affected commune to provide additional information for people affected and provide opportunities for them to participate in public discussions on policy and procedures for resettlement. Send an invitation to all those affected before the meeting at the same place. The purpose of this meeting is to clarify the information has to date of the meeting and provide opportunities for affected people to discuss concerns and clarify information. Along with written notice to the affected people, to use measures other information to information for people affected and the

general public, such as posters in the visible region at headquarters of Commune/District People's Committee, where affected people are living, alerts stations, local newspapers. Both men and women of the affected households as well as members of the community who are interested are encouraged to participate. During the meeting will explain the project, and the rights and entitlements of households, and the meeting will be an opportunity to raise questions relating. Similar meetings will be held periodically throughout the project cycle. The organization of opinion must be recorded in writing, certified by the commune People's Committee, Representative Committee of the Vietnam Fatherland Front and communal representatives who were acquired land.

### **5.3. Project leaflets**

Leaflets provide information about the project will be developed and provided to people affected by the project during the project preparation phase and implementation phase to ensure that people grasp and aware of the benefits of the project. Leaflets of project provides compensation policies, supporting details presented in the Resettlement Policy Framework aims to develop measures to mitigate the social impact, the sub-project land acquisition and clearance.

## **6. IMPLEMENTATION ARRANGEMENTS**

The implementation of resettlement activities requires the involvement of agencies and organizations at the national, provincial, district and commune level. Each provincial people's committee will take general responsible for the implementation of the general policy framework and specific resettlement plan of the sub-project of that province. Compensation, Assistance and Resettlement Committees shall be established at district/province level according to the provisions of Decree 47/2014/CP. The provisions and policies of the RPF and the A-RAP will form the legal basis for the implementation of compensation and resettlement activities in the MD-ICRSL Project.

### **6.1. At Central level**

The Ministry of Agriculture and Rural Development (MARD), on behalf of the Government, is the project owner, has overall responsibility for the whole project. The provincial governmental authorities of the project provinces are the Employers of the sub-projects, has responsibility for investment decisions under sub-projects managed by the Ministry and the provinces. A Project Steering Committee (PSC) will be established, including representatives of the MARD, relevant Ministries and sectors, the provincial governmental authorities of the project provinces, to be responsible for frequent monitoring and managing the Project during its implementation process.

The Central Project Office (CPO) in the MARD will take the overall responsibility to supervise and monitor the resettlement activities in order to assure the compliance with RPF.

- Cooperate with PPCs to conduct compensation and resettlement to assure compliance with RPF and suit with construction progress;

- Organize training and building capacity for project implementing agencies (PPMU and Resettlement Committee) on implementation procedure of RPF and A-RAP;
- Cooperate with PPMU to monitor internally compensation and resettlement of overall project;
- Select and coordinate the independent monitoring consultants for overall project;
- Report periodically on resettlement to MARD and WB.

## **6.2. At Provincial level**

PPCs take the overall responsibility for compensation, site clearance, and resettlement within the province. The PPCs are responsible for:

- Inform or authorize DPCs to announce about land acquisition when the sub-project location is selected;
- Issue decision on land acquisition to land-owners;
- Approve A-RAP of their respective sub-project;
- Approve overall plan on land acquisition;
- Instruct DPCs to implement compensation, resettlement, and site clearance;
- Provide adequate funds for compensation in a timely manner;
- In special cases, the provincial authority's approval is needed for compensation plans, the provincial authority establishes an appraisal council at provincial level to appraise the compensation plans submitted by the DCLFDs so that advice will be provided for the provincial authority to approve such plans in accordance with the Government's regulations on compensation, assistance and resettlement, and the WB's involuntary resettlement policy (OP4.12) applied to the project;

Subproject owner/ PPMU shall be responsible for managing compensation and site clearance of their respective subprojects, including:

- Update A-RAP;
- Submit A-RAP to the PPCs before making compensation payment;
- Co-operate closely with Departments, agencies, sectors, and the project DPCs in implementing resettlement and site clearance to ensure that the implementation of compensation and resettlement is in line with the construction schedules;
- Monitor internally implementation of compensation and resettlement of the sub-projects, preparing quarterly reports on implementation progress of compensation and resettlement of the sub-projects to CPO.

## **6.3. At District level**

District People's Committees (DPCs) are responsible for:

- Approving compensation plans prepared by DCLFDs and submitting the PPC for endorsement;
- Issuing decisions on land acquisition from individuals and households;
- Settling complaints and grievances of the APs within jurisdiction.

District Center for Land Fund and Development (DCLFD) shall take responsibility for implementation of compensation and site clearance for works located in their respective districts, including:

- Preparing compensation plans to submit to DPCs for approval;
- Implementing the approved plan on compensation and site clearance.

#### **6.4. Commune level**

Commune People's Committees (CPCs) are responsible for:

- Disseminating and mobilizing people to implement RPF;
- Planning land use and protecting public safety corridors;
- Providing cadastral maps for Resettlement Committees, determining the origin of land use and mobilizing their staffs to be members of DMS teams;
- Co-operating with DCLFDs in delivering information and organizing community consultation;
- Settling APs' queries relating to inventory of their assets;
- Facilitating and assisting APs in restoring their livelihoods, incomes, and stabilizing their lives.

#### **6.5. Implementation procedure**

The implementation procedure complies with Decree No. 47/2014/ND-CP dated 15/5/2014, Circular No. 14/2009/TT-BTNMT dated 01/10/2009 of MONRE.

With the above legal base and the organizational structure, coordination of stakeholders, the basic operation of the compensation and resettlement is conducted according to the following steps.

