

THE MINISTRY OF AGRICULTURE AND RURAL DEVELOPMENT
AGRICULTURE PROJECTS' MANAGEMENT BOARD
LIVESTOCK COMPETITIVENESS AND FOOD SAFETY PROJECT
(LIFSAP)



**UPDATED RESETTLEMENT POLICY
FRAMEWORK**

Hanoi, 8/2014

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Abbreviations

AH/AP	Affected household/ Affected person/people
CEM	Committee of Ethnic Minority
CPC	Commune people's committee
CWU	Commune Women Union
DARD	Deapartment of Agriculture and Rural Development
DOLISA	Deapartment of Labor Invalid Social affair
DONRE	Deapartment of Natural Resources Environement
DMS	Detailed measuring survey
DPC	District people's committee
DRC	District resettlement and compensation board
EA	Executive Agency
EMA	External Monitoring Agency
EMDP	Ethnic Minority Development Plan
GOV	Government of Vietnames
HH	Household
IOL	Inventory of losses
IRP	Income Restoration Program
LAR	Land acquisition and resettlement
LURC	Land use right certificate
MARD	Ministry of Agriculture and Rural Development
MOF	Ministry of Finance
MOLISA	Ministry of Labour, Invalids and Social Affairs
MONRE	Ministry of Natural Resources Environement
NGO	Non-governmental organisation
PCU	Project Coordination Unit
PPC	Provincial People Committee
PPMU	Provincial Project Management Unit
PSRC	Provincial Steering Committee for Resettlement
RP	Resettlement Plan
RPF	Resettlement Policy Framwork
SAH	Severe affected household
OP 4.12	Operational Policy 4.12 by the World Bank
PPC	Provincial People's Committee
RAP	Resettlement action plan
TOR	Terms of Reference
USD	United State dollar
VND	Vietnamese dong
WB	World Bank

GLOSSARY

- Affected person (AP) / Displaced Persons (DP) - Means any person or persons, household, firm, private or public institution that, on account of changes resulting from the Sub-Project, will have its (i) standard of living adversely affected; (ii) right, title or interest in any house, land (including residential, commercial, agricultural, forest, salt mining and/or grazing land), water resources or any other moveable or fixed assets acquired, possessed, restricted or otherwise adversely affected, in full or in part, permanently or temporarily; and/or (iii) business, occupation, place of work or residence or habitat adversely affected, with or without displacement. In the case of a household, the term AP includes all members residing under one roof and operating as a single economic unit, who are adversely affected by a Sub-Project or any of its components (Gradually AP are replaced by Displaced Persons (DP) as per WB documents)
- Detailed Measurement Survey (DMS) - With the aid of the approved detailed engineering design, this activity involves the finalisation and/or validation of the results of the inventory of losses (IOL), severity of impacts, and list of APs earlier done during RP preparation. The final cost of resettlement can be determined following completion of the DMS.
- Compensation - Means payment in cash or in kind to replace losses of lands, housing, income and other assets caused by the Sub-Project. All compensation is based on the principle of replacement cost, which is the method of valuing assets to replace the loss at current market rates, plus any transaction costs such as administrative charges, taxes, registration and titling costs.
- Cut-off date - Means the date of completing DMS for which land and/or assets affected by the Sub-Project are measured. The APs will be informed of the cut-off date for each Sub-Project component, and any people who settle in the Sub-Project area after the cut-off date will not be entitled to compensation and assistance under the Sub-Project.
- Entitlements - Refers to a range of measures comprising compensation, income restoration support, transfer assistance, income substitution, relocation support, etc. which are due to the APs, depending on the type and severity of their losses, to restore their economic and social base.
- Eligibility - Means any person who has settled in the Sub-Project area before the cut-off date that suffers from (i) loss of shelter, (ii) loss of assets or ability to access such assets, permanently or temporarily, or (iii) loss of income sources or livelihood, regardless of relocation will be entitled to compensation and/or assistance.

Income restoration	- This is the re-establishment of sources of income and livelihood of the affected households.
Income restoration programme	- A programme designed with various activities that aim to support affected persons to recover their income / livelihood to pre-Sub-Project levels. The programme is designed to address the specific needs of the affected persons based on the SE survey and consultations.
Inventory of Losses (IOL)	- This is the process where all fixed assets (i.e., lands used for residence, commerce, agriculture, including ponds; dwelling units; stalls and shops; secondary structures, such as fences, tombs, wells; trees etc. with commercial value and sources of income and livelihood inside the Project area are identified, measured, their owners identified, their exact location pinpointed, and their replacement costs calculated. Additionally, the severity of impact to the affected assets and the severity of impact to the livelihood and productive capacity of APs will be determined.
Land acquisition	- Refers to the process whereby an individual, household, firm or private institution is compelled by a public agency to alienate all or part of the land it owns or possesses to the ownership and possession of that agency for public purposes in return for compensation at replacement costs.
Rehabilitation	- This refers to additional support provided to APs losing productive assets, incomes, employment or sources of living, to supplement payment of compensation for acquired assets, in order to achieve, at a minimum, full restoration of living standards and quality of life.
Relocation	- This is the physical relocation of an AP from her/his pre-Sub-Project place of residence and/or business.
Replacement cost	- Means the method of valuing assets at current market value, or its nearest equivalent, plus any transaction costs such as administrative charges, taxes, registration and titling costs.
Replacement Cost Study	- This refers to the process involved in determining replacement costs of affected assets based on empirical data.
Resettlement	- This includes all measures taken to mitigate all adverse impacts of a Sub-Project on AP property and/or livelihoods, including compensation, relocation (where relevant), and rehabilitation as needed.
Resettlement Plan (RP)	- This is a time-bound action plan with budget setting out compensation and resettlement strategies, objectives, entitlement, actions, responsibilities, monitoring and evaluation.
Severely Affected Household (SAH)	- This refers to affected households who will (i) lose 10% or more of their total productive land and/or assets, (ii) have to relocate; and/or (iii) lose 10% or more of their total income sources due to the Sub-Project.

Vulnerable Groups

- These are distinct groups of people who might suffer disproportionately or face the risk of being further marginalised by the effects of resettlement and specifically include: (i) female headed households with dependents, (ii) disabled household heads, (iii) households falling under the generally accepted indicator for poverty, (iv) children and the elderly households who are landless and with no other means of support, and and (vi) indigenous people or ethnic minorities.

1. Introduction

1.1 Project description

1. The overall goal of the Livestock Competitiveness and Food Safety Project (LIFSAP) is to improve the competitiveness of the household livestock producers, through increasing productivity, quality and reduce environmental impact of livestock production, processing and marketing of livestock and enhance food safety hygiene in livestock product supply chains, mainly the meat products in selected provinces. This objective will be achieved by provision of training for household - based livestock producers according to safe livestock production process, support to central and local management agencies in improving food safety standards, strengthening capacity to test livestock products according to sector's standards, and support to veterinary agencies at different levels in monitoring and supervising the compliance of food safety procedures from farms to slaughterhouses and meat markets. This objective is in line with livestock production development strategy by 2020.