##### **Step 1: Location introduction and land acquisition notice**

The identification and land acquisition notice is based on the written evaluation letters of land use needs of the Department of Natural Resources and Environment submitted to Ben Tre PPC for approving and issuing land acquisition notices (including reasons of land acquisition, area and location of land recovery on the basis of the existing cadastral or detailed approved construction planning; to assign the district's people committees for land acquisition

notification to the public, to guide compensation, assistance and resettlement in the district level to perform inventory tasks, establish compensation plans). District's People Committees are responsible for directing the widespread policy of land confiscation, the regulations on land acquisition, compensation, resettlement assistance when recover of used land for national defense purposes, security, national interests, public interests and economic development.

Commune's People's Committee responsible to post up a public notice about land acquisition policies in the commune's People's Committee headquarters and in the points of living and residential areas where land is recovered, widely reported on radio system level (in places having radio system).

## **Step 2: Prepare cadastral files for land acquisition area**

Based on documents on land acquisition of the Provincial People's Committee, Department of Natural Resources and Environment shall direct the registration office for land use rights in same level to make the preparation of cadastral files.

Revision of the cadastral map to suit the current situation and make extracts of the cadastral map for places which have formal cadastral maps or conduct cadastral measurements for places with no formal cadastral maps;

Complete and make extract from cadastral (land register) to send to the DCLFD;

Make a list of parcels of land to be recovered with the following contents: number of maps, land parcel numbers, names, land use area of the parcel of land has the same purpose, the purpose of land use.

## **Step 3: Planning, evaluating and approving the general plan on compensation, assistance and resettlement**

The Investor guides the consultant unit to create overall compensation and resettlement assistance plans (hereinafter called the general plan) based on survey data, field surveys, existing document issued by the Natural Resources and Environment, which had been assessed and approved along with approved investment projects. Comprehensive plan shall contain the following:

- a. The basis for the plan creation;
- b. General data on the types of land area and grade land for agriculture, the number of maps, parcel number, estimated value of existing assets on the land;
- c. General data on the number of households, number of household members, number of employees in the area of land recovery, clearly stating the number of employees in switched careers, resettlement of households;
- d. Expected level of compensation, support and expected location, land area or areas of resettlement housing and resettlement, the resettlement mode;
- e. Plan measures to help jobs creation and training plan of job conversion;
- f. List of works and scope of the work of the State, organizations, religious institutions, residential communities expected to move to relocation sites;
- g. The number of graves to be removed and proposed sites for relocation;
- h. Cost estimate to implement the plan;
- i. Funding sources to implement the plan;
- j. Progress of implementation plans

#### **Step 4: Making the clearance landmarks.**

After projects are approved by competent authorities, the project owner base on the basic design to conduct the clearance boundary markers, handed over to the organization in charge of compensation management and implementation the next steps of site clearance work. In stage of formulation, approval of technical design (or design of construction drawings) if any adjustment on the scope of site clearance, project investors coordinate with organizations in charge of compensation promptly, accurately and immediately notify the local authority the content adjusted.

#### **Step 5: Prepare The Compensation, Assistance And Resettlement Plan.**

##### **1. Field inspection and enumeration.**

Based on the land acquisition policy and the site clearance landmarks of the project, the Organization in charge of compensation prepares the detailed enumeration report for each land acquisition case (called the compensation quantity enumerating report, for short). The report has to present specific contents, including names, places of permanent address registration, places of temporary address registration, current addresses of acquired land owners, the number of household members, the number of laborers and social policy beneficiaries (if any); the area and the location of the acquired land lot; the quantity of crop plants and domestic animals; the shape, the dimension, the quantity, the structure and basic features of assets currently on that land; emerging and underground works associated to the acquired land.

##### **2. Identification of the origin of each acquired land lot.**

The organization in charge of compensation co-operates with the Land Use Rights Registration Office and Ward People's Committees to identify the origin of each acquired land lot and the legal owner of the land lot based on documents related to the land use, cadastral documents, cadastral maps, inventory documents, cadastral books, statistics registration books, monitoring books of land use right certificates granting and tax registers of the acquired land.

##### **3. Preparation of the compensation and assistance plan.**

Pursuant to the compensation quantity enumerating report, the origin of each acquired land lot, unit prices and compensation policies as stipulated, the Organization in charge of compensation implements the preparation of the compensation and assistance plan with following contents:

- Name and address of the owner of the acquired land;
- Area, type, location and origin of the acquired land;
- Calculation bases for the money amount of compensation and assistance such as the compensated land price, the house price, the compensated works, the number of household members, the number of laborers in the working age, and the number of social benefits beneficiaries;
- Amount of compensation and assistance money;
- Resettlement arrangement;
- Relocation of governmental works, religious organizations and communities;
- Grave's displacement.

##### **4. Collection of comments on the compensation, assistance and resettlement plan:**

- The compensation, assistance and resettlement plan is openly posted at ward PC headquarters and at residential activities places where land is acquired so that the land users and relevant people can give comments;

- The posting must be made in written form confirmed by representatives of ward PCs, Ward Committees of Fatherland Front and acquired land owners;

- The period of posting and receiving comments lasts at least twenty (20) days as from the date of posting.

5. Finalization of the compensation, assistance and resettlement plan:

- At the end of the plan posting and comments receiving period, the Organization in charge of compensation and site clearance will be responsible for written synthesis of comments, including a clear statement of agreement, disagreement and other opinions towards the compensation, assistance and resettlement plan. This Organization is also responsible for finalizing the plan and sending the finalized plan and the collection of contributed comments to the Natural Resources and Environment agency for appraisal.

- In case there are a lot of disagreement opinions towards the compensation, assistance and resettlement plan, the Organization in charge of compensation and site clearance will need to clarify or review and adjust the plan before it is sent to the Natural Resources and Environment agency for appraisal.

**Step 6: Evaluation and approval of the compensation and supporting plan**

- Division of Natural Resources and Environment shall assume the prime responsibility and coordinate with related departments at district level for evaluation of compensation, assistance plan, in accordance with regulation; submission to DPC for approval of the compensation, supporting plan by regulations.

**Step 7: Decision on land acquisition and redress grievances against decision on land acquisition**

- Based on report of land acquisition, compensation, support and resettlement plan prepared and approved by competent agencies, the extracts or the cadastral measurements of land plots. District People's Committee make decisions of land acquisition for affected households, individuals and communities.

- During the implementation of land acquisition, if there is any question or complaint from citizens, the CPC will gather comments and complaints and send to the competent authorities' to consider.

While a decision of grievance redress is pending, decisions on land recovery must be continued. Where State agencies have jurisdiction over complaints concluded the land acquisition is contrary to law, must stop land acquisition, state agencies have issued decision to withdraw the land must make new decision on cancelling the decision issued on land acquisition and must compensate damages from recovery decisions (if any). Where State agencies have jurisdiction over complaints concludes the land acquisition is lawful, the person whose land is recovered to abide by the decision of land recovery.

**Step 8: Compensation, assistance and resettlement plan approval and disclosure.**

- District People's Committees approve the compensation, assistance and resettlement plan according to regulations.

- Within a period not exceeding three (03) days from the date of receipt of the approved compensation, assistance and resettlement plan, DCLFD coordinate with CPC

disseminate publicly approval of the compensation, assistance and resettlement plan in CPC headquarters and at communal activities places in residential areas where land is recovered; send the decision on compensation, assistance and resettlement to people whose land is recovered, which clearly states the level of compensation, assistance, on land allocation and resettlement (if any), time and place of payment of compensation, assistance time and hand over the land recovered to DCLFD.

#### **Step 9: Payment of compensation and resettlement assistance**

DCLFD will make payments after the approving decision of compensation, assistance and resettlement plan.

#### **Step 10: Hand over and enforcement of land acquisition**

- Within twenty (20) days from the date of organization in charge of compensation and site clearance complete payment for compensation and support for land acquisition under the approved plan, the person whose land is recovered, is responsible to hand over land to the organization in charge of compensation and site clearance.

#### **6.6. Updating A-RAP**

DMS is not done at the moment. When DMS is implemented, it will provide data to update A-RAP. In project implementation, A-RAP will be updated after detailed technical design submitted to the WB for review and clearance before awarding of civil work contract.

A-RAP will be disclosed after submission to the WB for review and determine whether it conforms to the requirements of OP 4.12. While the A-RAP is satisfactory to the WB requirement, this report will be approved by local authority, and will be disclosed publicly.

#### **6.7. Implementation plan**

The implementation schedule for resettlement activities for the sub-project is presented in the following table including (i) Community consultation activities, (ii) activities that have been completed for A-RAP preparation; and (iii) independent monitoring activities.

**Table 5. Implementation plan**

<b>Activity</b>	<b>Responsible party</b>	<b>Implementation plan</b>
<b>A-RAP preparation</b>		
Disclosure of social safeguards documents at Infoshop	WB	15 February 2016
Disclosure of A-RAP at office of PPMU, DPC and CPCs in Ben Tre province	Subproject Project Management Unit (PPMU)	15 February 2016
Disclosure of A-RAP of subproject at CPO	CPO	15 February 2016
Approval of safeguard policy documents of project and A-RAP of sub-project	WB and the GOV	Quarter 2/2016
Training on safeguard policy frameworks for the project officers and the DCLFDs .	CPO and resettlement consultants	Quarter 4/2016
Recruiting the independent monitoring	CPO	Quarter 4/2016



Activity	Responsible party	Implementation plan
agency		
A-RAP updating	CPO and resettlement consultants	Quarter 1/2017
<b>A-RAP implementation</b>		
Disseminating project information to AHs	DCLFD and CPCs	Quarter 1/2017
Inventorying affected assets and preparing compensation plans	DCLFD and CPCs	Quarter 2/2017
Paying compensation and clearing sites	Subproject owner, DCLFD, and CPCs	Quarter 2/2017
Monitoring resettlement internally every month and preparing quarterly reports	Subproject owner	Quarter 2/2017
Monitoring resettlement externally every six months and preparing monitoring reports	Independent monitoring agency	Quarter 2/2017

## 7. GRIEVANCE REDRESS MECHANISM

In order to ensure that all APs' 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 APs to air their grievances, a well-defined grievance redress mechanism needs to be established. APs 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. The mechanism of complaint and complaint and grievances resolution steps are as below:

### First Stage - At Commune People's Committee

An aggrieved APs may bring his/her complaint to the One Door Department of the Commune/Ward People's Committee, in writing or verbally. The member of CPC/WPC at the One Door Department will be responsible to notify the CPC/WPC leaders about the complaint for solving. The Chairman of the CPC/WPC will meet personally with the aggrieved APs and will have 30 days following the receiving date of the complaint to resolve it. The CPC/WPC secretariat is responsible for documenting and keeping file of all complaints handled by the CPC/WPC.