2. The main outcome indicators of the project's success include:

- a) Improving production effectiveness and competitiveness of households by adopting Good Animal Husbandry Practice (GAHP), reducing mortality rate, reducing fattening time, and increasing animal herds of households.
- b) Reducing environment pollution caused by livestock production by assisting household producer, slaughterhouses, and meat markets in meeting environment hygienic standards; and
- c) Increasing livestock products that meet food safety standards by assisting slaughterhouses and meat markets in achieving national standards on food safety

3. The Project has three components including:

❖ **Component A: Upgrading Household-Based Livestock Production and Market Integration.** This component is designed to: (a) increase the production efficiency of participating household livestock producers; (b) providing food safety in food supply chains from farms to tables; and (c) livestock waste management practices. These will be achieved by implementing the four following Sub-components by PPIMs:

- a) **Subcomponent A.1: Promoting GAP in Priority Production Areas.** The Sub-component would support: (i) providing training for farmers, extension and veterinary workers; (ii) providing veterinary equipment and goods to improve livestock and veterinary services in provinces and districts, including disease control and monitoring, (iii) supporting waste management and bio security in farms (for example construction of bio-digesters and other bio security facilities); (iv) supporting DARD and DONRE in monitoring and evaluating environment pollution and food quality; and (v) designing and implementing pilot household pig raising model.
- b) **Subcomponent A.2: Piloting of Livestock Planning Zones (LPZs).** The Sub-Component would support by financing (i) consulting services to space planning, design, and pre and post evaluation of LPZs, (ii) planning and design of basic

infrastructure, including small roads, electricity, water supply; (iii) providing veterinary services and training in data recording and disease check with the establishment of livestock production groups, and (iv) support in Livestock waste management and bio-securities measures at farm level (for example bio-digesters) and at commune level (for example waste water pipes).

- c) ***Subcomponent A.3: Upgrading Slaughterhouses and Meat Markets.*** This sub-component will finance: (i) eligible installation and construction works to upgrade slaughterhouses and meat markets to link with producers in order to improve hygienic conditions as well as waste management and treatment, (ii) necessary equipment for slaughterhouse safety and hygiene and food preservation, (iii) providing training for veterinary staff, meat vendors, and traders; and (iv) providing operation equipment and cost for Provincial veterinary departments to implement food quarantine well

❖ **Component B: Strengthening Central-Level Livestock and Veterinary Services.**

This component would support in strengthening capacity for Department of Livestock Production (DLP) and Department of Animal Health (DAH) under MARD in developing and supervising food safety, bio securities, animal husbandry disease control, livestock waste management policies, and completion of technical standards. The component would support the following: (a) consulting services to aggregate and update GAHP standards and instructions to carry out strategic studies; (b) training of trainers in GAHP (for example animal waste management, production safety, DLP regulations, disease control and prevention, integrated risk management, and quarantine for DAH; (c) piloting renewed methodologies (for example certification of breed quality, certification of true labeling of livestock feed quality); (d) providing equipment and allowance for DLP to supervise breed quality and animal feeds, for DONRE to supervise livestock waste management and environment protection compliance; and (e) providing equipment and allowance for DAH to support disease surveillance, prevention and inspection at provincial level, as well as improvement of income and monitoring food safety data. Component B would be implemented directly by PCU.

Sub-component B.1: *Strengthening the Capacity of Livestock Production Department.* The Sub-component would provide technical assistance (TA) for policy development and piloting innovative approaches to livestock development planning; breeding quality certification; true labeling of livestock feed quality; and preparation of manual on livestock waste management.

In addition TA would be provided to review GAP procedures and establish a certification process for household producers. The system currently being promoted by MARD is very comprehensive and designed to address the needs of large-scale producers with the financial resources to meet much higher standards than the household producers can achieve. The consultant would review VIETGAP and design a system appropriate for the household livestock producer and develop a methodology for monitoring and certification. The consultant would hold training sessions in each of the project provinces to train DARD and commune staff in the implementation of the new GAP certification. Once these systems are in place, DLP is responsible for monitoring and analyzing results and in updating the GAP procedures to meet the changing needs of the livestock industry – particularly the

household producers.

DLP's data collection and dissemination capacity would be upgraded by establishing a public awareness program to disseminate information on food safety but also on livestock and feed markets, bio-security issues, GAP and technical aspects of livestock production, processing and marketing.

TA would be provide for DLP and DAH to develop, update, and issue guidelines and regulations relating to the key areas of: bio-security; livestock disease control; livestock waste management; the quality of livestock feeds; the sale and use of feed additives (supplementary feeds); hygiene standards and meat inspection in slaughterhouses; and measures to improve the safety of meat along the production and supply chain until it enters the retail markets. .

Subcomponent B2: Support for DAH enhancing bio-security and disease control.

The subcomponent will support DAH fulfill its central leadership role in animal health and bio-security. DAH will play an important role in improving the standard of meat inspection and would also be responsible for the design and rollout of an animal identification and trace-back system. This is seen an essential element of the food safety and quality assurance system, to which household producers would need to adopt to be able to supply the higher-value meat markets servicing supermarkets and the integrated meat producer. It would also be an invaluable tool in tracing the origins of disease outbreaks, particularly when more effective ante-mortem inspection of livestock at slaughterhouses became operational under the project. Under the Sub-component the following activities would be financed:

- a. Improving surveillance of livestock disease and food contamination and upgrading of reporting and data processing capacity
- b. Upgrading of meat inspection services and review of training procedures
- c. Strengthen food/meat hygiene monitoring capacity – strengthening National Veterinary Center for Hygienic Control No.1 (Hanoi) and No.2 (HCMC); to measure residues of antibiotics and growth hormones in meat and livestock feeds.
- d. The development and field testing of improve procedures/protocols for: a) livestock identification and trace-back procedures; (b) bio-security measures for household producers on pilot LPZs and priority production areas; and (c) investigation of the occurrence of zoonotic diseases and the measure to counteract them

❖ **Component C:** including two subcomponents (i) Project Management and (ii) Monitoring and Evaluation.

The component would provide support to implement the project by strengthening executive capacity of government at central, provincial, district levels, capacity to monitor and evaluate project activities and impacts. This component would be implemented by PCU at MARD at national level and PPMUs at provincial level. The component would provide support for: (a) an international Chief Technical Adviser (CTA) and national consultants to strengthen project management capacity of PCUs and PPMUs; (b) providing equipment, staffing, and operational expenses for PCU and PPMUs; and (c) monitoring and evaluating Project through consulting services, training, workshops, and researches.

Subcomponent C1: Project Management. The subcomponent would provide support for the establishment of an effective project management structure operating at both national and provincial levels. The synergy with existing project management bodies and the use of human resources developed for this and other related World Bank-funded projects will be encouraged (e.g. VAHIP, ADP and ACP). The sub-component would support such activities as training, technical assistance, contracted staffing, office equipment for project implementation.

The PCU would be responsible for drafting and evaluating effective project management structure at national and provincial levels. In each of the eight participating provinces the DARD will set-up a technical committee to interact with the consultants, provide technical advice and guidance and ensure that there are adequate consultations with all the key stakeholders – particularly those in the private sector.

Subcomponent C2: Support for Monitoring and Evaluation. Effective implementation of the project would require a comprehensive monitoring and evaluation system at all levels. Monitoring and evaluation activities are designed to provide the information necessary to manage the project effectively and to assess its impact¹. TA consultant would be engaged to support PCU in undertaking survey early during project start-up to establish the baseline data from which to measure project results and impact during impletion and at completion. Detailed monitoring and evaluation system would be developed in the first year based on overall M&E framework set up by the Government for ODA projects. The sub-component would support a simple Management Information System (MIS) based on Aligned Monitoring Tool (AMT) agreed by the Donor and the Government and would be considered as the spine of M&E system. The sub-component would also provide TA to carry out mid term independent evaluations and final evaluation upon the project completion.