### Second Stage - At District People's Committee (DPC)

If after 30 days the aggrieved affected household does not hear from the CPC, or if the APs is not satisfied with the decision taken on his/her complaint, the APs may bring the case, either in writing or verbally, to any member of the DPC or the DCLFD of the district. The DPC in turn will have 30 days following the receiving date of the complaint to resolve the case. The DPC is responsible for documenting and keeping file of all complaints that it handles and will

inform the DCLFD of district of any decision made. Affected households can also bring their case to Court if they wish.

### **Third Stage - At Province People's Committee (PPC)**

If after 30 days the aggrieved PAP does not hear from the DPC, or if the PAP is not satisfied with the decision taken on his/her complaint, the PAP may bring the case, either in writing or verbally, to any member of the PPC or lodge an administrative case to the District People's Court for solution. The PPC has 45 days within which to resolve the complaint to the satisfaction of all concerned. The PPC secretariat is also responsible for documenting and keeping file of all complaints that it handles. Affected households can also bring their case to Court if they want.

### **Final Stage - At Court**

If after 45 days following the lodging of the complaint with the PPC, the aggrieved PAP does not hear from the PPC, or if he/she is not satisfied with the decision taken on his/her complaint, the case may be brought to a court of law for adjudication. Decision by the court will be the final decision.

Decision on solving the complaints must be sent to the aggrieved APs and concerned parties and must be posted at the office of the People's Committee where the complaint is solved. After three days, the decision/result on solution is available at commune/ward level and after seven days at district or city level.

In order to minimize complaints to the provincial level, PMU will cooperate with the District Resettlement Committee to participate in and consult on settling complaints;

Personnel: The Environmental and Resettlement staff assigned by PPMU will formulate and maintain a database of the APs' grievances related to the Project including information such as nature of the grievances, sources and dates of receipt of grievances, names and addresses of the aggrieved PAPs, actions to be taken and current status.

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

The independent 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. During monitoring the grievance redress procedures and reviewing the decisions, the independent monitoring agency should closely cooperate with the Vietnam Fatherland Front as well as its members responsible for supervising law enforcement related to appeals in the area;

The grievance resolution process for the Project, including the names and contact details of Grievance Focal Points and the Grievance Facilitation Unit (GFU), will be disseminated through information brochures and posted in the offices of the People's Committees at the communes and districts and PMU.

At the same time, an escrow account for resettlement payments should be used when grievance is resolving to avoid excessive delay of the project while ensuring compensation payment after the grievance has been resolved.

To ensure that the grievance mechanism described above are practical and acceptable by APs, it were consulted with local authorities and communities taking into account of specific cultural attributes as well as traditional-cultural mechanisms for raising and resolving complaints and conflicting issues. The ethnic minority objects and efforts were also identified and determined culturally acceptable ways to find the solution.

## **8. MONITORING AND EVALUATION**

Implementation of RPs will be periodically supervised and monitored by the respective PMUs in a close coordination with the respective Peoples' Committees at different administrative units and independent monitoring agencies. The findings will be recorded in quarterly reports to be furnished to CPO, and World Bank.

Internal monitoring and supervision will:

- (a) Verify that the baseline information of all APs has been carried out and that the valuation of assets lost or damaged, and the provision of compensation, resettlement and other rehabilitation entitlements has been carried out in accordance with the provisions of this Policy Framework and the respective RP.
- (b) Oversee that the RPs are implemented as designed and approved.
- (c) Verify that funds for implementing the RPs are provided to the respective PMBs in a timely manner and in amounts sufficient for their purposes, and that such funds are used by the respective PMB's in accordance with the provisions of the RP and policy framework.
- (d) Record all grievances and their resolution and ensure that complaints are dealt with in a timely manner.

Independent Monitoring: An independent agency or agencies or individual consultant will be retained by PMUs to periodically carry out external monitoring and evaluation of the implementation of RPs. The independent agencies would be an academic or research institutions, non-Governmental Organizations (NGO) or independent consulting firms, all with qualified and experienced staff and terms of reference acceptable to the World Bank. Depending on the magnitude of project impact, borrower with consultation from Task's Team of the World Bank will decide the extent of using independent monitoring consultant. In addition to verifying the information furnished in the internal supervision and monitoring reports of the respective PMBs, the external monitoring agency will collect information from affected households.

A Resettlement Plan cannot be considered complete until a completion audit or survey confirms that all entitlements have been received by beneficiaries and livelihood restoration is progressing on schedule. If possible, the (internal/external) monitoring activities of RPs could be considered to be combined with similar action under Ethnic Minority Development Plan of the same subproject.

## 9. BUDGET AND COST ESTIMATE

All land acquisition, compensation and resettlement costs of the subproject are taken from the counterpart fund of the Ben Tre provinces and loan (if any).

The table below summaries costs for implementation of A-RAP of the sub-project including compensation for land acquisition, affected houses, structures and trees. These costs are estimated basing on the policies of Ben Tre province in the following legal documents.

- Decision No. 35/2014/QĐ – UBND dated December 19, 2014 of Ben Tre province on issuing price of lands in Ben Tre province from 2015 to 2019.
- Decision No. 19/2014/QĐ-UBND dated July 16, 2014 of Ben Tre on issuing unit price of house, structure in Ben Tre province.
- Decision No. 31/2015/QĐ-UBND dated November 9, 2015 of Ben Tre province on issuing unit price of trees.
- Decision No. 40/2014/QĐ -UBND dated December 31, 2014 of Ben Tre on compensation, support and resettlement when land acquisition, land allocation, land for lease by the State locating in Ben Tre province.

The costs estimates are based on PPC rates as in the decision mentioned above. The total estimate cost of compensation and assistance is 742,342,656 VND.