4. In the extension phase, the proposed activities of project will be be continued to implement in 12 cities and provinces, including: Hanoi, Thai Binh, Dong Nai, Hochiminh city, Cao Bang, Hai Duong, Hung Yen, Hai Phong, Thanh Hoa, Nghe An, Lam Dong and Long An.

1.2 Anticipated impacts by project

5. The implementation of initial project shows that, proposed activities have little negative impactsto the community in general, and households in particular. Some negative impacts include: (i) land acquisition for small infrastructure; (ii) interruption of business activities in the process of upgrading meat markets; (iii) career change for small slaughterhouses that they have to close their small slaughterhouses under the Government’s regulations.

6. *Regarding to land acquisition:* the impact of the project in term of land acquisition is not significant, mainly related to demand of land acquisition for the construction, upgrading the small infrastructure in LPZ (such as road, electricity system, waste water treatment areas). However, the impact is very small (about 0.34% of the total their land holding area) and the remaining land is still ensure for production. The affected hosueholds by these

¹ To facilitate tracking of the Government’s portfolio of ODA operations, monitoring arrangements for LIFSAP would be established in line with the Aligned Monitoring Tool (AMT) established by the Ministry of Planning and Investment (MPI).

items (64 affected households) have voluntarily agreed to donate their land for accelerating project progress and improving the infrastructure. During the implementation stage, PCU and PPMU will prepare specific processing report with measurements to minimize impacts for who involving involuntary land acquisition (also project beneficiaries). The process for application is presented in item 3.3. In the original LIFSAP project, the upgrading meat market does not require the land acquisition as the proposed items was constructed within the available markets. With the slaughterhouses, the upgrading is implemented in the available land area of owners who have been also purchased under market practices and agreements between the parties. As of September 2014, total of 394 meat markets and 162 slaughter houses have NOL for upgrading. There is no requirement of land acquisition for these items.

7. *Interruption business activities:* During the construction/upgrading meat market, the business of traders in the upgrading area may be interrupted/ influence. This could affect their income. In the original project, some proposed meat markets was designed by changing the location of upgrading within the market. Or some proposed meat market, the upgrading location is designed on the existing location and expand the area on the location of other business (like vegetable, clothes stall area. For these two cases, some meat sellers may be required to temporary relocation during the construction or some other seller may be required to change to the new location. LIFSAP project have conducted some consultation meetings with relevant households, to ensure they will not be interrupted their business. All agreed content have been recored in minute of meetings that is part of technical design report before submitting to PCU for approval. The upgrading will be implemented after the arrangements have been completed with the consensus of stakeholders.

8. *Job changing for slaughter household that may be required to close as regulation.* In the original project, the slaughterhouse owners under project area required for commitment of permission to all existing small slaughter house in locality doing in the upgrading area. This commitment is one of the required documents in profile submit to PCU for approval. Up to now, there is no slaughter houses that have to close.

1.3 Objective of updating resettlement policy framework (RPF)

9. Although the requirement of land acquisition for proposed items in the extension phase is not significant but it will be clearly indentified during project implementation when provinces indentify the list of items to be funded under LIFSAP. Prior to project appraisal, province can only provide the number of planned works (meat market, slaughterhouse) that can be built in the extension phase. Thus, the preparation of RPs for sub-projects is not absolutely feasible.

10. In such case, according to regulation of WB, this RPF is updated for guiding to overcome the potential social-economic impacts due to project activities. The content of this document is organized according to Appendix A – Outline Resettlement Plan of OP 4.12 involuntary resettlement.

11. This framework is updated based on the original RPF with purpose of replacing the framework that was approved by MARD in the Decision No. 2423/QĐ-BNN-HTQT dated August 26th 2009. The most important contents include Land Law 2013, relevant Decree, Criculars and Worldbanks' policy OP 4.12. It is also clarify the resettlement principles, institutional arrangement and design criteria, to be used in resettlement planning and implementation.

2. Legal framework and entitlement

2.1 Vietnam policy framework on resettlement

12. The Legal Framework of the Government of Vietnam: The key national laws, regulations and decrees governing land acquisition, compensation and resettlement in Vietnam include:

- The Constitution of Vietnam, 1992 confirms the right of citizens to own a house and to protect the ownership of the house.
- The Land Law 2013 (No.45/2013/QH13), issued on 10/12/2013.
- Law of Construction 16/2003/QH 11, dated December 1, 2003.
- Law of Urban planning No.30/2009/QH12 dated June 17, 2009 by the National Assembly of the Socialist Republic of Vietnam Session 12.
- Decree No.43/2014/ND-CP dated May 15, 2014 of the Government providing guidance on detailed implementation of some articles from the Land Law 2013 No. 45/2013/QH13. (Replacing Decree 181/2004/NĐ-CP dated 29/10/2004; Decree 17/2006/NĐ-CP dated 27/01/2006; Decree 84/2007/NĐ-CP dated 25/05/2007; Decree 69/2009/NĐ-CP dated 13/08/2009; and Decree 88/2009/NĐ-CP dated 19/10/2009).
- Decree No. 44/2014/ND-CP dated 15 May 2014 of the Government providing regulations on land prices. (Replacing Decree 188/2004/NĐ-CP dated 16/11/2004 and Decree 123/2007/NĐ-CP dated 27/07/2007).
- Decree No.45/2014/NĐ-CP dated 15/05/2014 by the Government regulating on collecting land use fee
- Decree No.46/2014/NĐ-CP dated 15/05/2014 by the Government regulating on collecting land leasing fee, water surface leasing fee (Decree No.46/2014/NĐ-CP dated 15/05/2014 by the Government regulating on collecting land leasing fee, water surface leasing fee 142/2005/NĐ-CP dated 14/11/2005 and Decree No. 121/2010/NĐ-CP dated 30/12/2010).
- Decree No.47/2014/NĐ-CP dated 15/05/2014 by the Government regulating on compensation, assistance and resettlement when the State acquired land. (Replacement of Decree No. 197/2004/NĐ-CP) dated 3/12/2004).
- Circular No. 37/2014/TT-BTNMT dated 30 June 2014, providing detailed regulation compensation, assistance, and resettlement when the State acquires land.
- Circular No 57/2010/TT-BTC dated 16.04.2010 providing detailed regulation on preparing the cost estimate, using and final payment funds for implementation the compensation, assistance, and resettlement when the State acquires land.
- Decision of 12 City.provinces providing detailed regulation compensation, assistance, and resettlement when the State acquires land;

2.2 World Bank Policy on involuntary resettlement

13. Main objective of OP 4.12 is:

- a. Involuntary resettlement should be avoided where feasible, or minimized, exploring all viable alternative project designs, including the selection the technology and location.
 - b. Where it is not feasible to avoid resettlement, resettlement activities should be conceived and executed as sustainable development programs, providing sufficient investment resources to enable the persons displaced by the project to share in project benefits. Project affected persons should be meaningfully consulted and should have opportunities to participate in planning and implementing resettlement programs.
 - c. 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.
14. Solutions required to ensure resettlement has active results, including:
- a. Consulting project affected people viable solutions for resettlement and livelihood restoration;
 - b. Providing affected people options of resettlement and livelihood restoration;
 - c. Affected household can participate into planning and selecting sub-projects
 - d. Compensating entire replacement cost for damages and loss;
 - e. Selecting site for resettlement where shall provide minimum benefits and services similar to their existing place ;
 - f. Providing finance for assistance, training and income support to help them go well during transitional period;
 - g. Recognising vulnerable groups and providing special support for these group; and
 - h. Establishing a structure on institution and organization to assist this process to final succeed.