It is equivalent to 33,066 USD (with the exchange rate 1 USD = 22,450 VND).

**Table 9. Cost of land compensation**

No	Item	Unit	Quantity	Unit price (VND)	Amount (VND)	Note
1	Permanent land acquisition	m2	680	110,000	74,800,000	Decision No. 35/2014/QĐ – UBND
<b>Total</b>					<b>74,800,000</b>	

**Table 60. Cost of structure compensation**

No.	Item	Unit	Quantity	Unit price (VND)	Amount (VND)	Note
1	House grade 4, brick wall, concrete roof	m2	15	960,000	14,400,000	Decision No. 19/2014/QĐ-

						UBND
2	Cook house	m2	30	960,000	28,800,000	
3	Cage	m2	60	400,000	24,000,000	
4	Brick fence	m2	50	350,000	17,500,000	
5	Toilet house	m2	4	1,600,000	6,400,000	
6	Storage house	m2	400	570,000	228,000,000	
<b>Total</b>					<b>319,100,000</b>	

**Table 71. Cost of tree compensation**

No.	Item	Unit	Quantity	Unit price (VND)	Amount (VND)	Note
1	Mango	Tree	2	600,000	1,200,000	Decision No. 31/2015/QD-UBND
2	Waterapple	Tree	1	300,000	300,000	
3	Coconut	Tree	14	1,500,000	21,000,000	
4	Papaya	Tree	2	120,000	240,000	
<b>Total</b>					<b>22,740,000</b>	

**Table 82. Cost of assistance**

No	Item	Unit	Quantity	Unit price (VND)	Amount (VND)	Basis for compensation
	Livelihood assistance		2	4,000,000	8,000,000	Decision No. 40/2014/QD - UBND
	Vocational conversion assistance		680	330,000	158,400,000,000	
	Incentive bonus		2	5,000,000	10,000,000	
<b>Total</b>					<b>242,400,000</b>	

**Table 13. Cost estimate of compensation and assistance**

No.	Items	Amount (VND)	Note
<b>A</b>	<b>Compensation</b>	<b>659,040,000</b>	
	Land compensation	74,800,000	In table 9
	Structure compensation	319,100,000	In table 10
	Plant compensation	22,740,000	In table 11
	Assistance	242,400,000	In table 12

<b>B</b>	<b>Other expenses</b>	<b>15,816,960</b>	
	Management costs	13,180,800	=2% of A
	Capacity building	2,636,160	=0.4% of A
<b>C</b>	<b>Sub-total</b>	<b>674,856,960</b>	=A+B
<b>D</b>	<b>Contingency</b>	<b>67,485,696</b>	=10% of C
<b>Total</b>		<b>742,342,656</b>	

The cost is calculated at the present time and may vary according to the resettlement plan update. The cost of replacement cost and support of provincial policy may change, so the compensation cost will be updated as the A-RAP is updated. A replacement cost survey will be conducted during RAP updating following DMS.

# **ANNEX 1. QUESTIONNAIRE FOR SOCIO-ECONOMIC SURVEY AND INVENTORY OF LOSSES**

**MINISTRY OF AGRICULTURE AND RURAL DEVELOPMENT**

**CENTRAL PROJECT OFFICE**

## **QUESTIONNAIRE FOR SOCIO-ECONOMIC SURVEY AND INVENTORY OF LOSSES**

Date of survey : \_\_\_\_ / \_\_\_\_ / 2015

### **I. SOCIO-ECONOMIC SURVEY**

**1. Name of household head:** .....

**2. Address:**

.....Commune:.....District.....Province.....

Village:

**Venerable group:** [   ]

(Female headed HH=1; Ethnic minority =2; Disable =3; Poor HH=4; Social policy household =5; single elderly HH=6)

# A. General household information

A1. **Household Composition** (living together OR contribution/ participating in the primary income/expenses of household)

No	1.1 Name	1.2 Relationship with household head 0=household head 1=Husband/wife 2=Father/mother 3=Son/daughter 4=Son/daughter In- law 5=Grandchild 6=Nephew/niece 7.Other relationship	1.3 Sex  1=Male 2=Female	1.4 Year of birth	1.5 Nation al group	1.6 Education level (Class)	(Question for people was born from 1990 to 2008) Education situation 1.7  1=going to school>>2.1  2=Leave school >>1.10			1.8 Year of leaving school	1.9 Reasons of leaving school (Choose maximize 2 options) Looking at the table	1.10 Health Insurance  1 = Yes 2 = No	1.11 <b>Primary occupation</b> 1.Farming 2.Raising livestock 3.Selling goods 4.Worker 5.Government employee 6.Private employee 7.Driver 8.Housewife 9.Retirement 10.Student 11.Hired 12.Others
1													
2													
3													

Investigator: 1a. The number of generation : ..... 1b. The number of member : .....

Code for column 1.9: 1= economical difficult , 2=Leaving school to working, 3= Far from house to school/difficult travelling , 4 =unwanted studying, 5= academic failure , 6 = Do not study in high level for male , 7= Do not study in high level for female, 8= Others (detail).....



## B. Assets

### 1. House type classification

1. Permanent housing (more than 1 floor/ brick wall, reinforced concrete roof)
2. Semi-permanent (Brick wall, brick/ metal roof ...)
3. Wood housing, leaf roof (Pole, wood/leaf roof ...)
4. Temporary housing (Bamboo houses, cottages, temporary wooden shield ...)
5. No house
6. Others (apartment buildings) :.....

### 2. Does household have residential land use right certificate ?

1. Yes
2. No

### 3. Water use: Which source of water for daily use household use? (choose one option)

	Water for drinking	Water for washing
– Safe water with water meter connected	<input type="checkbox"/>	<input type="checkbox"/>
– Public water tank	<input type="checkbox"/>	<input type="checkbox"/>
– Dug well	<input type="checkbox"/>	<input type="checkbox"/>
– River, spring, pond water	<input type="checkbox"/>	<input type="checkbox"/>
– Rain water	<input type="checkbox"/>	<input type="checkbox"/>
– Buying from other	<input type="checkbox"/>	<input type="checkbox"/>
– Other	<input type="checkbox"/>	<input type="checkbox"/>

### 4. Sanitation condition? (choose one option)

- |                                      |                                  |
|--------------------------------------|----------------------------------|
| 1. No WC                             | 4. Hole                          |
| 2. Septic toilet/ Semi-septic toilet | 5. WC in the pond, river, spring |
| 3. WC with disintegrative basin      | 6. Other:.....                   |

### 5. Main sources for lighting? (Choose one option)

	For living	For production
– Oil lamp	<input type="checkbox"/>	<input type="checkbox"/>
– Gas, oil	<input type="checkbox"/>	<input type="checkbox"/>
– Electricity	<input type="checkbox"/>	<input type="checkbox"/>
– Generator/hydroelectricity	<input type="checkbox"/>	<input type="checkbox"/>
– Other.....	<input type="checkbox"/>	<input type="checkbox"/>

### 6. Household amenities and consume

Name	Yes	No	Name	Yes	No
1. Television			8. Car (except farm vehicles)		
2. Internet			9. Refrigerator		
3. Boat			10. Air condition		
4. Motorbike/ electric bicycle			11. Computer, laptop		
5. Phone			12. Washing machine		
6. Mobile phone			13. Water heater		
7. Gas stove			14. Other,..		

## C- INCOME AND EXPENSES

### 1. Main income source last 12months

No.	Income source	Total income (VND)
1	From agricultural activity (farm, raising livestock, aquaculture, reforestation)	
2	From business running	
3	Handicraft	
4	Salary	
5	Money saving	
6	Money supporting for social policy household	
	<b>Total</b>	

### 2. Household expenditure in last year

No.	Categories	Expenses (VND)
1	Daily activities (meal, drinking, electricity, water)	
2	Built, renovate house	
3	Education	
4	Health care	
5	Money for wedding, funeral	
6	Cost for production activities	
7	Other: _____	
	<b>Total (VND)</b>	

### 3. Generally, evaluation the standard of living of HH compare with the others:

1. Good
2. Medium
3. Straitened
4. Poor
5. No identify

### 4. Have living conditions of HH been changed in last 3 years?

1. Unchanged
2. Better
3. Worse

## D-ACCESS TO SOCIAL SERVICES

### 5. Evaluation social services compare with in last 3 years?

No.	Problems	Better	Unchanged	Worse
-----	----------	--------	-----------	-------

No.	Problems	Better	Unchanged	Worse
1	Health care services			
2	Education			
3	Water supply			
4	Irrigation			
5	Infrastructure(bridge, drainage, road)			
6	Disease in agriculture production			
7	Disaster (flood, drought,...)			
8	Agricultural Extension Services			

**1. Other activities in the last month,**

No.	Activities	Often	Sometime	Rarely	Never
1	Reading magazine, book				
2	Watching television				
3	Listening radio				
4	Travelling				
5	Going to pagoda/church				
6	Joining in festival				
7	Other .....				

Note: Everyday watching TV, listening radio, reading magazine, book are considered often; other activities happen every month to be considered often. From this, giving conclusion for other cases)

**E- HEALTH**

**1. Have had problem related to health during last 12 months in your family?**

1. Yes
2. No → Moving to question D10

**2. If any, which disease?**

1. Flu
2. Respiratory illness
3. Malaria
4. Cholera/ Dysentery
5. Hepatitis
6. Poison
7. Accident
8. Other: .....

**3. Where to cure? (choose many options)**

- |                      |   |
|----------------------|---|
| 1. Commune station   | 2. Pharmacy                                       |
| 3. Surgery           | 4. Oriental Medicine                              |
| 5. District hospital | 6. Herbal/traditional treatment by local medicine |
| 7. Province Hospital | 8. Other: .....                                   |
| 9. National Hospital | 10. No response                                   |
| 11. Health clinic    |   |

**4. Currently, which factors effect on people's health?**

1. Unsafe foods and vegetables
2. Polluted domestic water
3. Salt intrusion
4. Scarc domestic water
5. Polluted environment/noise
6. Epidemics
- Other:

## F-PRODUCTION ACTIVITIES

### 1. Land use status of household

Land category/use	Area in project site (m <sup>2</sup> )	Land use Right certificate 1. Yes 2. Not yet	Other places (renting land)(m <sup>2</sup> )	Land use Right certificate 1. Yes 2. Not yet
Residential land				
Garden land				
Paddy-field				
Aquaculture land				
Forestry land				
Industry land (salt, ...)				

### 2. Do you have plans for economic activities in next 1 or 2 years?( can choose many options)

1. Maintaining the production activities
2. Widen the production and business model
3. Narrow down the production and business model
4. Stopping the production and business models
5. Converting the production and business models
6. No idea

#### 2.b. If having some changes, giving reasons

.....

.....

.....

### 3. Do you have plans now of how you will replace the income/food production from the agriculture land and/or business that will be recovered? (choose one OR many options)

1. Continuing the old job
2. Restart business in a new location
3. Find a job
4. No yet decided
5. Other (please, describe):.....