2.3 Comparison between Government of Vietnam and World Bank approaches

15. There is basic congruence between Viet Nam's laws and ADB's Resettlement Policy especially with regard to the entitlement of persons with legal rights/titles. Existing legislation provides guidance in (i) determining market/replacement rates and payment of compensation, assistances for various types of affected assets; (ii) options for land-for-land and cash compensation assistance; (iii) provision of relocation assistance and support to displaced households during the transition; (iv) provision of resettlement land and housing with secure tenure; (v) additional assistance for severely affected and vulnerable households; (vi) Assistance to livelihood restoration and training; and (vii) notification/disclosure, consultation, and grievance mechanisms. Key differences between WB Resettlement Policy and Viet Nam's resettlement legislation, including measures to address the differences, are outlined in the table below.

16. In cases where Vietnamese policy framework is not consistent with the requirements of World Bank OP 4.12, the Government of Vietnam has agreed to meet Bank

policy requirements in OP/BP 4.12 in all cases, according to item 2, Article 87 of Land Law. This is in accordance with item 2, Article 87, of Land Law and Decree No. Decree No. 38/2013/NĐ-CP (Article 6, Item 7).

Table 2.1: Comparison between Government of Vietnam and World Bank Approaches and project proposed policy

Policy	World Bank's Policy (OP 4.12)	Vietnamese Government Policy	Proposed policy for LIFSAP project
Policy objectives	APs should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them.	Resettlement site and its infrastructure should have equal or better development conditions than the existing one..	Livelihoods and income sources will be restored.
Support for affected households who have no recognizable legal right or claim to the land they are occupying	Financial assistance to all project affected persons to achieve the policy objective.	Rehabilitation assistance at different levels depending on the “illegal” status of landusers.	Financial assistance will be given to all PAPs, regardless of their legal status.
Severely impacted APs losing productive land	The involuntary resettlement impacts of an ADB-supported project are considered significant if 200 or more persons will experience major impacts, which are defined as (i) being physically displaced from housing, or (ii) losing 10% or more of their productive assets (income generating).	For significantly impacted APs, livelihood restoration measures cut in when AP loses at least 30% of productive agriculture land.	Vulnerable affected households losing 10% or more affected households losing 20% or more of the household's productive assets shall be considered as threshold.

Policy	World Bank's Policy (OP 4.12)	Vietnamese Government Policy	Proposed policy for LIFSAP project
Compensation for illegal structures	Compensation at full replacement cost will be given for all structures affected, regardless of legal status of the land and structure.	Providing assistance for new construction, It depends on the "illegal status" and between 80% to 100% of total cost.	Assistant at full replacement cost will be given for all structures affected, regardless of legal status of the land and structure..
Methods for determining compensation rates	Compensation for lost land and other assets should be paid at full replacement costs.	Compensation for lost assets is calculated at price close to transferring the assets in local markets. People's Committees are granted to identify compensation prices for different categories of assets in annual.	Independent appraiser identifies replacement costs for all types of assets affected, which are appraised by land appraisal board and approved by. City/ Provincial People's Committees to ensure full replacement costs
Compensation for loss of income sources or means of livelihood	Loss of income sources should be compensated	Assistance in respect of income loss is given only for registered businesses	All income losses are to be compensated and restored.
Compensation for indirect impact caused by land or structures taking.	It is good practice for the borrower to undertake a social assessment and implement measures to minimize and mitigate adverse economic and social impacts, particularly upon poor and vulnerable groups.	Not addressed	Social assessment has been undertaken and measures identified and being implemented to minimize and mitigate adverse impacts, particularly upon poor and vulnerable groups.

Policy	World Bank's Policy (OP 4.12)	Vietnamese Government Policy	Proposed policy for LIFSAP project
Support and restoration on livelihood.	Financial assistance to all project affected persons on livelihood to achieve the policy objective.	Providing assistance and restoration livelihood. No monitoring for the process of livelihood restoration after completion resettlement.	Providing assistance and restoration livelihood to achieve the policy objective.
Consultation and disclosure	Participation in planning and implementation, specially confirming the eligibility criteria for compensation and assistance, and access to Grievances Redress Mechanisms.	Focus mostly on information sharing and disclosure.	Consultation and participation incorporated into RAP design, along with information sharing with PAPs and stakeholders to achieve the policy objectives.
Grievance redress mechanism	Grievance redress mechanism should be independent	The same governmental body makes decisions on compensation and resettlement, and also handles grievances at the first step.	Grievance and Redress mechanisms are to be established.
Monitoring & Evaluation	Internal and independent monitoring are required	There are no explicit requirements on monitoring of the resettlement works, including both internal and independent (external) monitoring.	Both internal and external (independent) monitoring is to be regularly maintained. Cơ quan chủ quản sẽ thuê cơ quan giám sát bên ngoài và thực hiện giám sát nội bộ theo các chỉ số giám sát.

3. Project principles and Eligibility

3.1 Project principles:

17. To address the discrepancies between WB and relevant GOV regulations as described in the table above, the project principles on resettlement policy are as follows:

- (i) Involuntary resettlement and impacts on land, structures and other fixed assets will be avoided or minimised where possible by exploring all alternative options.
- (ii) Compensation and assistance will be based on the principle of replacement cost at the time of implementation. 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.
- (iii) Severe affected households, who are considered as losing 20% or more of their productive land/productive assets or poor and vulnerable people losing 10% or more of their productive asset/landholding. They will have to be assisted to restore their livelihood.
- (iv) Displaced persons without title or any recognisable legal rights to land are eligible for compensation for non-land assets at replacement cost.
- (v) 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, the IMA must assure itself, that this is indeed the case.
- (vi) PAP who prefers “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 PAP. All basic infrastructures, such as paved roads, sidewalks, drainage, water supply, and electricity and telephone lines, will be provided.
- (vii) PAP who prefers “cash for land” will be compensated in cash at the full replacement cost. The PAP will be assisted in rehabilitating their livelihoods and making their own arrangements for relocation.
- (viii) Meaningful consultation will be carried out with the displaced persons and concerned groups and ensure participation from planning up to implementation. The comments and suggestions of the APs and communities will be taken into account.
- (ix) The RP will be disclosed to APs prior to submission to WB.
- (x) The identification, planning and resettlement management will ensure that gender issues are considered. Monitoring and evaluation the social impact, gender-sensitive and sculturally appropriate will be implemented in phases of the project.

- (xi) Special measures will be incorporated in the resettlement plan to protect socially and economically vulnerable groups such as households headed by women, children, disabled, the elderly, landless and people living below the generally accepted poverty line.
- (xii) Existing cultural and religious practices will be respected and preserved, to the maximum extent practical.
- (xiii) Resettlement transition stage should be minimised. Restoration measures will be provided to displaced persons before the expected starting date of construction in the specific location.
- (xiv) Budget for payment of compensation, assistance, and resettlement and support will be prepared sufficiently and made available during project implementation.
- (xv) Reporting and independent monitoring should be defined clearly as part of the management system of resettlement. Independent assessment of the duration and results of the land recovery should be carried out. If, by the end of the project, livelihoods have been shown not to be restored to pre-project levels, additional measures should be considered.
- (xvi) The PPMUs will not issue notice of possession to contractors until the PPMUs are officially confirmed in writing that (i) payment has been fully disbursed to the displaced persons and rehabilitation measures are in place (ii) already-compensated, assisted displaced persons have cleared the area in a timely manner; and (iii) the area is free from any encumbrances. 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.
- (xvii) Cut-off date is the date of completing DMS for which land and/or assets affected by the Project are inventoried.

Besides the support mentioned above, based on the actual situation, project could consider other assistance to ensure as stable life, culture, production and life of affected people. Entitlement matrix will be presented in detail in RP that will be prepared for each sub-project.

3.2 Eligibility

18. The fundamental objective of this RPF is to ensure that all APs are fully compensated for lost assets, and receive sufficient opportunity to improve, or at least restore, their incomes and living standards. To achieve this objective, lack of legal title should not be a barrier to compensation or alternative forms of assistance. In LIFSAP, those eligible for compensation and/or assistances include: (a) those who have formal legal rights to land or other assets; (b) those who initially do not have formal legal rights to land or other assets but have a claim to legal rights based upon the laws of the country; and (c) those who have no recognizable legal right or claim to the land they are occupying.

19. APs covered under (a) and (b) are provided compensation at replacement cost for the land (and any other assets) they lose, and other assistance. Persons covered under (c) are provided resettlement assistance (in cash or other forms) in lieu of formal

compensation for the land they occupy, and other assistance, as necessary, to achieve the objectives set out in this policy, if they occupy or utilize the project area before cut-off date.

3.3 Voluntary land donation

20. The voluntary contribution may be allowed by some loan project, which are community oriented projects or activities by community oriented. The objective of this project is people who can choose voluntary contribution of their affected land for project. However, this is not encouraged. Implementing agencies are requested to ensure the following criteria are met:

- (i) The people have land voluntary contributions who are direct beneficiaries of project;
- (ii) Proposed infrastructure has no specific requirements on location;
- (iii) No relocation or no signification impact on income/livelihood; project impact is small or does not exceed 20% of the area of any land;
- (iv) The affected people shall determine scope of donated land.
- (v) Donated land is not encroachment land or dispute over ownership;
- (vi) Certification of voluntary donated land should be provided, and land transaction is supported by legal documentation.
- (vii) The affected people have right to refuse (not to donate their land) and consultation is conducted in a transparent manner.
- (viii) The grievance mechanism is provided.
- (ix) The affected people are compensated for the affected area

21. In case of having other assets in the donated land, such as trees, crop, fence or other structures (like tombs, tanks, walls etc.) can be voluntary donated by affected households (without compensated), and must be verified for each case, similar to the certification of voluntary donated land. However, affected household will be compensated for affected assets if they want to donate their land only and refuse to donate their affected assets and structures.

22. The voluntary land donation will be monitored by MARD through PCU, WB and external monitoring consultant. The violation, when is determined, shall be proceeded according to retroactively process of OP.4.12. The guideline process of land donation for project for all components will be included in the project implementation manual.

4. Preparation and implementation the plans of minimization negative impacts.

4.1 Preparation and approval of project Resettlement Plans

23. The RPs for the project will be prepared by PPMUs and submitted to the PCU for review before submitting to MARD and WB for review and approval. The outline of an RP is attached in the Appendix A. The RPs shall follow the provisions and procedures specified in the Updated RPF.

24. The RPs must be updated following the completion of the detailed designs and conducting of the DMS. This will provide up-to-date and accurate figures regarding the scope of impact, identification of APs and severity of impact, as well as an updated compensation calculation. The RPs should be reviewed to update any changes in market prices for replacement values and would need to be reviewed again at the time compensation is due for payment. If rates and prices are found to be out of date, revised updated costs based on the latest market rate must be used. Also in the RPs updating process, the IRP (Income Restoration Programme) will be developed. Affected people must be consulted before finalisation of the updated RP. The RPs and the updated RPs will be sent to WB for approval and uploaded to Infoshop and VDIC. During the DMS ethnic minority people maybe identified and if their number is significant an Ethnic Minority Development Plan (EMDP) would prepare with the template in POM.

25. RP shall be submitted to WB for reviewing after six months as latest prior to the expected starting date of construction. Land acquisition will be started after RP approved and accepted by WB and payment for compensation for affected land, assets are done before land acquisition, or impose other negative impacts.

26. Annual RPs are subject to public consultation and disclosure (at project area, VDIC in Vietnamese language) as required in WB's policy. Summary RPs will be disclosed to affected households.

27. A detail implementation schedule of the various activities to be undertaken will be included in each annual RP. The implementation schedule must be developed based on the linkage to civil work implementation schedule.

28. Payment of rehabilitation and assistance/other restoration (in cash or in-kind) and relocation (if any), have to be completed prior awarding contract of construction work.

29. Implementation RP should be completed prior land acquisition for construction. These activities need to be completed before construction, including: (i) DMS and socio-economic survey of Aps, (ii) compensation for affected assets, (iii) identification the resettlement site and agriculture land (if necessary) and to be accepted by Aps, (iv) Construction the resettlement site including the provision of basic infrastructure, (v) handover the resettlement site to APs; (vi) Provide job, if it is part of resettlement package; (vii) provide training, capital, seeds, credit and other agreed benefits if resettlement package includes the support and job-training; and (viii) Payment of compensation livelihood improvement, in case Aps chose payment in cash.

4.2 Preparation and approval income restoration plan for business interruption of APs.

30. Regarding to upgrading meat markets, the related households are almost beneficiaries, a number of small affected households, including: affected households by moving their business location for the area of proposed upgrading items, some in-direct affected households during construction due to their house near the upgrading area. During the implementation of original project, PCU have issued the guideline, cooperating and monitoring PPMUs for the responsibilities of cooperating with local authorities, relevant agencies on the measures of arrangement, commitments to ensure the conditions for affected people that have to move by upgrading meat market under project, to minimize the impacts to affected people. In which, all relevant people is informed, consulted in all stages, from survey, design on the options of design, relocation. Affected people are required for temporary relocation with the arrangement of temporary location. Affected people are required to change to new business location with the stable location that is equal or better than before relocation. All opinions, options will be recored in the minute of consultation meetings that is required document of design profile. PCU shall approve the technical design documents with full consultation as well as minute with all signature and consensus of relevant people. This process will be applied for all proposing meat market in the extension stage of LIFSAP.

4.3 Gender Intergation into the acitivities to minimize negative impacts

31. Gender and social economic analysis, gender division of labour related to the potentially affected people in the specific project area must be conducted. Based on these analyses, special attention will be given to address women's concerns during the preparation of RP, updating process and implementation. Participation and involvement of the Women's Union at all levels should be encouraged especially for supervision and monitoring of the resettlement process and its implementation, and to help inform communities and women's groups as to project potential impacts. Ensurances should be given that women have full and equitable access to the project's resources and benefits including income restoration programmes and skills training. Adequate resources including a financial and social safeguard specialist must be allocated to support the resettlement process and its implementation. Women must be present during consultations made when conducting the detailed measurement survey and visit to resettlement site. This is to ensure that all information and opinions can be collected and that they include the women's perspectives. Names of both husband and wife must be in the land use rights certificates. Women must be present when compensation payments are made to ensure that any decisions regarding use of compensation monies will be open to decisions made by husband and wife. Sex-disaggregated data must be collected in the socio-economic survey and inventory of loss.

5. Information disclosure, consultation and participation and grievance mechanism.

5.1 Information Disclosure, Consultation and Participation

32. Local authorities and relevant agencies, AP/Ahs and communities will be involved in differential stages RP preparation and implementation.