### 4. Obtained loan?

1. Yes with .....VND
2. No =>moving question 10

### 5. If productive land is recovered by irrigation project, do you change in obtained loans?

1. Yes
2. No

### 6. If any, How to change?

1. Increase
2. Unchanged
3. Reduce
4. No answer

### 7. Which organizations did you lend money?

### 8. Form of loans

1. Mortgage

2. Unsecured loan

3. Both of them

**9. Purpose of loans ( describe)**

- |                              |   |
|------------------------------|---|
| 1. Agriculture production    | 8. Investing in small business/services |
| 2. Raising livestock         | 9. Health care                          |
| 3. Aquaculture               | 10. Education                           |
| 4. Reforestation             | 11. Buying productive land              |
| 5. Handicraft                | 12. Buying residential land             |
| 6. Buying permanent facility | 13. Construction                        |
| 7. Daily expenses            | 14. Other (describe):.....              |

**10. Why have you not lent money for 12 months? (choose 1 option)**

1. No demand
2. Need capital, but not known loan source
3. Need capital, not loan source
4. Have demand, but not enough condition (describe) .....
5. Other reason(describe).....

**11. Who can support (financial/spirit)? (choose 3 options)**

Financial	Spirit
1. Parents	1. Parents
2. Sibling	2. Sibling
3. Daughters and sons	3. Daughters and sons
4. Relative	4. Relative
5. Neighbors	5. Neighbors
6. Friends	6. Friends
7. Unions	7. Unions
8. No one	8. No one
9. Other (describe): .....	9. Other (describe): .....

**12. How do you intend to use the money that you will receive for the compensation of your land?(choose many option)**

1. Buy new land for agriculture production	8. Save in the bank
2. Buy new residential land	9. Repayment
3. Built house	10. Daily expenses
4. Renovate house	11. Buy other type of asset
5. Invest in small business, services, non agriculture	12. Health care
6. Invest in agriculture, reforestation, aquaculture	13. Spend on children's education
7. Join in vocational training (non agriculture)	14. Distribution for their children and relative
	15. Other (describe)...

**G-PROBLEMS RELATED TO PROJECT**

**1. Salt intrusion into water for agriculture.**

1. Yes, throughout the year
2. Yes, depend on season
3. No salt intrusion → move to G3

**2. Affected of salt water on:**

	Positive	Negative	Not effect	No idea
1. Change the production season				
2. Effect on agriculture production				
3. Effect on living condition				
4. Effect on people's health				
5. Irrigation fee				

6. Other (describe.....)				
--------------------------	--	--	--	--

**3. From 2010, Which hazard did you face ?**

	Yes	No
– Natural disaster	1 <input type="checkbox"/>	2 <input type="checkbox"/>
– Epidemic	1 <input type="checkbox"/>	2 <input type="checkbox"/>
– Salt intrusion	1 <input type="checkbox"/>	2 <input type="checkbox"/>
– Polluted environment	1 <input type="checkbox"/>	2 <input type="checkbox"/>
– Loss land	1 <input type="checkbox"/>	2 <input type="checkbox"/>
– Unemployment	1 <input type="checkbox"/>	2 <input type="checkbox"/>
– Other: .....	1 <input type="checkbox"/>	2 <input type="checkbox"/>

**4. G3. Have you known about climate change, sea level rise?**

1. Yes
2. No
3. No idea → *Move to G7*

**5. Which source have you known about climate change, sea level rise ?**

1. Internet
2. Village loudspeaker
3. Community activities
4. Neighbor
5. Television
6. Banner
7. Wife/Husband
8. Friend
9. Magazine
10. Leaflets
11. Relative
- Other source

**6. Do you know that irrigation project will implement?**

1. Yes (*Describe* :.....)
2. No *Move question 8*

**7. If any, which source? (Can choose many option and circling)**

1. Disseminated village meetings
2. Disseminated commune meetings
3. Watch TV/Listen radio/Read magazine
4. Village loudspeaker`
5. Officer and union
6. Wife/Husband
7. Relative
8. Friend/neighbor
9. Other (describe):.....

**8. Which positive effects have irrigation work brought?**

	Yes	No
– Prevent salt intrusion,	<input type="checkbox"/>	<input type="checkbox"/>
– Active water for irrigation	<input type="checkbox"/>	<input type="checkbox"/>
– Restoration the ecological environment	<input type="checkbox"/>	<input type="checkbox"/>

- Complete the transport infrastructure in rural area ☐ ☐ ☐
- Convenience for travelling and goods traffic ☐ ☐ ☐

**9. Which negative effects, have irrigation brought ?**

- |   | <b>Yes</b>               | <b>No</b>                |
|---|--------------------------|--------------------------|
| – Difficulty for agriculture production | <input type="checkbox"/> | <input type="checkbox"/> |
| – Local polluted environment            | <input type="checkbox"/> | <input type="checkbox"/> |
| – Ecological environment change         | <input type="checkbox"/> | <input type="checkbox"/> |
| – Impeding flood drainage               | <input type="checkbox"/> | <input type="checkbox"/> |
| – Impeding boat travelling              | <input type="checkbox"/> | <input type="checkbox"/> |

***Thanks for your cooperation!***

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## II. INVENTORY OF LOSSES

### 1. Name of householder:

.....

### 2. Address:

Village: .....Commune:.....

District.....Province:.....