33. Aps will be fully informed and consulted of the provisions of this RPF and annual resettlement plan in public meetings held by local authorities, PPMU. Aps will be fully informed and consulted about their entitlements and rehabilitation choices. In case of necessity, consultation with the minority language can be done to ensure that the decisions based on full information disclosure and consultation for ethnic minority households.

34. Annual RPs is subject to public disclosure and consultaion at project site, VDIC in Vietnamese language as required in the World Banks's policy.

5.2 Grievance redress mechanism

35. Affected people are entitled to the complains regarding their entitles and responsibilities in the project implementation including (but not limited) to such things entitlement to compensation, compensation policy, unit prices, land acquisition, resettlement and ither entitlements related to the income restoration program. Complaints can also concern issues rlated to construction safety and nuisances caused by construction. Grievance procedures should be affordable and accessible for third party settlement of disputes arising from resettlement; such as grievance mechanism should take into account the availability of judicial resource and traditional dispute settlement mechanism of community. All complaint will be recorded, reconized and processedby the competent agencies at all levels.

36. Local mass organization suchasFatherland Front, Farmer association, women union etc. are mobilized to participate actively in the process of resolving complaints. Affected people can report their complaints (without any administrative and legal charges) to the responsible units under districts and commune/ ward level. Implementing agencies must ensure having assigned staff in these responsible units to work on the project and maintaining a throughout reporting system. If possible, project will ensure to support the translator in case the affected households have difficulty in communicating in Vietnamese language. Following the aforementioned arrangement, the grievance procedure will be:

- **Step 1.** Any person who are not satisfied with any contentes of programo income restoration and resettlement can report verbally or in writing to their CPC/ Ward and CPC will be responsible for resolving their complaints within 15 days through inspection, identification and propose to upper authorities.
- **Step 2.** After the due data, if there is no agrément, concilitation formed between AP and CPC or no answer from CPC, AP can appeal to the DPC who will give there decision within 30 days after receiving the complaints.

- **Step 3.** After the due date, if there is no agreement, conciliation formed between AP and DPC or no answer from DPC, no agreement/ conciliation/ answer is made. AP can appeal to responsible unit of PPC who will give their decision within 30 days after receiving the complaints.
- **Step 4.** If they are not satisfied with the decisions at the provincial level. AP can present their petition to their district administrative court.

37. AP will be exempted from all administrative and legal fees. Besides that, 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. All queries, suggestions and grievances and their solution should be recorded and forwarded to PC and its functioning monitored monthly. All the cost of GRM establishing and functioning should be included in the project cost.

38. The above grievance redress mechanism is subject to be disclosed and discussed with the APs to ensure that the APs understand the process. PPMU and DRCs are responsible to follow up the grievance process from the APs.

6. Institutional Arrangements and Implementation

6.1 Institutional Arrangement

39. Implementation of the RPF requires the participation of relevant agencies from the Central to local district, and commune level. The Executing Agency has the overall responsibility for implementation of the RPs. District Resettlement Committees (DRCs) will be established at district level.

40. The responsibility for preparing and implementing the LIFSAP RPF and subsequent Resettlement Plans (RP) is established as follows:

6.1.1 Central level

41. MARD will delegate responsibility of the Implementing Agency to a (PCU) under APMB and which will be led by a Project Director with fully-delegated responsibility for decision making. PCU comprises full-time qualified and experienced staff of APMB. Project implementation consultants will assist the PCU with these tasks.

42. **Project Coordination Unit (PCU) at MARD:**

- (i) The overall responsibility for devising, gaining requisite approvals for, and implementing the RPF rests with the PCU.
- (ii) Liaise with IAs to carry out all project components.
- (iii) Coordinate with WB in providing resettlement consultant services for the project; PCU will ensure that information on the implementation progress of the RPF and its subsequent RPs is included in the periodical project progress report to be submitted to WB.
- (iv) PCU will assign a staff (full-time or part-time) to guide and supervise the implementation of the RPF and its subsequent RPs in the project provinces.
- (v) Support the PPMU for updating RPs of the project's components;
- (vi) Consolidate project progress reports on land acquisition and resettlement submitted by the PPMU for relevant ministries and WB; and
- (vii) Recruit and supervise the external independent organisation (or consultants) for external resettlement monitoring.

6.1.2 Provincial level

43. The Implementing Agency (IA) will be PPC in project provinces. The PPC will be responsible for issuing all decisions and approvals relating to the implementation of RPs including those relating to its formal adoption, unit compensation costs, notices and approvals for information disclosure, land acquisition and compensation payments, allocations of replacement land (if applicable) and grievance redress. The PPC will also be responsible for establishing the Land Valuation Council and allocation of responsibilities to district-based organisations.

44. **Provincial People Committee**

- (i) To provide guidance to ensure that public disclosure of information on the project and its policy on compensation, allowances and resettlement and implement the land acquisition activities is carried out as required.
- (ii) To direct the relevant agencies and District People's Committee to develop the compensation, allowances and resettlement plan as authorized.
- (iii) To approve or assign district-level People's Committees to approve the compensation and resettlement plan.
- (iv) To direct the relevant agencies to settle citizens' complaints, denunciations related to compensation and resettlement according to their law-prescribed competence.
- (v) To direct the examination and handling of violations in the compensation, allowances and resettlement.

45. **Provincial project management Unit (PPMU)**

PPMU will oversee all activities of District Resettlement Committees (DRCs) in regard to the implementation of the RPs. PPMU will also be responsible for:

- (i) Each provincial PMU is responsible for the implementation of this Policy framework and its subsequent RP. It will guide the District Compensation and Resettlement Committee to carry out the inventory of losses, preparation of the compensation and resettlement plans and implementation of these plans.
- (ii) PPMUs will appoint a staff (full-time or part-time depending on the task requirements) that will be in charge of all social safeguards aspect under LIFSAP.
- (iii) Responsibility for ensuring adequate flow of funds for compensation and to otherwise meet requirements, including contingency arrangements rests with PPMUs.
- (iv) Working with relevant agencies at different levels to ensure timely and effective implementation of RPs; this applies particularly to DONRE who will review the overall RPs and recommending PPCs approving the land acquisition plans and the unit compensation costs (with assistance from the Land Valuation Council in regard to current market prices, if necessary) and verify compensation plans;
- (v) Resolving any issues of inter-agency coordination that cannot be resolved by the relevant agencies;
- (vi) Preparing and submitting periodic progress reports on implementation of RPs PCU.

6.1.3 District, commune level

46. PPC assign to DPCs as head of component: compensation, assistance and resettlement and land acquisition. Within its jurisdiction, DPC establish DRCs for implementation the compensation, land acquisition of project under approved RPs.

47. **District PC**

- (i) To establish the District Committee for Compensation and Resettlement chaired by the district PC's chairman or vice-chairman.

- (i) To ensure that public disclosure of information on the project and its policy on compensation, allowances and resettlement is carried out as required.
- (ii) To guide the District Committee for Compensation, Assistanes and Resettlement and to coordinate with other related agencies to implement the RP.
- (iii) To coordinate with relevant agencies and the project implementing agency to implement the project.
- (iv) To settle citizens' complaints related to compensation, allowances and resettlement according to their law-prescribed competence.
- (v) To cooperate with other relevant agencies in the implementation of the land acquisition and resettlement activities.