### 1. Land use status of Household (affected land is in the area required for the construction area only)

Land category/use		Level of impact on each plot		Using status	Land legal status	Type of effect
1= Residential land 2= Paddy-field 3= Garden land 4= Aquaculture land 5= Forestry land 6= Commercial land 7= other types of land	Area in and out of the project site) (m <sup>2</sup> )	Affected area (m2)	Partially (1)  Fully (2)	1=Owner of land 2=Rented land	1=With land use Right certificate (LURC) 2=Without LURC but eligible to LURC 3= Not eligible to LURC 4= Conflict with master plan of Government 5. Lease / Long Term (owned by Gov) 6. Lease (renting from private individual)	1= Permanent 2= Temporary
	In	Out				
Plot1						
Plot2						
Plot3						
Plot4						
Plot5						
Total						



## 2. Houses

House type classification		Legal status	Level of impact on the building		Note
1. Villa 2. Class 1 3. Class 2 4. Class 3 5. Class 4 6. Temporary house 7. Independent shop	Floor Area (m <sup>2</sup> )	1. Have ownership Certificate 2. Have no legal ownership Certificate 3. Built on agricultural land 4. Rent from the house owner	Floor area to be affected (m2)	(Partially affected =1; Fully affected =2)	(pls take note if the HH run business at home, excepting item 7)

**Note:** The number of affected houses could be more than one, record for all affected houses with the above required information

## 3. Information about the house out of the project affected sites (if any)

- Number of house(s):[ ]

- Area of house(s) outside of the project area(m<sup>2</sup>): ..... m<sup>2</sup>

## 4. Other structures on the affected land and living facilities

(Other structures outside the houses listed above, living facilities are out and in house)

Structure	Kind of construction work(Under line the kind of work respectively)	Unit	Quantity	Note
1. Kitchen	1. Temporary house 2. Category 4	m <sup>2</sup>		
2. Breeding facilities	1. Temporary house 2. Category 4	m <sup>2</sup>		
3. Electric meter				

4. Water meter and estimate about the length of connection pipe				
5. Telephone				
6. Fence	1. Brick 2. Barbed wire or wood	M		
7. Gate	1. Metal sheet 2. Iron grill 2.	m <sup>2</sup>		
8. Toilet room./Bathroom(separate from house)	1. Brick, concrete 2. Bamboos, leaves	m <sup>2</sup>		
9. Soil grave a) In Cemetery b) Stand alone		Grave		
10. Grave (by brick, cement)		Grave		
11. Well	1. Drilled 2. Dug	M		
12. Water tank	1. Brick/ Concrete 2. Inox 3. Plastic	m <sup>3</sup>		
13. Yard (list only the yard built of cement and brick)		m <sup>2</sup>		
14. Fish pond		m <sup>3</sup>		
15. Others (Specify clearly the name of assets and affected rate for compensation calculation)				

#### 5. Affected trees, crops

(Only inventory number of affected trees, crops)

Tree or farm production group	Year	Unit	Quantity	Note
<b>a)Fruit trees (main trees)</b>		<b>Tree</b>		
1)				
2)				
3)				
4)				
5)				
<b>b) Timber trees (main trees)</b>		<b>Tree</b>		
1)				
2)				

Tree or farm production group	Year	Unit	Quantity	Note
3)				
4)				
5)				
<b>c) Pot plants (main trees)</b>		<b>Tree</b>		
1)				
2)				
3)				
4)				
5)				
<b>d) Annual crops (main trees)</b>		<b>m<sup>2</sup></b>		
1) Maize				
2) Potato				
3) Peanut				
4) Bean				
5) Rice				
<b>e) Aquaculture</b>		<b>m<sup>2</sup></b>		

### C. QUESTIONS FOR CONSULTATION

**6. Which type of affected?**

- a. affected on agricultural and productive land *Move Q7*
- b. affected on residential land *Move Q8*
- c. Both of them *Move Q7*

**7. If your agricultural or other productive land is affected, what are your preferences for compensation?**

- a) Replacement land (if available in the commune) of same category and equal area and/or productivity
- b) Cash compensation
- c) Not yet decided

**8. Do you have sufficient remaining residential outside of the project affected site to rebuild your affected house/structures?**

- i. Yes
- b) No

**9. If resettlement, what are your preferences for relocation?**

- a) I want to relocate myself to other land that I own
- b) I want to relocate myself to new land that I choose
- c) I want to relocate to a group resettlement site to be provided by the project if offered
- d) I want to relocate to an individual resettlement site allocated by the commune
- e) Not yet decided

**10. How do you intend to use the money that you will receive for the compensation of your land?**

- a) Build or renovate house
- b) Buy new land
- c) Buy other type of asset(Describe asset\_\_\_\_\_)
- e) Save in the Bank
- f) Spend on children's education
- g) Other (Describe\_\_\_\_\_)

d) Invest in small business

**11. How to affected of land acquisition on household's economic ?**

- a) Loss of agriculture land
- b) Stop trade/business/services
- c) Both of them

**12. Do you have plans now of how you will replace the income/food production from the agriculture land and/or business that will be recovered?**

- a) Buy new land for agriculture production
- b) Restart business in a new location
- c) Trade
- d) Small store
- e) Craft-making
- f) Find a job
- g) Other Describe \_\_\_\_\_

**13. Which proposes to local government related to the affected of the project on the family?**

- a) Be informed and consulted about the project, the effects and benefits of stakeholders
- b) Provide vocational training, introduce job due reduce productive land
- c) Training, technical improvements, agricultural extension, fishery extension
- d) Supported loans
- e) Other: .....

**14. Is it necessary to construct work in local ?**

.....  
.....

**15. Level of favor of work construction in local**

.....  
.....  
.....

**16. Problems should be noted to ensure safe, increase effective investment during construction time?**

.....  
.....  
.....  
.....  
.....

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