48. **District Committee of compensation, assistance and resettlement (DRC)**

- (i) Ensure that commune officials and APs are fully informed regarding the contents of this framework, and entitlements and activities included in the RP.
- (ii) Certifying the APs census and the inventory of lost land, structures and other assets.
- (iii) The identification of severely affected and vulnerable APs and the planning and implementation of rehabilitation measures for these APs.
- (iv) Help identify any resettlement sites and new farming land for APs who cannot remain in their present location.
- (v) Upon receipt of funding from PPMU, making full and timely payment of compensation and allowances to APs, in accordance with RP requirements and purposes.
- (vi) Assisting APs with their efforts to restore incomes and living standards.
- (vii) Participate as needed in ensuring the effective operation of grievance procedures.
- (viii) Facilitate the work of the agency appointed to undertake the external monitoring.

49. **Commune PC**

- (i) To organize community consultation and information disclosure on the project and its policy on compensation, allowances and resettlement to APs and their communities.
- (ii) To cooperate with the District Committee for Compensation, Assistanes and Resettlement to carry out the inventory of APs and their affected land and other assets; and
- (iii) To cooperate with PPMU and the District Committee for Compensation, Assistanes and Resettlement to implement the RP and site clearance.
- (iv) To settle citizens' complaints related to compensation, allowances and resettlement according to their law-prescribed competence.

6.2 Implementation

50. The implementation process is as follows:

- (i) Establishment of the DRCs/LFDCs(Land fund Centers): The PPC will establish LFDCs or DPC will establish DRCs for the projects, and entrust tasks to relevant agencies and entities.
- (ii) Land clearance/boundary setting for the Project. After receiving the PPC and DPCs in revoking land and handing over land to the TSPMU for implementing the projects, PPMU will cooperate with the provincial Department of Natural Resources, Environment and the specialised cadastral agency having a contract with PPMU to determine the project land clearance red line and setting out boundary at the field, handing over land to implement resettlement tasks for the displaced persons, in order to clear land for the project. Relevant Offices of Natural Resources, Environment of districts and Commune People's Committees of the project will assign their staff working as members of DRCs/LFDCs to implement this task.
- (iii) Engagement of External Monitoring Agency. PCU will engage the services of an external monitoring agency to carry out independent monitoring and evaluation of RP preparation and implementation activities. Semi-annual progress reports will be submitted by the EMA to PCU and WB.
- (iv) Information campaign before DMS. Before land acquisition, within 90 days in case of agricultural land and 180 days in case of non-agricultural land, the DRCs must send written notices to affected land owners in respect of reasons for land acquisition, time and plan of displacement, resettlement options, land clearance and resettlement.
- (v) Before census and detailed measurement survey, PPMU in cooperation with local authorities of districts and communes will provide project information to residents in the project area. Information will be broadcasted via the public address system of the locality in combination with other multi-media such as radios, press, television, brochures or letters delivered to households to be open posted in public areas.
- (vi) Orientation meetings will be held in the project affected commune to notify the affected community about the scope and scale of the project, impacts, policies and rights for all kinds of damages, implementation schedule, responsibilities for organisation, and complaint mechanism. Brochures including (images, photos or books) related to project implementation will be prepared and delivered to all affected communes in the meetings.
- (vii) Conduct of Replacement Cost Survey by a Qualified Agency. A qualified agency will be engaged by PPMU to assist PPCs in determining the current market price under normal condition of land and non-land assets. If there is a significant difference between compensation price and market price as per replacement cost survey carried out by a qualified agency, PPCs will update the compensation unit price according to regulations and implementation guidance of Government Decree.

- (viii) Detailed Measurement Survey (DMS) will be undertaken once detailed design is finalised. These surveys will be the basis for the preparation of compensation plan and for preparation of the RPs.
- (ix) Preparation of Compensation Plan. DRCs/DFDCs are responsible for applying prices and preparing compensation tables for each affected commune. PPMU and People's Committees of districts will appraise these tables in respect of prices, quantities of affected assets, rights that the displaced persons are entitled to, etc. before notifying each commune for review and comments. All tables of compensation price application must be checked and signed by the displaced persons to prove their consensus. PPMU and DRCs will submit the proposed unit rates as per result of the replacement cost survey to PPC for review and approval. The unit rates to be applied will be based on the approved unit rates of PPC.
- (x) Submission of RPs and WB concurrence. PPMU will prepare Updated Resettlement Plan, disclose key information of the Updated RPs to the displaced persons and submit the same to WB for review and concurrence.
- (xi) RPs Uploading on WB website (qua Infoshop). Once the RPs are acceptable to WB, the RPs will be uploaded on the web of WB.
- (xii) Implementation of RPs: Compensation and assistance will be paid directly to the APs under the supervision of representatives of DRCs/LFDCs, commune authorities and representatives of the displaced persons. Income restoration and relocation plan will be implemented in close consultation with the APs and concerned agencies.

7. Budget and Financing

7.1 Budget and Financing

51. Resettlement budget is required for all resettlement activities, including compensation for land acquisition, affected assets, administrative cost, monitoring, income restoration, resettlement site, etc. and included in project cost. Estimated costs will be updated based on the DMS and RCS results following detailed designs. WB will finance part of resettlement costs if Vietnamese Government propose. PPC, PCU and WB will review and revise the resettlement plan and budget should unforeseen obligations related to the agreed RF arise during implementation of the project resettlement plan. The updated RPs will identify key activities for which funds will be used.

8. Monitoring and Reporting

8.1 Monitoring and Reporting

52. The Project will establish systems for internal and external monitoring and evaluation. The main purpose of the monitoring and evaluation programme is to ensure that resettlement and acquisition of land and properties has been implemented in accordance with the policies and procedures of the RPs. External monitoring and evaluation, in particular, will focus on social impacts on APs and whether or not APs have been able to restore a standard of living equal to, if not better than, that which they had before the project.

53. Internal and external monitoring will be implemented from RP preparation to the implementation. All grievances will be resolved through grievance redress mechanism of project. The objectives of the monitoring and evaluation programme are to (i) ensure that the standard of living of APs is restored or improved; (ii) monitor whether the time lines are being met; (iii) assess if compensation, rehabilitation measures and social development support programmes are sufficient; (iv) identify problems or potential problems; and (v) identify methods of responding immediately to mitigate problems.

8.2 Internal Monitoring

54. PPMU will conduct the internal monitoring of RP implementation for PCU to identify as early as possible the activities achieved and the cause(s) of problems encountered so that arrangements in RP implementation can be adjusted. Related information will be collected monthly from the field to assess the progress of RPs implementation and will be consolidated every quarter.

55. Giám sát nội bộ được dự kiến:

- (i) 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.
- (ii) Oversee that the RP is implemented as designed and approved.
- (iii) Verify that funds for implementing the RP are provided in a timely manner and in amounts sufficient for their purposes, and that such funds are used in accordance with the provisions of the RP.
- (iv) Record all grievances and their resolution and ensure that complaints are dealt with in a timely manner.

56. PCU will incorporate the status of RP implementation in the overall Project progress report to WB.

8.3 External Monitoring

57. The general objective of the external monitor is to provide an independent verification of the Borrower's monitoring information through the conducting of a

periodic review and assessment of achievement of resettlement objectives, the changes in living standards and livelihoods, restoration of the economic and social base of the affected people, the effectiveness, impact and sustainability of entitlements, the need for further mitigation measures if any, and to learn strategic lessons for future policy formulation and planning.

58. PCU will retain the services of an external entity or institute as the qualified experienced external monitoring agency (EMA) to undertake objective monitoring and evaluation of RPs implementation of project provinces.

59. The following indicators will be monitored, upon approval of the RPs, and evaluated by the EMA:

- i. Payment of compensation will be as follows: (a) Full payment to be made to all affected persons sufficiently before land acquisition; adequacy of payment to replace affected assets; and (b) Compensation for affected structures should be equivalent to the replacement cost of materials and labour based on standards and special features of construction with no deductions made for depreciation or the value of salvageable materials.
- ii. Coordination of resettlement activities with construction schedule: the completion of land acquisition and resettlement activities for any sub-project should be completed prior to award of the civil works contract for that sub-projects.
- iii. Provision of technical assistance for house construction to APs who are rebuilding their structures on their remaining land, or building their own structures in new places as arranged by the project, or on newly assigned plots.
- iv. Provision of income restoration assistance under the income restoration programme
- v. Public consultation and awareness of compensation policy: (a) All APs should be fully informed and consulted about land acquisition, leasing and relocation activities; (b) The monitoring team should attend at least one public consultation meeting each month to monitor public consultation procedures, problems and issues that arise during the meetings, and solutions that are proposed; (c) Public awareness of the compensation policy and entitlements will be assessed among all APs; (d) Assessment of awareness of various options available to APs as provided for in the RP.
- vi. Affected persons should be monitored regarding restoration of productive activities.
- vii. The level of satisfaction of APs with various aspects of the RP will be monitored and recorded. The operation of the mechanisms for grievance redress, and the speed of grievance redress will be monitored.
- viii. Throughout the implementation process, the trends of living standards will be observed and surveyed. Any potential problems in the restoration of living standards will be reported..

60. The EMA shall submit semi report to PCU and WB. One post-project assessment survey will be undertaken by the EMA within 6 to 12 months after completion of compensation and resettlement activities.

9. Appendix A: Outline of Resettlement Plan

A. Executive Summary

This section provides a concise statement of project scope, key survey findings, entitlements and recommended actions.

B. Project Description

This section provides a general description of the project, discusses project components that result in land acquisition, involuntary resettlement, or both and identify the project area. It also describes the alternatives considered to avoid or minimize resettlement. Include a table with quantified data and provide a rationale for the final decision.

C. Scope of Land Acquisition and Resettlement

This section:

- i. (i) Discusses the project's potential impacts, and includes maps of the areas or zone of impact of project components or activities;
- ii. (ii) Describes the scope of land acquisition (provide maps) and explains why it is necessary for the main investment project;
- iii. Summarises the key effects in terms of assets acquired and displaced persons; and
- iv. Provides details of any common property resources that will be acquired.

D. Socioeconomic Information and Profile

This section outlines the results of the social impact assessment, the census survey, and other studies, with information and/or data disaggregated by gender, vulnerability, and other social groupings, including:

- i. Define, identify, and enumerate the people and communities to be affected;
- ii. Describe the likely impacts of land and asset acquisition on the people and communities affected taking social, cultural, and economic parameters into account;
- iii. Discuss the project's impacts on the poor, indigenous and/or ethnic minorities, and other vulnerable groups; and
- iv. Identify gender and resettlement impacts, and the socioeconomic situation, impacts, needs, and priorities of women.

E. Information Disclosure, Consultation, and Participation

This section:

- i. Identifies project stakeholders, especially primary stakeholders;

- ii. Describes the consultation and participation mechanisms to be used during the different stages of the project cycle;
- iii. Describes the activities undertaken to disseminate project and resettlement information during project design and preparation for engaging stakeholders;
- iv. Summarises the results of consultations with affected persons (including host communities), and discusses how concerns raised and recommendations made were addressed in the resettlement plan;
- v. Confirms disclosure of the draft resettlement plan to affected persons and includes arrangements to disclose any subsequent plans; and
- vi. Describes the planned information disclosure measures (including the type of information to be disseminated and the method of dissemination) and the process for consultation with affected persons during project implementation.

F. Grievance Redress Mechanisms

This section describes mechanisms to receive and facilitate the resolution of affected persons' concerns and grievances. It explains how the procedures are accessible to affected persons and gender sensitive.

G. Legal Framework

This section:

- i. Describes national and local laws and regulations that apply to the project and identify gaps between local laws and ADB's policy requirements; and discuss how any gaps will be addressed.
- ii. Describes the legal and policy commitments from the executing agency for all types of displaced persons;
- iii. Outlines the principles and methodologies used for determining valuations and compensation rates at replacement cost for assets, incomes, and livelihoods; and set out the compensation and assistance eligibility criteria and how and when compensation and assistance will be provided.
- iv. Describes the land acquisition process and prepare a schedule for meeting key procedural requirements.

H. Entitlements, Assistance and Benefits

This section:

- i. Defines displaced persons' entitlements and eligibility, and describes all resettlement assistance measures (includes an entitlement matrix);
- ii. Specifies all assistance to vulnerable groups, including women, and other special groups; and.

- iii. Outlines opportunities for affected persons to derive appropriate development benefits from the project.

I. Relocation of Housing and Settlements

This section:

- i. Describes options for relocating housing and other structures, including replacement housing, replacement cash compensation, and/or self-selection (ensure that gender concerns and support to vulnerable groups are identified);
- ii. Describes alternative relocation sites considered; community consultations conducted; and justification for selected sites, including details about location, environmental assessment of sites, and development needs;
- iii. Provides timetables for site preparation and transfer;
- iv. Describes the legal arrangements to regularise tenure and transfer titles to resettled persons;
- v. Outlines measures to assist displaced persons with their transfer and establishment at new sites;
- vi. Describes plans to provide civic infrastructure; and
- vii. Explains how integration with host populations will be carried out.

J. Income Restoration and Rehabilitation

This section:

- i. Identifies livelihood risks and prepare disaggregated tables based on demographic data and livelihood sources;
- ii. Describes income restoration programmes, including multiple options for restoring all types of livelihoods (examples include project benefit sharing, revenue sharing arrangements, joint stock for equity contributions such as land, discuss sustainability and safety nets);
- iii. Outlines measures to provide social safety net through social insurance and/or project special funds;
- iv. Describes special measures to support vulnerable groups;
- v. Explains gender considerations; and
- vi. Describes training programmes.

K. Resettlement Budget and Financing Plan

This section:

- i. Provides an itemised budget for all resettlement activities, including for the resettlement unit, staff training, monitoring and evaluation, and preparation of

resettlement plans during loan implementation.

- ii. Describes the flow of funds (the annual resettlement budget should show the budget-scheduled expenditure for key items).
- iii. Includes a justification for all assumptions made in calculating compensation rates and other cost estimates (taking into account both physical and cost contingencies), plus replacement costs.
- iv. Includes information about the source of funding for the resettlement plan budget.

L. Institutional Arrangements

This section:

- i. Describes institutional arrangement responsibilities and mechanisms for carrying out the measures of the resettlement plan;
- ii. Includes institutional capacity building programme, including technical assistance, if required;
- iii. Describes role of NGOs, if involved, and organisations of affected persons in resettlement planning and management; and
- iv. Describes how women's groups will be involved in resettlement planning and management.

M. Implementation Schedule

This section includes a detailed, time bound, implementation schedule for all key resettlement and rehabilitation activities. The implementation schedule should cover all aspects of resettlement activities synchronized with the project schedule of civil works construction, and provide land acquisition process and timeline.

N. Monitoring and Reporting

This section describes the mechanisms and benchmarks appropriate to the project for monitoring and evaluating the implementation of the resettlement plan. It specifies arrangements for participation of affected persons in the monitoring process. This section will also describe reporting procedures.